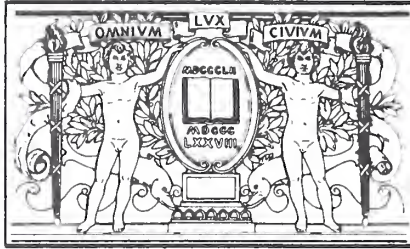


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REPORTS OF PROCEEDINGS

OF THE

CITY COUNCIL OF BOSTON

FOR THE YEAR

COMMENCING JANUARY 3, 1928, AND ENDING DECEMBER 31, 1928



CITY OF BOSTON
PRINTING DEPARTMENT
1928



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TO THE

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WABENO ST., WARD 12: order to repave with smooth paving, passed, 279

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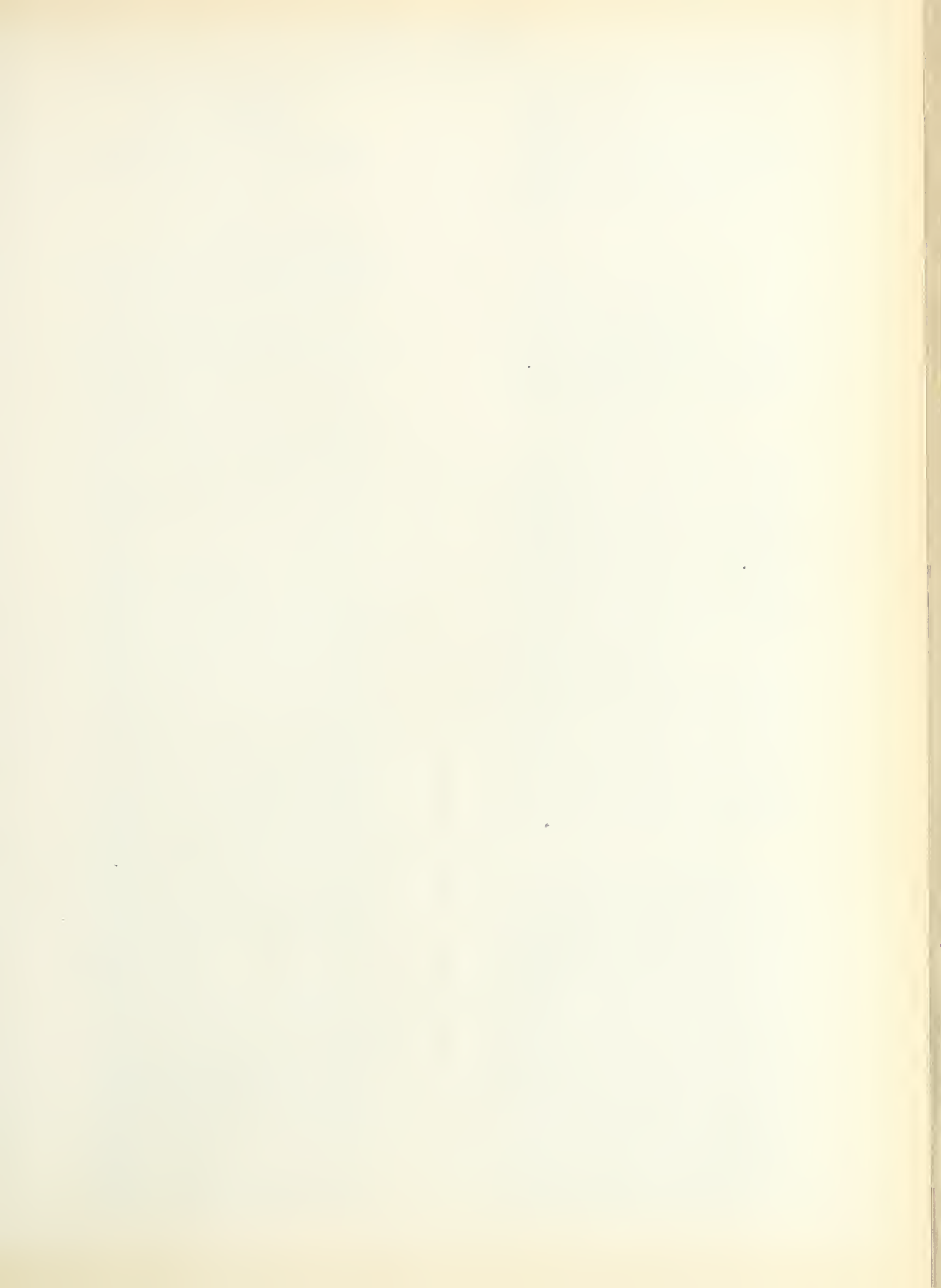
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CITY OF BOSTON.

Proceedings of City Council.

INAUGURAL EXERCISES.

Tuesday, January 3, 1928..

The ceremonies attending the inauguration of the City Councilors-elect of the City of Boston were held in the City Council Chamber, City Hall, at ten o'clock a. m., all members-elect being present.

The meeting was called to order at 10.41 a. m. by Coun. DOWLING, senior member-elect.

Coun. KEENE—Mr. Chairman, I move you, sir, that a committee of two be appointed by the Chair to wait upon his Honor the Mayor and to advise him that the new Council is in session and is waiting to receive him.

The motion was carried, and Chairman DOWLING appointed as said committee Coun. Keene and Gallagher.

The committee retired, to carry out the duty assigned, and presently reported that the Mayor and heads of departments would soon be in attendance.

His Honor Malcolm E. Nichols, Mayor of Boston, entered the chamber at 10.45 a. m., accompanied by the chaplain and by heads of departments.

Mayor NICHOLS—The audience will now give their attention while the chaplain delivers his prayer.

Chaplain Rev. Thomas F. MacCormack delivered the following prayer:

O Father, through whose authority government is rightly administered, laws enacted and judgments decreed, assist with Thy holy spirit of counsel and wisdom the President of these United States, that his administration may be conducted righteously and may be eminently useful to Thy people, by encouraging due respect for virtue and religion through a faithful execution of the laws, in justice and in mercy.

Let the light of Thy divine wisdom direct the deliberations of Congress and shine forth in all the laws enacted by our government for the good of our people.

We pray for His Excellency the Governor of this state, for His Honor the Mayor of our beloved city, for all judges, magistrates and other officers appointed to guard our political welfare, that they may be enabled by Thy powerful protection to discharge their duties with honesty and ability.

We recommend to Thy unbounded mercy all our brethren and fellow citizens throughout the land, that they may be blessed in the knowledge and sanctified in the observance of Thy most holy law; that we may be preserved in union and in that peace which the world cannot give: to the end that, as children of Thee, our Heavenly Father, we may so ordain our lives that we may fulfill our earthly destiny and at length may arrive at our Heavenly Father, through Christ our Lord. Amen.

City Clerk DONOVAN here read a communication from the Board of Election Commissioners, certifying to the election of members of the City Council, as follows;

Ward 1, Timothy F. Donovan, 148 Lexington street.

Ward 2, Thomas H. Green, 117 Baldwin street.

Ward 3, John F. Fitzgerald, 7 Allen street.

Ward 4, Seth F. Arnold, 92 Huntington avenue.

Ward 5, Henry Parkman, Jr., 182 Beacon street.

Ward 6, Michael J. Mahoney, 270 West Third street.

Ward 7, William G. Lynch, 670 Columbia road.

Ward 8, John F. Dowd, 24 Clarence street.

Ward 9, Michael J. Ward, 20A Auhurn street.

Ward 10, Roger E. Deveney, 36 Walden street.

Ward 11, William A. Motley, Jr., 30 Hawthorne street.

Ward 12, Herman L. Bush, 112 Homestead street.

Ward 13, Frank B. Sullivan, 15 Robin Hood street.

Ward 14, Israel Ruhy, 102 Talhot avenue.

Ward 15, Thomas W. McMahon, 164 Westville street.

Ward 16, Albert L. Fish, 12 Rowena street.

Ward 17, Robert Gardiner Wilson, Jr., 44 Kenwood street.

Ward 18, Peter J. Murphy, 48 Wood avenue.

Ward 19, Peter A. Murray, 7 St. John street.

Ward 20, Charles G. Keene, 156 Bellevue street.

Ward 21, Frederic E. Dowling, 4 Inric road.

Ward 22, Edward M. Gallagher, 21 Oak Square avenue.

The communication was placed on file.

The oath of office was administered to the members-elect of the City Council by his Honor Mayor Nichols.

ADDRESS OF HON. MALCOLM E. NICHOLS.

His Honor Mayor Nichols said:

Gentlemen of the City Council.

Upon taking up the duties of Mayor two years ago, I was called upon to deal with a financial situation so difficult as to require its treatment as the sole topic of an inaugural address. Concisely stated, the obligations of the city for schools, state and county maintenance, city debt and pensions, not under the direction of the Mayor, in addition to the maintenance of municipal departments under the direction of the Mayor, forecasted a city tax rate of \$32 a thousand.

A Glance at the Fiscal Problem.

This estimated rate was the result of a searching study of our financial condition, conducted with the assistance of an advisory committee whose diligent and able inquiry proved of inestimable value in placing before the new administration the scope and weight of its fiscal problem. The accuracy of this early analysis was confirmed in the announcement of a tax rate happily lower than the one estimated, but still at \$31.80, the highest in the history of the city. In my inaugural I said the tax rate in the course of my administration would go no higher, and last year I brought about a reduction of \$1.80 to the figure of \$30. A further reduction below \$30 may be expected this year, although the pressure of municipal obligations is most certainly growing no lighter as the necessity for additional municipal undertakings becomes apparent.

I have always opposed waste and extravagance. Attractive proposals for the expenditure of public money find an avenue every day to official notice. But in distinguishing between that which is extravagant and that which is not, there is the possibility of making mistakes on the side of supposed economy. You may run some municipality on bare necessities where the neighbors all know each other and where common consent, or what everybody is willing to stand for, makes up the simple body of prevailing opinion, but that kind of common consent is not the prevailing opinion of a great and expanding metropolis like our own. It is indeed true that we could exist as a great city with much less than we have but with infinitely less comfort and satisfaction.

Cost and Municipal Services.

In my first inaugural message I called attention to the enforced neglect of municipal services caused by the weight of war taxation. I have since stated that our Boston tax rate should have gone much earlier to a higher level as in case of many other cities. I called attention to the needs of higher pay, particularly in the case of laborers, of more police, of increased hospital, health and fire protection and street maintenance and construction. I estimated the tax rate at \$32, declared it at \$31.80, reduced it to \$30, expect further to reduce it, and I have adequately met the requirements of our municipal services. Moreover, I am pleased to note that the policy followed has met with general public approval. There may be persons who argue against getting things done because things cost money, but most people want things done for their comfort and protection. There is no public opinion to the contrary.

All business is difficult, although public business, because it is everybody's business, is sometimes thought otherwise. The public business is certainly as frequently misunderstood as any private enterprise. A fallacy still nursed, although exposed many years ago by my distinguished predecessor, the late Nathan Matthews, is that public and private business are identical, whereas the former is established to render service while the latter is organized to earn money.

Story of the Tax Rate.

Even a hurried reading of statutes relating to the City of Boston discloses that the city is narrowly limited in all that it does. Its tax rate is imposed partly for state expenses, partly for county expenses, partly for schools, partly for debt requirements, partly for pension requirements, and partly, through a device known as the tax limit determined by the Legislature each year upon petition of the Mayor, for the production of a certain amount of money to operate city departments. The city expends, exclusive of loans, about \$70,000,000 a year. About 60 per cent of this sum, or over \$40,000,000, goes towards state, county, police and school maintenance, and city debt requirements. Only about 40 per cent of it, or less than \$30,000,000, is set aside for city departments. The Mayor directs, through his department heads, the expenditure of this \$30,000,000 or less.

The tax rate covers the entire amount of this \$70,000,000. The tax limit, often confused with the tax rate, is a much smaller rate and is determined by the Legislature merely to compute the size of the city budget, which last year amounted to about \$30,000,000 of the \$70,000,000. After this use the tax limit no longer appears in the computation of the tax rate. On the tax bill of 1927 the following elements enter into the \$30 rate:

State tax.....	\$2 77
County tax.....	1 76
School tax.....	9 20
City tax.....	16 27
Totalling.....	\$30 00

The city tax of \$16.27 provided not only for the maintenance of departments under control of the Mayor but also for the Police Department, Licensing Board, Finance Commission, Debt Requirements and Pension Accumulation Fund. That part of the \$16.27 over which the Mayor exercised control is about \$12.

Tax Limit and Tax Rate.

This month we again go to the Legislature for our tax limit and there is abundant evidence that the Finance Commission is about to display once more its peculiar notions on municipal finance. We shall hear public business confused with private business. We shall be told that back taxes collected during the current year should be added to the Mayor's estimate of income in order to reduce the tax limit. We shall be asked to increase this estimate of income by adding to it our share of the state income tax further to reduce the tax limit. We shall again be given the ridiculous advice to add to the estimated income the amount of poll taxes assessed.

The use of back taxes in this aerobatic manner amounts to counting the money twice when the city gets it but once. It is probably illegal. It creates a deficit which tends towards unwise borrowing and is in every way contrary to good policy. The use of state income tax revenue and poll taxes as estimated income is contrary to law.

There was no valid objection raised last year against the budget either in the Legislature or in the City Council, and I am confident that the care taken in the preparation of the budget this year will cause the tax limit requested to be promptly granted and the appropriation bill to be promptly passed after its examination by your honorable body.

No city in the country has a departmental budget as closely segregated as ours, that is, setting forth in such minute detail the various items contained in it. It is safe to say for the limited scope occupied in the tax rate no budget in the world is subjected to so much discussion. If the 60 per cent of the tax rate were to be given the same prayerful consideration as the 40 per cent it might be possible for the Mayor to speak confidently of a still lower rate, for the whole of which he appears to be responsible, solely because it is his duty to place it upon the municipal tax bill.

Increasing School Budget.

Our school expenditures have, in comparison with city departmental expenditures, increased so disproportionately as to cause general alarm. The chief trouble with school expenditures is that they are not subject to the control wisely provided by

the municipal budget. There is no minute exposition of their purpose comparable with that of the city departments, and there is an elasticity and ease in change of purpose hardly imaginable. How can avenues of school extravagance be located and sealed without more systematic apportionment of maintenance costs? No unexpected adoption of a system of school advisers would have been possible under the budget system employed at City Hall. The School Committee would have been compelled, as the Mayor is compelled, to state definitely at the beginning of the year the purpose and the amount.

I am not opposed to a general investigation of school procedure, but the one indicated in the Cummins report does not seem of particular value without first changing the method of compiling school budgets to one more clearly understood. It might be assumed that the school authorities could themselves, without unreasonable cost, bring about the change. It might be started under the adequate power conferred by law upon the Finance Commission. It can and will be done by the Mayor, without such power, if the School Committee will extend to him an invitation properly supported. It certainly will be ultimately accomplished through the force of public opinion. Last year, through his veto power, the Mayor forced a reduction of \$200,000 in appropriations which would have further inflated the item of unexpended balances created for the undefined purposes of school expansion. Such balances will appear in the 1928 school budget unless the School Committee changes the policy pursued for many years during which increasing school costs have persisted as the most inexplicable of municipal problems.

Finance Commission Reform and Civil Service Reform.

It is not ordinarily the part of wisdom to rehearse bad advertising, but loose talk, of which we certainly receive a generous helping, often gives Boston the worst advertising. The Finance Commission is laboring under the mistaken notion that the law set them up to be a board of common scolds. In the days of the old Colony the common scold found his seat in the stocks, and from time to time the Mayor has had to apply in modified form the ancient remedy. There is no explanation in the law for this curious estimate by the Finance Commission of its own membership. They are not even fair to themselves. To strangers, who do not understand this betwixted mental state the activity of the Finance Commission is cause for amazement. The municipal advertising wrought from enchanted minds is, of course, amusing to us, but it deceives outsiders and leads to a false and harmful public estimate of the city among her municipal neighbors.

It is time to seek a change, and the Mayor will ask the Legislature this year to cancel the terms of the present finance commissioners and to provide for the appointment of five finance commissioners, three of whom shall be named by the Governor and two by the Mayor. There should be no objection to a minority representation of two commissioners appointed by the Mayor subject, as in the case of other appointments, to review by the Civil Service Commission. The Finance Commission clause in the City Charter I supported when in the House of 1909, as a member of the committee which recommended the charter amendments. Its powers are inquisitorial but not to be exercised for the purpose of systematic blasting which can well be carried on through the channels of private endeavor and needs no official stimulus to misrepresent the true value of the greatness of the City of Boston.

The power of the State Commission on Civil Service to defeat the appointments of the Mayor to his official family is a severe check on local self-government. The time has come when this check, unlimited as at present, may be questioned as advisable. Clearly this arbitrary power exercised with the customary delay of thirty days and then without the submission of any reasons for rejection is not consistent with the public interest. I shall, therefore, request the Legislature for an act providing that a statement of reasons for the rejection of any appointment must be furnished by the commission to the Mayor forthwith upon the Mayor's application therefor, and that, with the consent of the appointee, the Mayor may appeal from the decision of the commission to the Governor and the Executive Council.

Boston Requires Representation.

The City of Boston has never received from the Government of the Commonwealth the consideration which it ought to have, and the result has worked to the harm not only of the city but of the Commonwealth itself. First of all, the city is entitled to a greater measure of freedom in its own affairs. The extent of unregulated interference on the part of state commissions has hardly a parallel anywhere. Our size and importance should be recognized by direct representatives appointed by the Mayor on the Finance Commission, the Metropolitan District Commission, the Boston Licensing Board, and the Board of Boston Elevated Trustees.

I realize the difficulty of obtaining this minority representation but the affairs of the City of Boston occupy so much of the attention of these state commissions that the suggestion of special minority representation is entirely reasonable and would serve to bring about a much better conduct of these affairs if the suggestion could be carried out. Of course, no city or town should expect to exercise an independence inconsistent with the conduct of the business of the Commonwealth, but the City of Boston is being seriously hampered in her opportunity. As she grows in strength and power so can she be an added source of strength to the Commonwealth. The policy of small annoyance visited upon her by narrow and mistaken policies does no good either to the city or to the Commonwealth. Boston desires to be better understood and expects in the near future to have her point of view better exemplified than at present on state boards which have greatly to do with her affairs.

Boston Not Properly Recognized.

The high per capita cost of running the city is usually stated without explanation, but the fact that Boston is the business center of a population twice her size is in no small way responsible for the statement. Into the business district 800,000 people come daily, a great majority of whom live outside our corporate limits. They obviously swell to greater proportions the street, fire, health, police, park and recreation and hospital burdens, and in many ways increase the pressure upon every municipal activity.

The truth is that our problems are becoming more common to the greater city, but their solution is cramped and dwarfed by small city treatment. For instance, Boston does not begrudge the \$19,000,000 she has paid for the construction and maintenance of metropolitan parks and boulevards, almost all of which are outside Boston, but they are a factor in her per capita cost and are entitled to be called Boston metropolitan parks and boulevards. Thus, coupled with her own incomparable parks and boulevards, we should stand before all America as having the greatest system in the United States. This is good advertising, in which every Bostonian of the greater city would take just pride.

Boston has the unmerited reputation with some of her neighbors of being backward. The fact is Boston enjoys a healthful growth, above the average city. But the city is expanding and cannot transact her business within the crowded downtown district. We have a large assessed real estate valuation per acre compared with that of any city in America, which means that business property and not residential property is becoming more characteristic in the course of time of the territory within our corporate limits. It is possible then, with growing commercial prosperity, to reveal an actual dwindling in population as residents move to metropolitan towns where improving transit shortens the distance between home and business.

Boston a Growing Community.

The city is expanding into new business districts. This tendency has within a few days been recognized by the Board of Zoning Adjustment which on my recommendation has wisely made possible millions in commercial building construction beyond congested areas. Increasing valuations have been largely based on new construction. In two years there has been a deflation of fictitious values in the neighborhood of twelve millions. Boston should invite more business. The very name Boston stands for stability and is a good asset. But as commercial building increases the asset of increasing population should not be lost.

Two years ago I urged that this asset of population could easily be held to the advantage of all Greater Boston if the population of the greater city could be counted as the population of the City of Boston in addition to its being counted, as at present, in separate municipalities. That is, give each of the thirty-nine cities and towns their present population and designate the total population as that of the Metropolitan City of Boston. Due to opposition, based on the belief that it meant annexation, the bill I presented failed, but it has every sound argument in its favor and none against. No city or town of the metropolitan district is deprived of its just due, but on the contrary is given the additional advantage of membership in a metropolis of nearly two million people. Instead of being the tenth city in population, the greater city, known as the City of Boston, becomes fourth. Its commercial importance grows, its consciousness of size and common interests develops, its influence becomes more emphatic.

Make Boston Officially Fourth City—Common Interest.

I have introduced this bill again this year. If it succeeds there is not the slightest doubt it will give added weight to the endeavor of the city to obtain recognition in Washington for equitable rail and ocean differentials. It will strengthen both the city administration and the Boston Chamber of Commerce in their fight for the commercial interests of the greater city. Boston extends financial help to the chamber which represents the trade and commerce of the greater city. Boston maintains her own representative in Washington in the interest of the trade and commerce of the greater city. Boston maintains for her own citizens great municipal activities which are also enjoyed by citizens of the metropolitan district. Why should not the City of Boston receive all of the support possible from the greater city for the greater interest, particularly as it costs nothing?

Boston shares the opposition of her neighboring cities and towns against annexation. If without mutual advantage annexation is without value. The steps toward a greater city do not lie through annexation but through the identity of interests in common, and the first interest is the value of being called what we are, the fourth city in the United States. Some time we shall have delegates, locally chosen, meet in a metropolitan council to deliberate and act upon questions affecting the common interests of the greater city. Otherwise, as metropolitan questions arise, state bureaus will deal with them to a greater extent than at present, with less home rule and more concentration of state control supported by local taxation.

Traffic and New Laws for Violations.

The question of traffic presents features common to the greater city and should be considered by a committee fairly representative of the thirty-nine cities and towns. As soon as the Mayor's Traffic Advisory Committee makes its report on Boston traffic, I shall ask the metropolitan traffic committee to name a metropolitan traffic committee to consist of one member from each city and town, and I suggest that this committee seek the services of the Erskine Bureau of Harvard University which has been conducting the Boston traffic survey, without charge, under the direction of Dr. Miller McClintock. Such a committee would, of course, have only advisory powers, but it would present a desirable opportunity to examine a vexed question of general importance by a local body representative of every municipal unit in the metropolitan area.

Our method of handling automobile violations of the traffic law is expensive, clumsy and unfair. Many cities have special traffic courts or bureaus which deal effectively with a volume of petty cases such as now congest the dockets of our police courts. A change in procedure is required which I hope may be indicated in the coming report of the Mayor's Traffic Advisory Committee.

Gasolene Tax for Traffic Highways.

All our cities have an unusual street construction program, due to traffic congestion. They receive negligible or no help from the motor vehicle fees which have been applied to the building of interurban traffic highways. The enactment of a gasolene tax would meet the necessity for extending within cities traffic thoroughfares which

cannot now be constructed without unduly adding to the load of local taxation. An equitable distribution of this tax would go far to meet the need of such thoroughfares in Boston into whose congested streets the great highways huilt by the state pour an unprecedented volume of traffic.

Within the past few years the city has undertaken major widenings and extensions amounting to fifteen millions. Plans estimated at a cost of at least twenty millions additional will presently be considered by the Legislature, and the desirability of further plans will, I am told, be disclosed as a result of the pending traffic survey in Boston. In so far as these plans involve metropolitan traffic questions, they certainly merit the support to be provided by a gasolene tax and if more metropolitan boulevards are to be built, they should be built in Boston as well as elsewhere.

Fees and Ferry Tolls.

The City of Boston receives in fees an amount of revenue which falls far short of measuring the cost and value of the services rendered by the city. A quarter of a million dollars in additional revenue should be derived in fees under rules applicable to the transaction of the business of today in place of the archaic provisions of old statutes. Fees are local in character and are not, therefore, as well determined by legislative enactment as by municipal regulations. For the purpose of readjusting the fees for permits and licenses I have presented to the Legislature a bill providing that fees shall be redetermined by the Boston Licensing Board with the approval of the Mayor.

There is pending before your honorable body my recommendation for the readjustment of tolls on the East Boston ferries. Again I ask your favorable consideration of this measure. The annual ferry deficit is in excess of three quarters of a million dollars. The tolls are grossly inadequate to provide for maintenance, to say nothing of plant depreciation. The city does not maintain the ferries as municipal highways and should not be compelled to render a free service to the enormous transaction of business which can bear a more equitable apportionment of the cost. There is no argument except present practice that places this huge cost upon the shoulders of all taxpayers. The new tolls will but reduce this cost to the city to the extent of a quarter of a million, thus leaving a deficit in excess of half a million.

East Boston Bridge or Tunnel.

At best, the ferry system is not adaptable to that rapid transportation of freight and passengers required by the growing size of commercial operations. There should be a connection between Boston and East Boston by bridge or tunnel. Each method has been subjected to considerable study and there is at hand much information which deserves immediate careful review. It does not seem possible for the public to hear construction costs, as in the case of the Holland tunnel connecting New York City with Jersey City. But the successful financial operation of that tunnel indicates the probable success of a bridge or tunnel as a private business enterprise under public supervision, and I favor the construction of either with reasonable safeguards and a provision which shall insure ownership by the public after the financial obligations assumed by the builders have been discharged.

Immediate Rapid Transit Needs.

Boston needs more rapid transit. We shoud the world how to build subways by building the first one. Rapid transit serving the greater city is conducted largely upon the credit of Boston. A few weeks ago, as Mayor, I formally opened a rapid transit extension to Fields Corner and a further extension is in process of construction to Mattapan. The success of this new line is certain and will emphasize the value of other improved facilities.

Conditions at Governor square have been neglected too long and must be given immediate attention. In May, 1925, the Governor Square Act was passed, but the Boston Elevated has since declined to sign the lease as required by this act in the manner of other subway acts, on the ground that it cannot assume the rental obligations. Supplementary legislation presented by the city in aid of Governor square was defeated last year after the failure of all Elevated legislation.

Rapid transit at Governor square is again recommended by the Metropolitan Planning Division which presents to the General Court this year a comprehensive measure for further rapid transit extensions to serve Huntington avenue, East Boston, Somerville and Cambridge, and to utilize present subways to full train capacity. This measure is well considered.

Solve Elevated Problems This Year.

We have been told year after year that improved rapid transit cannot be had until after the financial problems of the Elevated have received a solution more permanent than that provided through the present method of public operation and control. It is highly unfortunate that the transit problems of a great population should be made to depend upon the uncertain future status of a privately owned transportation company. The City of Boston is primarily interested in improved transit and therefore interested in all questions which adversely affect it. My belief is that the Elevated problem cannot be satisfactorily solved either through a return of the road to its stockholders or by resort to public ownership. Our transit situation requires a prompt solution of this question. In my opinion conditions in Boston require an extension of public control for a definite period. This period must be of sufficient length to insure the immediate construction of such improvements in the system as to provide adequate rapid transit for this community. There is a workable proposal before the incoming Legislature supported by a recent opinion of the Supreme Judicial Court as to its constitutionality. This proposal, known as the Harriman Plan, presents a practical solution of financial questions which, once settled, will move forward the consideration of Governor square, Huntington avenue and other plans for rapid transit. I have, therefore, directed the Corporation Counsel to examine the transit and reorganization measures for the protection of the interests of the city and the framing of such amendments as may be found necessary or desirable. The bills in substance I favor and I have no doubt that in detail they will prove satisfactory.

Loans Confined to Obvious Needs.

Since I have been Mayor it is not too much to say that projects involving the expenditure of \$100,000,000 have been submitted for my consideration. Some of these were worthy and many were without practical value. I have given time and thought to every plan seriously suggested for the improvement of the city, but I have carefully refrained from committing the city to any expenditure which had not received the best study that could be given it. This policy is reflected in the conservative horrowing of the city during the past two years.

In the first year of my administration the borrowing power of the city was \$5,007,403.94 and the loans authorized were \$3,442,500, leaving a balance in the borrowing power of \$1,564,903.94. In 1927 the borrowing power of the city was \$7,230,460.01. The loans authorized in 1927 were \$4,504,000, leaving a balance at the end of this fiscal year of \$2,726,460.01.

It will be noted, nevertheless, that close attention has been given to the obvious needs of the city. Loans have been authorized fully adequate for all of the construction of new streets that the city was equipped to carry on. The hospitalization of the city has received a full measure of attention in the extensive improvements now going on at Long Island and at the City Hospital, and in plans already under way for future work to meet the growing needs of this community.

New equipment has been provided for handling in modern fashion the removal of snow and waste. Briefly, the city has borrowed money for rehabilitating and enlarging its plant so that constantly improving services may be rendered. Debt requirements of the city thus show a tendency to grow. The city debt since 1910, the first year of the new charter, would have shown a substantial decrease but for the work of street extensions and widenings which must be continued in the future to a greater extent than in the past, if the city is to provide suitably for its traffic thoroughfares.

City Credit Unexcelled.

In this connection it is interesting to note that the city has been particularly fortunate in the low rates of interest secured for its permanent

loans. During the year all the serial debt issued was at the rate of 3½ per cent, and the most recent loan for rapid transit debt was at 3½ per cent, the lowest rate since 1909. The amount of temporary loans this year is five million dollars lower than last year, resulting in a large saving in interest charges. It is true that financial conditions have favored the flotation of all loans, but this fact takes nothing from the City of Boston whose securities are sold at the lowest rate of any great American city.

Boston thus enjoys the highest financial reputation of any of the large cities of the country. She often is made to undergo unfavorable comparisons by critics who do not understand her peculiar relationship with the Commonwealth and with the metropolitan district, and who above all do not comprehend how varied and multiform are the municipal services which are rendered through her municipal organization.

Boston is on the pay-as-you-go basis. I have followed this policy wherever it seemed wise, but I do not regard it as an infallible formula for financial success. Undoubtedly the extent to which future burdens are placed upon the present have tended toward higher valuations and higher tax rates. Most of our permanent paving is paid for out of the current tax levy. Since 1916, no schoolhouses have been built from loans, and year by year the city has expended sums raised by current taxation which now total twenty-seven million dollars.

Outstanding Street Improvements.

Maintenance before permanent improvements has just claim upon the attention of the city, and if adequate, should provide good service. Maintaining streets is of first importance, as street conditions give good or had impressions of a city and greatly affect the transaction of business. For two years the city has worked unusually hard to improve its streets. Down-town business streets have been rebuilt and uptown streets have been resurfaced.

Downtown street areas replaced during the past year with bituminous surfacing on concrete have include:

Beacon street, from Massachusetts avenue to Kenmore square.

Boylston street, from Exeter street across Berkeley street and from Arlington street to Tremont street.

Columbus avenue, from Dartmouth street across Northampton street.

Columbus avenue, near Park square.

Washington street, from Massachusetts avenue to Dover street.

Park square.

Stuart street.

East and West Brookline streets.

Broadway.

These streets are heavily laden with traffic, whose convenience is being served by this new work as never before.

Medford street in Charlestown is a wide traffic thoroughfare, reinforced this year with a concrete roadway and granite blocks with grout joints. Lexington street in East Boston was similarly resurfaced.

In South Boston, A street, from Congress street to Gloucester avenue, was rebuilt with grouted granite blocks on concrete base with cement walks. The benefits derived from this improvement are not confined entirely to the local business interests. It is an important outlet for down-town traffic, relieving Dorchester avenue at the South Station and Dorchester avenue at Broadway.

East Broadway, from L street to Farragut road, was rebuilt with bitulithic pavement and cement walks, replacing an old macadam roadway.

In Roxbury, Dundee street, Brookline avenue, Longwood avenue, Dudley street, Crawford street, Harold street, and Quincy street were rebuilt with asphalt surfaces and cement walks, and Harrison avenue, between Lenox and Warren streets, and Longwood avenue, between Huntington avenue and Parker street, were reconstructed with granite pavements on concrete base and cement walks.

In Dorchester conditions have been improved by the reconstruction of Freeport street and the Old Colony Boulevard, with grouted granite blocks on concrete base.

To get at the meaning of these improvements it must be borne in mind that while we speak of the roadways as granite or bituminous surfaces, the old brick sidewalks have also been replaced by new cement walks.

River street, from Mattapan square to Everett square, Hyde Park, and Ashland and Oakland streets, are in process of construction. In Charlestown city forces have started work on the Sullivan square traffic widening.

Thirteen streets laid out by the Street Commissioners in 1926, three in 1925, and one in 1924, were completed in 1927; and of the forty streets laid out in 1927, twenty-five are either under contract or completed and fifteen are to be advertised.

Park Boulevard Improvements.

Roads in the park system are called boulevards and are under the control of the Park Department. Much work has been done on these boulevards during the year as follows:

The two-way road system in the Fens, recently completed, is regarded as one of the most attractive roadways in America.

Riverway has been widened.

Commonwealth avenue has been resurfaced from Arlington street to Charlesgate, and from Beacon street to Snerborn street.

Castle Island has been joined to the mainland at Marine Park by the construction of a park connection to be made into a boulevard along the new Causway, thus making accessible by automobile a spot of great historic importance.

Park and Recreation Activities.

The parks, playgrounds and municipal buildings of the city all bring increased pleasure and usefulness under the systematic policy now pursued of organized play under competent instructors.

There is hardly a municipal activity closer to the people than that concerning recreation and exercise.

During the past year, in addition to park boulevard construction, there may be noted in the manifold work of the department the following:

Erection of shelters on playgrounds.

Installation of water system and fountains in the Arnold Arboretum.

Concrete walks in Franklin Park.

Completion of the Father Buckley Playground in South Boston and the Almont Street Playground in Dorchester.

Sanding of all bathing beaches.

Fences at North End Park, Boston Common, and Public Garden.

Alterations and additions to the L Street Bath House.

New public landing at Marine Park.

A distinctive feature in park work has been the building of the new lagoon and the various park and playground improvements in the Fens, where it is planned to erect a new schoolboys' stadium containing a football gridiron, two full-sized baseball diamonds, running track, and reservation for various athletic contests, and with a seating capacity for 7,500 persons, with provisions for an increase to 12,000 persons.

The Boston parks are famous the world over, and the recreation, gymnastic and athletic features carried on by the Park Department are well known everywhere, as they deserve to be.

Boston City Hospital.

The three million dollars authorized by the act of 1924, for buildings and equipment at the City Hospital, will fall short of meeting the growing needs of that great institution. I shall accordingly recommend to the Legislature this year the authorization of a further loan not exceeding three millions for the same purposes, to be raised two thirds outside and one third inside the horrowing capacity of the city.

On the recommendation of the City Hospital trustees I have approved the construction of an extra story, making nine in all, for the new medical pavilion. This will meet the requirement of the neurological clinic maintained by the Rockefeller Foundation and the Harvard Medical School and will place the City Hospital in a notable position in its treatment of neuro-surgical cases. Already it provides a neurological service outstanding in the United States.

I wish it were possible to speak of the many activities of the hospital, but there is opportunity here only to comment with satisfaction upon them.

During the year the Out-Patient Department has been placed on the appointment system, so that now patients are not kept waiting from half-past eight to twelve o'clock before being treated. They are given a certain hour, at which time

they are expected to come to the Out-Patient Department, and are seen and treated in a short while. This makes the work of the Out-Patient Department much more efficient, and particularly satisfactory to the persons resorting thereto for treatment.

For the first full year, 1926, out of 25,500 persons admitted to the hospital, only 11,833 were Boston settled. Of course it is only fair to say that many more Boston cases than that were admitted, but, although settlements are not taken on alcoholic cases, tonsil and adenoid cases, relief station cases, and those remaining in the hospital only one day, it is reasonable to assume that a large proportion of the cases admitted to this hospital are not Boston settled cases.

The Boston Sanatorium at Mattapan, now administered by the City Hospital trustees, will probably require this year the construction of a new building estimated to cost \$1,000,000.

Public Health.

In public health we have had a good record throughout the year. We have had a low death rate, particularly in respect to infant mortality. The typhoid death rate is the lowest in the history of the city and probably the lowest of any large city. Deaths from pneumonia, diphtheria and tuberculosis have also established a new low record in Boston. Deaths from accident and suicide were fewer than in many years. In deaths from scarlet fever, cerebro-spinal meningitis and cancer, an increase is reported.

A division of tuberculosis was created early last year. The Out-Patient Department at 57 East Concord street became a dispensary, and dispensaries were established in the North End, East Boston and South Boston Health Units, also at the West End, and in the Charlestown, Codman square, Brighton, and Hyde Park municipal buildings.

The nursing service has presented many new and difficult problems which are being well handled by the Health Commissioner. In this service there were about 197,000 visits made during the year of which about 175,000 were at homes. There were 65,000 in the attendance record of babies and pre-school age children at child health clinics.

An important division of the Health Department relates to the inspection of milk, foods and sanitation. Our inspection is vigilant, well supervised and ranks high in comparison with that of other cities. Credit is due to the milkmen of Boston for their effort to obtain an adequate supply during the serious New England food.

The South Boston Health Unit, another link in the splendid chain of community health centers made possible through the magnificent provision in the will of the late George Robert White, was dedicated last June. The trustees have voted to establish the next unit in Charlestown. This will be the fourth unit in a health activity for which Boston is distinguished. The work of the units was presented at the annual meeting of the American Public Health Association last October in Cincinnati and attracted much attention and widespread favorable comment.

An epochal event in Public Health promotion in Boston was the decentralization of the tuberculosis program of the city. Well-functioning clinics are now held at all of the health units and furnish complete X-ray service. A thorough examination, not only of the tuberculous but all contacts as well, is thereby made accessible in various sections of the city.

Institutions—Child Welfare.

Closely allied with mainland hospitalization and public health is the care and maintenance of island institutions. At the Long Island Hospital long needed improvements are well under way, made possible through a loan of \$1,000,000 authorized by the City Council. When completed, they will provide additional accommodations for men and children and for nurses.

In the Child Welfare Division of the Institutions Department there is commendable care and diligence in the placing of children in homes. Provision has been made for an increased number of visits. There are nearly nine hundred children in care of the division of whom over seven hundred are in private homes.

During the period of the war and just after the war, there was a large decrease in the population at

the House of Correction, Deer Island, as well as at all penal institutions. It then started an upward trend, until now it would appear from the figures of the last three years that conditions are back where they were and the average population at Deer Island will be between six and seven hundred.

Schoolhouses—Safety and Health.

The program for new school buildings has progressed rapidly during the past year. Huge sums of money are being spent out of the tax levy to provide adequate high school, intermediate and elementary accommodations to suit the immediate needs of the various sections of our city. Two new high schools will be ready for occupancy at the beginning of the next school year—the Roxbury Memorial High School, said to be the largest public school in the world, and the Hyde Park High School, which is beating all records in speed of construction and should be completed within one year from the breaking of ground.

With these new buildings and the Brighton High School, to be built this year, every section of the city will have been provided with up-to-date buildings for high school purposes. Thus, with the exception of another high school in Dorchester, and possibly one in the West Roxbury section Boston will be provided with adequate high school accommodations and the authorities can then turn more intensively to the far simpler question of intermediate and elementary schools, involving lower costs and fewer educational problems.

Intermediate schools are being supplied rapidly by converting former high schools and erecting new buildings, as the conditions in the various districts determine, while elementary schools are being placed wherever the needs are most urgent. Within a few years accommodations in these grades should be reasonably adequate and then Boston can devote its funds to the replacement of old buildings that should be abandoned for school use as soon as the city's funds permit.

Special efforts have been made to make the older buildings satisfactory from the point of safety and health, and to this end sanitation has been greatly improved, better lighting has been provided where needed, and every school in the city has been supplied with an auxilialized fire alarm system of up-to-date pattern.

Soldiers' Relief—Civil War Aid.

An outstanding feature of the work of the Soldiers' Relief Department during the past year has been the review and reclassification of Civil War cases. Under the review conducted the case of each individual veteran and widow on our Civil War pay roll has been thoroughly investigated and in the great majority of these cases it was found that the total amount received from the Federal pension, the Commonwealth allowance and the City of Boston soldiers' relief was inadequate. Boston has not waited for Federal action but has remedied the situation by increasing its own allowances. A survey of our Spanish War, Philippine Insurrection, and World War cases has also resulted in a truer classification of the individual applicants.

Assessed Valuations Equalized.

The activities of the Assessing Department for the year 1927 have been directed to the revaluation of the real and personal estate, with the view that all valuations in the city might be equalized. As a result, the valuations along the waterfront and in the older sections of the city were substantially reduced.

The totals of these reductions amounted to more than \$8,000,000 and were applied to waterfront and down-town districts, where it was observed that the character of the districts had changed and the market value had reduced.

The loss was offset by new construction of more than \$40,000,000 and land increases in the Back Bay and the business centers of the suburbs. This gross gain was reduced to a net of approximately \$31,000,000, because of loss in personal and reductions in real estate.

Sewers and Water.

Sewerage works have been constructed throughout the city consisting of sanitary sewers and surface drains.

Extensive works, on such sewers and drains, are under way in the Germantown section of West

Roxbury, a section that has for a long time been seeking relief from the old antiquated and unsanitary cesspool.

In Dorchester a section of Davenport brook, soon to be constructed, will remedy a disagreeable condition in the vicinity of Adams and Minot streets.

The porter street outlet, a large 10-foot by 12-foot reinforced concrete conduit, now under construction, will stop the flooding of cellars in East Boston during heavy rains. This conduit will also prevent the fouling of the hathing beach at the World War Memorial Park.

The City of Boston is now almost metered, with about 93,000 meters in operation.

A 48-inch main has been laid in Charles street, Park square, Columbus avenue and Arlington street and will pass through the tunnel, constructed this year in Arlington square, underneath the Boston and Albany and Providence Railroads.

Snow and Waste.

Snow removals by better organized effort and the effective use of new equipment have been commended in every part of the city, business and residential as well.

Approximately 500,000 tons of ashes, garbage and refuse have been collected during the year, and a special effort has been made to meet the comfort and convenience of the householder. Very satisfactory results have been obtained in this difficult service, which comes personally to the attention of everybody. Every endeavor will be made to maintain service at its present high standard and to improve it in every way possible.

Bridges and Ferries.

A great deal of work has been required on bridges and ferries. Larger and more modern boats have been added to the fleet and electrically operated ferry bridges have been installed at the head houses to provide for the heavy loads imposed by motor trucks. A new electrically operated steel ferry bridge is being built on the East Boston side of the North Ferry with a roadway wide enough to accommodate two vehicles abreast. A contract has been awarded for replacing the boilers of the ferryboat "John H. Sullivan." Broadway and West Newton Street Bridges have been rebuilt. Reconstruction work on bridges which has been provided for during the year include the rebuilding of the Ashland and the River Street Bridges as a part of major street improvements and the reconstruction of the Columbus Avenue Bridge will be undertaken.

Maximum Pay of Policemen and Firemen.

Questions relating to schedules of compensation are most perplexing. The pay of city laborers, mechanics and stationary engineers and firemen has been increased during my administration. I have had the advantage of a study made by a classification committee composed of competent city officials, and in accordance with that study I have caused the standard of wages to be raised in other cases.

The municipal group consisting of the uniformed forces of the Police and Fire Departments should now be given serious consideration as the City of Boston is below the standard of compensation maintained by other large cities. It is desirable by all means to declare the tax rate this year at a figure lower than the thirty dollar rate of last year, but if it is possible within a reduced rate to grant additional maximum compensation to the uniformed members of the Police and Fire Departments, I shall include a sum sufficient for this purpose in the coming municipal budget for 1928.

Progress on New Street Signs.

The work of providing street signs for the city has made satisfactory progress. Practically all the streets in the business section have been completed and much work has been done in the suburban districts. A further appropriation of \$25,000 will be recommended this year to carry on this much needed improvement.

Gentlemen of the City Council, it is the annual custom of the Mayor to present to your honorable body a statement of public questions affecting the conduct of city business. Obviously the business of the city in all of its branches presents such a complex of policies and municipal operations that

but a brief review may be made of them. Such a review I have endeavored to make in this third annual address.

There is a relationship between cost and municipal service the importance of which must not be overlooked. It is my opinion that the city should give full return with the lowest reasonable cost, but I do not believe it possible to accomplish this result on a program which slight the value of things which people ought to have. I have not tried to convey the impression that things worth having are cheap, either in price or in effort.

The business of the City of Boston runs through many avenues. In its conduct of affairs the city has made for itself a reputation to be envied. This is so because of the fine progressive citizenship characteristic of Boston, a citizenship unsurpassed anywhere.

Boston is growing. Its problems are increasing in number and in difficulty. An essential problem lies in seeking the recognition of a common interest among the inhabitants of Boston and the neighboring cities and towns which comprise the fourth greatest metropolis in America. This problem is not to be solved in the debate of factional and sectional groups, but in a broad conception of the few simple things that affect the welfare of all. I believe that the time is not far away when such a solution will be found which will greatly strengthen and fortify the city as well as other municipalities in the greater city, and promote the commercial prosperity of all. We have many advantages not possessed by other great cities but we lack the impulse of that concerted effort which shall bring the value of these advantages to those who may profit by them.

Gentlemen, we are fortunate in the opportunity which is ours to work for the City of Boston, to uphold her great past and to act with care and devotion for her splendid future. It is a task well worth while, one that we should be proud to have placed before us and happy to perform with diligence and high purpose.

(Great applause.)

At the close of the Mayor's address, His Honor Mayor Nichols and suite retired, at 11.46 a. m.

RECESS.

Chairman DOWLING—If there is no objection, the Chair declares a recess for five minutes. The members reassembled in the chamber and were called to order by Acting President DOWLING at 12 o'clock noon.

Chairman DOWLING—The Council will be in order. The Clerk will call the roll to determine the presence of a quorum.

Clerk DONOVAN called the roll and all the members of the City Council were found to be present.

Chairman DOWLING—A quorum being present, the Council will now proceed to the transaction of business.

LOAN IN ANTICIPATION OF TAXES.

The following was received:

City of Boston,
Office of the Mayor, January 3, 1928.
To the City Council.

Gentlemen,—I am in receipt of the inclosed request, and I submit to your honorable body for adoption the accompanying order providing for the necessary funds to meet the financial requirements in anticipation of taxes for the year 1928.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Auditing Department, January 3, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I am submitting herewith customary order for temporary loan in anticipation of taxes, and respectfully request same to be forwarded to the City Council, with recommendation for its adoption.

Respectfully yours,
RUPERT S. CARVEN, City Auditor.

Ordered, that to provide temporarily money to meet the appropriations for the financial year

1928, 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 twenty-two 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 1928, 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.

Chairman DOWLING—The Chair will state for the benefit of the new members that this is the usual and customary order which allows the city to undertake a loan in anticipation of collections which may be made later.

The order accompanying the message was given its first reading and passage, yeas 22, nays 0. It will come up for second and final reading and passage in not less than fourteen days.

TEMPORARY RULES.

Coun. ARNOLD offered the following:
Ordered, That the rules of the City Council of 1927, except Rules 13, 24 and 33, be adopted as the temporary rules of this body until permanent rules are adopted.
Passed.

ELECTION OF PRESIDENT.

Coun. FITZGERALD offered the following:
Be it ordered, that we now proceed to the election of a president for the municipal year 1928.
The question came on the passage of the order.
Chairman DOWLING called Coun. Wilson to the chair.

Coun. DOWLING—Mr. Chairman, before the Chair puts the motion offered by the gentleman from Ward 3, I desire an opportunity to state, as briefly as I can, my reasons for being unable to agree with what I believe at this moment to be the policy and the program of a majority of the Republican members of the Council on this one matter. It is not a pleasant situation for one to realize that he is out of step with his party associates in a body of this kind, and it wouldn't be fair, either to them or to myself, to pass over this situation without a word of explanation. I believe, Mr. Chairman—and my judgment in some things may be as good as theirs—that a number of my Republican brethren are being grossly misled, both in thought and action, on the first important vote that we shall take this year, and while I shall not be asked to answer for any mistake that they may make—nor they answer for any mistakes of mine—I consider it no less my duty to caution them against taking a step which I know they will live to regret, and which I know will be a decided detriment to the city. The notion that we proceed to the election of a president is offered in good faith, and it is the only notion that could be made at this time. Back of the motion, however, but not necessarily connected with the gentleman who offered it, are several weeks' planning, scheming, conniving, devising, promising, urging—yes, and even demanding—that some of us do what we know we ought not to do. Nearly every art and artifice that could be employed has been resorted to by a small and select coterie of political vultures who hope to fasten their talons onto the city treasury by taking full and complete control of the legislative branch of the government. I have been told, as late as this morning, that I am crazy to offer any resistance to this program of pillaging and perfidy, and I have been told that after I have wasted my breath on a matter that is of vital importance to the city, that I will wake up and wonder what all the noise is about. Well, that may be true, sir; I may wake up, and I may wonder what all the noise is about, and if I do, I will not occupy a unique distinction in that respect, for I have a very distinct recollection that on numerous occasions during the past two years, others—far more important in the municipal life of the city than I—have apparently woke up and wondered, and then, in a blissful condition of sonnambulism, wandered still further into the fields of doubt and uncertainty. Mr. Chairman,

I am a fairly good observer of what goes on around me, and I am not misleading you, or any other member of this Council when I say that at no time in the past twenty-five years, during which time I have known City Hall intimately, have I ever witnessed a more determined effort to secure control of the City Council than at the present time. Influences far removed from this Council Chamber, but extremely friendly, if not closely identified with the administration, so called, have been pleading and urging and insisting and demanding that a man of their selection be elected President of this Council. And strangely enough, and as impossible as it may seem to some of the older members of the Council, the recognized leader of the administration, so called, pleaded long and eloquently with me, in the hope that I might see my way clear to abandon a principle and appropriate to myself the right to wear a polyglot distinguished service medal upon which is inscribed the words, "He's a sweet little fellow." Now, Mr. Chairman, if I have any conception of the provisions of the City Charter, under which we are operating, or any knowledge of the duties of a member of this Council, it leads me to the firm conviction that the presidency of the Council is an elective office, and not one to be filled by appointment, either by the Mayor, or by any group of perniciously active political parasites who represent themselves to be associate mayors. I repeat, sir, that the presidency of the Council is an elective office, not an appointive one; it is a post of unusual honor and distinction, and it is second in importance to that of Mayor. Presidents of this body—more frequently the past two years than in preceding years—are often called upon to act as mayor of the city, and well within our memory, one president of this body continued for several months to perform all of the duties of mayor of the city, following the death of one of our distinguished mayors. It is important, then, that we should exercise great care, and sound judgment in the election of a president, and if possible, eliminate every outside influence that is actuated by selfish interest. I am unable to lead myself to the conclusion that the presidency of the Council is something to be traded and bartered like a broken-down Ford, that it is something to be acquired as the result of an auction, or that it ought to be awarded as a prize in a test of physical endurance. The presidency of the Council ought to be settled in this chamber, without any outside assistance, interference, or influence, and it ought to be settled today. Furthermore, it ought to be settled without frequent and disturbing visits to the anterooms and telephones on either side of this chamber, as has been the case in previous years. Our business at the present moment is here, with a representative gathering of our constituents looking on, and not with a few heeled runners, political clodhoppers and a few gabby and gossiping department heads in the anterooms, most of them worked up to a fever pitch over this election but not one bit interested in returning to the city a cent's worth of service for the money they receive while wasting their time here. I have been told repeatedly, and I have read in the public press, statements which make it appear that a certain public official—not a member of this body—controls sixteen of the twenty-two votes in this Council, and that on the first ballot there will be sixteen votes cast for a member who is declared to be the choice of the administration, so called. If that is so, Mr. Chairman, then I have been wasting my time and my energy in attempting to lead my Republican colleagues out of the wilderness and onto the straight and narrow path, which is the natural Republican highway. But I don't believe that any man controls sixteen votes in this Council, nor fourteen, nor twelve, nor ten, nor any other number, because there are fourteen Democrats here, and God knows that no man ever led a solid Democratic phalanx anywhere—in politics. Now, as much as I like them, I am not so greatly disturbed or concerned over my Democratic friends. They have the bappy faculty of being able to look out for themselves, and I can very well imagine that they are looking out for themselves in this matter. At least, they are going to try to look out for themselves, and I hope that they will meet with better success than did three Democratic members of the previous Council, who forgot their party affiliations throughout the greater part of the past two years and who are not with us today for that very reason. If I were much concerned over what the Democratic members of the Council are thinking

of doing in this connection, I would merely remind them that the situation here today is not a great deal different from what it was two years ago. At that time, the Republican Mayor wanted a Republican for President of the Council, which was not an entirely unnatural desire, and in some mysterious manner, which was never made public, three Democratic members of the Council aided and assisted the Republicans in electing a president of the Mayor's choice. The three Democratic members who turned over to the administration the control of the previous Council and the vast resources of the city, are parking in some other garage for the next two years at least, although all of them tried to come back. The only change in the situation today is that the administration is a little smoother than it was two years ago, and the Republican pill which it offers to the Democratic members is coated with a fine covering of Democratic salve, so that it will taste a little more natural, go down a little easier. And it isn't one of the pills that offer instant relief, for the reaction from it will not be felt until two years from now, when most, if not all, of the Democratic members will be candidates for reelection. But I am digressing, for I did not start in with any intention or desire to advise my Democratic colleagues. If it is true, sir, that interests outside of this Council control sixteen members of this body—and I very much doubt it—then it must necessarily involve some of my Republican brothers, for there are only fourteen Democrats, and I claim the right to speak to and advise with my erring party associates, if there be any. It is not necessary for me to remind you that two years ago, just prior to the organization of this body, the Republican members-elect met in caucus, for if memory serves me correctly, we met in your office, and at your suggestion. It was the usual and customary thing to do, and the Democratic members-elect exercised the same right and privilege. The purpose of the caucus in each instance, of course, was to select a suitable candidate for president. The Republicans were a little more amicable in their relations to each other, or less ambitious individually, than our Democratic friends, for we had no trouble in arriving at a choice, who happened to be the gentleman from Ward 20. Despite the high personal regard which I have for him now, and his eminent fairness to me at all times and on all occasions, I did not realize then that he was going to be so completely carried away with the political experiment of making Democratic Boston a Republican city through the medium of a non-partisan, if not nondescript, administration. What I want to emphasize at this time, Mr. Chairman, is something that must have occurred to you, as it has to me, that there is a very strange and mysterious significance attached to the fact that the Republican members of the Council were not called into caucus this year. Would it be wrong to presume that the so-called administration leaders, who are Republicans, cannot find one among us who would be acceptable as a candidate for president? I think it would. Any Republican member of this Council would make a good presiding officer, if he were left alone, if he were free from outside influence, if he were permitted to do what he thinks he ought to do, and if he possessed the courage, the manhood and the decency to do the things that his constituency expects him to do. For that matter, and for the same reason, any Democrat would make a good presiding officer of this Council, but whether this Council elects either a Republican or a Democrat for president, it will not elect a man with those qualifications if it elects one whose candidacy is backed and supported by influences outside of this chamber. As a matter of fact, Mr. Chairman, no Republican caucus was called this year because the administration leaders, instead of paying strict attention to the city's business, have been busy playing politics. They have arrived at the conclusion that they want a Democrat for president because a Democrat best suits their purpose, and their chief purpose at the present time is to find a Democrat who will forget that he is a Democrat as soon as it is conveniently possible. I know that no Republican caucus was called, and that none was wanted. I doubt very much if there would have been any response to such a call if I had issued one, and without a caucus there would be no formal Republican candidate for president. That is exactly the situation that the administration leaders wanted—no Republican candidate—and I have been aware of that for some time. Now, I

haven't any serious objections to the election of a real Democrat as president of this Council, no more than the gentleman from Ward 5 had last year, when his vote elected the late President John J. Heffernan. What I do object to is carrying out that part of the program that has been assigned to me, and to other Republican members of this Council, and to some Democrats also, I fear: that of voting for a Democrat for president who has been selected for us by the Mayor. When it comes to making a choice between being faithful to the administration and faithless to my constituents, I, for one, propose to cast my lot, and my vote, with the people whom I try to represent. My constituents expect me to be a Republican, and if I am able to interpret their feeling in the matter I do not think they expect me to be a narrow, hidebound Republican, who sees no virtue in a Democrat or anything savoring of Democracy. I come from a district that is strongly Republican, but my people are liberal-minded Republicans. I also represent a large number of Democrats, and they have been very generous to me on a number of occasions. I can't be false to them. I can't be untrue to them, and I don't propose to sacrifice their friendship for a bauble or a promise. I don't believe that my district would approve of my sitting idly by or entering into any conspiracy that would result in placing the control of this Council in outside hands. It isn't my Council, Mr. Chairman, it's theirs; it isn't your Council, sir, it belongs to our constituents, and we have no more right to destroy its usefulness or its influence, than we have to destroy the furnishings of this chamber. Now, sir, in order to keep my Republican colleagues from falling from grace, and not only that, because in doing so I believe that I am rendering a service to the city as well as to the Council, I propose to submit the name of a Republican as a candidate for president who, if elected, will serve the city, the Council, and himself, with credit and distinction. The gentleman whose name I am going to offer as a candidate for president was a stranger to me two years ago. He was unknown in Boston politics at that time and, so far as I know, he was entirely unacquainted with municipal problems, as we were. I have had less to do with him during the past two years than any other member of the Council, simply because the community interests in his ward and mine were not alike. I have had no talk or understanding with him in this or in any other connection. If he is elected president I promise him now that I shall never ask him to do a thing for me. I don't want any favors from him; I don't want any committees from him; I just want to be left alone, to work out my own salvation, and an opportunity to do what I think is right. If he knows who I am referring to now it is because he is a mind reader, and if he is a mind reader that may be added to his other accomplishments and qualifications, to which I shall refer briefly. In two years' service in this Council the gentleman whom I am about to name has shown remarkable development. He has learned a great deal and he has proved beyond any doubt that he is a man of good judgment and an apt student of municipal affairs. He is a man of unquestioned integrity and keen intellect, and he is fully capable of giving intelligent expression to his ideas. His dealings with all of us have shown that he is a man of his word, and that he can be depended upon to be fair and impartial. He is neither of, nor for, nor with, nor against, the administration, so far as I know. He solves his problems in his own way, and always in the right way, according to his understanding. He hasn't always voted as I have, but always according to his best judgment, and for what he believed to be the best interests of the city. He is a Republican, as I have stated, but he is an independent Republican, and to be independent under circumstances which we are compelled to face one has to have courage. This gentleman has courage. He has courage that was demonstrated on a number of battlefields in France, and I doubt if his modesty ever permitted him to tell a single member of this Council of the thrilling experiences, the dangerous expeditions, the hardships, the privations, the torture, the sacrifices, and the wounds and battle scars that have proved his usefulness to his country and his country. He is of Jewish extraction and typically American in all of his aims and ideals. He represents a great class of people who have contributed generously, if not lavishly, to the welfare and the development of the country, a class which bears its own hardships and imposes no burdens on the municipality.

Mr. Chairman, I nominate as a candidate for the presidency of this body Councilor Herman L. Bush.

Coun. WARD—Mr. Chairman, we are called on this morning to vote on one of the most important matters that will come before the body this year, and it is our duty to vote for a man who will please the greater number of people in the City of Boston. There is one candidate, as Coun. Dowling has told you, who is supported by the administration, and that man I have known longer than any man in the Council, and his friendship has to me always been very dear. But I feel at this time that my love for Roxbury is greater than the friendship I hold for the gentleman from Charlestown. I say this not because of any feeling of personal aggrandizement. I am not a candidate for the presidency of the body. I do not wish to be president of the body. But I do feel that Roxbury is entitled to some consideration at this time. There is not a Roxbury man who is holding any of the important county offices; there is not in the sheriff's office one man from Roxbury holding an important county office, even that of deputy sheriff. Therefore, I feel that the time has come when people from other sections of Boston may well acknowledge that Roxbury should be given something. Accordingly, I ask the members of the Council from other sections, who must realize that Roxbury has been with them in what they have done for the rest of the city, to recognize the just claims of the Roxbury section. I at this time, therefore, place in nomination the name of a Roxbury man who has served in this body two years and a man who I believe is independent in his views. I place in nomination the name of John F. Dowd of Roxbury. (Applause.)

Coun. PARKMAN—Mr. President, I should like to second in every respect the able remarks of the gentleman from Ward 21 (Coun. Dowling) in placing in nomination the name of Coun. Bush. In every respect he is qualified to hold the position of president of this body. He has shown in a service of two years character and ability above the ordinary. He has indicated in addition independence of judgment and courage in the execution of his convictions. I deplore the bringing into this body of partisan politics. This body has been supposed, from its inception at the time of the adoption of the City Charter in 1909, to be removed from the influence of party politics. I indicated my position as regards party politics last year, when I voted for that loyal, able, honest Democrat, Mr. J. Heffernan, whose memory we revere. I second the nomination of Coun. Bush, not for reasons of partisan politics, but because he measures up to the qualifications that should be expected in a president of this body. This Council is an independent organization, or is intended to be such, under the terms of the charter. It performs most important functions in the government of this city. It has in its charge the passage of the appropriation bill, under which taxes are assessed on every citizen and taxpayer of this city. It passes on loan orders. It is essential that the members of this body should exercise independent judgment without fear of favor and without being subject to outside influences. The people of Boston pay over \$100,000 to maintain this Council. Do they pay that sum of money to maintain a rubber stamp, or do they pay it to have councilors who will represent them without being governed by outside influences, entirely independent? Any man who comes to this Council and draws down his salary without exercising his independent judgment is untrue and faithless to his constituency and to the public at large. There is no secret as to what has been going on during the last few weeks; there is no secrecy as to the candidate of the administration. The gentleman from Charlestown is a friend of mine. He has been a friend of mine since I had the honor of knowing him two years ago. But his own words convict him, Mr. President, of incapacity to hold the office of president of this Council. I quote from his speech of July 12, 1926, just a few words. He then said:

"The Mayor has done many little things for me since he has been mayor of this city—I mean, in the line of jobs for a few men who deserved work."

And he goes on to say:

"I am going to say this much, that as long as he treats me the way he has treated me, I will never stand on this floor and oppose him."

What kind of an attitude is that for the man whom it is proposed to elect president of the City

Council? Are we to surrender every right, every power, every duty, every responsibility we have for the ensuing year? Are we to elect a man who, by the very words he has already spoken, is committed to the support of the administration? Or are we to elect a man who has courage and independence? We are all free, white and twenty-one. If we listen to the still, small voice of conscience, let it speak ever so softly, I cannot see that there is any chance of a majority being summoned to elect the gentleman from Charlestown. I call upon not only the Republican members of the City Council but the Democratic members as well, to support the candidacy of Herman L. Bush.

Coun. DOWLING in the chair.

Coun. DONOVAN—Mr. Chairman, I place at this time the name of Thomas H. Green in nomination for president of this body. The customary procedure is to eulogize a candidate, but this morning I am going to dispense with that formality. He is a man of proven worth, ability and qualifications to represent us as president for the ensuing year. Having served his district in the Legislature and the Senate, and at the national Democratic Convention, he has proven his worth not only to the district but to the city. It is accordingly a great pleasure to me to place in nomination the name of Thomas H. Green of Charlestown. (Applause from the gallery.)

Chairman DOWLING—The Chair will state that under the rules of the Council it is provided that there shall be no demonstrations in the gallery. Of course, it was an oversight, but I hope it will not occur again.

Coun. LYNCH—Mr. Chairman, I very well remember the Democratic caucus held last year and the grave insinuations hurled there—"Where are the Democrats who are responsible for the political debauchery of January 4? Why did they vote for Keene? Was it the dough?" That outburst was mainly responsible for the defeat of the best-liked member of our former body, one to whom we are all indebted, Joe McGrath. To disprove these contemptible lies hurled at him while he was away on his honeymoon, unable to protect himself, Joe, when he arrived home, made a complete about-face, and incurred the displeasure of the administration, proving beyond the shadow of a doubt that he had not received any consideration for voting for our first president. Insinuations are the last refuge of a coward. A manly man, one worthy of our votes to lead his party, would make his charges direct. He would not indulge in insinuations. I want to say to the Republican members of this body that some of you have been asked to vote for a Democrat. There is nothing seriously wrong with that, but there is something radically wrong in the fact that the Democrat that you are asked to vote for is the same Democrat who one year ago slandered three members of our former body, and who, I have no doubt, will make the same insinuations in regard to you. I think that Coun. Ward's suggestion has given us a key to the situation, and I say to Ward and Dowd that South Boston will stand behind their candidate.

Coun. DOWD—Mr. Chairman, I have listened with a great deal of interest to both the Democratic and Republican members of the Council. At the outset I want the public to know that I will not allow my name to be used in this contest in order to elect a Republican president. (Applause from the gallery.) No two Democrats can be in this contest and either of them come out successful. I appreciate the remarks of Coun. Ward. It is a distinct honor to be president of this body. At the same time, when I cast my vote I do not wish the public to have any reason to question it. There is nobody who can question Dowd's attitude in the City Council for two years. Nobody can say that Mayor Nichols is telling me who to vote for. I am going to vote for the man who in New York City for over 100 ballots cast his vote for Al Smith. Let the Democrats today see to it that we elect a real 100 per cent Democrat, and while Tom Green is in the contest I am going to ask my Roxbury colleagues, if they are with me, to cast their lot with me in voting for Tom Green of Charlestown. (Applause from the gallery.)

Chairman DOWLING—If the disturbance is repeated, the Chair will have to ask that the galleries be cleared. No demonstration will be permitted from the gallery.

Coun. WARD—Mr. Chairman, I will now say to the gentleman from Roxbury that I do believe the Mayor of Boston asked him to vote for the gentleman from Charlestown.

The question came on electing the president of the body for 1928, and the Clerk called the roll, with the following result:

For Thomas H. Green—Coun. Arnold, Bush, Deveney, Donovan, Dowd, Fish, Fitzgerald, Gallagher, Green, Keene, McMahon, Motley Murphy, Murray, Ruby, Sullivan and Wilson—17-

For Herman L. Bush—Coun. Dowling, Parkman—2.

For Michael J. Ward—Coun. Lynch, Mahoney—2.

For John F. Dowd—Coun. Ward—1.

Chairman DOWLING—On the ballot just taken for president, there was one vote for Coun. Dowd, two votes for Coun. Ward, two votes for Coun. Bush, and seventeen votes for Coun. Green. You have, therefore, by your votes elected Councilor Thomas H. Green as president of the body for the year 1928. The Chair will now appoint a committee consisting of Coun. Gallagher and Keene to escort the new President to the chair.

The committee appointed performed the duty assigned and escorted President Thomas H. Green to the chair, amid applause.

President GREEN, in taking the chair, said: I want to thank my colleagues for the wonderful tribute they have paid me this morning and, with a heart overflowing with gratitude and sincerity let me add, I hope when I leave this position a year from today I will enjoy the same friendship and love that you have shown me this morning. My only wish is that I may serve my city with the honor and distinction of my three predecessors in the office. In conclusion, let me say that words cannot express my appreciation to you, one and all. Thank you. (Applause.)

COMMITTEE ON RULES.

Coun. ARNOLD offered the following:
Ordered, That a special committee of five members of the City Council be appointed to prepare and report rules for the proceedings of this body.

Passed.

MATTERS REFERRED TO APPROPRIATE
| COMMITTEES.

Coun. MOTLEY offered the following:
Ordered, That matters referred to this City Council by the City Council of 1927, be referred to the appropriate committees of this body when appointed.

Passed.

JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, the Mayor absent, as follows:

Five additional grand jurors, Superior Criminal Court, to appear January 5, 1928;

George H. Mahan, Ward 3; Patrick J. Connelly, Ward 8; Frank Strickland, Ward 18; Hudson D. Thayer, Ward 20; William F. Bliven, Ward 22.

SIDEWALK ON HUNTINGTON AVENUE.

Coun. ARNOLD offered the following:
Ordered, That the Commissioner of Public Works make a sidewalk along Huntington avenue, both sides, from Copley square to Massachusetts avenue, Ward 4, 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.

Adjourned at 12.44 p. m., on motion of Coun. KEENE, to meet on Monday, January 19, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 9, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair and all the members present.

JURORS DRAWN.

Jurors were drawn under the law, Coun. Ruby presiding at the box with President Green, in the absence of his Honor the Mayor, as follows:

Forty traverse jurors, Superior Criminal Court, First Session, to appear February 6, 1928:

Bagdasar DerHovhannasian, Ward 2; William M. O'Brien, Ward 2; John E. Doyle, Ward 4; Frank W. Lord, Ward 4; Augustus C. Chandourne, Ward 5; Richard A. Wakefield, Ward 5; James J. McConologue, Ward 6; Dennis C. Bulman, Ward 7; David McIntyre, Ward 7; Patrick J. O'Donnell, Ward 7; James D. Girard, Ward 8; John Johnson, Ward 9; William F. Moore, Ward 9; Joseph Ganshirt, Ward 10; William J. Walsh, Ward 10; Michael A. Weidman, Ward 10; Hugh Skelley, Ward 11; Benjamin Ludwig, Ward 12; Charles L. Doherty, Ward 13; Marshall W. Edwards, Ward 13; James J. Wilcox, Ward 13; Myer Goldman, Ward 14; Meyer Goldsmith, Ward 14; Isadore Kravitz, Ward 14; David A. Jack, Ward 15; John Caswell, Ward 16; Adelburt Nye, Ward 16; John J. Rock, Ward 17; Samuel Jackson, Ward 18; Earle C. Katcher, Ward 18; Frederick H. Richenburg, Ward 18; Leonard W. Dolan, Ward 19; Garrett D. Roach, Ward 19; John F. Holmes, Ward 20; Herbert S. Frank, Ward 21; Henry J. Matson, Ward 21; Fred C. Bacon, Ward 22; Michael Donovan, Ward 22; Martin Maguire, Ward 22; John H. Williams, Ward 22.

Forty traverse jurors, Superior Criminal Court, Fourth Session, to appear February 6, 1928:

David J. O'Connor, Ward 2; John H. Thomas, Ward 2; Charles J. Keyes, Ward 3; Sherburne J. Smith, Ward 3; Clifford R. Borden, Ward 4; Theodore E. Seward, Ward 4; William T. Bulger, Ward 6; Dennis J. Hickey, Ward 6; John F. Flaherty, Ward 6; David A. Burns, Ward 7; John Francis Fife, Ward 7; William R. Flynn, Ward 7; James F. Riley, Ward 7; Patrick J. Kenneally, Ward 8; William J. Tronson, Ward 8; Frank Kelly, Ward 9; James Gaynor, Ward 11; George R. Rucker, Ward 11; Joseph T. Shaw, Ward 11; James Steinberg, Ward 12; Edward M. Swartz, Ward 12; Patrick J. Bartley, Ward 14; Wolf Brockman, Ward 14; Samuel A. Swartz, Ward 14; Philip J. Healey, Ward 15; Frank A. Last, Ward 15; William A. L. Junker, Ward 17; Robert J. Haerberle, Ward 18; Thomas H. Sloan, Ward 18; Osmond S. True, Ward 18; Henry Belgard, Ward 4; Christie A. Carey, Ward 19; Charles H. Beattie, Ward 20; Charles W. Fidler, Ward 20; Frederick H. Hunter, Ward 20; August A. Krebs, Ward 20; Daniel MacLeod, Ward 20; Thomas F. McClelland, Ward 20; Thomas J. Morrissey, Ward 20; Julius Rosenthal, Ward 21.

Twenty-six traverse jurors, Superior Civil Court, First Session, January Sitting, to appear February 6, 1928:

David Meyers, Ward 1; James J. Hines, Ward 2; Joseph Mangione, Ward 3; David McNay, Ward 4; Charles O. Billings, Ward 5; Fletcher Steele, Ward 5; Malcolm J. Logan, Ward 6; Bartholomew J. Connolly, Ward 7; Ferdinand Krantz, Ward 8; William Manning, Ward 8; Robert J. Anderson, Ward 10; Joseph E. English, Ward 11; Thomas J. McCabe, Ward 13; Henry Barkan, Ward 14; Cornelius J. Kailher, Ward 16; Herbert E. Skinner, Ward 16; Leo J. Toohey, Ward 16; David W. Benjamin, Ward 17; Arthur S. Tooker, Ward 17; Albert Schindler, Ward 18; Michael J. Kelly, Ward 19; Ralph R. Curtis, Ward 20; Roy B. Hobbs, Ward 20; Edward F. Buckley, Ward 22; Harry J. Curlson, Ward 22; Thomas L. O'Connor, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Second Session, January Sitting, to appear February 6, 1928:

James S. Smith, Ward 1; Samuel Flanigan, Ward 3; Chester A. Sanford, Ward 3; Benjamin Stone, Ward 3; Charles R. Capon, Ward 5; Laurence M. Guntner, Ward 10; James J. Callaghan, Ward 11; Charles L. Page, Ward 12; Lawrence J. Bulger, Ward 13; Mark J. Crehan, Ward 13; James W. Sullivan, Ward 13; John E. Dalton, Ward 14; Jacob A. Frischberg, Ward 14; James A. Bateman, Ward 16; Maurice B. Reardon, Ward 16; William A. Walker, Ward 16; Herbert F. Frederic, Ward 17; Gustaf E. Kullman, Ward 17; James H. McMullen, Ward 17; Daniel A. Donahue, Ward 18; John E. Grant, Ward 18; Alphonse A. R. Doyle, Ward 19; Herbert A. Johnson, Ward 19; John H. Enos, Ward 20; Stephen J. Gillis, Ward 20; James J. Murphy, Ward 21.

Twenty-five traverse jurors, Superior Civil Court, Third Session, January Sitting, to appear February 6, 1928:

Francis J. Joyce, Ward 2; Phillip Morris, Ward 2; William E. Madigan, Ward 3; John F. Maney, Ward 4; William J. Stewart, Ward 4; Quincy Howe, Ward 5; Thomas J. McCabe, Ward 7; Dennis S. Ryan, Ward 7; John A. Steenbruggen, Ward 9; George E. Mackin, Ward 10; Edward L. Moran, Ward 11; Edwin L. Andrews, Ward 12; William A. Diamond, Ward 12; Edward J. Farrell, Ward 12; George E. Whitehouse, Ward 12; Edward B. Carty, Ward 15; Charles L. Devoe, Ward 16; George T. Clifford, Ward 18; John J. Connelly, Ward 19; Phillip P. Wright, Ward 19; Charles Barnes, Ward 20; Jacob Bernhardt, Ward 20; Alexander R. Cleary, Ward 20; George E. Manthorne, Ward 20; Alexander J. Smith, Ward 21.

Twenty-seven traverse jurors, Superior Civil Court, Fourth Session, January Sitting, to appear February 6, 1928:

William C. Pray, Ward 1; Charles A. Moschello, Ward 3; Edmond A. Fordyce, Ward 5; Frank A. Donovan, Ward 6; Bernard F. Owens, Ward 6; Earnest F. Simon, Ward 7; John P. Wickham, Ward 7; John F. Swift, Ward 9; John F. Dockray, Ward 10; Henry A. Thomas, Jr., Ward 11; Myer I. Eilberg, Ward 12; Harry Neilman, Ward 12; Samuel Rothman, Ward 12; Samuel Levenson, Ward 14; David F. Barry, Ward 15; John J. McGuire, Ward 16; Peter W. McHugh, Ward 16; Augustine J. White, Ward 16; Roderick J. Wills, Ward 16; Orrin C. Whittemore, Ward 17; Edward P. True, Ward 18; Francis J. Krumseheid, Ward 19; Anthony S. Stein, Ward 19; Philip M. Patterson, Ward 20; Joseph A. Yukes, Ward 21; William E. Brown, Ward 22; James Stevens, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Fifth Session, January Sitting, to appear February 6, 1928:

Christy Madsen, Ward 1; Michael J. Barry, Ward 2; Patrick J. Dunn, Ward 2; Edward J. Powers, Ward 2; Ralph S. Wentzell, Ward 3; Lester A. Cahoon, Ward 5; Frank S. Wiley, Jr., Ward 5; Daniel F. Hennessey, Ward 6; John McGrath, Ward 6; Thomas H. Finnerty, Ward 10; Frederick W. Young, Ward 11; Robert F. Lane, Ward 14; Edward J. Cook, Ward 15; James F. Shea, Ward 16; William J. Walsh, Ward 16; Edward J. McElaney, Ward 17; Owen P. Hughes, Ward 18; Eli J. Mallett, Ward 18; Joseph P. Spiegel, Ward 18; George Davis, Ward 19; Jacob Fritz, Ward 19; John J. McGrath, Ward 19; Thomas H. Marshall, Ward 19; Joseph M. Lane, Ward 20; Salvatore Montana, Ward 20; Thomas F. Adams, Ward 22; William J. Farquharson, Ward 22; William J. Glavey, Ward 22.

Twenty-one traverse jurors, Superior Civil Court, Sixth Session, January Sitting, to appear February 6, 1928:

Charles H. Boyce, Jr., Ward 1; John J. Cunningham, Ward 1; John J. Donovan, Ward 1; Thure G. Osterberg, Ward 4; Michael Conley, Ward 6; Charles Forsell, Ward 6; Patrick M. Gorham, Ward 6; Joseph H. Gottlieb, Ward 6; Joseph O'Connell, Ward 6; William Atridge, Ward 8; Morris J. Polak, Ward 9; Walter L. Rice, Ward 9; Frank H. Campbell, Ward 12; Frank E. Johnson, Ward 13; Patrick J. Leehan, Ward 14; Francis J. Woods, Ward 15; William J.

Chamberlain, Ward 18; Daniel F. Mahoney, Ward 19; Joseph Roche, Ward 19; Francis D. G. Robinson, Ward 21; David C. Satterwhite, Ward 21.

Twenty-eight traverse jurors, Superior Civil Court, Seventh Session, January Sitting, to appear February 6, 1928:

Joseph Cipriano, Ward 1; Joseph H. Brennan, Ward 2; Oscar L. Hanly, Ward 2; Thomas J. Griffin, Ward 3; Michael Notaro, Ward 3; Fred Witham, Ward 4; John H. Daley, Ward 5; Gordon H. King, Ward 5; Charles H. Vyse, Ward 6; Thomas J. Griffin, Ward 8; Peter A. Christian, Ward 9; Walter E. Redding, Ward 9; James J. Cummings, Ward 10; Joseph Kolodney, Ward 12; William A. McKenzie, Ward 12; George J. Lane, Ward 13; John J. Neade, Ward 13; Harold C. Daniels, Ward 14; Thomas H. Hackett, Ward 14; Max L. Raehkowsky, Ward 14; Ernest A. Sullivan, Ward 14; Robert J. Brennan, Ward 15; Joseph J. Flanagan, Ward 16; Charles G. Burrison, Ward 18; Albert G. Gunther, Ward 18; William W. Crawford, Ward 20; Manuel Lilles, Ward 21; Perry M. Waterhouse, Ward 21.

Twenty-seven traverse jurors, Superior Civil Court, Eighth Session, January Sitting, to appear February 6, 1928:

George W. Wilson, Ward 1; Edwin H. Plumer, Ward 4; Philip French, Ward 5; George E. Greeley, Ward 5; Matthew R. Silva, Ward 5; John B. Crump, Ward 6; James P. Drummev, Ward 6; James P. Hoar, Ward 7; Maurice P. Downey, Ward 8; Pearly R. Bryant, Ward 9; John F. Donovan, Ward 9; Henry F. W. Schrepel, Ward 10; George Houghton, Ward 12; Joseph A. Caddon, Ward 14; Joseph Glen, Ward 14; John H. Buckley, Ward 15; James A. Killion, Ward 15; George J. Wall, Ward 15; Robert S. Almeder, Ward 16; Joseph E. Maloney, Ward 16; Edward F. Fahy, Ward 17; James R. Cass, Ward 18; Gottlieb W. Koch, Ward 18; Henry Schreiber, Ward 19; George H. Blest, Ward 20; Thomas R. Clark, Ward 20; Isador Israel, Ward 21.

CITY COUNCIL RULES.

Coun. ARNOLD, for the Committee on Rules, submitted the following:

The Committee on Rules respectfully submits for adoption by the City Council the accompanying draft of rules for the government of the body for the term 1928-29. The only changes recommended by the committee from the rules in effect during previous City Councils are as follows:

In Rule 18 the committee recommends the striking out of the clause authorizing notice of reconsideration to be filed with the City Clerk twenty-four hours after adjournment. On account of the usual custom of adopting general motion for reconsideration at each meeting, this particular provision has been of no value for a number of years.

In Rule 24 providing for standing committees, the committee has added a standing committee on jitney licenses and has omitted the several committees appointed in 1926-27, which should be provided for by special orders.

The committee has also added to the duties of the Committee on Rules a clause providing that all resolutions expressing opinions, principles, facts or purposes, shall be referred to that committee.

RULES OF THE CITY COUNCIL, 1928-29.

Rule 1. Unless otherwise ordered from time to time the regular meeting of the city council shall be held on every Monday at two o'clock p. m. Special meetings may be called by the president at his discretion, and by the city clerk for the purpose only of drawing jurors.

President.

Rule 2. The president of the council shall take the chair at the hour to which the council shall have adjourned and shall call the members to order, and a quorum being present, shall proceed with the regular order of business. In the absence of the president the senior member by age present shall preside as temporary president or until a presiding officer is chosen.

Rule 3. The president shall preserve decorum and order, may speak to points of order in preference to other members and shall decide all questions of order, subject to an appeal. Any member may appeal from the decision of the chair, and,

when properly seconded, no other business, except a motion to adjourn or to lay on the table, shall be in order until the question on appeal has been decided. The question shall be put as follows:

"Shall the decision of the chair stand as the judgment of the council?" The vote shall be by a roll call, and it shall be decided in the affirmative unless a majority of the votes are to the contrary.

Rule 4. The president shall propound all motions in the order in which they are moved, unless the subsequent motion shall be previous in its nature, except that, in naming sums and fixing times, the largest sum and the longest time shall be put first.

Rule 5. The president shall, at the request of any member, make a division of a question when the sense will admit of it.

Rule 6. The president shall, without debate, decide all questions relating to priority of business to be acted upon.

Rule 7. The president shall declare all votes; but if any member doubts a vote, the president shall cause a rising vote to be taken, and, when any member so requests, shall cause the vote to be taken or verified by yeas and nays.

Rule 8. The president shall appoint all committees, fill all vacancies therein, and designate the rank of the members thereof.

Rule 9. When the president of the council or the president *pro tempore* shall desire to vacate the chair he may call any member to it; but such substitution shall not continue beyond an adjournment.

Motions.

Rule 10. Every motion shall be reduced to writing if the president shall so direct.

Rule 11. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost shall not preclude amendment, or a motion to strike out and insert.

Rule 12. No motion or proposition of a subject different from that under consideration shall be admitted under color of amendment.

Rule 13. When an order or resolution relates to a subject which may properly be examined and reported upon by an existing committee of the city council, such order or resolution shall, upon presentation, be referred to such committee. When a motion is made to refer any subject, and different committees are proposed, the motions shall be put in the following order:

1. To a standing committee of the council.
2. To a special committee of the council.

Any member offering a motion, order or resolution, which is referred to a committee, shall be given a hearing on the same by the committee before a report is made thereon, provided he so requests at the time of offering the order or before final action by the committee.

Rule 14. After a motion has been put by the president it shall not be withdrawn except by unanimous consent.

Rule 15. When a question is under debate the following motions only shall be entertained, and shall have precedence in the order in which they stand arranged.

1. To adjourn.
2. To lay on the table.
3. The previous question.
4. To close debate at a specified time.
5. To postpone to a day certain.
6. To commit.
7. To amend.
8. To postpone indefinitely.

Rule 16. A motion to adjourn shall be in order at any time, except on an immediate repetition, or pending a verification of a vote; and that motion, the motion to lay on the table, the motion to take from the table, and the motion for the previous question, shall be decided without debate.

Readings.

Rule 17. Every ordinance, order and resolution shall, unless rejected, have two several readings, both of which may take place at the same session unless objection is made, *provided, however*, that all orders for the expenditure of moneys, unless reported upon by a committee of the council, shall lie over for one week before final action thereon. Whenever the second reading immediately follows the first reading, the document may be read by its title only; *provided*, that all orders releasing rights or easements in or restrictions on land, all orders for the sale of land other than school lands, all appropriations for the purchase of land

other than for school purposes, and all loans voted by the city council shall require a vote of two-thirds of all the members of the city council, and shall be passed only after two separate readings and by two separate votes, the second of said readings and votes to be had not less than fourteen days after the first.

Reconsideration.

Rule 18. When a vote has been passed any member may move a reconsideration thereof at the same meeting. No member shall speak for more than ten minutes on a motion to reconsider.

Rule 19. When a motion to reconsider has been decided, that decision shall not be reconsidered, and no question shall be twice reconsidered unless it has been amended after the reconsideration; nor shall any reconsideration be had upon the following motions:

- To adjourn.
- The previous question.
- To lay on the table.
- To take from the table.
- To close debate at a specified time.

A motion to reconsider may be laid on the table or postponed indefinitely, and the effect of such action in either case shall be to defeat the motion to reconsider.

Conduct of Members.

Rule 20. Every member when about to speak shall rise, address the chair, and wait until he is recognized, and, in speaking, shall refrain from mentioning any other member by name, shall confine himself to the question and avoid personalities. Any member who, in debate or otherwise, indulges in personalities or makes charges reflecting upon the character of another member, shall make an apology in open session at the meeting at which the offence is committed or at the next succeeding regular meeting, and, failing to do so, shall be named by the president or held in contempt and suspended from further participation in debate until said apology is made.

Rule 21. No member shall speak more than once on a question when another member who has not spoken claims the floor, and no member speaking shall, without his consent, be interrupted by another, except upon a point of order.

Rule 22. No member shall be permitted to vote on any question, or to serve on any committee, where his private right is immediately concerned, distinct from the public interest.

Rule 23. Every member who shall be present when a question is put, unless he is excluded by interest, shall give his vote, unless the council for special reason shall excuse him. Application to be so excused on any question must be made before the council is divided, or before the calling of the yeas and nays; and such application shall be accompanied by a brief statement of the reasons, and shall be decided without debate.

Standing Committees.

Rule 24. The following standing committees of the council, and all other committees, unless specially directed by the council, shall be appointed by the president:

1. A committee, to be known as the *Executive Committee*, to consist of all the members of the council.
2. A committee on *Appropriations*, to consist of seven members of the council, to whom shall be referred such appropriation orders as may be submitted to the council from time to time.
3. A committee on *Claims*, to consist of five members of the council, to whom shall be referred all claims against the city arising from the act or neglect of any of its departments. They shall report annually an account of the claims awarded or approved by them, and the amount of money awarded or paid in settlement thereof.
4. A committee on *County Accounts*, to consist of five members of the council.
5. A committee on *Finance*, to consist of seven members of the council, to whom shall be referred all applications for expenditure which involves a loan.
6. A committee on *Inspection of Prisons*, to consist of five members of the council.
7. A committee on *Jitney Licenses*, to consist of five members of council.
8. A committee on *Legislature Matters*, to consist of five members of the council, who shall, unless otherwise ordered, appear before the committees of the General Court and represent the

interest of the city; *provided*, said committee shall not appear unless authorized by vote of the city council, and shall not, unless directed so to do by the city council, oppose any legislation petitioned for by the preceding city council.

9. A committee on *Ordinances*, to consist of seven members of the council, to whom shall be referred all ordinances or orders concerning ordinances.

10. A committee on *Parkman Fund*, to consist of five members of the council, to whom shall be referred all matters concerning the Parkman property, or the expenditure of the income from the Parkman Fund.

11. A committee on *Printing*, to consist of five members of the council, who shall have the charge of all printing, advertising or publishing ordered by the city council as one of its contingent or incidental expenses, and the supply of all stationery or binding for the same purpose. The committee shall fix the number of copies to be printed of any document printed as above, the minimum, however, to be four hundred; and they shall have the right to make rules and regulations for the care, custody and distribution of all documents, books, pamphlets and maps by the city messenger.

12. A committee on *Public Lands*, to consist of five members of the council, to whom shall be referred all matters relating to public lands.

13. A committee on *Rules*, to consist of five members of the council, to consider all matters concerning the rules, and to whom shall be referred all resolutions expressing opinions, principles, facts or purposes.

14. A committee on *Soldiers' Relief*, to consist of five members of the council, who shall determine the amount of aid to be allowed to soldiers and sailors and their families and submit a schedule of the same to the city council monthly.

Order of Business.

Rule 25. At every regular meeting of the council the order of business shall be as follows:

1. Communications from his honor the mayor.
2. Presentation of petitions, memorials and remonstrances.
3. Reports of city officers, etc.
4. Unfinished business of preceding meetings.
5. Reports of committees.
6. Motions, orders and resolutions.

Spectators.

Rule 26. No person, except a member of the council, shall be permitted to occupy the seat of any member while the council is in session.

Rule 27. No person, excepting heads of departments, officials connected with the city council, and reporters, shall be allowed in the anterooms or upon the floor of the council chamber while the council is in session. Spectators will be allowed in the gallery of the council chamber when the council is in session, and no one will be admitted to said gallery after the seats are occupied. The city messenger shall enforce this rule.

Burial Grounds.

Rule 28. No permission for the use of land for the purpose of burial shall be granted until a public hearing shall have been given by the executive committee of the city council on the application for such permission, after due notice has been served upon ahutors.

Smoking in the Council Chamber.

Rule 29. No smoking shall be allowed in the council chamber when the council is in session.

Committee Meetings.

Rule 30. No meeting of any committee shall, without the consent of all the members thereof, be called upon less notice than twenty-four hours from the time the clerk shall have mailed the notices or dispatched them by special messenger, *provided, however*, that meetings of the executive committee may be held in the recess period of any meeting of the council without such consent or notice. No committee, unless authorized by an order of the city council, shall incur any expense. No committee meetings shall be called later than one hour immediately preceding the time set for any regular meeting of the city council, nor shall any committee remain in session later than the hour named for any such regular meeting.

Form of Votes.

Rule 31. In all votes the form of expression shall be "Ordered" for everything by way of

command, and the form shall be "Resolved" for everything expressing opinions, principles, facts or purposes.

Transfers.

Rule 32. Every application for an appropriation to be provided for by transfer shall be referred to the executive committee, unless otherwise ordered, and no such appropriation shall be made until the said committee has reported thereon.

Amendment and Suspension.

Rule 33. The foregoing rules shall not be altered, amended, suspended or repealed at any time, except by the votes of two-thirds of the members of the city council present and voting thereon.

The rules as reported were referred to the Executive Committee.

PARK AND PLAYGROUND COMMITTEE.

Coun. KEENE offered the following:

Ordered, That a special committee to consist of five members of the City Council be appointed to whom shall be referred all matters relating to parks and playgrounds.

Coun. WILSON—Mr. President, I think it might be all right to include park and playground matters except matters that are handled through the Parkman Fund. It looks as if there might be a clash there.

President GREEN—The Chair will rule that it is unnecessary to make the distinction.

The order was passed under suspension of the rule.

BRANCH LIBRARIES COMMITTEE.

Coun. KEENE offered the following:

Ordered, That a special committee consisting of five members of the City Council be appointed to whom shall be referred all matters relating to branch libraries.

Passed under suspension of the rule.

PORT OF BOSTON COMMITTEE.

Coun. KEENE offered the following:

Ordered, That a special committee to consist of five members of the City Council be appointed to whom shall be referred all matters relating to the Port of Boston.

Passed under suspension of the rule.

GREATER BOSTON COMMITTEE.

Coun. KEENE offered the following:

Ordered, That a special committee to consist of seven members of the City Council be appointed to whom shall be referred all matters relating to a Greater Boston.

Passed under suspension of the rule.

PUBLIC SAFETY COMMITTEE.

Coun. KEENE offered the following:

Ordered, That a special committee to consist of seven members of the City Council be appointed to whom shall be referred all matters relating to public safety.

Passed under suspension of the rule.

COMMITTEE ON UNCLAIMED BAGGAGE.

Coun. KEENE offered the following:

Ordered, That a special committee to consist of three members of the City Council be appointed to whom shall be referred all applications for licenses to sell unclaimed baggage.

Passed under suspension of the rule.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the following appointments were received from his Honor the Mayor.

Constables.—Karl H. West, 14 Greenwood avenue, Hyde Park; Francis Edward Brown, 25 Dana avenue, Hyde Park.

Weighers of Goods.—Patrick J. Devlin, 11 Warrenton street, Boston; Simon P. Bernard, 20 Henry street, Revre; Timothy P. Donovan, 61 C street, South Boston; Ralph C. Monroe, 112 High street, East Weymouth; Edward H. McLaughlin, 225 Endicott street, Beachmont.

Severally laid over a week under the rule.

LOAN FOR MUNICIPAL GARAGE.

The following was received:

City of Boston,

Office of the Mayor, January 9, 1928.

To the City Council.

Gentlemen,—In reply to your order of December 12, 1927, I transmit herewith a communication from the Commissioner of Public Works recommending that an appropriation be made for the erection of a centrally located municipal garage for the storage and repair of automobiles belonging to the various city departments.

I concur in the recommendation of the Commissioner of Public Works and recommend the passage of the accompanying loan order of \$250,000 for this purpose.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department,
December 30, 1927.

To the Honorable the Mayor.

Reporting on the order of Councilor Keene, I desire to say that I agree fully with the councilor that his Honor the Mayor consider the advisability of providing for the erection or purchase of a municipal garage for the storage and repair of automobiles belonging to the various city departments. The Public Works Department and many of the other departments are storing cars and trucks in private garages, at an annual rental of approximately \$20,000.

To provide for a suitable garage, I respectfully recommend that an order be submitted to the City Council for a loan of \$250,000, to erect or purchase a garage or garages to house all the automobile equipment.

Yours respectfully,
J. H. SULLIVAN,
Commissioner of Public Works.

Ordered, That the sum of \$250,000 be and hereby is appropriated to be expended under the direction of the Commissioner of Public Works for a municipal garage, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

APPROPRIATION FOR RENT AND HOUSING COMMISSION.

The following was received:

City of Boston,

Office of the Mayor, January 9, 1928.

To the City Council.

Gentlemen,—I am advised by the chairman of the Rent and Housing Committee that the appropriation granted last year for the work of the committee will be practically exhausted on or around the twelfth of this month.

I feel that it is desirable to continue the work of this committee for at least another year, and it is estimated that an appropriation of \$6,500 will be necessary to conduct the activities of the committee during the current financial year.

I accordingly submit herewith an order providing for the appropriation of this sum and respectfully recommend its adoption by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Committee on Rent and Housing,
January 9, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—For the continuation of the Rent and Housing Committee for the year 1928 it will be necessary that an appropriation be made, amounting to \$6,500, as follows:

Chief Adjuster.....	\$3,900
Adjuster.....	2,500
Printing, postage, etc.....	100
Total.....	\$6,500

Yours respectfully,
T. F. SULLIVAN, Chairman.

Ordered, That the sum of \$6,500 be and hereby is appropriated to be expended by the Committee on Rent and Housing, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund, when made. Referred to the Executive Committee.

APPROPRIATION FOR PUBLICITY BUREAU.

The following was received:

City of Boston,
Office of the Mayor, January 9, 1928.

To the City Council.

Gentlemen,—I transmit herewith an order for the appropriation of \$7,500 to be expended by the Commercial, Industrial and Publicity Bureau, under the direction of the Mayor, and respectfully recommend its adoption by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That a sum not in excess of \$7,500 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, when made. Referred to the Executive Committee.

ADDITIONAL LOAN, DEER ISLAND HEATING PLANT.

The following was received:

City of Boston,
Office of the Mayor, January 9, 1928.

To the City Council.

Gentlemen,—Under date of June 6, 1927, I recommended that a loan appropriation of \$125,000 be made available for the erection of a central heating plant at the House of Correction, Deer Island, which recommendation was subsequently approved by your honorable body. My recommendation in this matter was based on studies made of the heating situation at Deer Island by Mr. James J. Maher, heating engineer of the School Department, and Mr. James H. Ritchie, architect in charge. When the bids for this work was opened on December 15, 1927, it was revealed that the estimates upon which my original recommendation was based were inadequate and that an additional appropriation of \$75,000 will be needed to carry out the desired improvements. There is no question in my mind as to the necessity of establishing a central heating plant at Deer Island, hence I submit herewith a loan order providing for the appropriation of the additional sum required. I also submit communications from the Penal Institutions Commissioner and Mr. Ritchie which explain in detail existing conditions at Deer Island.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Penal Institutions Department,
January 3, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I beg to advise that the total of the lowest bids for the building and equipment for the central power and heating plant at Deer Island, opened December 15, 1927, together with architect's and engineer's fees totaled \$217,231.10. The appropriation made by your Honor and the Council for this work, on recommendation of the

architects, James H. Ritchie and Associates, was \$125,000, and therefore the bids were rejected.

Conditions in the power and heating plant at Deer Island have become steadily worse, and during the last few months the lighting plant has gone out of commission on two different occasions. We will be fortunate if we are able to get through the winter without large repair bills.

To install new equipment and make necessary repairs on the present plant would total nearly \$131,000, which would only be a temporary expedient. However, this would only take care of one of the plants now in operation, and the other plant would require new equipment within ten years, at probably the same cost.

The architects, James H. Ritchie and Associates, have recommended several plans, and the one that seems most advantageous for the city is the plan whereby, with certain changes in the specifications amounting to approximately \$25,600, a new central power and heating plant could be built for \$200,000. This means an additional appropriation of \$75,000 and because of the imperative need of a new plant, and because of the great saving which would result to the city in coal and labor by the operation of one plant instead of three plants, as at present, I sincerely trust your Honor will find it possible to recommend this additional appropriation.

I inclose herewith copy of letter received from James H. Ritchie and Associates.

Yours respectfully,
PHILIP A. CHAPMAN,
Penal Institutions Commissioner.

Ordered, That an additional sum of \$75,000 be and hereby is appropriated to be expended under the direction of the Penal Institutions Commissioner, for central power plant, House of Correction, Deer Island, 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 Committee on Finance.

COUN. KEENE CHAIRMAN OF EXECUTIVE COMMITTEE.

President GREEN—The Chair would at this time announce the appointment of Coun. Charles G. Keene as chairman of the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

Anna Ashley, for compensation for injuries caused by an alleged defect in St. Botolph street.
Lawrence Beatrice, for compensation for damage to clothing caused by being struck by Fire Commissioner's car.

Anna Blacker, for compensation for injuries caused by an alleged defect at Chambers and Auburn streets.

Phillip J. Brennan, for reimbursement for glasses broken in performance of his duty in Penal Institutions Department.

Anna N. Brooke, for compensation for damage to property at 2 Holden place, caused by water damage.

Edward T. Canniff, for compensation for damage to automobile by fire apparatus.

Carolina C. Capodiece, for compensation for damage to property at 247 Harvard street, Dorchester, caused by hacking up of sewage.

Edward V. Donovan, for compensation for damage to automobile caused by an alleged defect in Walk Hill street.

Esplanado Realty Trust, for compensation for building permits unused.

John B. Flemming, for compensation for injuries caused by an alleged defect in Zeigler street, Roxbury.

John Gillis, for compensation for damage to clothing caused by catching on rubbish box.

William P. Hatch, for compensation for damage to car caused by an alleged defect in Berkeley street.

William D. Hurley, for compensation for injuries caused by an alleged defect at 134 Hudson street.

Samuel Israel, for compensation for injuries caused by an alleged defect at Dover street and Shawmut avenue.

Mrs. William R. Jansen, for compensation for injuries caused by an alleged defect at Dover and Washington streets.

Mary Lazarus, for compensation for injuries caused by fall on steps of Bowdoin School.

Max N. Lebowitz, for compensation for damage to automobile by city truck.

Mabel C. Mills, for compensation for injuries caused by being struck by motorcycle officer.

New England Tire and Supply Company, for compensation for damage to property at 264 Columbus avenue, caused by break in water main.

Mrs. John J. O'Rourke, for compensation for damage to clothing caused by an alleged defect at 40 Sudbury street.

Gilbert Supple, for compensation for damage to automobile by fire apparatus.

Thomas W. Wynnan, for compensation for damage to automobile caused by an alleged defect in Metropolitan avenue, Roslindale.

Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Anthony Zydanowicz, Lithuanian Hall, January 22.

Lester P. Gould, Mt. Bowdoin Hall, January 24.

Committee on Jitney Licenses.

Petition of Boston, Revere Beach & Lynn Railroad Company to operate buses between Orient Heights Station of Boston, Revere Beach & Lynn Railroad and Revere boundary line over Bennington street, Ashley street and Breed street, being Route A, and between Orient Heights Station and Winthrop boundary line over Bennington, Antrim, Ashley, Breed and Saratoga streets, being Route B.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held on petitions for storage and sale of gasolene, as follows:

January 9, 1928.

Beacon Oil Company, 25 Carver street, Ward 5, 4,000 gallons.

William L. Miller, 171 Alford street, Ward 2, 10,000 gallons.

January 16.

Anthony M. Zottoli, Trustee, 26 Conley street, Ward 10, 1,500 barrels.

New England Reudering Company, 39 Market street, Ward 22, 15,000 gallons.

January 23.

Atlas Petroleum Company, 37 Dalton street, Ward 4, 5,000 gallons.

Charles Street Garage Company, 252 Cambridge street, Ward 3, 2,000 gallons.

James F. Ducey, 238 Oakland street, Ward 18, 2,000 gallons.

Isabella Nicholson, 301 Codman street, Ward 16, 1,000 gallons.

Referred to the Executive Committee.

STANDING PASSENGERS ON BUSES.

A communication was received from the Boston Elevated Railway Company petitioning for amendment to present ordinance so as to allow standing passengers on jitneys.

President GREEN—The communication will be referred to the Committee on Jitney Licenses.

Coun. WILSON—Mr. President, shouldn't that go to the Committee on Ordinances?

President GREEN—The Chair is of the opinion, counselor, that it should go to the Committee on Jitney Licenses, first.

The communication stood referred to the Committee on Jitney Licenses.

SALARY OF ASSISTANT PROBATION OFFICER.

A communication was received from Joseph R. Churchill, justice of the Municipal Court of the

Dorchester district, determining compensation of Scott H. Rose, assistant probation officer of the said court, as \$2,000 per annum, beginning January 1, 1928.

Referred to the Committee on County Accounts.

APPOINTMENT OF JOHN J. O'CALLAGHAN.

Notice was received of the appointment of John J. O'Callaghan, of 45 Strathmore road, Brighton, to the position of member of the Board of Street Commissioners.

Placed on file.

PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds from December 19 to December 31, 1927, amounting to \$1,446.13, was received and approved.

RESOLUTION IN FAVOR OF JOSEPH A. WIGGIN.

Coun. WILSON offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation authorizing the said city to increase the pension paid to Joseph A. Wiggins, a veteran of the Civil War, who is retired from active service.

Passed under suspension of the rule.

RESOLUTION IN FAVOR OF MARY A. MURPHY.

Coun. WILSON 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 Mary A. Murphy on account of the death of her husband, Walter Murphy, from injuries sustained on Boston Common.

Passed under suspension of the rule.

MUNICIPAL BUILDING, FRANKLIN FIELD.

Coun. RUBY offered the following:

Ordered, That the sum of \$400,000 be, and the same hereby is, appropriated to be expended under the direction of the Superintendent of Public Buildings for a municipal building on Franklin Field, Ward 14, and that to meet such expense 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.

REPAVING OF WARD 14 STREETS.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in the budget for the current year a sum sufficient to provide for the repaving of Fayston street, Intervale street, Glenway street, and Wales street, Ward 14.

Passed under suspension of the rule.

REPAVING BLUE HILL AVENUE.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in the budget for the current year the sum of \$50,000, to be expended for the repaving of Blue Hill avenue, from Seaver street to Canterbury street, Ward 14.

Passed under suspension of the rule.

PAYMENT TO WIDOW OF TIMOTHY J. SCANNELL.

Coun. LYNCH 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 widow of Timothy J. Scannell, who was struck by a motor vehicle operated at excessive speed by Nathan Margolis under orders of a police officer of said city.

Passed under suspension of the rule.

BOULEVARD LIGHTS, SOUTH BOSTON.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of additional boulevard lights on East Broadway, South Boston, from L street to Farragut road.

Passed under suspension of the rule.

ELECTRIC LIGHT, FALCON STREET.

Coun. DONOVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of an electric light at the corner of Falcon and Glendon streets, East Boston.

Passed under suspension of the rule.

BOULEVARD LIGHTS, DORCHESTER AVENUE.

Coun. FISH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in the budget appropriation for this year a sum sufficient to install a system of boulevard lights on Dorchester avenue, from Fields Corner to Peabody square, Ward 16.

Passed under suspension of the rule.

RESOLUTION IN FAVOR OF DAVID M. CLEARY.

Coun. GREEN offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the city to reinstate David M. Cleary temporarily in the Fire Department.

Passed under suspension of the rule.

BURMAH STREET, WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Burma street, Ward 18, from Edgewater drive to River street, as a public highway.

Passed under suspension of the rule.

COST OF CEMENT ROADWAY, WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of constructing a cement roadway in Hyde Park avenue, from Neponset avenue to the Readville Trotting Park, Ward 18.

Passed under suspension of the rule.

COST OF CEMENT ROADWAY, WARD 19.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of constructing a cement roadway in Hyde Park avenue, from Forest Hills to Neponset avenue, Ward 19.

Passed under suspension of the rule.

BLEACHERS, WILLIAM HEALEY PLAYGROUND.

Coun. MURRAY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the installation of bleachers, with a seating capacity of 2,500 on the William Healey playground, Ward 19.

Passed under suspension of the rule.

RESOLUTION IN FAVOR OF DARTMOUTH STREET BRIDGE.

Coun. DOWLING offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation authorizing the building of a bridge from Dartmouth street to Cambridge across the Charles river, as set forth in a bill filed with the petition of William J. McDonald, or like legislation to accomplish the same ends; and favors the borrowing of money outside the legal limit of indebtedness to accomplish said purpose like or as set forth in said bill.

Referred to the Executive Committee.

RECESS.

The Council voted at 2.56 p. m., on motion of Coun. DONOVAN, to take a recess subject to the call of the President. The members reassembled in the Council Chamber, and were called to order by President GREEN at 3.34 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following:

1. Reports on petitions (referred today) recommending that permits be granted for children under fifteen years of age to appear at places of public amusement, viz.: Anthony Zydanowicz, Lithuanian Hall, January 22. Lester P. Gould, Mt. Bowdoin Hall, January 24, recommending that leave be granted under usual conditions.

Reports accepted; permits granted on usual conditions.

2. Report on resolve (referred today) that the City Council favors the enactment of legislation authorizing the building of a bridge from Dartmouth street to Cambridge across the Charles river—that the same ought to pass.

Report accepted; said order passed.

3. Report on order (submitted by the Mayor and referred today) appropriating \$6,500, to be expended by the Committee on Rent and Housing, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund, when made—that the same ought to pass.

Report accepted; said order passed, yeas 21, nays 0.

4. Report on report of the Committee on Rules (referred today) recommending the adoption of the rules as reported by the committee with the following amendment:

Insert at the end of Rule 13 the following words "Any matter referred to a committee may be recalled by a majority vote of all the members of the Council if such matter is not reported upon within one month from the date of reference."

The report was accepted, the proposed amendment was adopted, and the rules as amended were adopted.

AMOUNT FOR MORELAND STREET, WARD 12.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in the budget for the current year a sum sufficient to provide for the repaving of Moreland street, Ward 12.

Passed under suspension of the rule.

AMOUNT FOR REPAVING RUTHVEN STREET, WARD 12.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the

Mayor, to include in the budget for the current year a sum sufficient to provide for the repaving of Ruthven street, Ward 12.

Passed under suspension of the rule.

TUNNEL AT FOREST HILLS.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the construction of a tunnel under the railroad tracks at Forest Hills, to replace the present toll gate bridge connecting Hyde Park avenue and Washington street, Ward 19.

Passed under suspension of the rule.

PLAYGROUND FOR BRIGHTON.

Coun. GALLAGHER offered the following:

Ordered, that the sum of \$75,000 be and hereby is appropriated to be expended under the direction of the Park Commission for the purchase of land in Brighton, in the section bounded by Arlington, Market, Faneuil and Parsons streets, to be used as a playground, and that to meet said expenditure 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.

CONCRETE BLEACHERS, WILLIAM F. SMITH PLAYGROUND.

Coun. GALLAGHER offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to include in the budget for the current year a sum sufficient to provide for the erection of concrete bleachers on the William F. Smith Playground, Ward 22.

Passed under suspension of the rule.

CONCRETE BLEACHERS, MURRAY PARK PLAYGROUND.

Coun. GALLAGHER offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to include in the budget for the current year a sum sufficient to provide for the erection of concrete bleachers on Murray Park Playground, Ward 22.

Passed under suspension of the rule.

CONCRETE BLEACHERS, ROGERS PARK PLAYGROUND.

Coun. GALLAGHER offered the following:

Ordered, That the Board of Park Commissioners be requested, through His Honor the Mayor, to include in the budget for the current year a sum sufficient to provide for the erection of concrete bleachers on Rogers Park Playground, Ward 22.

Passed under suspension of the rule.

PARKING ON CAMBRIDGE STREET.

Coun. DOWLING offered the following:

Ordered, That the Board of Street Commissioners, through His Honor the Mayor, be requested to consider the advisability of permitting the parking of automobiles, rear end to the curbing, on both sides of Cambridge street, city proper.

Coun. DOWLING—Mr. President, in connection with that order, I simply desire to say that I conferred with the councillor from Ward 3 before I prepared it, and in support of it I desire to call attention to the fact that Cambridge street has now been widened for a considerable distance, at a great expenditure of the city's money, and provides an opportunity for parking, which in a great many instances is detrimental to the traffic situation in the heart of the city. My experience, particularly on Cambridge street, between Sudbury street and Bowdoin square, is that I find

cars parked in there in a double line and that officers are continually trying to straighten out the situation. Many times people simply went to park there for ten or fifteen minutes, the legal period, and when they want to leave find their way blocked by automobiles in a double file, so that they are held there a great deal longer than they expected to be. Since there appears to be plenty of opportunity for parking there, and the main drive is not used excessively, I hope the Street Commissioners will see their way clear to allow the parking.

The order was passed under suspension of the rule.

COMMITTEES ANNOUNCED.

President GREEN announced the appointment of committees for the ensuing year as follows;

STANDING COMMITTEES.

Executive.

All the members, Coun. Keene, Chairman.

On the following committees the first-named member is chairman.

Appropriations.

Coun. Fitzgerald, Donovan, Bush, Ruby, Murphy, Fish, Gallagher.

Claims.

Coun. Ruby, McMahon, Murray, Fish, Lynch.

County Accounts.

Coun. Fitzgerald, Arnold, Wilson, Donovan, Fish.

Finance.

Coun. Bush, Murray, Sullivan, McMahon, Dowd, Wilson, Deveney.

Inspection of Prisons.

Coun. McMahon, Ruby, Murphy, Lynch, Mahoney.

Jitney Licenses.

Coun. Dowd, Donovan, Keene, Arnold, Murphy.

Legislative Matters.

Coun. Wilson, Arnold, Parkman, Murphy, Deveney.

Ordinances.

Coun. Sullivan, Arnold, Wilson, Fitzgerald, Keene, Ward, Fish.

Parkman Fund.

Coun. Parkman, Ruby, Arnold, Dowd, McMahon.

Printing.

Coun. Murray, Deveney, Mahoney, Dowling, Ward.

Public Lands.

Coun. Donovan, Keene, Fitzgerald, Motley, Deveney.

Rules.

Coun. Arnold, Keene, Fitzgerald, McMahon, Gallagher.

Soldiers' Relief.

Coun. Motley, Bush, Ward, Dowling, Parkman.

SPECIAL COMMITTEES.

Branch Libraries.

Coun. Deveney, Sullivan, Bush, Motley, Mahoney.

Greater Boston.

Coun. Murphy, Bush, Mahoney, Sullivan, Wilson, Dowling, Ward.

Parks and Playgrounds.

Coun. Gallagher, Sullivan, Fish, Dowd, Lynch.

Port of Boston.

Coun. Fish, Donovan, Motley, Lynch, Dowling.

Public Safety.

Coun. Mahoney, Murray, Motley, Parkman, Gallagher, Ruby, Murphy.

Unclaimed Baggage.

Coun. Murray, Keene, Donovan.

Adjourned at 3.44 p. m., on motion of Coun. KEENE, to meet on Monday, January 16, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 16, 1928.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Murray.

APPOINTMENT BY THE MAYOR.

Subject to approval by the Council the following appointment was submitted by the Mayor:

Weigher of Coal: Harold S. Marden, 12 Burnside street, Medford, with the Burton-Furber Coal Company, Boston.

Laid over a week under the law.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

Lillian Balboni, for compensation for damage to property by ash truck.

Marian Bright, for compensation for injuries caused by an alleged defect in steps to bridge at Irvington and Yarmouth streets.

George A. Clough, for compensation for loss of glasses, etc., while repairing at Northern Avenue Bridge.

Mrs. Grace Dowd, for compensation for injuries caused by an alleged defect in Stuart street.

Catherine M. Ducey, for compensation for damage to property at 2 and 4 Southampton street, caused by defective sewerage system.

Empire Upholstering Company, for compensation for damage to property at 1120-1124 Harrison avenue, caused by defective water pipes.

Ellis Tire and Ruhler Company, Incorporated, for compensation for damage to property at 258 Columbus avenue, caused by burst in water main.

John E. Farrell, for compensation for injuries received while in performance of his duty as police officer.

Luey Forster, for compensation for injuries caused by an alleged defect at 171A Massachusetts avenue.

Mary T. Halpin, for compensation for damage to automobile caused by an alleged defect at 116 North Beacon street.

Peter A. Lepore, for compensation for damage to automobile by city truck.

Harris Levin, for compensation for injuries caused by an alleged defect at Hanover and Blackstone streets.

Stephen L. Maloney, for compensation for damage to automobile by fire apparatus.

F. A. McDonald, for compensation for damage to property at 649 Washington street, Brighton, caused by failure to shut off water.

John H. Murphy, for compensation for damage to automobile caused by an alleged defect in Doek square.

Joseph Newman, for compensation for damage to automobile caused by an alleged defect at 480 Dorchester avenue.

Mike Pylypiuk, for compensation for injuries caused by an alleged defect in Oakland street, Mattapan.

Sophia Rosenberg, for compensation for damage to property at 1120-1124 Harrison avenue, caused by defective water pipes.

Manuel J. Sousa, for compensation for damage to automobile caused by an alleged defect in Saratoga street.

Mrs. Frederiek Sullivan, for compensation for injuries caused by an alleged defect in Forsythe street, Boston.

H. W. Peters, for compensation for damage to automobile caused by an alleged defect on Vermont street, West Roxbury.

Special Committee on Jitney Licenses.

Petition of Ernest T. Vocell, to operate motor vehicles from West Boston Bridge, over Charles street to Park square.

Petition of Boston, Worcester & New York Street Railway Company that licenses standing in the name of Franklin T. Miller, receiver of the Boston & Worcester Street Railway Company, be issued to them.

STORAGE AND SALE OF GASOLINE.

A communication was received from the Street Laying-Out Department stating that hearings on petitions for storage and sale of gasoline would be held as follows:

Monday, January 30.

James T. Fitzgerald, 603 Dudley street, Ward 13, 3,000 gallons.

Jenney Manufacturing Company, 800-804 Adams street, Ward 16, 1,000 gallons.

Parkway Garage, 395-399 Columbia road, Ward 15, 1,000 gallons.

Referred to the Executive Committee.

PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds, for the period from January 1 to January 15, 1928, amounting to \$4,195.12, was received and approved.

DORCHESTER RAPID TRANSIT.

Coun. WILSON offered the following:

Ordered, That a special committee to consist of five members of the City Council be appointed by the President of the Council forthwith to hold hearings with reference to Dorchester rapid transit, and particularly the immediate operation of service to Shawmut Station.

Coun. WILSON—Mr. President, while the Clerk is resting his voice, I want to say, perhaps, for the benefit of the new councilors from Dorchester, that on August 22, 1927, I offered an order in the old Council, requesting the Transit Commission through His Honor the Mayor forthwith to advise the Council:

"1. The estimated date when rapid transit service will commence to Fields Corner on the newly constructed Shawmut Branch of the tunnel;

"2. Whether it is a fact that the proposed rapid transit service will not be extended to include passengers at the Shawmut Station until late in 1928, and

"3. Whether, even before the completion of the rapid transit system to Ashmont and the construction of the Ashmont Station, arrangements are to be made for switchovers or other track arrangements insuring at least limited rapid transit service as far as Shawmut Station pending completion of the end of the line."

In response to that order, on September 12, 1927, the Transit Commission, through the office of the Mayor, replied that it was estimated that the Fields Corner line would be ready for operation about November 1. It was open about that date. They also stated that it was estimated that "the tracks, signals, station building and other appurtenances through Shawmut Station will be completed early in 1928, and this will include a single crossover south of Shawmut for switching trains." They went on to say that the question whether there would be operation of any portion of the line beyond Fields Corner would be entirely up to the operating company,—namely, the Boston Elevated Railway Company. At the time when the Columbia Station was completed, the Mayor requested the Elevated to run the cars as far as Columbia, which was refused at that time. On the ground that there were no terminal facilities. I personally feel that there is a vast distance between this now deserted Columbia Station—whatever the future may bring forth,—and the Shawmut Station, which was one of the most congested parts and highest traffic points on the old railroad line. I understand that the single crossover now in existence beyond Shawmut will permit the Elevated to run trains to Shawmut and to switch over between Shawmut and Peabody square, on four-minute time. In other

words, trains can now be run to Shawmut, switched over, and come back. I understand that one of the reasons why the Elevated are slow in opening to Shawmut is that they are using the track service from Fields Corner to Park street for storage of cars and trains on the tracks. I also understand, perhaps incorrectly, that the Elevated will not pay rental on any part of the line beyond Andrew square. I think it is time that the patience of the car riders should be rewarded, and I suggest that the matter be looked into immediately, in order that we may ascertain from the Transit Commission and from the Elevated just what the situation is, and see if this line cannot be opened up within the course of the next month or two.

The order was referred to the Committee on Rules.

WIDENING OF RIVER STREET.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be and he hereby is requested through his Honor the Mayor to include in the budget for the current year \$100,000 or such sum as may be necessary for the immediate resurfacing and widening of River street, from Mattapan square to Pierce square.

Ordered, That the Commissioner of Public Works be and he hereby is requested to at once give due and sufficient notice to the Boston Elevated Street Railway Company of an intention by the city promptly to widen and resurface River street, from Mattapan square to Pierce square.

Coun. WILSON—Mr. President, in reference to these two orders I would state—and this is also for the benefit of the new members—that on September 26, 1927, I introduced an order in this body requesting the immediate resurfacing of River street, in Ward 17, and on October 31, 1927, there came a communication from the Public Works Department, transmitted through the Mayor's office, stating that they had talked the matter over with Mr. Dana of the Elevated and that the Elevated has not as yet made up their mind whether they wish to abandon all car tracks on River street, and that pending their decision the matter must be delayed. The Mayor has more recently said: "As a result of a letter addressed to Mr. Dana of the Elevated on the 28th day of December, I have been advised and the Public Works Commissioner has now been advised that the Elevated Railway Company has definitely decided to abandon all car tracks on River street, from Mattapan square to Pierce square." Accordingly, the matter is now up to the Public Works Department, and this through route from Hyde Park to Mattapan, around through Pierce square and the new Southern Artery should be completed at once. I understand that it is necessary at an early date to definitely tell the Elevated that the city proposes to resurface the street.

The orders were passed under suspension of the rule.

BOULEVARD LIGHTS, DORCHESTER AVENUE.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be and he hereby is requested, through his Honor the Mayor, to include in the budget appropriation for the current year a sum sufficient to install a system of boulevard lights on Dorchester avenue from Richmond street to Pierce square.

Passed under suspension of the rule.

COPIES OF "CITY AFFAIRS."

Coun. WILSON offered the following:

Ordered, That the Clerk of Committees be and he hereby is directed to obtain for each member of the City Council a copy of the newest editions of "City Affairs," the rejuvenated funny sheet now once again to be published intermittently by the Good Government Association as and when the spirit moves and semipublic donations permit it.

Coun. WILSON—Mr. President, the reason for the introduction of that order at this time is that in common probably with other members of the

Council, I read in the morning prints about the rebirth and reissuing of a paper by the so-called Good Government Association, presumably to function as an official organ for the Finance Commission, and I assume that the official organgrinder will be our friend Peter Oliver. So I have introduced this order merely that it might edify members of the Council if they were in a position to read this sheet as and when it comes out. I might say incidentally that I understand from the papers that the first edition gives due credit to the Finance Commission for defeating the firehouse loan order and saving the City of Boston \$100,000. As one of the members of the City Council who voted to defeat that particular fire loan, I personally would like to disillusion the reporters of said paper, merely stating that I had not as much as read the report of the Finance Commission when I voted upon the matter, and I assume that if any of the members of the Council did read it they were the members who voted in favor of the loan. I may state in passing that if it were not for the fact that a very popular monthly magazine has already copyrighted the name, it might be a good suggestion to call this new eivic sheet, "The Ited Book."

The order was passed under suspension of the rule.

PEMBERTON SQUARE COURTHOUSE.

Coun. WILSON offered the following:

Ordered, That the Clerk of Committees be and he hereby is directed to obtain for and furnish to each member of the Committee on County Accounts a copy of the report of the special commission appointed by the Massachusetts Legislature of 1925 to make a survey of "the present accommodations and needs and probable future needs" of the courts and other offices now occupying the badly arranged, poorly ventilated, archaic, over-crowded, unsanitary public building known as the Pemberton Square Courthouse.

Referred to the Executive Committee.

DRAINAGE SYSTEM, McCONNELL PARK.

Coun. SULLIVAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the installation of a drainage system in McConnell Park and Playground, Ward 13.

Passed under suspension of the rule.

BLEACHERS, McCONNELL PARK.

Coun. SULLIVAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of erecting a bleachers with a seating capacity of 2,500 on McConnell Park, Ward 13.

Passed under suspension of the rule.

ACCEPTANCE OF SUDAN STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Sudan street, Ward 13, from Sagamore street to Sydney street, as a public highway.

Passed under suspension of the rule.

RESURFACING OF SAGAMORE STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Sagamore street, Ward 13, from Savin Hill avenue to Romsey street.

Passed under suspension of the rule.

RESURFACING OF SAVIN HILL AVENUE.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Savin Hill avenue, from the railroad bridge to the railroad bridge.

Passed under suspension of the rule.

SIDEWALK, CAROLINA AVENUE, WARD 11.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Carolina avenue, southerly side, from South street to Verona street, Ward 11, 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 edgestone only (second-hand from yard), with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

INCREASED SALARIES, POLICE DEPARTMENT.

Coun. DEVENEY offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to provide in this year's budget for an increase in salary for the officers in the Police Department.

Referred to the Executive Committee.

LOCKER BUILDING, JOHN H. DOHERTY PLAYGROUND.

Coun. FISH offered the following:

Ordered, That the sum of \$50,000 be and hereby is appropriated to be expended under the direction of the Board of Park Commissioners for the construction of a sanitary and locker building, with necessary equipment, at the John H. Doherty Playground, better known as Dorchester Town Field, Ward 16, 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.

Referred to the Committee on Finance.

SALE OF GASOLENE, CONLEY STREET.

Coun. WARD offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to reject the application for the storage and sale of 75,000 gallons of gasolene at Conley street, Dorchester, in the name of M. Zottoli, for the reason that the granting of this permit will constitute a public menace.

Coun. WARD—Mr. President, a short while ago this body appropriated a certain amount of money for a playground on Tenean Beach. Half a block from this playground there has been a petition presented to the Board of Street Commissioners for a permit to erect a structure for the storage of gasolene. The permit calls for 1,500 barrels of gasolene. In reality, that would mean 75,000 gallons. I don't know anything about this petition, don't know the men behind it at all, but I do know that there is one Robert J. Bottomly who is the attorney and Anthony M. Zottoli who is the trustee for some unknown party. I feel that the granting of this permit would constitute a public menace.

President GREEN—The order will be referred to the Executive Committee.

On motion of Coun. WARD the rule was suspended and the order was passed.

SIDEWALKS, CORNELL AND BEECH STREETS.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Cornell street, both sides, from Poplar street to Washington 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.

Ordered, That the Commissioner of Public Works make a sidewalk along Beech street, both sides, from Poplar street to Washington 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.

Coun. MURPHY—Mr. President, I move a suspension of the rule and the passage of the orders. Mr. President and gentlemen of the Council, I realize from the short experience I have had that the passage of orders seems to be the everyday business of this Council. What I want to draw to the attention of the people responsible, however, is the condition of the streets in the ward from which I come, Ward 18. The condition of one of these streets for which I have presented an order, Cornell street, is disgraceful for any city. I went over that street last Sunday and, without any exaggeration, there was at least half a foot of mud on the street. Cornell street, Mr. President, is an accepted street. If there are to be large expenditures of money anticipated for various necessary things, to my mind one of the most important things to bear in mind, something requiring immediate attention, is that the safety of our children going to and from schools shall be guaranteed. Beech street, for which I have introduced the other order, leading to one of the schools of the district, in my opinion is not a safe passageway for children, either. I am at this time, Mr. President, uttering a few words in regard to matters of this kind so that the people of my district will understand that I was not elected to the City Council to become a "yes" man for any man, but that I am here in the interests of the people. I am here in the interests of my children and the children of every family in the district,—yes, and of every family in the City of Boston,—feeling that they should at least in this day of wild flying automobiles on the streets, be guaranteed some proper and decent passage along our streets so that they may be expected to get home safely. I have an instance in mind on my own street, prior to my election. A mother was on her way from the store, with one little tot held by the hand and another in her arms. An automobile came along, knocked down the little child, hurt its skull, and took off one of its fingers. The mother, frantic, on her way to the hospital, had the other child struck down. I say, Mr. President, that the responsibility for this sort of thing rests absolutely on the City of Boston, because of not providing decent and safe places for children to walk. So I hope, Mr. President, that those in charge will take notice that the Boston City Council at least is going to stand up for the protection of the people sending them here to this great body; and before expenditures are made for various lawn tennis courts and other things of the sort, that the elite want, I say we should first fix the streets, so that our children and everybody else who have to use our sidewalks and the streets will be at least guaranteed the safety that a city of this type ought to guarantee to its citizens. I move a suspension of the rule and the passage of the orders.

The orders were passed under suspension of the rule.

LOAN FOR COLUMBUS PARK AND STRANDWAY.

Coun. LYNCH offered the following:

Ordered, That the sum of \$200,000 be and hereby is appropriated to be expended under the direction of the Board of Park Commissioners for the completion of the filling-in, and the planting of shrubbery and grass, etc., of Columbus Park, and of the Strandway from Columbia road to the causeway leading to Castle Island, 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.

Referred to the Committee on Finance.

PROPOSED PAYMENT TO MOTHER OF
WILLIAM PRESENTE.

Coun. MAHONEY offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation to authorize a payment by the city to the mother of William Presente, who was accidentally shot by a policeman of said city and died in consequence thereof.

Passed under suspension of the rule.

RELIEF MEASURE FOR UNEMPLOYED.

Coun. WARD offered the following:

Whereas, Industrial depression has forced humane, public-spirited citizens to open "Soup Kitchens," and

Whereas, It is generally estimated that at present the unemployed in Boston numbers more than 60,000, therefore be it, and it is hereby

Resolved, That his Honor the Mayor be requested to submit at once a program of public works in the sum of \$2,000,000, as a relief measure for the unemployed.

Coun. WARD—Mr. President, despite what big business men may say, despite statistics that may be presented by people in Washington to the contrary, we know that unemployment here in New England and Boston is not only a possibility but an actuality. Public-spirited citizens throughout this city have established soup kitchens, attempting to meet the situation confronting us at the present time. There is absolutely no reason, it seems to me, why our officials, our different department heads, cannot plan some constructive program of public works. I am not going to stand here and deliver a speech this afternoon on what program of public work I believe the Mayor of Boston can or should present to the citizens of this city, having in mind the relief of the unemployment situation, but the order presented by Major Lynch gives me the thought that work which must eventually be done, work that can be done during the winter season, work which will not be seriously affected by cold weather, might very well be outlined and performed at this time. Therefore, I present this order calling upon the Mayor of Boston to request the different department heads to outline some plan of employment whereby these men who are now forced to stand in line and to accept what may be handed out at a soup kitchen, men who are willing to work, men who are willing to earn an honest dollar, may have an opportunity to do so without being made paupers. If the Mayor of Boston, Mr. President, will outline such a program of public work, citizens of Boston can obtain employment and will not be public charges.

President GREEN—The order will be referred to the Committee on Rules.

Coun. WARD—Mr. President, I would like to ask why the Committee on Rules?

President GREEN—Under the rule adopted by the City Council at the last meeting. Therefore, after consulting with the Clerk, I refer the order to the Committee on Rules.

The order stood referred to the Committee on Rules.

EXTENSION OF TAYLOR PLACE, WARD 15.

Coun. McMAHON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to provide for the extension of Taylor place, Ward 15, to Charles street.

Coun. McMAHON—Mr. President, this order I have just introduced is to overcome the bad situation that happens to exist in my ward. They have just opened a new rapid transit system there, and this extension of Taylor place would make a short cut for the patrons of the rapid transit. At present, these people have to either walk around to Geneva avenue or go away around to Phillips Corner, which means that they have to cover a big distance to get to the rapid transit,—and there is no other way of getting in town now with the cut that the Elevated has made on the street cars. I think this order should be passed at once and that this extension should be put through by the Street Commissioners at the earliest possible opportunity.

The order was passed under suspension of the rule.

COST OF BRANCH LIBRARY, WARD 21.

Coun. DOWLING offered the following:

Ordered, That the Trustees of the Boston Public Library be requested, through his Honor the Mayor, to submit to the City Council an estimate of the cost of a site and building for a branch library in Ward 21, Brighton.

Passed under suspension of the rule.

REPORTS FROM MUNICIPAL EMPLOY-
MENT BUREAU.

Coun. WILSON—Mr. President, may I ask at this time whether or not any communication has come through from the Municipal Employment Bureau in response to the order passed by the City Council on December 19 of last year requesting the Municipal Employment Bureau, through his Honor the Mayor, to submit to the City Council on Monday of each week the number of applications for employment received from unemployed during the preceding week, and the number of positions, if any, actually filled directly through the Employment Bureau for the same period?

President GREEN—For the information of Coun. Wilson, after consulting with the Clerk, the Chair would state that no such response has been received.

Coun. WILSON—Mr. President, if that is so, I would like to renew the order at this time, for fear, perhaps, that the Municipal Employment Bureau may be under the impression that my desire for information at that time died with the old Council. Such is not the case. I would further say, so far as I am personally concerned, that unless that information is received, I personally shall refuse to vote for an appropriation of one cent for the further continuance of this particular department, because I think we are entitled to know from week to week what, if anything, is being accomplished.

Coun. WILSON offered the following:

Ordered, That the Director of the Municipal Employment Bureau be requested, through his Honor the Mayor, to submit to the City Council on Monday of each week the number of applications for employment received from unemployed during the preceding week, and the number of positions, if any, actually filled directly through the Employment Bureau for the same period.

Passed under suspension of the rule.

RECESS.

On motion of Coun. MOTLEY, the Council voted at 2.44 p. m. to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President GREEN at 3.15 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following:

1. Report on order (referred today) directing the Clerk of Committees to obtain and furnish to each member of the Committee on County Accounts a copy of the report of the Special Commission appointed by the Massachusetts Legislature of 1925 to make a survey of "The Present Accommodations and Needs and Probable Future Needs" of the courts, etc.—that the same ought to pass.

Report accepted; said order passed.

2. Report on order (referred today) requesting the Police Commissioner through the Mayor to provide in this year's budget for an increase in salary for all officers of the Police Department,—recommending the adoption of the following new draft:

Ordered, That the Police Commissioner be requested, through his honor the Mayor, to pro-

vide in this year's budget for an increase in salary for all members of the Police Department.

Report adopted; order in new draft passed.

SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of January, 1928.

Report accepted, said order passed.

REPAIRS AT EAST BOSTON GYMNASIUM.

Coun. DONOVAN offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to include in the budget for the current year the sum of \$25,000 to be expended for repair-

ing showers and other necessary improvements on buildings at the East Boston Gymnasium, Paris street, Ward 1.

Passed under suspension of the rule.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President GREEN called up, under unfinished business, No. 2 on the calendar, viz.:

1. Action on appointments submitted by the Mayor January 9, 1928, of Karl H. West and Francis E. Brown to be Constables.

2. Action on appointments submitted by the Mayor January 9, 1928, of Patrick J. Devlin, Simon P. Bernard, Timothy P. Donovan, Ralph C. Monroe, and Edward H. McLaughlin, to be Weighers of Goods.

The question came on confirmation. Committee, Coun. Sullivan and Donovan. Whole number of ballots 20, yeas 20, and the appointments were confirmed.

 Adjourned at 3.20 p. m., on motion of Coun. McMAHON, to meet on Monday, January 23, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 23, 1928.

Regular meeting of the City Council held in the Council Chamber at 2 p. m., President GREEN presiding. Absent, Coun. Mahoney.

President GREEN called Coun. KEENE to the chair to preside.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted appointments, as follows:

Constables: Abraham Grossman, 38 Evelyn street, Mattapan; John H. Burke, 50 Oak street, Boston; Frederick W. Boynton, 102 Warren avenue, Boston; Maurice Levy, 11 Abbot street, Dorchester; Isie Martin, 36 Vesta road, Dorchester. Weigher of Goods: John Small, 97 Bragdon street, Jamaica Plain.

Severally laid over a week, under the law.

ASH AND GARBAGE CONTRACT FOR DORCHESTER.

The following was received:

City of Boston,

Office of the Mayor, January 21, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of December 19, 1928, relative to including in the ash and garbage contract for Dorchester for 1928 a provision that the city reserves the right on receipt of complaint to send a special wagon and collect and remove not only garbage but also ashes.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department,
January 18, 1928.

To the Honorable the Mayor.

I return order of the City Council, dated December 19, 1927, requesting that there be included in the ash and garbage contract for Dorchester for 1928 a provision that the city reserves the right on receipt of complaint to send a special wagon and collect and remove not only garbage but also ashes, and attach a report from the division engineer which has my approval.

Yours respectfully,
J. H. SULLIVAN,
Commissioner of Public Works.

December 27, 1927.

To the Commissioner of Public Works.

I return herewith order of the City Council dated December 19, 1927, in which the Commissioner of Public Works is respectfully requested to include in the specifications of the contract for the collection and removal of ashes and garbage in the Dorchester district for the calendar year 1928, a provision that the city reserve the right on receipt of complaint to send a special wagon to collect and remove not only garbage but also ashes.

This order is dated December 19, and the contract for the collection and removal of ashes, house dirt, store dirt, refuse, etc., and garbage, was signed by the Mayor on December 14, and had the usual provision in which the Commissioner of Public Works has the right to send a special wagon for the collection and removal of garbage.

Under Article 7 of the contract, however, it states that if the contractor at any time is not carrying on the work to the satisfaction of the commissioner, the commissioner at his discretion may, with or without notice to the contractor, employ such carts, assistance and horses as he deems necessary to collect and remove said material for such time as it may seem necessary.

This clause seems broad enough to allow the

commissioner at any time to place on extra teams to collect not only garbage but ashes, house dirt, rubbish, etc.

Yours respectfully,

E. F. MURPHY,

Division Engineer, Sanitary Division.

Placed on file.

ACCEPTANCE OF BATES BEQUEST.

The following was received:

City of Boston,

Office of the Mayor, January 23, 1928.

To the City Council.

Gentlemen,—By the will of the late Ellen S. Bates of New York City the City of Boston was bequeathed two oil paintings,—one of Martin Bates, who was one of the first aldermen of the City of Boston, and one of his wife, Sarah S. Bates. These portraits have been approved by the Art Commission and I believe that they might well be accepted by the City of Boston. I am, accordingly, inclosing an order accepting these paintings, which I submit to your honorable body for its approval.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Law Department, October 29, 1927.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—Under the will of the late Ellen S. Bates of the City of New York a bequest is made to the City of Boston of two oil paintings of her grandparents, Martin Bates and his wife Sarah S. Bates, or either of said portraits. The will states that the purpose of making this bequest is that Martin Bates was one of the first aldermen when Boston became a city. In the event that the City of Boston does not desire to accept this bequest then these portraits revert to the grantors of the estate who are authorized to destroy the paintings not taken by the city or to otherwise dispose of them.

If your Honor feels that these portraits, or either of them should be accepted by the city, it would be necessary for your Honor to submit to the Council an order accepting this bequest. I am inclosing herewith a draft of an order and letter to be submitted to the Council in event your Honor so decides.

Very truly yours,
FRANK S. DELAND,
Corporation Counsel.

City of Boston,
Art Commission, December 29, 1927.

Portraits of Martin Bates and Sarah S. Bates.
Edward T. Condon, Secretary, Mayor's Office,
Boston.

Dear Sir,—On November 9, his Honor referred to this commission the question of accepting the bequest of Ellen S. Bates of New York of two portraits of Martin Bates and Sarah S. Bates respectively.

This commission has found these paintings to be exceptionally interesting and valuable, and has voted to approve them for placing in some public building in Boston, to be selected hereafter.

I shall telephone you to request that arrangements be made for the reception and safe keeping of these portraits.

Charles P. Latting, 38 West 44th street, New York, is attorney for the executors.

Yours very truly,
HENRY F. BIGELOW, Secretary,
per HENRY C. GREENE, Clerk.

Ordered, That the City of Boston accept the oil painting of Martin Bates, one of the first aldermen of the City of Boston, and the oil painting of his wife, Sarah S. Bates, which paintings were bequeathed to the city under the will of the late Ellen S. Bates of the city of New York.

Referred to the Executive Committee.

BLEACHERS, WILLIAM HEALEY PLAYGROUND.

The following was received:

City of Boston,

Office of the Mayor, January 20, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department in answer to your order of January 9, 1928, relative to the providing for the installation of bleachers with a seating capacity of twenty-five hundred on the William Healey Playground, Ward 19.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, January 18, 1928.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of January 14 with inclosure, order from the City Council that the Board of Park Commissioners be requested, through his Honor the Mayor, to provide for the installation of bleachers with a seating capacity of twenty-five hundred on the William Healey Playground, Ward 19.

In reply I desire to say that this is a matter that cannot be properly considered as a budget item.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

BLEACHERS, MURRAY PARK PLAYGROUND.

The following was received:

City of Boston,

Office of the Mayor, January 20, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in answer to your order of January 9, 1928, relative to including in the 1928 budget a sum sufficient to provide for the erection of concrete bleachers on Murray Park Playground, Ward 22.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, January 18, 1928.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of January 14 with inclosure, order from City Council that the Board of Park Commissioners be requested, through his Honor the Mayor, to include in the budget for the current year a sum sufficient to provide for the erection of concrete bleachers on Murray Park Playground, Ward 22.

In reply I desire to say that this is a matter that cannot be properly considered as a budget item.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

BLEACHERS, WILLIAM F. SMITH PLAYGROUND.

The following was received:

City of Boston,

Office of the Mayor, January 20, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in answer to your order of January 9, 1928, relative to including in the budget for the current year a sum sufficient to provide for the erection of concrete bleachers on the William F. Smith Playground, Ward 22.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, January 18, 1928.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of January 14 with inclosure, order from the City Council that the Board of Park Commissioners be requested, through his Honor the Mayor, to include in the budget for the current year a sum sufficient

to provide for the erection of concrete bleachers on the William F. Smith Playground, Ward 22.

In reply I desire to say that this is a matter that cannot be properly considered as a budget item.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

BLEACHERS, ROGERS PARK PLAYGROUND.

The following was received;

City of Boston,

Office of the Mayor, January 20, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in answer to your order of January 9, 1928, relative to including in the budget for the current year a sum sufficient to provide for the erection of concrete bleachers on Rogers Park Playground, Ward 22.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, January 18, 1928.

Hon. Malcolm E. Nichols,

Mayor of Boston,

Dear Sir,—I have your memorandum of January 14 with inclosure, order from the City Council that the Board of Park Commissioners be requested, through his Honor the Mayor, to include in the budget for the current year a sum sufficient to provide for the erection of concrete bleachers on Rogers Park Playground, Ward 22.

In reply I desire to say that this is a matter that cannot be properly considered as a budget item.

Very respectfully yours,

WILLIAM P. LONG,

Chairman.

Placed on file.

PETITIONS RECEIVED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

D. M. Biggs & Co., for compensation for horse killed by falling into catch-basin on Brookview street.

P. Joseph Collins, for compensation for damage to automobile caused by an alleged defect at 286 Columbus avenue.

Louise M. Davies, for compensation for damage to property at 189 Centre street caused by fire apparatus.

Catherine Donovan, for compensation for injuries caused by defective sidewalk on Boylston street.

Katherine A. Doherty, for compensation for injuries caused by an alleged defect in Court square.

Glendora Egan, for compensation for injuries caused by an alleged defect in street at Charlesgate West.

Fenway Cafe, for refund on unused refuse tickets.

D. P. Fox, for compensation for damage to automobile caused by an alleged defect in Adams street, Dorchester.

Silvino Giannasca, to be reimbursed for work done on sewer at 29 London street, East Boston.

K. M. Goolkasian, for compensation for damage to automobile by fire apparatus.

John J. Jennings, for compensation for damage to automobile caused by an alleged defect in Hancock street.

John A. Jones, for compensation for injuries caused by an alleged defect at 96 Carver street.

T. Leo & Co., for compensation for damage to horse and wagon caused by city wagon No. 844.

Josephine Luther, for compensation for damage to automobile by fire apparatus.

Aurora Maffie, for compensation for injuries caused by an alleged defect at Bromley and Heath streets.

Mrs. J. Michener, for compensation for damage to clothing caused by an alleged defect in Maryland street.

Adelaide T. O'Brien, for compensation for damage to automobile caused by ash truck.

C. S. Rubinovitz, for compensation for damage to automobile by city cart.

Elizabeth A. Ryan, for compensation for injuries caused by an alleged defect in Pilgrim road.

Sturtevant & Haley Beef and Supply Company, for compensation for damage to truck by city truck.

Thomas O. D. Urquhart, for compensation for damage to automobile by city cart.

Gertrude Weaver, for compensation for damage to clothing caused by an alleged defect in Savin Hill avenue.

Church of Jesus Christ, for compensation for damage to property at 1 Queensberry street, caused by sanitary truck.

Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Marion Hennessy, Irving Adams Legion Hall, January 31.

Gertrude Murphy, Gate of Heaven Hall, February 17.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway to operate motor vehicles between junction of Wilton and Cambridge streets and the junction of Faneuil and Brooks streets, over Wilton street, Braintree street, Franklin street, Cambridge street, Union square, North Beacon street, Brooks street, Hohart street, Faneuil street, Brooks street.

SALARY OF PROBATION OFFICERS.

A communication was received from the Justice of the East Boston District Court, determining the salaries of the probation officers of said court.

Referred to the Committee on County Accounts.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from L. K. Rourke, Building Commissioner, of interest in a contract of the McCulloch Manufacturing Company with Public Works Department of city for assembling of water gates and hydrants.

Placed on file.

APPROVAL OF CONSTABLE'S BOND.

The constable's bond of John S. Avramides, having been duly approved by the City Treasurer, was received and approved.

APPROVAL OF APPOINTMENT OF JOHN J. O'CALLAGHAN.

Notice was received of approval by the Commissioners of Civil Service of the appointment of John J. O'Callaghan, 45 Strathmore road, Brighton, as a member of Board of Street Commissioners.

Placed on file.

WITHDRAWAL OF APPOINTMENT OF WILLIAM J. CONLON.

Notice was received from the Mayor of the withdrawal of the appointment of William J. Conlon, under date of December 24, 1927, to be Deputy Commissioner of Penal Institutions.

Placed on file.

TEMPORARY SANITARY INSPECTORS.

Notice was received from the Health Commissioner of appointment of John J. Delaney, Arthur L. Powers and Bernard P. Casey as temporary sanitary inspectors.

Placed on file.

SALARIES OF POLICE DEPARTMENT MATRONS.

Notice was received from the Police Commissioner that salaries of three assistant matrons had been set at \$1,400 (from \$1,300) and salary of permanent substitute assistant matron at \$1,400 (from \$1,300).

Referred to Executive Committee.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department that hearing on petition for storage and sale of gasolene would be heard on February 6, viz.:

S. H. Ansell & Son, Inc., 825 Summer street, Ward 6, 1,000 gallons.

Referred to the Executive Committee.

REPAVING OF ELM HILL AVENUE, WARD 12.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in the budget for the current year a sum sufficient to provide for the repaving of Elm Hill avenue, Ward 12.

Passed under suspension of the rule.

REPAVING OF HOMESTEAD STREET.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in the budget for the current year a sum sufficient to provide for the repaving of Homestead street, between Humholdt avenue and Walnut avenue, Ward 12.

Passed under suspension of the rule.

LIGHTING OF OLD ROAD.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install a sufficient number of additional arc lamps on Old Road, Ward 14, to provide for the adequate lighting of this thoroughfare.

Passed under suspension of the rule.

TEMPORARY LOAN IN ANTICIPATION OF TAXES.

The CHAIR called up No. 2 on the calendar, viz.:

2. Ordered, That to provide temporarily money to meet the appropriations for the financial year 1928, 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 twenty-two 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, he made payable with the interest thereon within one year of their date from the revenue of the year 1928, 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 January 3, 1928, the foregoing order was read once and passed, yeas 22.

The question came on the second and final reading of the order and the order was passed, yeas 17, nays 0.

ANNUITY TO WIDOW OF WALTER P. CORBETT.

Coun. DEVENEY offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the city to pay an annuity to the widow of Walter P. Corbett, a former member of the Fire Department.

Referred to the Executive Committee.

CONSTRUCTION OF PONTIAC STREET.

Coun. DEVENEY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to furnish the City Council with the estimated cost of extending and constructing

Pontiac street, Ward 10, from Hillside street to Fisher avenue.

Passed under suspension of the rule.

INCREASED SALARY, ELEVATOR OPERATORS.

Coun. DEVENEY offered the following:

Ordered, That the Superintendent of Public Buildings he requested, through his Honor the Mayor, to include in the budget for this year an increase in salary for elevator operators equal to that proposed for county elevator operators.

Passed under suspension of the rule.

RELIEF OF UNEMPLOYMENT.

Coun. WARD offered the following:

Resolved, That the Boston City Council suggest to his Honor the Mayor that he confer with his Excellency the Governor of Massachusetts and other Republican statesmen and leaders, with a view to appointing a committee to wait upon the President of the United States at Washington, to the end that work upon ships of the United States Navy may be assigned to the Boston Navy Yard, to relieve the deplorable conditions of unemployment now existing in this city.

Referred to the Committee on Rules.

RESURFACING OF VALE STREET.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Vale street, Ward 11, from Thornton street to Marcella street, with a smooth pavement.

Passed under suspension of the rule.

SIDEWALK, COLUMBIA ROAD.

Coun. SULLIVAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the construction of a granolithic sidewalk on the southerly side of Columbia road, from Dorchester avenue to Columbia Station.

Passed under suspension of the rule.

RESURFACING OF HARBOR VIEW STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Harbor View street, from Dorchester avenue to Sydney street, Ward 13, during the present year.

Passed under suspension of the rule.

ANNUITY TO WIDOW OF JOHN J. McMORROW.

Coun. KEENE offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of John J. McMorrow, late member of the Boston Fire Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said widow remains unmarried and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

ANNUITY TO WIDOW OF THOMAS P. ROSSITER.

Coun. MURRAY offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of Thomas P. Rossiter, late member of the Boston Fire Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said

widow remains unmarried, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

COPIES OF DOCUMENT 86, 1927.

Coun. MURRAY offered the following:

Ordered, That the Superintendent of Printing be requested, through his Honor the Mayor, to furnish each member of the Boston City Council with fifteen copies, bound in cloth, of Document 86, 1927, "Officials and Employees of the City of Boston and County of Suffolk," these copies to be in addition to those already allotted to the members of the Council.

Coun. DOWLING—Mr. Chairman, I think it would be advisable to refer that order to the Executive Committee. There are some matters in connection with it that the Council ought to understand before it passes the order.

Referred to the Executive Committee.

ACCEPTANCE OF ITASCA STREET.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Itasca street, Ward 18, from Mattapan street to Oakland street, as a public highway.

Passed under suspension of the rule.

ACCEPTANCE OF RUSKIN ROAD.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Ruskin road, Ward 18, from Wood avenue to Ralston road, as a public highway.

Passed under suspension of the rule.

ACCEPTANCE OF HILBURN STREET.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Hilburn street, Ward 18, from Metropolitan avenue to Poplar street, as a public highway.

Passed under suspension of the rule.

TRAFFIC LINES IN DORCHESTER.

Coun. McMAHON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to establish proper traffic lines at the junction of Dorchester avenue and Adams street, Fields Corner, also at the junction of Charles street and Dorechester avenue.

Passed under suspension of the rule.

CONFIRMATION OF APPOINTMENTS.

On motion of Coun. MURPHY, No. 3 on the calendar, unfinished business, was taken up, viz.:

3. Action on appointments submitted by the Mayor January 9, 1928, of Karl H. West and Francis E. Brown, to be Constables.

The question came on confirmation. Committee, Coun. Sullivan and Fitzgerald. Yeas 16, nays 1, and the appointments were confirmed.

Chairman KEENE, under unfinished business, called up No. 1 on the calendar, viz.:

1. Action on appointment submitted by the Mayor January 16, 1928, of Harold S. Marden to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Deveney and Dowd. The appointment was confirmed, yeas 16, nays 0.

RECESS.

On motion of Coun. SULLIVAN, the Council voted at 2.30 p. m. to take a recess subject to the call of the Chair.

The Council reassembled in the Council Chamber at 3.25 p. m.

REPORT OF COMMITTEE ON FINANCE.

Coun. BUSH, for the Committee on Finance, reported as follows:

1. Report on order (referred January 9) for loan of \$75,000 for Central Power Plant, House of Correction,—that same ought to pass.

The report was accepted, and the order was given its first reading and passage, yeas 18, nays 0.

The order will come up for its second reading and passage in not less than fourteen days.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted reports as follows:

1. Report on message of Mayor and order (referred January 9) for the transfer of \$7,500 from Reserve Fund to be expended by Commercial, Industrial and Publicity Bureau—that same ought to pass.

The question came on passage of the order.

Coun. DOWLING—Mr. Chairman, I do not know what I want to say in addition to what has already been said in executive meeting. I am not speaking here now for public consumption, because I do not care whether the general public knows my position on this matter at all, but I stated my position plainly enough in the committee, and the members of the Council know how I feel about it. I simply want, however, to refer to one of the arguments which was used by my colleague and my friend on my right (Coun. Gallager). He tried to excuse the expenditure of this money for the purposes described by the Mayor by saying "it was only \$8,000." I want to remind the gentleman on my right, who is my friend—and it is a perfectly proper thing that friends should disagree at times, but I want to remind him that he has shown me an order he is going to put in within a few minutes. I hope, and I hope that his order when it is put in will be passed, but it calls for the expenditure of at least \$40,000, and he excuses this \$8,000 item by saying, "it is only \$8,000." We can't quibble over \$8,000, but five of these orders, of course, would pay for the building which he is going to ask you to provide for. Now you have got to be fair with yourself and you have got to be fair with the city.

The money that the Mayor asks for this phony bureau is \$7,500. Last year, the bureau spent \$6,973, \$6,810 of it was given to men who have soft jobs and to girls who have soft jobs, and if there were ten appropriations of that kind for real work it would give honest labor to thousands of men who are out of employment. I do not think the city as a whole is much interested in the lousy \$8,000 for which the Mayor asks in this connection. The Industrial Bureau, so called, does not render a single bit of service to this city. It provides employment for two or three well-dressed friends of the Mayor, and that is all. The withholding of the money won't take them out of their jobs—unfortunately or fortunately, whichever way you may look at it. If they are not employed in the Industrial Bureau they will get into the Mayor's office, where they should go, and their salaries will be paid out of the Mayor's office salary fund, a s they should be. Let me tell you, that there are men originally carried on the pay roll of the Mayor who have been assigned to other departments, and they are doing work in other departments, they are being paid by other departments and, apparently, the expenses of the Mayor's office are decreasing, while the real number of employees in that office is increasing. If the Mayor wants \$7,000 for his industrial bureau, let him first show that the Industrial Bureau does something. We had Mr. Parsons of the Industrial Bureau before the Executive Committee, and there isn't a man in this Council who would tell anybody that Mr. Parsons will satisfy him that he was worth \$3,000 as a booster for Boston. That was the original intention of the Industrial Bureau. The name is so phony I can't think of the whole of it, but there isn't a man in this Council who believes that Mr. Parsons or his associates there rendered one

cent's worth of service to the city in the way of advertising her, either industrially, commercially, fraternally, politically, religiously, or in any other way; and I hope that the appropriation won't pass—although I know it will. Now, as I said once before, I know when I am right and I know when I am licked, and I know now that I am right and I know I am licked.

Coun. WARD—Mr. Chairman, the first day we met here, Coun. Dowling expressed a truth—that whatever the Mayor sends up here, regardless of how logical the argument may be against it, it is simply rused across, pushed through, and some members of this body do not even have an opportunity to have their views expressed here, because when they do stand on the floor and present a logical argument, the order of the Mayor is going to pass, whether they talk here for hours and hours on it. On this Industrial Bureau order as it comes out now I am going to vote for it, and I am in favor of voting for it because of one argument. There are some members of this body that believe that, if we vote down this appropriation, it is going to take somebody's job away. I know down in my heart that the Mayor of Boston will not permit one of those men who are on this pay roll to be separated from his pay roll because they are his personal friends, and he thinks too much of them. They are a couple of good friends of his, and he will come before this body and ask for an additional appropriation if this order is defeated. They are going to be placed in the Mayor's office, and they are going to be on the pay roll, even though they may be classed by a term heard in the old days,— "pay roll patriots." The Commercial and Industrial Bureau, as it is named, is not functioning in the City of Boston. I expressed in executive session, and I will express here, the sentiment that there is not one concrete program presented by this bureau that proves or shows that this body has functioned according to the purpose for which it was organized; and I said in there, and I will say here, that the entire administration is suffering from what is known as pernicious anemia, and the only tonic we can give it, the only tonic we can provide for an administration suffering from a disease of this kind is to get up here and fight as best we can. So that I say that Coun. Dowling and myself are in a minority, because there is a majority of the members of the body that are not going to vote it down, and I know right now how many members of this body are going to vote for this order and bow many are going to vote against it. Therefore, I am going to explain my vote by saying that I am going to vote in favor of the order because it has been stated here that it is going to take a man's job away.

Coun. McMAHON—Mr. Chairman, I move to lay this order on the table until the next meeting.

Coun. BUSH—I second it.

The motion to lay on the table until the next meeting was carried.

2. Report on message of Mayor and order (referred today) that the city accept oil paintings of Martin and Sarah Bates—that same ought to pass.

Report accepted; said order passed.

3. Report on resolve (referred today) that City Council approves enactment of legislation to authorize city to pay annuity to widow of Walter P. Corbett—that same ought to pass.

Report accepted; said order passed.

4. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.: Marion Hennesy, Irving Adams Legion Hall, January 31; Gertrude Murphy, Gate of Heaven Hall, February 17, that same ought to pass.

Report accepted, said order passed.

RESURFACING COBDEN STREET.

Coun. MOTLEY offered an order: Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Cobden street, Ward 11, from Walnut avenue to Washington street, with a smooth pavement.

Passed under suspension of the rule.

REIMBURSEMENT TO NATHAN MARGOLIS.

Coun. RUBY offered the following: Resolved, That the Boston City Council hereby approves the enactment of legislation for the reim-

bursment of Nathan Margolis for the personal injuries and other damages by him sustained while complying with the demand of James J. Quinn, a police officer of the City of Boston, on November 13, 1927, to assist him in the performance of his duties.

Coun. RUBY—Mr. Chairman, I am introducing this resolve because an act has been presented to the Legislature of Massachusetts, and in order for that act to be acted upon by the Legislature I understand it is necessary for the City Council and the City of Boston to first approve of legislation of that kind. I do not think it necessary for the members or for me to go into the particular merits of this particular case, it is so well known to not only the members of the City Council but to the citizenry of Boston as well. This young man was going along in his usual vocation on the highways of Boston, and was suddenly called upon to perform a duty which he thought he owed to the citizens of Boston by being met by a police officer and assisting the police officer in making, or trying to make, an arrest, and while in the performance of that duty which he felt and which I feel we all have felt up to probably the occurrence of this occasion that we owed a duty to the police in Boston to assist them while we were on foot or in vehicles,—he tried to perform his duty, and as a result of that, unfortunately, one man was killed, and he himself was severely injured and his automobile demolished, and legislation is now pending in the Massachusetts Legislature, as I said before, and it will be necessary for this Council, as well as his Honor the Mayor of Boston, to first approve such legislation before it can be acted upon, and I would respectfully ask that the rule be suspended and this order passed.

Coun. FITZGERALD—Mr. Chairman, I do not like to oppose the motion made by the councillor from Dorchester, but I think that matter should be referred to the Legislative Committee of this Council. I think there are a lot of extenuating circumstances in this case; there are a lot of things that are being said in reference to it, how it happened, and the causes that led up to it; but I think that, before we go on record here as approving this proposition to give this man some money, this Council ought to go further into the merits of it. It is a broad proposition, and I think it ought to be referred to the Legislative Committee of this Council. We have a Committee on Legislative Matters. I do not know whether I am in order or not, but I would just like to say that.

Coun. BUSH—Mr. Chairman, I am thoroughly in favor of reimbursing Mr. Margolis for the damage he suffered as a result of performing one of his duties and obligations of citizenship, but I also feel that this order ought to be accompanied by another order to reimburse the widow of the man that was killed.

Coun. RUBY—That order is already in, Mr. Chairman.

Chairman KEENE.—A bill for that, the Chair will state, has already been introduced.

The question came upon the suspension of the rule, and the Chair declared the motion not carried.

Coun. RUBY—Mr. Chairman, I respectfully ask for roll call.

The Council refused to suspend the rule, yeas 9, nays 8:

Yeas—Coun. Bush, Deveney, Dowd, Fish, Keene, McMahon, Murray, Ruby, Wilson—9.

Nays—Coun. Dowling, Fitzgerald, Gallagher, Lynch, Murphy, Parkman, Sullivan, Ward—8.

The order was referred to the Committee on Legislative Matters.

Referred to Committee on Legislative Matters.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. DOWD, for the Committee on Jitney Licenses, submitted report on the petition of Massachusetts Coach Company to operate jitneys on Granite avenue to Fields Corner—that the petitioner be given leave to withdraw.

Coun. WILSON—Mr. Chairman, what is this, again?

Chairman KEENE—The clerk will read it once more.

Coun. WILSON—Whose petition is it, and where?

Clerk DONOVAN—On the petition of the

Massachusetts Coach Company to operate jitneys from Granite avenue to Fields Corner, the Committee on Jitney Licenses respectfully recommend that the petitioner have leave to withdraw.

Coun. WILSON—Well, what is the attitude of the petitioner on that? I just wondered whose petition it was.

Chairman KEENE—It is the petition of the Massachusetts Coach Company.

Coun. WILSON—The reason I make the inquiry is, unless I am mistaken, just grabbing it in sketchy outline, I didn't know but it went through the ward which I am supposed to represent, and I had not heard anything about it.

Chairman KEENE—Will the clerk read the route so that the councillor may understand the proposed route?

The clerk read the petition of the Massachusetts Coach Company.

Coun. MURPHY—I believe, Mr. Chairman, that, for the benefit of the Council, a few words should be said on the report of the Jitney Committee. At the present time, the Massachusetts Coach Company operates their buses to Granite avenue, and they have petitioned for an extension from Granite avenue to the Fields Corner Elevated Station. They want to transport passengers coming from Milton and other sections around Quincy to the rapid transit lines without any additional increase in fare to the people there. The Boston Elevated Railway Company are absolutely in favor. They believe that the petitioner should be allowed to run its buses as far as the Fields Corner Station. In my opinion, the Boston Elevated Railway Company is in favor of the granting of the petition for the sole purpose of carrying the passengers coming from those various towns on the Massachusetts Coach Company buses, thereby reducing the number of people to be carried by the Boston Elevated Railway. The people of Dorchester have some rights and have a real reason to protest against this kind of transportation, because the Massachusetts Coach Company are only going to carry people that come from out of Boston and are not going to take on or leave off passengers between Granite avenue and the Fields Corner Station. The result, to my mind, if the petition were granted, would be that the Boston Elevated would be relieved of the carrying of those passengers and finally, the people of Dorchester would find that the service would be reduced, and that they would get a kind of transportation that would not stand with the kind they are getting today. Further, Mr. President, the Eastern Massachusetts Street Railway Company is under an act of the Legislature where a board of trustees is appointed. They explained at great length the chaos of that company when they were appointed, and the hard work they have had year after year trying to build up a transportation company; and it would not be fair to allow the petitioner, which is rendering service to only a certain part of the community which it now serves, to step in and divide the revenue which is now received by the Eastern Massachusetts Street Railway Company. Instead of building up transportation, in my opinion it would break down that which the Legislature passed an act and appointed a Board of Trustees to accomplish. In addition, Mr. Chairman, we have an unemployment situation in Boston to an extent that our people today, yes, they have got to beg, and I wouldn't be surprised but some have got to steal, in order to get something to eat for their homes and little ones. And if the petitioner was granted that which he requests, it not only would not give better transportation to the people of Boston but would add to the unemployment situation, and for that reason the committee is absolutely opposed. So, Mr. Chairman, in conclusion, I just simply wanted to explain the position of the committee and to explain my vote, and I hope and trust that, although it is not a part of the question before us, before many moons there will be something done for the deplorable condition of our people in Boston by giving them employment and not attempting through the petitioner to deprive them and add to the unemployment situation already confronting us.

Coun. WILSON—Mr. Chairman, getting away from unemployment and back to the jitney situation, with reference to this particular petition, I frankly admit that, as far as I am concerned, I have no particular sympathy with the Eastern Massachusetts Street Railway Company or any

railway company. As I understand the situation in this case, the particular railway company covering this route refused to put any huses on this line and are now taking the usual public utility attitude of the dog in the manger in refusing to allow somebody else to do what they earlier refused to do themselves. Having heard the petition read in full, apparently this bus line is going to be used merely to bring the people from outside Boston through Dorchester to Fields Corner. My attitude might be very different if the people of Dorchester through whose streets the huses were to operate were to get some of the service. That being so, as I understand it, where the report is leave to withdraw, it would leave the matter without prejudice, and that could be changed. Am I correct?

Chairman KEENE—The councilor is correct.

Coun. WARD—Mr. Chairman, I just want to say, as chairman of the committee which functioned in 1927, that the Committee on Jitneys went all over the situation and I believe that the entire body is going to accept the report of the committee, which it ought to do in this case. We had the order presented before us, we went all over it, and because the situation was such, the last Committee on Jitneys voted to grant leave to withdraw, but as a matter of courtesy they held it over to the incoming Council.

Coun. SULLIVAN—Mr. Chairman, I listened in on the hearing and, while I am not a member of that committee, I think I will vote in favor of having them withdraw their petition, as the information that I derived from the meeting, at the examination, convinced me that the bus people should not have the petition.

The report was accepted, and the petitioner given leave to withdraw.

CONVENIENCE STATION, BRIGHTON.

Coun. GALLAGHER offered the following:
 Ordered, 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 suitable convenience station in the old Town Hall, Brighton.
 Passed under suspension of the rule.

DORCHESTER RAPID TRANSIT.

Coun. WILSON—Mr. Chairman, may I inquire with reference to two orders in which I have some personal interest, which were passed last week? First, the inquiry made of the director of the so-called Municipal Employment Bureau with reference to the number of applicants for employment last week and the number of positions which were filled?

Chairman KEENE—The Council is in receipt of no answer as yet.

Coun. WILSON—May I also inquire with reference to the motion for the appointment of a special committee to hold a hearing in regard to the early opening of the Dorchester Tunnel to Ashmont?

Chairman KEENE—That order is before the Committee on Rules.

Coun. WILSON—Might I suggest to the members of the Committee on Rules, or earnestly beg them, to bear in mind the fact that, while perhaps some of their membership live within walking distance of City Hall, the people of Dorchester are interested in getting some means of traveling to Boston besides walking?

Chairman KEENE—The councilor's suggestion will be brought to the attention of the councilor who is chairman of the Committee on Rules.

Adjourned, at 4.08 p. m., on motion of Coun. FITZGERALD, to meet on Monday, January 30, 1928, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 30, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair and all the members present except Coun. Mahoney.

COUNTY OF SUFFOLK BUDGET.

The following was received:

City of Boston,

Office of the Mayor, January 30, 1928.

To the City Council.

Gentlemen,—In accordance with the provisions of section 3, chapter 486, of the Acts of 1909, I

submit herewith the budget for the County of Suffolk for the fiscal year 1928. In so doing, I am continuing the custom established last year of submitting separate appropriation bills for the county and city. It is possible to do this since county appropriations are not fixed under any tax limit. An early submission of the county budget affords your honorable body ample time to study the county estimates and allowances and to reach your conclusions on the same before the submission of the city budget.

The allowances as recommended total \$3,495,-663.44. This total represents a reduction of \$146,969.03 in the estimates as originally submitted and is \$4,843.25 less than the total county requirements included in the tax levy of 1927. From this it may be seen that, in the main, the allowances for the current year vary slightly from those of the previous year. Increased appropriations for repairs and alterations at the courthouse in Pemberton square and the several district courthouses have been more than offset by savings reflected in the Criminal and Civil Divisions of the Superior Court.

I respectfully recommend the adoption of this budget by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

COUNTY DEPARTMENTAL ESTIMATES AND AMOUNTS ALLOWED BY MAYOR FOR 1927.

	Estimate.	Allowance.
Suffolk County Courthouse (Custodian).....	\$184,301 94	\$174,566 74
Suffolk County Courthouse (County Buildings).....	113,032 00	93,932 00
County Buildings.....	121,077 27	107,902 27
Jail.....	213,753 24	210,049 58
Supreme Judicial Court.....	66,922 08	61,847 07
Superior Court, Civil Session (General Expenses).....	573,877 00	572,677 00
Superior Court, Civil Session (Clerk's Office).....	166,906 63	156,802 55
Superior Court, Criminal Session.....	536,466 74	488,584 93
Probate Court.....	24,724 00	24,174 00
Municipal Court.....	385,798 00	385,236 47
Municipal Court, Charlestown District.....	30,256 40	30,156 40
East Boston District Court.....	30,692 65	29,872 65
Municipal Court, South Boston District.....	26,992 55	26,742 55
Municipal Court, Dorchester District.....	27,935 50	27,710 50
Municipal Court, Roxbury District.....	77,204 50	76,004 50
Municipal Court, West Roxbury District.....	31,044 25	30,999 25
Municipal Court, Brighton District.....	19,586 60	17,375 60
Boston Juvenile Court.....	28,595 46	28,060 98
District Court of Chelsea.....	28,713 45	27,608 45
Registry of Deeds.....	186,184 28	182,227 74
Index Commissioners.....	23,054 00	22,523 00
Insanity Cases.....	30,115 00	30,115 00
Land Court.....	7,475 00	7,275 00
Medical Examiner Service, Northern Division.....	27,023 98	26,088 91
Medical Examiner Service, Southern Division.....	16,290 00	16,160 00
Associate Medical Examiner, Northern Division.....	2,120 00	2,060 00
Associate Medical Examiner, Southern Division.....	1,950 00	1,905 00
Miscellaneous Expenses:		
Auditing Department.....	955 00	955 00
Collecting Department.....	1,170 00	1,170 00
Sheriff.....	3,200 00	3,200 00
Treasury Department.....	5,740 00	5,449 86
Granite Avenue Bridge.....	4,228 69	3,338 69
Social Law Library.....	1,000 00	1,000 00
Penal Institutions Department:		
Office Expenses.....	36,472 26	36,081 18
House of Correction.....	410,364 16	393,103 43
Steamer "Michael J. Perkins".....	75,267 71	70,595 00
	<u>\$3,520,520 34</u>	<u>\$3,373,551 31</u>
County Debt Requirements.....	<u>\$122,112 13</u>	<u>\$122,112 13</u>

COUNTY OF SUFFOLK APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1928.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1928, for 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 County of Suffolk, or the departments or officers thereof, and to meet their 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 hereinafter specified be met out of the money remaining in the treasury at the close of business on December 31, 1928, 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 January 1, 1928, and taxes to the amount of \$3,495,663.44 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 county and all taxes assessed for meeting the city's proportion

of the state tax for the year 1928, be due and payable on the fifteenth day of September, 1928; that interest shall be charged on all taxes remaining unpaid after the second day of October, 1928, in accordance with the provisions of chapter 59, section 57, of the General Laws, 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 September, 1928, 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 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 purposes or item; and except as aforesaid, no salary or wages shall be paid in excess of the rate specified in said tables and schedules.

Ordered, That except where salaries are fixed by statute or ordinance, compensation of employees who receive annual salaries in weekly installments be computed on the basis of 365 days to the year.

Referred to the Committee on Appropriations.

ANNUAL BUDGET, 1928.

The following was received:

City of Boston,
Office of the Mayor, January 30, 1928.

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.

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.

In 1927 the budget for city maintenance purposes totalled \$30,523,463.98. The total appropriating power available under the present statutory limit is approximately \$20,000,000. It is evident from a comparison of these figures that the appropriating power available under the existing law is inadequate to provide for the needs of the city.

It is my intention to request the Legislature to fix a tax limit for 1928 which will be adequate to meet the needs and requirements of the various city departments. Until this request is acted upon it is impossible for me to submit to your honorable body the annual budget in full segregated form.

In order to avoid any question being raised as to the submission of a budget within the time limit stated in the city charter, I submit herewith a budget in lump sum form.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

AMOUNTS ALLOWED FOR 1928.

Art Department.....	\$500 00
Assessing Department.....	200,000 00
Auditing Department.....	45,000 00
Boston Retirement Board.....	9,000 00
Budget Department.....	6,350 00
Building Department.....	196,000 00
Board of Examiners.....	2,500 00
Board of Appeal.....	4,200 00
City Clerk Department.....	29,500 00
City Council.....	23,500 00
City Council Proceedings.....	6,200 00
City Documents.....	24,000 00
City Planning Board.....	4,800 00
Collecting Department.....	148,000 00
Election Department.....	153,500 00
Finance Commission.....	24,000 00
Fire Department.....	2,820,000 00
Wire Division.....	55,000 00
Health Department.....	728,000 00
Hospital Department.....	925,000 00
Sanatorium Division.....	300,000 00

Institutions Department:	
Central Office.....	\$41,000 00
Long Island Hospital.....	341,000 00
Child Welfare Division.....	100,200 00
Steamer "George A. Hibbard" and Launch "Edith S. Wilkin,"	15,000 00
Rainsford Island, care of.....	1,200 00
Law Department.....	46,000 00
Library Department.....	506,000 00
Licensing Board.....	22,500 00
Market Department.....	9,600 00
Mayor, Office Expenses.....	42,000 00
Public Celebrations.....	42,000 00
Park Department.....	1,125,000 00
Cemetery Division.....	80,000 00
Public Buildings Department.....	300,000 00
Public Welfare Department:	
Central Office.....	1,200,000 00
Temporary Home.....	4,000 00
Wayfarers' Lodge.....	7,000 00
Police Department.....	4,000,000 00
Public Works Department:	
Central Office.....	54,000 00
Bridge Service.....	400,000 00
Ferry Service.....	390,000 00
Lighting Service.....	652,000 00
Paving Service.....	955,000 00
Sanitary Service.....	2,089,959 59
Sewer Service.....	325,000 00
Registry Department.....	30,000 00
Reserve Fund.....	341,192 78
Sinking Funds Department.....	1,500 00
Soldiers' Relief Department.....	375,000 00
Statistics Department.....	7,500 00
Street Laying-Out Department....	150,000 00
Supply Department.....	27,000 00
Treasury Department.....	37,000 00
Weights and Measures Department,	25,000 00
Bridges, Repairs, etc.....	60,000 00
Ferry Improvements.....	30,000 00
Granolithic Sidewalks.....	30,000 00
Reconstructing and Repairing Streets by Contract.....	500,000 00
	<u>\$20,067,702 37</u>
City Debt Requirements.....	\$3,500,000 00
Printing Department.....	<u>\$200,000 00</u>
City Record, Publication of.....	<u>\$17,500 00</u>
Public Works Department, Water Service.....	\$840,000 00
Collecting Department, Water Division.....	25,000 00
Water Service, Debt Require- ments.....	30,000 00
	<u>\$895,000 00</u>
WAYS AND MEANS OTHER THAN TAXES FOR 1928.	
An estimate of the ways and means, other than taxes, of meeting expenditures of the City of Boston and County of Suffolk for the year ending December 31, 1928.	
Building Department.....	\$80,000 00
City Clerk Department.....	17,000 00
Collecting Department.....	50,000 00
Fire Department.....	125,000 00
Health Department.....	20,000 00
Hospital Department.....	300,000 00
Institutions Department.....	10,000 00
Library Department.....	20,000 00
Interest.....	500,000 00
Licensing Board.....	50,000 00
Market Department.....	147,000 00
Mayor.....	50,000 00
Park Department.....	105,000 00
Pedlers' Licenses.....	8,000 00
Police Department.....	48,000 00
Public Buildings Department.....	20,000 00
Public Welfare Department.....	375,000 00
Public Works Department.....	310,000 00
Registry Department.....	12,000 00
Soldiers' Relief Department.....	37,000 00
Street Laying-Out Department....	70,000 00
Weights and Measures Department,	13,000 00
County of Suffolk.....	570,000 00
Corporation Tax.....	3,100,000 00
Street Railway Tax.....	160,000 00
Cash in treasury (estimated) De- cember 31, 1927.....	1,600,000 00
	<u>\$7,797,000 00</u>

RECAPITULATION OF AMOUNTS ALLOWED 1928.

From taxes:		
For city purposes within the tax limit.....	\$20,067,702 37	
City debt requirements.....	3,500,000 00	
City total.....		\$23,567,702 37
From revenue:		
Printing Department.....		200,000 00
<i>City Record</i> , Publication of.....		17,500 00
Public Works Department, Water Service.....	\$840,000 00	
Collecting Department, Water Division.....	25,000 00	
Water Service, Debt Requirements.....	30,000 00	
		\$95,000 00
Grand total.....	\$24,462,702 37	

BASIS OF ESTIMATES, 1927.

Average valuation, \$1,841,057,566.16.		
\$13 on the thousand brings.....	\$23,933,748 36	
Estimated income and cash in treasury.....	6,589,715 62	
Amount available for appropriation inside tax limit.....	\$30,523,463 98	

BASIS OF ESTIMATES, 1928.

Average valuation, \$1,882,009,566.67.		
\$6.52 on the thousand brings.....	\$12,270,702 37	
Estimated income and cash in treasury.....	7,797,000 00	
Amount available for appropriation inside tax limit.....	\$20,067,702 37	

APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1928.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1928, for 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 County of Suffolk, or the departments or officers thereof, and to meet their 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 or 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; and the appropriation for *City Record* be met by the income of said 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 December 31, 1927, 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 January 1, 1928, and taxes to the amount of \$15,770,702.37, 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 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 for the year 1928, or for any other taxes or assessments payable to the Commonwealth, be due and payable on the fifteenth day of September, 1928; that interest shall be charged on all taxes remaining unpaid after the second day of October, 1928, in accordance with the provision of chapter 59, section 57, of the General Laws, 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 September, 1928, 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 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 purposes or item; and except as aforesaid, no salary or wages shall be paid in excess of the rate specified in said tables and schedules.

Referred to the Committee on Appropriations.

NIGHT CLINICS AT CITY HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, January 28, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Superintendent of the Boston City Hospital, in answer to your order of December 19, 1927, relative to including in their budget for the year 1928 a sum sufficient to provide for the opening of night clinics at the Boston City Hospital.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Hospital Department, January 21, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—The order of the City Council "That the City Hospital Trustees be requested, through his Honor the Mayor, to include in their budget for the coming year a sum sufficient to provide for the opening of night clinics at the Boston City Hospital" has been carefully considered by the Board of Trustees.

The trustees deem it inexpedient to establish night clinics at this time, for various reasons. The hospital is caring for about 900 persons every day in the Out-Patient Department and the doctors caring for these patients give their time for such care without charge. They are not rich men and are compelled to earn their living in time not devoted to the hospital, and the trustees do not feel that they should be asked to give any more time than they are giving at present. They also feel that to pay the number of persons necessary

to carry on night clinics would be a very great burden on the city, which they do not believe is warranted at the present time.

Yours respectfully,
JOHN J. DOWLING,
Superintendent.

Placed on file.

BLEACHERS AT McCONNELL PARK.

The following was received:

City of Boston,
Office of the Mayor, January 28, 1928.
To the City Council:

Gentlemen,—I transmit herewith a communication from the Park Department, in answer to your order of January 16, 1928, relative to an estimate of the cost of erecting a bleachers with a seating capacity of 2,500 on McConnell Park, Ward 13.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, January 24, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of January 20, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of erecting bleachers with a seating capacity of 2,500 on McConnell Park, Ward 13.

In reply I desire to say that it will cost \$12 a seat, or a total of \$30,000, on account of this ground being a filled area and it will be necessary to place piles under the bleachers.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

IMPROVEMENTS, EAST BOSTON GYMNASIUM.

The following was received:

City of Boston,
Office of the Mayor, January 28, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in answer to your order of January 16, 1928, relative to including in the budget for the current year the sum of twenty-five thousand dollars to be expended for repairing showers and other necessary improvements on building at the East Boston Gymnasium, Paris street, Ward 1.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, January 24, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of January 20, with inclosure, order from the City Council that this department include in the budget for 1928, \$25,000 to be expended for repairing showers and other necessary improvements on building at Paris street, East Boston, Ward 1.

In reply I desire to say that I have already submitted my budget figures for the year 1928, but will be pleased to bring this matter up when the budget hearings take place.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

DRAINAGE SYSTEM AT McCONNELL PARK.

The following was received:

City of Boston,
Office of the Mayor, January 28, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in answer to your order of January 16, 1928, relative to the providing of a drainage system in McConnell Park and Playground, Ward 13.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, January 24, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of January 20, with inclosure, order from the City Council that the Park Commission be requested to provide for the installation of a drainage system in McConnell Park and Playground, Ward 13.

In reply I desire to say that the drainage system was installed when the playground was built. This drainage system at times does not function on account of the grade of the playground being placed at high water level; also, due to the fact that there is a settlement in certain areas of this playground which will continue to take place until the material used for filling has reached its final settlement. The department has placed an automatic tidegate in this drainage system which will help materially in the drainage of the playground during the coming season.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

REPORT FROM EMPLOYMENT BUREAU.

The following was received:

City of Boston,
Office of the Mayor, January 30, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the director, Municipal Employment Bureau, in answer to your order of January 16, 1928, requesting the submission to the City Council on Monday of each week the number of applications for employment received from unemployed during the preceding week, and the number of positions, if any, actually filled directly through the Employment Bureau for the same period.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Employment Bureau, January 30, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Your Honor,—Pursuant to the City Council orders, inclosed please find the number of registrations and positions filled directly through this Bureau weekly.

Yours respectfully,
AUGUSTUS SEAVER,
Assistant Secretary in Charge.

Report for City Council.

Week of January 3 to 7, 99 registrations, 25 positions filled.

Week of January 9 to 14, 139 registrations, 43 positions filled.

Week of January 16 to 21, 129 registrations, 58 positions filled.

Week of January 23 to 28, 144 registrations, 46 positions filled.

Placed on file.

BOULEVARD LIGHTS—DORCHESTER AVENUE.

The following was received:

City of Boston,
Office of the Mayor, January 30, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in answer to your order of January 16, 1928, relative to including in the budget for the current year a sum sufficient to install a system of boulevard lights on Dorchester avenue, from Richmond street to Pierce square.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department,
January 24, 1928.

To the Honorable the Mayor.

I return order of the City Council requesting that there be included in the budget appropriation for the current year a sum sufficient to install a system of boulevard lights on Dorchester avenue, from Richmond street to Pierce square.

The matter can be taken care of by the installation of three new arc lamps on this section of Dorchester avenue. An examination shows that there should be a better system of lighting, and the new lamps will be installed as soon as the money available for that purpose is provided in the budget.

Yours respectfully,
 JAMES H. SULLIVAN,
 Commissioner of Public Works.

Placed on file.

COST OF BRANCH LIBRARY, WARD 21.

The following was received:

City of Boston,
 Office of the Mayor, January 30, 1928.
 To the City Council.

Gentlemen,—I transmit herewith a communication from the director, Boston Public Library, in answer to your order of January 16, 1928, relative to an estimate of the cost of a site and building for a branch library in Ward 21, Brighton.

Respectfully,
 MALCOLM E. NICHOLS, Mayor.

The Public Library of the City of Boston,
 January 30, 1928.

Mr. E. F. Condon, Secretary,
 Office of the Mayor.

Dear Mr. Condon,—Replying to the City Council order of January 16 asking that there be submitted to the City Council an estimate of the cost of a site and building for a branch library in Ward 21, Brighton, the matter was considered at a meeting of the Board of Trustees held on Friday last.

The director was requested to reply that in the opinion of the trustees a suitable library building for the location mentioned would cost from \$150,000 to \$200,000, depending upon the specifications for the building and the price of the land.

Very truly yours,
 CHARLES BELDEN,
 Director.

Placed on file.

LOAN FOR HIGHWAYS.

The following was received:

City of Boston,
 Office of the Mayor, January 30, 1928.
 To the City Council.

Gentlemen,—In accordance with the provisions of chapter 393 of the Acts of 1906, I submit herewith a loan order providing for the appropriation in the sum of \$1,000,000 to be expended by the Street Laying-Out Department for Highways, Making of. I am advised by the chairman of the Board of Street Commissioners that in view of certain large projects contemplated by his department during the coming year that this is the minimum sum which should be made available. I accordingly recommend adoption by your honorable body of the accompanying order.

Respectfully,
 MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$1,000,000 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 request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to Committee on Finance.

LOAN FOR SEWERAGE WORK.

The following was received:

City of Boston,
 Office of the Mayor, January 30, 1928.
 To the City Council.

Gentlemen,—In accordance with the provisions of chapter 426 of the Acts of 1897, as amended by chapter 204 of the Acts of 1908, I submit herewith a loan order providing for the appropriation of \$1,000,000 to be expended for sewerage works.

In the opinion of the officials of the Sewer Division a much larger sum might be expended with profit to the city. Under existing statutory provisions, however, the sum recommended represents the legal limit which may be appropriated in any one year for such a purpose. I respectfully recommend adoption by your honorable body of the accompanying order.

Respectfully,
 MALCOLM E. NICHOLS, Mayor.

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 \$1,000,000 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, certificates of indebtedness of the city to said amount.

Referred to Committee on Finance.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

John Ahearn, for compensation for damage to property at No. 2 and No. 6 Holden place, caused by backing up of sewage.

Carrie G. Barr, for compensation for injuries caused by an alleged defect in Beacon Hill near Shaw Monument.

Joseph Bianco, for compensation for injuries caused by an alleged defect in Playground, Unity street.

Joseph Breck & Sons, for refund on unused refuse tickets.

Peter M. Curley, for compensation for damage to automobile by ash truck.

Pasquale DeMango, for compensation for damage to clothing caused by rubbish can on Tremont street.

Raymond P. Fraser, for compensation for damage to clothing caused by an alleged defect at Columbus avenue and West Canton street.

Mrs. A. J. Canong, for compensation for damage to property at 2 Holden place, caused by backing up of sewage.

Elizabeth C. Giblin, for compensation for damage to property at 210 Cambridge street, caused by defective sewerage system.

Myra Hardy, for compensation for damage to property at 728 Dudley street, caused by clogging of sewer.

Mrs. George Kelly, for compensation for damage to property at 6 Holden place, caused by overflow of sewage.

Massachusetts Coach Company, for compensation for damage to bus caused by negligent operation of drawbridge on Granite avenue.

Mary M. McCowan, for compensation for damage to automobile caused by an alleged defect at 2307 Washington street.

Margaret P. Smith, for compensation for injuries caused by being struck by flagpole from Engine House No. 11.

Thomas Morrissey, for compensation for damage to property at 69 Call street, Jamaica Plain, caused by overflow of sewage.

Betsy Welansky, for compensation for damage to property at 35 Cunningham street, Roxbury, caused by defective sewer.

George R. Lewis, for compensation for damage to automobile caused by city team.

Margaret T. Griffin, for compensation for damage to property at 54 Townsend street, Roxbury, caused by city truck.

Theresa McAlear, for compensation for damage to property at 46 South Huntington avenue, caused by ashmen.

Mrs. F. W. Wood, for compensation for loss of bath robe at City Hospital.

CONSTABLES' BONDS.

The Constables bonds of Francis E. Brown and Karl H. West, having been duly approved by the City Treasurer, were received and approved.

RAILROAD POLICE.

Notice was received from the Boston & Albany Railroad that it no longer required the services of James F. Nagle as railroad police officer. Placed on file.

MINORS' LICENSES.

Minors' licenses for 101 newsboys and nine vendors were approved by the Council, under usual conditions.

PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds, from January 1 to January 21, for piece work, and January 16 to January 31 for regular employees, to the amount of \$7,104.94, was received and approved.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held February 13 on petitions for storage and sale of gasolene, viz.: Elizabeth Bryan, 335 Ashland street, Ward 18, 200 gallons.

Costos G. Monolis, 366-367 Oakland street, Ward 18, 3,000 gallons. Referred to the Executive Committee.

BORROWING CAPACITY OF CITY.

The following was received:

City of Boston,
Board of Commissioners of Sinking Funds,
January 25, 1928.

To the Members of the City Council.
Gentlemen,—In accordance with the provisions of chapter 93, Acts of 1891, it is estimated that the amount which the city will be able to borrow during the present municipal year within the debt limit established by law is \$7,252,991.15, as per schedule annexed.

Respectfully,
ELIOT WADSWORTH,
GEORGE H. LYMAN,
ABRAHAM E. PINANSKI,
FREDERIC J. CROSBY,
Board of Commissioners of Sinking Funds.
RUPERT S. CARVEN,
City Auditor.
FRANK L. BRIER,
City Treasurer.

DEBT INCURRING POWER IN 1928.

Total debt incurring power within the debt limit (2½ per cent of \$1,882,009,566.67, the average assessed valuation for three years, less abatements).....	\$47,050,239 17
Less by chapter 267, Special Acts of 1916.....	500,000 00
	<u>\$46,550,239 17</u>
Debts incurred:	
Total funded debt, city and county.....	\$143,365,100 97
Funded debt outside the debt limit (debt exempted from the operation of the law limiting municipal indebtedness):	
City debt.....	\$38,358,300 00
Water debt.....	1,228,000 00
County debt.....	1,119,999 97
Rapid Transit debt.....	50,293,700 00
	<u>90,999,999 97</u>
Funded debt within the debt limit.....	\$52,365,101 00
Offsets to funded debt:	
Sinking funds.....	\$42,739,601 49
Less sinking funds for debt outside the debt limit:	
City.....	\$19,687,787 42
County.....	568,643 67
Rapid Transit.....	9,406,676 03
	<u>29,663,107 12</u>
	\$13,076,494 37
Premiums on loans inside limit.....	11,592 61
Offsets to funded debt within the debt limit.....	<u>13,088,086 98</u>
Net indebtedness within the debt limit, December 31, 1927.....	\$39,277,014 02
Loans authorized but not issued (within the debt limit).....	3,541,500 00
Used debt incurring power within the debt limit.....	<u>42,818,514 02</u>
Unused debt incurring power within the debt limit.....	<u>\$3,731,725 15</u>
Estimated increase during the year by:	
Interest on sinking fund investments.....	\$477,155 00
Appropriation for sinking funds for debt within the debt limit.....	198,361 00
Serial bonds redeemable from taxes.....	2,845,750 00
	<u>3,521,266 00</u>
Estimated amount of indebtedness that may legally be incurred within the debt limit during the municipal year.....	<u>\$7,252,991 15</u>

Placed on file.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. DOWD, for the Committee on Jitney Licenses, submitted report on petition (referred January 9) of Boston Elevated Railway Company to amend ordinances to allow standing passengers—that the petitioner have leave to withdraw. Report accepted; said petitioner given leave to withdraw.

Coun. DOWD—Mr. President, the petition presented to the City Council is similar to the one which was presented here last year, and defeated. The Committee on Jitney Licenses at its meeting went into both sides of the story very

very thoroughly. I personally am of the opinion that the attempt of the Boston Elevated to change the city ordinance in this way, so that they might permit 25 per cent of the seating capacity of the buses to stand, is simply an attempt on their part to jam and crowd the buses in the same manner in which they jam and crowd the street and elevated cars at the present time. I also believe it is an attempt on their part to curtail the service and limit the number of buses on which they will have to pay expense. Also, if this should go into effect, as I hope it will not, it might result in curtailment of the employees of the Boston Elevated, if not now in the very near future. At the committee meeting the petition was strenu-

ously opposed by representatives of the Carmen's Union, sixty-five men, practical railroad men, who presented to the committee their views with reference to the safety of the passengers if this ordinance should be permitted to go through. So the Committee on Jitney Licenses recommended leave to withdraw.

Coun. MURPHY—Mr. President, I feel the same as the chairman of the Jitney Committee. From the standpoint of decency, it is poor business to have people standing in buses. We all have in mind and know that at various times there are certain things that are going to happen. We always like to have them happen in the proper way. But by chance there may be something happen on a bus that would bring about a condition we would not want to have occur. If the Elevated was granted permission to increase the carrying of passengers by adding standees to the extent of one-quarter of the seating capacity, I wonder, if you have taken on, say twenty-nine seated passengers, and are supposed to have seven standees, how you are going to keep others from crowding on the bus? I think you will bring about a condition that will have to be enforced by the operator, and the operator has plenty of work to do at the present time taking care of the passengers, collecting fares, and so on, so that he would be unable to cope with that situation. I believe the proper solution of the problem confronting not alone the Elevated but the people of Boston is, more buses. If you are running a line of buses and you permit them to take on standees, you will find that the crowding of the buses will reduce the headway, and by reducing the headway you can only obtain one result—poorer service. If the Elevated, in conjunction with various extensions that are premeditated in the Harriman plan, will put on more buses, where they are now operating buses, and put on more cars where they are operating cars, and keep on cars where they have not got buses, they will find that they will handle the transportation of the people of Boston in a more efficient manner. Some time last year, Mr. President, the Boston Elevated was granted a permit to operate buses from Mattapan square over Oakland and Ashmont streets to Hyde Park avenue, and after the people learned of that permission being granted to the petitioner, several protest meetings were held in the Mattapan district. Not one person in the entire meetings that were held spoke in favor of the Elevated being granted a permit for buses, but it was the unanimous opinion of the people that if the Elevated wanted to serve that district in an efficient manner, the only thing for them to do was to relay the car tracks and give the people the kind of transportation they wanted. This Council later on revoked the permit to the Boston Elevated Railway, and I want to take this opportunity to thank those who are at present on that committee for living up to the desires of the people. Buses are coming in, not alone those run by the Elevated Railway, but they are coming in through private corporations to and from every point in the city. If the people of Boston are to be handled in an efficient manner and if they are to get the proper kind of transportation, I believe wherever possible, that the best means of carrying people is either by the elevated or by surface cars. So I hope, Mr. President, that the Council in their wise judgment will vote down this petition.

The report was accepted, and the ordinance was rejected.

PROPOSED REINSTATEMENT OF WALTER B. WERNER.

Coun. DONOVAN offered the following:
Resolved, That the Boston City Council favors the enactment of legislation for reinstatement of Walter B. Werner as a member of the Fire Department of the City of Boston.

Passed under suspension of the rule.

PAYMENT TO LOUISE H. YOUNG.

Coun. ARNOLD offered the following:
Resolved, That the City Council of Boston hereby favors the enactment of legislation to authorize a payment by the city to Louise H. Young for injuries caused by being shot by a police officer in making an arrest.

Passed under suspension of the rule.

MATRONS IN CITY EMPLOY.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to include in the budget for the present year a sum sufficient to provide for an increase of fifty cents a day in the wages of all matrons employed by the City of Boston.

Passed under suspension of the rule.

SALARY OF CHIEF OF FIRE DEPARTMENT.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of increasing the salary of the chief of the Fire Department to equal that now paid the Superintendent of Police.

Coun. DOWD—Mr. President, I have introduced the order calling for an increase of the salary of the fire chief to a point equal to that of the Superintendent of Police, because of the fact that, after a careful study of the duties and responsibilities of all the department heads within the confines of the Mayor's office, I believe the chief of the Fire Department is perhaps one of the lowest paid officials in the City of Boston. When you stop to consider that in order to become chief of the Fire Department a man must have been in the department, as a rule, anywhere from twenty-five to thirty-five years, and here we find the present fire chief receiving only \$5,500 a year. I am not talking simply for the present fire chief, because no man knows how long he is going to remain in that office; I am talking of the office itself. I realize that his Honor the Mayor has no control over the salary of the Superintendent of Police, but I am of the opinion that the office of chief of the Fire Department is comparable with that of Superintendent of Police; and I see no reason, when a man because of his position may be responsible for the safety of thousands of lives, and millions of dollars worth of property, why such a man should not receive more recompense from the city than the fire chief is receiving at the present time. I certainly trust that his Honor the Mayor will see fit during the coming year to raise the salary of the chief of the Fire Department from \$5,500 to \$7,000 a year, so as to equal the salary paid to the Superintendent of Police.

The order was passed under suspension of the rule.

ACCEPTANCE OF SOUTH MUNROE TERRACE.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway South Munroe terrace, Ward 16, from Neponset avenue to Train street.

Passed under suspension of the rule.

ACCEPTANCE OF BECKET STREET.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway Becket street, Ward 16, from Van Winkle street to Codman street.

Passed under suspension of the rule.

SIDEWALK, HARBOR VIEW STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Harbor View street, both sides, from No. 79 to Sydney street, Ward 13, 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.

SIDEWALK ON AUGUSTUS AVENUE.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Augustus avenue, both sides, from Whitford street to Metropolitan avenue, 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 suspension of the rule.

SIDEWALK ON THATCHER STREET.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Thatcher street, both sides, from Bradlee street to Hyde Park avenue, 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 suspension of the rule.

NEW FIRE STATION, BRIGHTON.

Coun. GALLAGHER offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to submit a report to the City Council as to what steps have been taken for the establishment of a new fire station in the Chestnut Hill district of Brighton.

Passed under suspension of the rule.

BLEACHERS FOR WARD 22
PLAYGROUNDS.

Coun. GALLAGHER offered the following:

Ordered, That the sum of \$75,000 be and the same hereby is appropriated to be expended under the direction of the Park Commissioners for the erection of concrete bleachers on William F. Smith Playground, Murray Park Playground and Rogers Park Playground, Ward 22, and for the resurfacing and regrading of these playgrounds, and for such other work as may be necessary to place them in proper condition, and that to meet said appropriation 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.

Referred to the Committee on Finance.

SIDEWALKS ON COLUMBIA ROAD.

Coun. LYNCH offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to include in their budget for this year a sum sufficient to provide for a granolithic sidewalk on the Columbia road side of Richardson park, also in front of the properties at Nos. 755, 757, 759, 761, 763, 765 and 769 Columbia road.

Passed under suspension of the rule.

RESANDING OF L STREET BATHS.

Coun. LYNCH offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to include in their budget for the present year a sum sufficient to provide for the resanding of the L Street baths.

Passed under suspension of the rule.

RECESS.

The Council voted, at 2.32 p. m., on motion of Coun. RUBY, to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by President GREEN at 2.58 p. m.

COMMITTEE ON RULES.

Coun. ARNOLD, for the Committee on Rules, submitted a report as follows:

1. Report on order (referred January 16) that the Mayor be requested to submit at once a program of public works as a relief measure for unemployed—that same ought to pass.

Report accepted; said order passed.

2. Report on order (referred January 16) that a special committee of five members of Council be appointed by President of Council to hold hearings with reference to Dorchester Rapid Transit—that same ought to pass.

Report accepted; said order passed.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted reports as follows:

1. Report on communication from the Police Commissioner (referred January 23) establishing salaries of matrons employed in the Police Department—recommending passage of following order, viz.:

Ordered, That in concurrence with the Police Commissioner the salaries of assistant matrons at the House of Detention for Women be established as follows:

Two assistant matrons at \$1,400 per year to take effect as of January 1, 1928.

One assistant matron at \$1,400 per year to take effect as of May 25, 1928.

One permanent substitute assistant matron at the rate of \$1,400 per year for time actually served, to take effect June 12, 1928.

Report accepted; said order passed.

CONFIRMATION OF EXECUTIVE
APPOINTMENT.

President GREEN, under unfinished business, called up No. 2 on the calendar, viz.:

2. Action on appointment submitted by the Mayor, January 23, 1928, of John Small, to be a Weigher of Goods.

The question came on confirmation. Committee, Coun. Ruby and Dowd. The appointment was confirmed, yeas 19, nays 0.

ADDITIONAL AMOUNT FOR PUBLICITY
BUREAU.

On motion of Coun. KEENE, the Council took up assignment, viz.:

3. Ordered, That a sum in excess of \$7,500 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, when made.

The question came on the passage of the order.

Coun. WARD—Mr. President, last week we discussed at some length this particular order, and I asked in the course of my remarks in the executive session that the Mayor outline some plan or program that he intended to follow, if this Publicity Bureau was going to function. In the past two years that I have been a member of this Council, the only thought that has been in the minds of those men directing the Publicity Bureau has been the question of publicity for his Honor the Mayor, although this publicity is supposed to be given to the City of Boston, to bring business, to bring trade, to help Boston, not to help any particular individual. I wish to briefly go over a few items that the Publicity Bureau has had something to do with. On October 18, 1926, I introduced into the Council an order reading, "That his Honor the Mayor be requested to appoint a committee of traffic experts to study the traffic situation in Boston, and to report at once a program for traffic relief in the interest of the public and the city." Then the Publicity Bureau and the Mayor got together, and on January 10,

1927, it was stated that the Mayor had conceived a very brilliant idea — to appoint a committee of traffic experts to study the traffic situation, and so through his Publicity Bureau he advised the press that he, the Mayor, was of the opinion that such a splendid idea of his should be given wide publicity. And so we saw column after column in the press telling the people of Boston that from the mind of the Mayor of Boston such an idea had evolved. He sent an order to the City Council asking for \$25,000 to conduct this survey. For some reason it was held up, because the Council wanted the money placed under the direction of the Mayor and not under the direction of the Advisory Board, but it was eventually passed. The Industrial, Commercial and Publicity Bureau, however, gave the matter wide publicity as a thought conceived in the mind of the Mayor, and executed by him. When this body had a committee appointed, during the early part of 1927, and they delegated them to go to the Mayor of Boston and ask if he would aid the committee in helping the unemployed of the city, the Mayor told that committee that they had absolutely no right to function, that they had no reason to be there; that they were violating section 8 of the City Charter, and after disregarding the request of the committee he wrote a letter to the Council quoting it and saying: "Any committee acting under the authority of your honorable body ought to exercise due care not to pass beyond the bounds of your authority." He then said that section 8 read as follows, quoting the City Charter, to the effect that no member of the City Council can intercede to get a man a job. I say, Mr. President, that if that section reads that way I am going to violate it every hour of the day. If I know where the jobs are, I am going to try to get them for my constituents, if I can. Then, when the committee had functioned, when there was some accomplishment, the Mayor, through the Publicity Bureau, sent out claim after claim saying that the committee was functioning because it wanted to get back at the Mayor. I feel certain, Mr. President, that that committee has helped in the unemployment situation in this city. Again, when a resolve was sent to Washington looking to the bringing of work to the Charlestown Navy Yard, although the Mayor had not been aware before of the importance of taking action, when he was advised that there was a possibility in that direction, he immediately got busy. He got some word from Washington. There is a man on the city pay roll, paid by the City of Boston, to gather advanced information for the Mayor of Boston from Washington so as to give him an opportunity to get it before the morning papers give it out to the citizens of Boston. I am going to deal with that later. But I will say that when this fight was being carried on to bring ships to the Charlestown Navy Yard, although the Mayor had not been aware that the committee was meeting, his paid adviser notified him that steps were being taken, and he immediately tried to seize all the credit for it, although the men who fought for the ships and who brought them to the Charlestown Navy Yard were the United States Senator from Massachusetts and the Congressman representing that district. Again, he went out with a public statement to the press to the effect that he was personally going to see to it that there was not a man laid off over in the Charlestown Navy Yard. On the following day, after his statement was given out, 2,000 men were laid off, and it was only through the efforts of our Congressmen from Boston in Washington that it was decided that they should not be laid off. But the Mayor of Boston on the second day sent out the statement that he was responsible for bringing ships to the Charlestown Navy Yard. I do not wish to go into this matter at any length, but there is another matter of vital importance that the Mayor, through the Publicity Bureau, takes credit for. That is, the action on differentials from the port of Boston. I saw in yesterday's paper that the United States Shipping Board last Saturday announced the establishment of differential ocean rates for the port of Boston, suspended before the war, granting the request of fifty citizens of Boston, led by the United States Senator from Massachusetts, and by two Congressmen from Massachusetts. The movement for the re-establishment of those rates was led by fifty members of the Chamber of Commerce, the Maritime Department, under the lead of the man who is manager of the Maritime Department, Frank S. Davis. He led the fight for the decrease in rates on freight

coming from Europe to Boston; and after this news had been ascertained in Washington through this certain gentleman I have referred to — I don't know what pay roll of the city he is on, but I am going to put in an order this afternoon to find out — and after he had wired the tip to the Mayor from Washington, the Publicity Bureau immediately sent out the statement that the Mayor of Boston had been successful in bringing about a reduction of rates to the port of Boston. Mr. President, if the Publicity Bureau is functioning in that way, and if they are simply being paid out of the city treasury to give the Mayor publicity, if there is a delegate in Washington advising the Mayor what is going on and the Publicity Bureau then writes the story up and gives the credit for what is done to the Mayor, deceiving the citizens of Boston into believing the Mayor is accomplishing something that other public officials are doing through hard work and effort, it is time that the citizens of Boston knew about it. I am not going to vote for this order, Mr. President, until I am certain that this bureau is going to function not as a publicity bureau for the Mayor but as a publicity, commercial and industrial bureau that is representing the entire City of Boston.

Coun. BUSH—Mr. President, the order as it appears here on the calendar reads, "A sum in excess of \$7,500," instead of "A sum not in excess of \$7,500." Is that the way the original order reads, or is there a typographical error?

President GREEN—I would say for the information of the Council that the original order reads "A sum not in excess of \$7,500."

Coun. SULLIVAN—Mr. President, I have been a member of this Council for practically a month, and I have been listening with a great deal of interest to whatever business has been brought before the honorable body. Naturally, being a new member, I have waited to see what example the senior members of the Council would set to a new member. But up to the present time I am still in the dark. When any important matter comes up here before this Council from the Mayor's office, the first question asked here is, apparently, "What is wrong with it?" I believe the best procedure is to find out, not what is wrong with the matter, but what is right with it, and the wrong will then come from under cover. I believe in the Publicity Bureau of this city, and I believe it is the duty of his Honor the Mayor to send an order into this Council asking that more money be provided so as to make the bureau function properly and be a credit to the city, bringing here business that will give employment to our people, — not having the whole thing result in apparently a whole lot of printing matter in the newspapers and a lot of printing matter turned out from a printing company. Instead of the old slogan we used to hear, "A bigger, busier, better Boston," — I would say that we should have a bigger, busier and broader Boston and that you should throw away your hammers and get horns and blow them for Boston. I have had a lot of things thrown at me in and out of this Council. — "Sullivan, snappy Sullivan, where did he stand? Under the Mayor's wing?" There was never yet a Sullivan under anybody's wing! They stand on their own feet, and have backbones. I am here to represent the people and to do what I can to help along the business and the prosperity of the City of Boston, to do what I can for its betterment and I will stand up here and fight for an order that is going to make the City of Boston a better, busier and broader Boston.

Coun. DOWLING—Mr. President, the councilor on the left finds some fault because the older members of the body have not set a more bright and shining example to him in the four weeks of his service here. Of course, I offer him my personal apologies for my shortcomings in that direction, and I have no doubt that other members of the Council, wiser if not older in years of service than I am, feel chagrined that they have not been able to shed light on the mind of the gentleman from Dorchester. But if the gentleman from Dorchester wants some information, let his mind travel back to the meeting of the Executive Committee last week. If he was paying attention, as he should have been,—that is the only way he, I or you, Mr. President, will learn anything, by listening rather than preaching,—he will recall that the head of the so-called Publicity Bureau admitted in the presence of twenty or twenty-two councilors that he did not do a single thing in the way of advertising and boosting Boston. He will recall

probably that the representative of the bureau who then appeared before us told us that no money was spent except for salaries. He will probably recall that the representative of the Publicity Bureau said that a certain amount of space in weekly trade journals was about all that emanated from the Publicity Bureau. Mr. Chairman, I repeat now as I stated last week, that there is not a single thing that justifies the spending of \$7,500 in the manner in which it is here proposed to spend it. I have no objection to Mr. Parsons of the Publicity Bureau having a good job in the city's service. He is a fine looking, clear thinking, upstanding fellow, and he is a credit in personal appearance to the Mayor's office—and that cannot be said of all the attaches of the Mayor's office. I have no objection to his having a job in the Publicity Bureau if it functions as a publicity bureau. Otherwise, however, I think he should be recognized as a member of the Mayor's personal staff, and that that is where he belongs. It is absolutely ridiculous to ask for \$7,500 for publicity purposes, when no attempt is made to secure publicity. It is buncombe, hokum, whatever you want to call it. It is not good business. And perhaps if the gentleman from Dorchester will pay close attention to some of the older members, some who are serious minded and at least honest, he may find something to emulate in their work. Mr. President, I would move to amend—pardon me, does the question come on the passage of the order?

President GREEN—Yes.

Coun. DOWLING—Then, I will not offer an amendment.

The order was passed, yeas 17, nays 4:

Yeas—Coun. Arnold, Deveney, Donovan, Dowd, Fish, Fitzgerald, Gallagher, Green, Keene, Lynch, McMahon, Motley, Murphy, Murray, Ruby, Sullivan, Wilson—17.

Nays—Coun. Busb, Dowling, Parkman, Ward—4.

WASHINGTON REPRESENTATIVE OF MAYOR.

Coun. WARD offered the following:

Ordered, That the City Auditor, through his Honor the Mayor, advise the City Council on what pay roll the Washington representative of the Mayor is paid.

Coun. WARD—Mr. President, I move a suspension of the rule and the passage of the order.

The rule was suspended and the order was declared passed.

Coun. KEENE—Mr. President, I doubt the vote and call for a roll call.

Coun. WARD—Mr. President.

President GREEN—The gentleman is not in order.

Coun. WARD—Mr. President, I would like with unanimous consent to make a statement.

President GREEN—Coun. Ward requests unanimous consent to make a statement. The Chair hears no objection.

Coun. WARD—Mr. President, there is a publicity man in Washington who is paid on a city pay roll. I don't know where that pay roll is, where his name appears, or how, but I know he is there as an emissary of the Mayor. He is there to bring to the Mayor publicity in regard to what is going on in Washington, in order that the Mayor's Publicity Bureau here may rewrite it and hand it over to the press. This man is prominent in Republican circles, and I think, as a member of the Council,—and I believe other members of the Council feel the same way—that if such a man is on the city pay roll we should know it. We have a book here that gives the list of employees on the city pay roll. This man's name does not appear in that book. I think I am entitled to know as a member of the body where and how that man is paid, and from what fund he is paid. I think the order should be passed. I am going to call on the members of the Council to support the order. If he is on the pay roll dishonorably, we should know it; if honorably, it does not effect anybody, and what is the difference?

The rules were declared not suspended, and the order was referred to the Executive Committee.

PROPOSED ACCEPTANCE OF CODMAN HILL AVENUE.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway, Codman Hill avenue, Ward 17, from Washington street to Milton avenue extension.

Coun. WILSON—Mr. President, in reference to that order I would call attention to the fact that there is attached to it a list of all the property owners on the street, which I trust will remain on the order so that it may receive the attention of the Street Commissioners.

The order was passed under suspension of the rule.

PROPOSED ACCEPTANCE OF HURLCROFT AVENUE.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway Hurlcroft avenue, Ward 17.

Passed under suspension of the rule.

CONFIRMATION OF CONSTABLES.

On motion of Coun. WILSON, the Council voted to take from No. 1 on the calendar, under unfinished business (action on appointment submitted by the Mayor January 23, 1928, of Abraham Grossman, John H. Burke, Frederick W. Boynton, Maurice Levy, and Isie Martin, to be Constables) the names of Maurice Levy and Isie Martin.

The question came on confirmation of the two names referred to. Committee, Coun. Ruby and Deveney. Whole number of ballots 19; yeas 19, and the two appointments were confirmed.

On motion of Coun. KEENE, the Council voted to take up the remaining names under No. 1—Abraham Grossman, John H. Burke and Frederick W. Boynton.

The question came on confirmation. Committee, Coun. McMahon and Motley. Whole number of ballots 19; yeas 19, and the appointments were confirmed.

ASSESSMENT OF BETTERMENTS FOR BOSTON ELEVATED RAILWAY.

Coun. McMAHON offered the following:

Resolved, That the City Council of Boston opposes the enactment of any legislation which will permit of the assessment of betterments for the Boston Elevated Railway system or any extension thereof.

President GREEN—The order will be referred to the Committee on Rules.

Coun. McMAHON—Mr. President, before this order is referred to the Committee on Rules—of which I am in favor—the only thing I would like to say is that I don't think there are many who know much about this Harriman bill for extension of public control, and the provision it contains for the assessment of betterments on improvements carried through for the Boston Elevated Railway. I certainly feel, when it comes to assessing property owners in connection with rapid transit improvements, that instead of the Elevated benefiting in any such way at the expense of property owners, in my district, for instance, they ought to give the property owners something for what they took away from us, especially the merchants out in the Fields Corner section of Dorchester, the section I represent. Section 6 of the proposed act goes far beyond the mere laying of betterments for the proposed improvements. It calls for the erection of special areas within which all real estate shall be taxed at a definite rate higher than other real estate on account of the supposed benefit the area is to receive. This proposal is not for a betterment tax of the kind with which we are familiar. Under the betterment laws no parcel of land can be made to pay more than the amount by which it has actually benefited beyond the general benefit to all other properties caused

by the improvement, and each owner can have a separate trial to ascertain the facts applicable to his case. Under section 6 a parcel that had not in fact benefited at all would, nevertheless, be specially taxed, if it were within the limits of one of the special areas, and the owner could do nothing about it. It is obvious that gross injustice will be done to the owners of innumerable parcels of real estate if this portion of the bill is allowed to become law. Therefore, I feel—and I think other councilors in this body feel the same way as I do—that section 6 should be stricken out. I have in the past been opposed to any bill or order memorializing an outside legislative body, either

our House of Representatives or Senate or Congress, but here is a thing that I don't think many councilors are familiar with. Therefore, I would like to have each councilor look into this section 6 of the new proposed bill. I feel that if it ever goes into effect there will be a lot of trouble. Therefore, I hope the Rules Committee will act favorably on my order.

The order stood referred to the Committee on Rules.

Adjourned, on motion of Coun. WILSON, at 3.31 p. m., to meet on Monday, February 6, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 6, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Dowd, Mahoney and Ward.

JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, the Mayor absent, as follows:

Forty traverse jurors, Superior Criminal Court, First Session, to appear March 5, 1928:

William E. Cooper, Ward 1; Thomas S. Clarke, Jr., Ward 2; Michael F. Long, Ward 2; Patrick Martin, Ward 2; Charles J. Mahoney, Ward 3; George H. Sterritt, Ward 3; John E. Curry, Jr., Ward 4; Ronald T. Lyman, Ward 5; George J. Fraser, Ward 7; Hugh MacLachlan, Ward 7; John J. McTiernan, Ward 7; William A. Allgaier, Ward 8; Frank P. McNally, Ward 8; William H. Chase, Ward 10; James W. Hession, Ward 10; Henry A. Wilhelm, Ward 10; Francis P. Redden, Ward 11; Louis Reusch, Ward 11; Joseph Newman, Ward 12; John H. Lyons, Ward 13; Walter V. Riley, Ward 13; Howell B. Voight, Ward 13; Michael H. Donahue, Ward 14; Augustine L. O'Connor, Ward 15; Daniel J. Looney, Ward 16; Maurice W. Parker, Ward 4; Thomas Rush, Ward 16; Cornelius J. Cahill, Jr., Ward 18; Joseph A. Haslam, Ward 19; Frank McQuarrie, Ward 19; Walter F. W. Taber, Ward 19; Frederick A. Brauer, Ward 20; Harry C. Cole, Ward 20; George P. Forde, Ward 20; Robert L. Huffine, Ward 20; Austin F. Oberacker, Ward 20; Alfred T. Powell, Ward 20; Charles H. Weeber, Ward 20; William J. Downing, Ward 21; Edward A. Keenan, Ward 22.

Forty traverse jurors, Superior Criminal Court, to appear March 12, 1928:

James E. Banks, Ward 1; Patrick Dacey, Ward 2; Harry J. Flynn, Ward 2; John F. McCarthy, Ward 2; John E. Garland, Ward 4; James T. Gilligan, Ward 4; John J. Hoobin, Ward 4; Frank E. Shute, Ward 4; John H. Slamen, Ward 4; George P. Hamlin, Ward 5; Sidney F. Rea, Ward 5; Howard E. Sheehy, Ward 6; John J. Sullivan, Ward 6; Martin F. King, Ward 7; Henry L. Clark, Ward 8; John J. Cryan, Ward 8; John H. Sullivan, Ward 10; James F. Killian, Ward 11; Joseph H. Felton, Ward 13; Benjamin, Birosan, Ward 14; John P. Fleming, Ward 14; Isaac Titelbaum, Ward 14; Abraham Roosov, Ward 14; Joseph J. Kendrick, Ward 15; George W. Brown, Ward 16; John P. Colgan, Ward 16; Henry A. Littlefield, Ward 17; Max Buxbaum, Ward 18; Edward F. Fitzgerald, Ward 18; Thomas J. Halpin, Ward 18; Olof S. Marcus, Ward 18; Harold E. Vincent, Ward 18; Ernest A. Carlson, Ward 20; Joseph F. Grocott, Ward 20; John E. Kelley, Ward 20; Lester C. Nutting, Ward 20; Charles F. Wise, Ward 20; Franklin P. Jamieson, Ward 22; James F. McPartland, Ward 22; Robert Pillow, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, First Session, January Sitting, to appear March 5, 1928:

William L. DeVeau, Ward 1; George C. Jenkins, Ward 1; James E. Roche, Ward 1; Paul P. Bird, Ward 5; Philip D. Hawkins, Ward 5; James MacDonald, Ward 5; George Smith, Ward 5; Ernest S. Young, Ward 5; Bennet P. Griffin, Ward 6; Edward M. Barry, Ward 8; Patrick Kennedy, Ward 9; Edward F. McElroy, Ward 9; Frederick Randby, Ward

9; William J. Brennan, Ward 11; Ralph E. Harris, Ward 13; Arthur E. Hicks, Ward 14; Maurice Levy, Ward 14; Sidney E. Rudolph, Ward 14; Donald M. MacDonald, Ward 15; Patrick J. McCabe, Ward 16; James E. Thompson, Ward 15; John J. Delaney, Ward 17; Albert H. Bloomfield, Ward 19; Michael W. Cleary, Ward 19; George M. Crawford, Ward 19; Hercules W. Geromanos, Ward 22; James E. McNulty, Ward 22; Selwyn H. Towne, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, Second Session, January Sitting, to appear March 5, 1928:

William H. Scott, Ward 2; Albert Boezomato, Ward 3; Frank B. McSwiney, Ward 4; Harry W. Sundberg, Ward 4; Louis N. Simoneau, Ward 6; Andrew J. Grant, Ward 7; James J. Hayes, Ward 7; John J. Daly, Ward 8; Robert F. Donigan, Ward 10; John B. Hickey, Ward 10; William J. McNulty, Ward 10; William G. P. Cass, Ward 11; Charles H. McPherson, Ward 11; Benjamin P. C. Clapp, Ward 13; Timothy F. Cunningham, Ward 13; Jesse Miller, Ward 13; Justin A. Guilmartin, Ward 14; Samuel P. Whitcomb, Ward 14; James A. Donnelly, Ward 15; Malachy McGrath, Ward 15; Martin R. Francis, Ward 18; Arthur P. Champeon, Ward 20; John H. Graham, Ward 20; Valentine J. Oberlander, Ward 20; Percy H. Titus, Ward 20; Patrick J. O'Toole, Ward 21; Harry O. Wheeler, Ward 21.

Twenty-eight traverse jurors, Superior Civil Court, Third Session, January Sitting, to appear March 5, 1928:

Joseph Gilileo, Ward 1; Edmund A. McAuliffe, Ward 2; Mark Cohen, Ward 4; William C. Kelly, Ward 5; John J. Donovan, Ward 6; James Israel Segol, Ward 6; Daniel F. McLaughlin, Ward 7; Daniel R. Keenan, Ward 8; Joseph Esselen, Ward 10; Harry C. Lambrecht, Ward 10; William Purcell, Ward 10; Joseph W. Russell, Ward 10; Arthur T. Slater, Ward 10; George L. Collins, Ward 11; Patrick Kilcoyne, Ward 11; John J. O'Connell, Ward 11; John H. Ryan, Ward 11; Copel Levenson, Ward 12; Fred C. MacNeil, Ward 12; Oscare V. Magnuson, Ward 12; Dennis O'Brien, Ward 13; Charles H. Leach, Ward 14; James P. Sullivan, Ward 15; Anton C. Schramm, Ward 18; John Brooks, Ward 19; Leo Weidhorn, Ward 21; Charles A. Morgan, Ward 22; John F. Gauhan, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Fourth Session, January Sitting, to appear March 5, 1928:

Thomas J. Ryan, Ward 5; Maurice J. Flynn, Ward 6; William Kirby, Ward 6; William G. MacCormack, Ward 6; Martin J. Sullivan, Ward 7; Denis Sullivan, Ward 7; Edwin W. Cole, Ward 9; Patrick J. Kennaally, Ward 9; William W. Smith, Ward 9; Clarence H. Garland, Ward 11; Samuel Kabatznick, Ward 12; Edward F. Reilly, Ward 12; Charles H. Colpitts, Ward 13; Henry K. Aronson, Ward 14; James J. D. Bogan, Ward 14; Solomon Kahn, Ward 14; Angus B. McIsaac, Ward 15; Frederick J. Miller, Ward 15; Charles J. McCarthy, Ward 16; Edward F. Hughes, Ward 17; James D. Kiernan, Ward 17; John J. Killgoar, Ward 17; George V. Higgins, Ward 18; Martin Welsh, Ward 18; Leon L. Foster, Ward 19; Joseph A. Woodrough, Ward 19; Reginald Hainsworth, Ward 20; Frederick L. Connors, Ward 22; Ernest W. Siegfried, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Fifth Session, January Sitting, to appear March 5, 1928:

Nicholas Bianco, Ward 1; Charles Shapiro, Ward 3; Harry L. Flynn, Ward 4; Charles H. Degan, Ward 6; Henry P. Murray, Ward 6; Robert E. Blair, Ward 7; Thomas Hegarty, Ward 7; John J. Moynahan, Ward 7; Patrick J. McCue, Ward 8; Frederick W. Behnke, Ward 9; Richard W. Lowther, Ward 9; David G. Linehan, Ward 10; Maurice H. Lewis, Ward 12; Thomas A. Scott, Ward 12; Patrick

J. Scanlan, Ward 13; William F. Atlas, Ward 14; Arnold C. McLean, Ward 15; Harvey T. Pond, Ward 15; Albert M. Austin, Ward 17; Stephen F. Connor, Ward 17; Daniel Linehan, Ward 13; Carl E. Borgeson, Ward 18; Harry S. Brown, Ward 18; Henry L. Pothier, Ward 18; John B. Donovan, Jr., Ward 19; Frederick E. Zahn, Ward 19; William G. Lucas, Ward 20; John D. Cooke, Ward 21; Robert C. Heier, Ward 21.

Twenty-eight traverse jurors, Superior Civil Court, Sixth Session, January Sitting, to appear March 5, 1928:

Edward J. Hegarty, Ward 1; William F. Norton, Ward 1; Patrick A. Sacco, Ward 1; Frank J. McCoy, Ward 3; John F. Dempsey, Jr., Ward 6; John H. Green, Ward 6; Samuel Hayes, Ward 6; Charles B. Orth, Ward 7; Richard Gair, Ward 9; Roy H. Pfeigl, Ward 9; Frederick W. Grant, Ward 10; John J. Gillis, Ward 11; John J. McEachern, Ward 11; Frank E. Hosmin, Ward 12; Thomas H. Dowling, Ward 13; Michael J. Doolin, Ward 15; Harvey G. Hintze, Ward 15; Francis J. Overton, Ward 16; George E. Rundquist, Ward 16; William B. McKay, Ward 18; Henry G. Bovering, Ward 19; Waldemar Brueggeman, Ward 19; Frederick W. Burton, Ward 19; Walter E. Graham, Ward 19; Charles J. Ochs, Ward 19; Ernest C. Nickerson, Ward 19; John F. Simpson, Ward 20; Charles L. Lawrence, Ward 21.

Twenty-eight traverse jurors, Superior Civil Court, Seventh Session, January Sitting, to appear March 5, 1928:

Walter Cadeau, Ward 1; Jerome F. Laskey, Ward 1; Otto J. Rose, Ward 2; Patrick Judge, Ward 2; Alexander M. McGlashen, Ward 4; Walter V. Lawton, Ward 5; Wilfred T. Lahey, Ward 6; Charles H. Hewitt, Ward 7; John J. Shine, Ward 7; Frank L. Crawford, Ward 10; Henry M. Hession, Ward 11; Philip Greenberg, Ward 14; Arthur W. Murphy, Ward 14; Samuel Steinberg, Ward 14; John A. Westcott, Ward 14; John Luke Boyle, Ward 15; John J. Collins, Ward 15; Edward J. McKenna, Ward 15; Joseph T. Myron, Ward 15; Herbert N. Casell, Ward 16; Harry V. Puffer, Ward 17; James C. Foley, Ward 19; Daniel J. Murphy, Ward 19; Gordon M. Crowe, Ward 20; Nelson H. Newell, Ward 20; Joseph H. Bacharach, Ward 21; Michael B. Coyne, Ward 22; William P. Kelley, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Eighth Session, January Sitting, to appear March 5, 1928.

John D. Lamond, Ward 5; John Maitland, Ward 5; Arthur Rotch, Ward 5; William J. Howe, Ward 6; John G. Dreier, Ward 8; Russell M. Stockman, Ward 8; Harold A. Tibets, Ward 8; Thomas J. Carty, Ward 9; John Davis, Ward 9; Bartholomew H. O'Keefe, Ward 9; Joseph F. Casey, Ward 10; John B. Hannan, Ward 11; James F. Kane, Ward 11; James H. Stone, Ward 12; Thomas F. Guthrie, Ward 13; Murray M. Silverstein, Ward 14; Edward I. Gaudreau, Ward 16; Patrick J. Kelly, Ward 17; Carl W. Malmquist, Ward 18; Leon G. Dannenhoffer, Ward 19; Frank A. Kamp, Ward 19; William B. Aiken, Ward 20; Guy W. Mitchell, Ward 20; William J. Roney, Ward 21; Edward A. Wiessner, Ward 21; Cornelius J. Sullivan, Ward 22.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the following appointments were received from the Mayor:

Weigher of Goods: Samuel Miller, Army Base, Boston.

Weigher of Coal: John K. Leggat, 300 Manet avenue, Quincy.

Constables: Frank Wesley Herrick, William T. Culpin, Julius Richmond, Elmer Cross Sweeney.

Severally laid over a week under the law.

REPORT FROM EMPLOYMENT BUREAU.

The following was received:

City of Boston.

Office of the Mayor, February 6, 1928.
To the City Council.

Gentlemen,—I transmit herewith communications from the Employment Bureau relative to registrations and positions filled through the Bureau during the week of January 30 to February 4, 1928, inclusive.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Employment Bureau, February 6, 1928.
Hon. Malcolm E. Nichols.

Mayor of Boston.

Your Honor,—Pursuant to the City Council orders, inclosed please find the number of registrations and positions filled directly through this Bureau during the week of January 30, 1928, to February 4, 1928, inclusive.

Yours respectfully,

AUGUSTUS SEAVER,
Assistant Secretary in Charge.

Report for The Boston City Council.

Week of January 30, 1928, to February 4, 1928, inclusive:

Registrations, 128; positions filled, 290.

AUGUSTUS SEAVER,
Assistant Secretary in Charge.

Placed on file.

SALARY OF ELEVATOR OPERATORS.

The following was received:

City of Boston,

Office of the Mayor, February 6, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Superintendent of Public Buildings in answer to your order of January 23, 1928, relative to increase in salary of elevator operators.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Buildings Department,
February 1, 1928.

Hon. Malcolm E. Nichols.

Mayor of Boston.

Dear Sir,—Replying to the inclosed order of the City Council under date of January 23, 1928, that the Superintendent of Public Buildings be requested, through his Honor the Mayor, to include in the budget for this year an increase in salary for elevator operators equal to that proposed for county elevator operators, I respectfully report that I have already, through the Budget Commissioner, increased the elevator operators \$2 per week, in fact, this increase was provided for before the order was introduced in the City Council for same.

Respectfully yours,

JOHN P. ENGLERT,
Superintendent of Public Buildings.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

Mrs. Mary A. Ancrum, for compensation for window broken by city team.

Harris Blackman, for compensation for damage to property at 49 Winthrop street, Roxbury, caused by city truck.

Anna C. Boles, for compensation for damage to property at 84 Bennett street, caused by shutting off water.

Boston Novelty Shoe Company, for refund on reuse tickets.

Antonio Carente, for compensation for injuries received on ferryboat.

Joseph Condry, for compensation for injuries received in yard of Benjamin Cushing School.

Michael Connors, for compensation for expenses incurred in repairing water pipes.

Michael DeSaro, for refund on sidewalk license.

Mrs. Mary Edmonde, for compensation for damage to property at 40 Beaumont street, Ashmont, during construction of street.

Julian G. Fisher, for compensation for loss of money at City Hospital.

Matthew J. Kelly, for compensation for damage to taxi by city team.

P. J. Lynch, for compensation for loss of hens killed by dogs.

Masury-Young Company, for compensation for damage to automobile by city cart.

James E. Prendergast, for compensation for damage to clothing by fire apparatus.

Bessie Smith, for compensation for injuries caused by fall in City Hall Annex.

Francesca Toscano, for compensation for injuries received on ferryboat.

Francesco Toscano, for compensation for injuries received on ferryboat.

Trustees, 148 State Street Trust, for compensation for work done on property caused by leak in water pipes.

SIDEWALK ASSESSMENTS.

Communications were received from the Commissioner of Public Works setting forth cost of constructing artificial stone sidewalks, with orders, assessing half cost to owners of record of estates bordering thereon, viz.:

Street.	Ward.	Half Cost.
Corwin street.....	15	\$298.70
Neponset avenue.....	16	7386.11
DeWolfe street.....	13	321.86
Kittredge street.....	18	6,291.58
Elton street.....	13	1,585.60

Said orders passed under suspension of the rule.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held on Monday, February 20, on petitions for storage and sale of gasolene, viz.:

Atlas Petroleum Company, 250 A street, Ward 6, 20,000 gallons gasolene; 500 gallons oil.

Atlas Petroleum Company, 230 Cambridge street, Ward 22, 30,000 gallons gasolene; 10,000 gallons oil; 10,000 gallons kerosene.

Agnes L. Coffin, 524 Washington street, Ward 22, 1,000 gallons gasolene.

John H. Leary *et al.*, 246 Talbot avenue, Ward 17, 1,000 gallons gasolene.

Edward J. McGovern, 186 Geneva avenue, Ward 14, 20,000 gallons gasolene.

Referred to the Executive Committee.

MEMBER OF LISTING BOARD.

Notice was received from the Mayor of designation of Patrick H. O'Connor, a member of the Board of Election Commissioners, to serve as a member of the Listing Board for the year ending January 31, 1929.

Placed on file.

APPOINTMENT OF FRANK E. MOTT.

Notice was received of appointment of Frank E. Mott as milk inspector in the Health Department at salary of \$3,500 a year.

Placed on file.

APPROVAL OF CONSTABLE'S BOND.

The constable's bond of Isie Martin, having been duly approved by the City Treasurer, was received and approved.

COMMITTEE ON DORCHESTER TUNNEL.

President GREEN announced the appointment of the following committee on Dorchester Tunnel: Coun. Wilson, Fish, McMahon, Ruby, Sullivan, Murphy.

WEEKLY PAYMENTS OF RELIEF.

Coun. RUBY offered the following:
Ordered, That the Commissioner of Soldiers' Relief be requested, through his Honor the Mayor, to provide for weekly payments of relief instead of twice monthly, as is now the rule.

Coun. RUBY—Mr. President, I have introduced this order primarily at the request of several officers and members of the Veterans of Foreign Wars' organizations at the State House. They have informed me that because of existing conditions it would be much more beneficial for persons entitled to soldiers' relief to receive their allotment of money weekly instead of on the 1st and 15th of the month, as at present. I believe that no undue burden would be entailed on the Soldiers' Relief Department if a new weekly arrangement is carried out, and I respectfully ask a suspension of the rule and passage of the order.

The order was passed under suspension of the rule.

LIGHTS ON NIGHTINGALE STREET.

Coun. RUBY offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install sufficient additional lights on Nightingale street, Ward 14, as will provide an adequate illumination of this thoroughfare.
Passed under suspension of the rule.

ACCEPTANCE OF MT. BOWDOIN TERRACE.

Coun. RUBY offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway Mt. Bowdoin terrace, from Eldon street to Mallon road, Ward 14.
Passed under suspension of the rule.

ACCEPTANCE OF MILTON STREET, WARD 16.

Coun. FISH offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway Milton street, from Granite avenue to Hallet Davis street, Ward 16.
Passed under suspension of the rule.

LOCKER BUILDING, MARY HEMENWAY PLAYGROUND.

Coun. FISH offered the following:
Ordered, That the sum of \$20,000 be and the same hereby is appropriated, to be expended under the direction of the Park Commissioners for the erection of a locker building in Mary Hemenway Playground, Ward 16, and that to meet said appropriation the City Treasurer is authorized to issue from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the City to said amount.
Referred to the Committee on Finance.

WIDENING OF MEDWAY STREET
BRIDGE

Coun. WILSON offered the following:

Whereas, It is proposed by the Transit Commission of the City of Boston, incidental to completion of the extended Dorchester Rapid Transit, to replace the existing narrow wooden bridge on Medway street, Dorchester, over the Milton Branch Railroad by a permanent concrete and steel bridge still only 16 feet wide, and

Whereas, Now — and following the construction of the new Rapid Transit System along the line of the Milton Branch Railroad, — the sole entrance to and exit from the entire Cedar Grove section lying between the Neponset river and the line of the railroad tracks, — not only for foot traffic and vehicles but also for fire apparatus — is the narrow 16 foot Medway Street Bridge.

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be and he hereby is requested to make immediate provision for widening the Medway Street Bridge to a suitable and appropriate width.

Coun. WILSON—Mr. President, the story is largely contained in the order, and purposely placed there so that they can follow along and see what is being requested and its purpose. It appears that the present bridge on Medway street is only 16 feet wide. In view of the fact that this entire district is bounded by the Neponset river and is cut off on the other side by the railroad, it seems, inasmuch as the Transit Commission are now about to build a new concrete and steel bridge, that this would be a most opportune moment to make it possible for fire apparatus in time of trouble to get down to the Cedar Grove section. It was with some surprise that I learned that the Transit Commission in their plans made at this time had not arranged to widen the bridge, and I am told that the matter rests with the Public Works Commissioner, so far as the possible widening of the Medway Street Bridge is concerned. It seems to me absolutely necessary to have the people in that district protected, and I certainly hope the order will be passed and that the Commissioner of Public Works will be requested to make immediate provision for widening the Medway Street Bridge to a suitable and appropriate width.

The order was passed under suspension of the rule.

INCREASED PENSIONS FOR FIREMEN.

Coun. WILSON offered the following:

Ordered, That the Fire Commissioner be and he hereby is respectfully requested to take such steps and support such legislation as will increase the pensions of all retired firemen to one-half the present wages paid for active service.

Coun. WILSON—Mr. President, in explanation of the order I would say that I have been spoken to by several of the retired members of the Fire Department, some who have now been retired for over twenty years. They were members of the department when they had only one day off in fifteen, instead of one day off in five. I was surprised to learn — and I understand it to be a fact — that those men who worked in those times and were retired, are now receiving half of \$100 a month, or half the wages they got twenty years ago. It seems to me logical and reasonable that the men who have been retired in the Fire Department should be given half the wages now given to active men. The wages may have increased, but so have the expenses.

The order was passed under suspension of the rule.

INFORMATION FROM MUNICIPAL
EMPLOYMENT BUREAU.

Coun. WILSON offered the following:

Ordered, That the director of the Municipal Employment Bureau, through his Honor the

Mayor, be and he hereby is directed to advise the City Council forthwith

1. Whether there are still ten persons on the pay roll of the Bureau, and if not, how many.

2. Whether the total pay roll of the Bureau is still at the rate of \$19,000 per year and, if not, the present figure per annum.

3. The total expenses of the Bureau for the month of January, 1928, other than rent.

4. The amount of the telephone bill of the Bureau for the month of January, 1928.

5. The present monthly rental being paid by the City of Boston for the quarters now occupied by the Bureau in Pemberton square.

6. The present monthly rental being paid by the City of Boston for the quarters previously occupied by the Police Department in Pemberton square.

7. The date on which the present lease held by the City of Boston covering premises now occupied by the Bureau expires.

8. What arrangements, if any, have been made for housing the Bureau after expiration of the present lease covering the premises now occupied by the Bureau.

9. For what further period it is estimated funds already appropriated by the Council for the maintenance and operation of the Bureau will be sufficient to pay all expenses either with or without any expense for rent.

10. Whether two secretaries, seven clerks, and a stenographer are at present necessary for active work in the Bureau as now conducted, and if not, what number of persons.

11. The working hours per working day of each officer and or employee of the Bureau at the present time.

12. The number of persons now on the pay roll of the Bureau who are working full time, in the Bureau, and the number of persons now carried on the pay roll of the Bureau working part time.

Ordered, That the director of the Municipal Employment Bureau, through his Honor the Mayor, be and he hereby is requested to advise the City Council forthwith in the case of each of the 172 men alleged to have been furnished employment through the sole efforts of the Municipal Employment Bureau during the entire month of January, 1928:

1. The kind or nature of employment obtained.

2. The date in January on which each man was first placed to work.

3. The daily or weekly wage agreed upon.

4. Whether the employment was temporary or permanent.

5. How many days of work during the entire month of January, 1928, were actually obtained by the Bureau for each of the 172 men.

6. Whether the individual has been continuously employed to date in the position obtained in January.

7. The date on which the men reported back to the Bureau as again out of work.

8. Whether any of the 172 names listed were duplications, and if so, how many.

Coun. WILSON—Mr. President, with reference to those two orders you will probably recollect that, some time ago, having from personal experience grave doubts as to whether this particular expensive department of the City of Boston reasonably justifies its continued existence, I filed a request for certain information, it seemed to me in a businesslike manner, in order to find out what work, if any, was being done up there in those old quarters.

In a personal experience of two years, having been able to obtain, I believe, as high as one position through the eager efforts of the department, it occurred to me that we are perhaps spending a large amount of money in a lost cause. In response to the order we passed some time ago we got back a reply that in the entire month of January this year there were 411 registrations of men out of work and 172 cases where men were placed at work; showing that in the month of January, with these ten employees in the department, they had perhaps been able to place five men a

day at work in the whole City of Boston. Apparently it is being felt or realized that there is something here besides my obtaining information, because I find that before the order which passed was really effective, there were but 172 men placed in a whole month, and we have received today the astounding information that in one week alone, the past week, there were 290 positions filled. So, following my former order, we find that the number of positions they claim to have filled in a whole month has been nearly doubled in one week. Perhaps the snow flurry had something to do with that, rather than the efforts of the department. So I wish to find out not merely how many men are given a day's work, but how much work is really being done by that particular department. I cannot make myself believe—I shall be glad to be disillusioned—that it takes ten men, with a pay roll of \$20,000 a year, to run this department, which claims to run successfully while personally we do not see any such results. I have stated my own experience. While the President of the body, I understand, has had great success in obtaining jobs for his constituents, some of us seem to be on the black list. In fact, one man from my ward sent up here to this free employment bureau was forced to stand there while the present superintendent in a very loud voice dictated a very condemnatory letter to myself. Of course, that was done in order to create an impression, because, while the letter was supposed to be sent to me, as a matter of fact, I never received it, and undoubtedly as soon as it was written out, if it was written out, it was thrown into the waste basket. So I am now giving the head of the department an opportunity to write a letter in great detail and to eloquently set forth what the department is doing, in answer to these orders, so that we may get information which will show us how to vote when the budget of that department comes up for action in 1928.

The orders were passed under suspension of the rule.

INCREASE OF ANNUITIES TO WIDOWS OF POLICEMEN AND FIREMEN.

Coun. WILSON offered the following:

Resolved, That the present Boston City Council hereby approves the enactment of legislation to amend the existing statutes and to provide that the annuity which may be paid to the widow or minor children of any policeman or fireman who dies from injuries received in the performance of his duties may be increased to not less than \$1,000.

Ordered, That the Legislative Committee of the Boston City Council be, and said Committee hereby is, authorized and directed to appear in support of any petition presented before the present Massachusetts Legislature to amend the existing statutes relating to the City of Boston so as to provide that the annuity which may be paid to the widow or minor children of any policeman or fireman who dies from injuries received in the performance of his duties may be substantially increased.

Coun. WILSON.—Mr. President, the reason for the introduction of those two orders at the present time is that apparently the Legislative Committee of this body last year took no steps in response to an order which I introduced in the City Council July 25, 1927. It is very disillusioning to see the popular excitement and sympathy always aroused when a police officer meets his death in the line of duty—as when Officer McInnes so died last summer—and then to see the way the whole thing drops out of the public mind. At that time there were newspaper articles and statements to the effect that annuities in these cases should be increased from \$600 a year to a man's widow and family. But apparently the excitement that is aroused in such cases, when a policeman or fireman meets his death in performance of his duty, very soon dies down. It seems to me that this is a matter

that should be put through the Legislature, and one that should have the backing and the sympathy of the members of the City Council, not waiting for another policeman or fireman to lose his life in the performance of his duty.

The resolution and the order were passed under suspension of the rule.

SECOND PUBLIC GOLF COURSE.

Coun. WILSON offered the following:

Ordered, That the sum of \$200,000 be, and the same hereby is, appropriated to be expended under the direction of the Park Commissioners for the purchase of a tract of easily accessible land of sufficient area within the present city limits for the construction of a second public golf course in the City of Boston and that to meet such appropriation the City Treasurer be and he hereby is authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

Further Ordered, That the sum of one hundred thousand (100,000) dollars be, and the same hereby is, appropriated to be spent under the direction of the Park Commissioners for the construction of an eighteen-hole public golf course in the City of Boston, and that to meet said appropriation the City Treasurer be, and he hereby is, authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

Referred to the Committee on Finance.

THANKS TO MEN OF FIRE DEPARTMENT.

Coun. LYNCH, for Coun. MAHONEY, offered the following:

Resolved, That the commendation of the City Council be extended, through his Honor the Mayor and the Fire Commissioner, to the officers and men of the Boston Fire Department for their splendid work in controlling and preventing a wide-spread conflagration at the four-alarm fire at East Fourth and L streets, South Boston, on February 5.

Passed under suspension of the rule.

SPOT LIGHT, OAK SQUARE.

Coun. GALLAGHER offered the following:

Ordered, That the Commissioner of Police be requested, through his Honor the Mayor, to install an electric spot light over the traffic officer stationed at Oak square, Ward 22.

Passed under suspension of the rule.

CENTRAL POWER PLANT, DEER ISLAND.

President GREEN called up, under unfinished business, No. 1 on the calendar, viz.:

1. Ordered, That an additional sum of \$75,000 be, and hereby is, appropriated to be expended under the direction of the Penal Institutions Commissioner, for central power plant, House of Correction, Deer Island, 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.

On January 23, 1928, the foregoing order was read once and passed, yeas 18, nays 0.

The order was given its second and final reading and passage, yeas 19, nays 0.

ANNUITY TO WIDOW OF JOHN M. McLAUGHLIN.

Coun. LYNCH offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of John M. McLaughlin,

late member of the Fire Department, who died from injuries received in the performance of his duty, said annuity to continue so long as said widow remains unmarried, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

BLEACHERS ON McCONNELL PLAYGROUND.

Coun. SULLIVAN offered the following:
Ordered, That the sum of thirty thousand dollars be and hereby is appropriated, to be expended under the direction of the Park Commission, for the construction of concrete bleachers with a seating capacity of 2,500 on McConnell Playground, Savin Hill, and that to meet such expense 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.

RECESS.

The Council voted, on motion of Coun. PARKMAN, at 3.08 p. m., to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President GREEN at 3.42 p. m.

REPORTS OF COMMITTEE ON PUBLIC LANDS.

Coun. DONOVAN, for the Committee on Public Lands, submitted reports as follows:

1. Report on message of the Mayor and order (referred October 31, 1927) that Mayor be authorized to sell at public auction at upset price of \$500 land of the city on Thatcher street, Hyde Park—that same ought to pass.

Coun. DOWLING—Mr. President, I would like to hear just a word of explanation of this matter.

Coun. DONOVAN—Mr. President, this is a piece of land that was formerly owned by Hyde Park and came to the City of Boston with annexation. It has been used for storage of curbing by the Public Works Department. It comprises 8,025 square feet. The assessed valuation of the land is \$300, and I understand that the upset price is \$500. It is believed that that is a fair price. It is to be sold at public auction.

The order was given its first reading and passage, yeas 17, nays 0.

2. Report on message from the Mayor and order (referred May 9, 1927) that parcel of land on Schoolhouse court, Charlestown, be transferred from Park Department to School Committee for play purposes in connection with Bunker Hill and Thomas Starr King Schools—that same ought to pass.

The report was accepted and the question came on the passage of the order.

Coun. DONOVAN—Mr. President, if I may briefly offer a word of explanation in regard to this parcel of land, it is one of five parcels of land desired by the School Department to utilize for playground purposes. This consists merely of a transfer from the Park Department to the School Department.

The report was accepted and the order passed.

3. Report on message from the Mayor and order (referred November 28, 1927) that the Mayor be authorized to sell at public auction at upset price of \$500 interest in parcel of land at Manning and Berry streets, West Roxbury—that the order ought to pass.

The report was accepted and the question came on the passage of the order.

Coun. DONOVAN—Mr. President, this parcel of land is situated on the northerly side

of Manning street, West Roxbury, and consists of 7,551 square feet. In 1925 it could have been bought for \$300. It is in the Mt. Hope section of West Roxbury. Building is entirely out of the question on this parcel of land, because it is all glacia deposit. It can only be used for greenhouse purposes. The assessed valuation is \$200, and this calls for an upset price of \$500, the land to be sold at public auction.

The order was read once and passed, yeas 17, nays 0.

REPORT OF COMMITTEE ON RULES.

Coun. ARNOLD, for the Committee on Rules, submitted a report on resolutions (referred January 30) that the Council oppose enactment of any legislation which will permit of assessment of betterments for the Boston Elevated Railway system—that same ought to pass.

The report was accepted, and the question came on the adoption of the resolution.

Coun. PARKMAN—Mr. President, I think this is neither the time nor the place to enter into an extended discussion of this proposal, but I do wish to place myself on record in favor of the principle that the car rider should not pay the whole cost of the extension of rapid transit facilities, and particularly of additional subway facilities, but that the cost of such extensions should under reasonable restrictions and regulations be paid by the assessment of betterments on sections of the city or sections of the outlying districts of the city which are improved and bettered by the addition of better rapid transit facilities.

The report was accepted and the resolution adopted.

INCREASE IN SALARIES OF DRAWTENDERS.

Coun. FIZGERALD offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in the budget for this year an increase for drawtenders from \$2,000 to \$2,100, first assistant drawtenders from \$1,800 to \$1,900, and second assistant drawtenders from \$1,700 to \$1,800.

Passed under suspension of the rule.

ARC LIGHT, CLARENDON HILL FOOTBRIDGE.

Coun. MURPHY offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of an arc light at each side of the Clarendon Hill footbridge in Hyde Park.

The question came on suspension of the rule and passage of the order.

Coun. MURPHY—Mr. President I wish simply to say a word at this time with reference to the installation of arc lights at the Clarendon Hill footbridge. Clarendon Hill footbridge is a bridge running over the New York, New Haven & Hartford Railroad tracks connecting the two parts of Metropolitan avenue, and at the present time is not lighted by any means, either by the railroad company or by the city. The people in that particular community have made several complaints about traveling over the bridge at any time of night, due to the fact that it is very dark there. I have called this matter to the attention of the Public Works Department, and they have referred me to the New York, New Haven & Hartford Railroad. The railroad company has stated that they intend to electrify the bridge, but when they are going to do the work, God knows,—I don't know, and they don't know. However, the people in that particular part of my ward, young women and married women, who have to use that bridge in order to get home in any

reasonable kind of time, are today forced after darkness to take a roundabout way home. I have spoken to his Honor the Mayor about the matter, and he has agreed that he will install a couple of arc lights, one on each side of the bridge. However, I am going to wait, between the New York, New Haven & Hartford, and the city, to see what is finally going to be accomplished. I do want to notify those who are responsible that the mere expense of installation of a couple of arc lights should not stand as a barrier in the way of the safety of our women in this city; and it is high time that, instead of wasting our efforts talking about improvements that are absolutely necessary, those in charge should get busy and provide at least the things absolutely needed for the safety of our people. Only a week ago, when I paid a visit to that bridge in order to be acquainted with the existing condition, imagine my surprise on seeing the residents of my district going along with matches and with flash lights trying to light their way, in a city that boasts, and has a right to boast, of its progress and advancement, and yet that does not provide such necessary accommodations for the citizens! A city, Mr. President, that has provided a Safety Committee! A Safety Committee for what? To keep on talking nonsense here, and accomplishing nothing! I say that if the people are entitled to anything in a city of this type, they are entitled to light in a place like that; they are entitled to police protection and everything that goes

with modern civilization. I hope the few words I am uttering now will go back to the people in my community, to let them know that I stand here advocating, as their representative, what they are justly entitled to; and I also hope that those in charge will get busy and install those lights—not ten years from now, but as soon as possible. The order was passed under suspension of the rule.

SEWER IN CLIFFORD STREET.

Coun. MURPHY offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct a sewer in Clifford street, Hyde Park.
 Passed under suspension of the rule.

BOULEVARD LIGHTS, RIVER STREET.

Coun. MURPHY offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to rush along the work of installing boulevard lights on River street, Ward 18, from Mattapan square to Everett square.
 Passed under suspension of the rule.

Adjourned at 3.55 p. m., on motion of Coun. WILSON, to meet on Monday, February 13, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 13, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Mahoney.

President GREEN, after calling to order, called Coun. Keene to the Chair.
Coun. KEENE in the chair.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted appointments, as follows:

Weighers of Goods and Coal: Jack Karas, 7 Kensington park; Jask Rosenfield, 7 Kensington park; Weigher of Coal: Morris L. Tobman, 141 Cummings street.

Severally laid over a week under the law.

REPORT FROM EMPLOYMENT BUREAU.

The following was received:

City of Boston,

Office of the Mayor, February 13, 1928.

To the City Council.

Gentlemen,—I transmit herewith a report from the assistant secretary in charge of the Employment Bureau relating to the number of registrations and positions filled directly through the Bureau for the week of February 6, 1928, to February 11, 1928.

Respectfully,

MACLOM E. NICHOLS, Mayor.

City of Boston,

Employment Bureau, February 13, 1928.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Your Honor,—Pursuant to the City Council orders, inclosed please find the number of registrations and positions filled directly through this Bureau for the week of February 6, 1928, to February 11, 1928, inclusive.

Yours respectfully,

AUGUSTUS SEAVER,
Assistant Secretary in Charge.

February 13, 1928.

Report of the Boston City Council.

Week of February 6, 1928, to February 11, 1928, inclusive:

Registrations, 131; positions filled 61.

Yours respectfully,

AUGUSTUS SEAVER,
Assistant Secretary in Charge.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Louis Bankoff, for compensation for damage to automobile by city automobile.

Arthur E. Cahill, for compensation for damage to automobile by city cart.

Elizabeth F. Callahan, for compensation for injuries caused by an alleged defect in Neponset avenue.

Childs Dining Hall Company, for refund on refuse tickets.

Marie M. Clements, for compensation for injuries caused by an alleged defect at 88 Union street.

Continental Baking Company, for compensation for damage to truck by city truck,

Joanna Crosby, for compensation for damage to automobile caused by city snow plough.

Freeman T. Degou, for refund on tax paid under protest.

Margaret E. Fields, for compensation for injuries caused by an alleged defect at 11 Maybrook street.

Catherine Flynn, for compensation for injuries caused by an alleged defect at 194 Vernon street.

Shedrack M. Halvajian, for compensation for damage to automobile caused by city truck.

Rose C. Kelly, for compensation for injuries caused by an alleged defect at 87 Main street, Charlestown.

Arthur P. Koutsoupoulos, for compensation for damage to property at 320A Blue Hill avenue, caused by police car.

Herman Leondar, for compensation for damage to automobile by city truck.

Harry Malkiel, for compensation for damage to clothing, etc., by city truck.

Thomas J. McDonald, for compensation for damage to automobile by Park Department car.

Joseph P. McDonough, for compensation for injuries received on ferryboat.

Joseph A. McKinnon, for compensation for damage to automobile by city team.

Barbara F. Moriarty, for compensation for damage to clothing caused by an alleged defect at Broadway and F street.

Gaston Nawn, for compensation for damage to automobile by fire apparatus.

Pauline Pord, for compensation for damage to clothing caused by an alleged defect in Kneeland street.

Mary E. Smith, for compensation for injuries caused by an alleged defect at 193 Brighton avenue.

Timothy F. Sullivan, for compensation for injuries caused by an alleged defect at 542 Fourth street, South Boston.

H. T. Sweeney, for compensation for damage to automobile by city truck.

Helen Vandunker, for compensation for injuries caused by an alleged defect in Boylston street.

Leo Weinberg, for compensation for damage to car by city truck.

Special Committee on Jitney Licenses.

Petition of the Gray Line, Inc., to operate eight motor vehicles from corner of Boylston and Charles streets, Common side, to Franklin Park Refectory.

Petition of Boston Motor Tours, Inc., to operate four motor vehicles between Fields Corner Elevated Station to Fall River.

Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Anna Y. Sullivan, Bloomfield Hall, February 20, 1928.

Maverick Mills Mutual Benefit Association St. Mary's Hall, February 13, 14, 15.

PAY ROLL, REGISTRY OF DEEDS.

The pay roll of Registry of Deeds for the period from February 1 to February 15, 1928, to the amount of \$4,208.61, was received and approved.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of petitions for storage and sale of gasolene, hearings on same to be heard Monday, February 27, viz.:

Antonio De Virgilio, 675-683 South street, Ward 19, 1,000 gallons.

Kathryn F. McNamara, 140-141 Chelsea street, Ward 2, 2,000 gallons.

Referred to the Executive Committee.

REPORT ON SPECIAL COMMITTEE ON
DORCHESTER RAPID TRANSIT.

Coun. WILSON, for the Special Committee on Dorchester Rapid Transit, submitted, the following report:

The Special Committee appointed by the President in accordance with order filed with the City Council on January 16, 1928, and passed January 30, 1928, authorizing an inquiry into reported delays in construction of the new Dorchester Rapid Transit and particularly with reference to service to Shawmut Station prior to completion of elaborate terminal facilities at Peabody square, makes a report at this time of hearing held Friday afternoon, February 10, at which time there appeared before the committee Messrs. Sullivan and Noyes of the Transit Commission, General Manager Dana of the Elevated, Representative Finnigan, R. P. Delano of the Dorchester Board of Trade, M. C. Ryan, of the Codman Square Improvement Association and Charles A. Ufford.

It appeared that the chief engineer of the Transit Department officially certified as long ago as October 20, 1927, that the C. & R. Construction Company had substantially completed its work; that the contractor was penalized \$100 per day for 111 days of alleged delay; that since October various contractors have completed finishing work, such as plastering and plumbing; and that at the present time the Boston Elevated Railway Company is the contractor in charge of all electrical, conduit, signal and track work and accordingly is itself wholly responsible for prompt completion of the tunnel ready for operation.

The Elevated under existing arrangements pays no rental whatever on any part of the extension beyond Andrew square and vicinity, until total completion of the entire system to Mattapan, commencing at which later period the road is to pay a minimum rental of $4\frac{1}{2}$ per cent per annum on the total cost of the new system, which cost Chairman Sullivan estimates as between ten and twelve million. Chairman Sullivan's best estimate of the time of completion to Mattapan is a year from this autumn or by 1930. Meanwhile rapid transit has been in operation to Fields Corner since November 6, 1927, and the Elevated officials estimate service to and including the Ashmont Station in Peabody square by September 1, 1928.

The tracks beyond Fields Corner are at present used for storage of trains, and the Elevated claims that any opening of the Shawmut Station prior to the opening of Ashmont as well, will mean the shifting of these stored cars to tracks in the tunnel beyond Shawmut. This would mean the construction of certain temporary work, most particularly the substitution of a double crossover for the contemplated single crossover for switching trains between Shawmut and Peabody square. It was agreed that such temporary work could be done incidental to and without substantially delaying the permanent construction. The only real objection raised was the item of added cost which Manager Dana estimated at \$25,900 plus an additional monthly operating cost of \$2,500 during the three months by which Shawmut service would thereby precede service at Ashmont.

Manager Dana reported that on January 23, 1928, following the introduction of the Council order creating this special committee, the Elevated trustees voted that the \$26,000 additional item of cost was not warranted, even though such expenditures would guarantee rapid transit service to Shawmut by June 1, rather than three months later.

It is the sentiment of the committee that in a twelve million dollar rapid transit project, incident to which the people of central Dorchester have been deprived for two years of any service on a direct rail route where steam railroad service previously existed, the carrying public of Dorchester are entitled to insist on through operation to Shawmut, not

in September, and only on completion of the Ashmont Station, but on June 1, by which date the Elevated admitted they can complete all necessary work and without any real interruption of the main project. The committee strongly believes that the actual net cost of constructing an additional temporary crossover beyond Shawmut would actually be much less than the \$26,000 estimate given, and in any event notes that over \$11,000 of any such unexpected expense has already been unexpectedly taken care of by the \$100 per day penalty exacted from the C. & R. Construction Company for alleged delays in construction. The Committee feels that the requested expenditure in Dorchester is warranted, even though it may mean the Elevated, as a matter of economy, postponing or abandoning the expenditures of almost exactly the same amount for the purchase of one more 25 cent fare de luxe jitney bus for the daily convenience of a few score residents of Brookline.

Finally the Committee urges that the \$11,000 item collected from the contractor for a delay of over three months, may most appropriately and logically make up the three months' delay so far as Shawmut is concerned.

Committee:

Coun. McMAHON,
FISH,
SULLIVAN,
RUBY,
MURPHY,
WILSON.

Coun. WILSON.—Mr. President, in that connection I would offer these orders at this time.

Ordered, That his Honor the Mayor direct the Transit Commission independently of any Boston Elevated estimate to ascertain the real additional net cost of such additional construction in the Dorchester Tunnel as may reasonably be necessary to permit operation of Rapid Transit to Shawmut prior to the estimated completion of the Ashmont Station in September, 1928, and prior, in any event, to June 1, 1928, and

Further Ordered, That the Transit Commission through his Honor the Mayor advise the City Council forthwith why the \$11,100 item charged the C. & R. Construction Company for a delay in construction of over three months cannot most appropriately and logically be expended for the construction of such temporary work near the Shawmut Station as will make up the three months' delay so far as the Shawmut district is concerned.

Chairman KEENE.—The Chair would ask whether this is a partial report or a final report of the committee?

Coun. WILSON.—Mr. President, if you will allow me to continue I will state in connection with these orders are offered in connection with the report of the committee.

Chairman KEENE.—Proceed.

Coun. WILSON.—I would like to say just a word at this time, Mr. President, after which the Chair would naturally put the question of accepting the report of the committee and then proceeding to the question of adopting the order. The members of the Council have undoubtedly observed from this report that the only objection the Elevated road makes to the opening up of the Shawmut branch three months earlier than September 1, is a matter of expense. They admit that it will not mean any setback in their work, not for one day. The only objection is to the estimated expense of \$26,000. I submit that that expense is not a conservative estimate, and that it can be shown that the expense would be far less than that but, whether it would be less or not, I will press the point that the \$11,000 already taken from the C. & R. Construction Company as a penalty for delaying the project for three months can and should most properly be applied to catching up and giving the Shawmut branch an advance of three months. I submit, with a \$12,000,000 project of this kind, the people of Dorchester have a right to expect that

\$26,000 might well be spent by the Elevated company, when it means the convenience of the entire Dorchester district through the summer months. I wonder personally how long the City of Boston will continue to play the part of Sinbad the Sailor carrying the load of the present Elevated situation on its shoulders. If memory serves me, the present Governor of the state of Massachusetts was elected in the last state election on the one big issue that he should serve in that position in lieu of the late Colonel Gaston, because of the fact that the Elevated situation was to be entirely cleaned up in these two years. And yet we read in the newspapers that the senator from Pittsfield Four Corners, the Representative from Ayer Junction and the Representative from East Gloucester, sitting not in public, but in executive session and deciding for the people of Boston what kind and character of service they shall have at the hands of the Elevated, when they shall have it and under what conditions, and the price.

The report was accepted, and the orders were passed under suspension of the rule.

REPORT OF FINANCE COMMITTEE.

Coun. BUSH, for the Committee on Finance, submitted reports as follows:

1. Report on order (referred January 9) that \$250,000 be appropriated for municipal garage—that same ought not to pass.

Coun. BUSH—Mr. President and members of this honorable body, I propose to lay the facts before this body as they were brought to light at the investigation of the Finance Committee in committee meeting, with reference to this order. The order proposes a loan of \$250,000 for the purpose of erecting, constructing or purchasing a garage for the City of Boston to house the cars of the Public Works Department. The facts, as brought forth in the Finance Committee meeting, the information elicited from Mr. Richardson, who appeared before the committee, were as follows:

The number of cars now owned by the city is 287. Of those, there are 191 trucks, 75 pleasure cars and 21 tractors and trailers. They are now garaged in 34 different garages. Most of them are garaged in the localities in which they operate, where they principally function. The number of cars stored in the city garages is 100; the number of cars stored in outside garages, 121. The cost of the annual rental for cars stored in the outside garages is \$16,000. I want you to bear that in mind, because of what will follow presently. Some of the cars are now stored in the city yards. The annual expenditure for cars which are now stored in outside garages is, as I have said, \$16,000. This order calls for \$250,000 for a garage, which Mr. Richardson said must contain from 45,000 to 50,000 square feet of area. He also admitted that the Albany Street Garage, which now contains an area of 22,220 square feet, and the capacity of which is only 73 cars, of which 50 are trucks, cost \$213,000, the extra which had to be put in afterwards bringing it up to \$250,000. And this does not include the cost of the land. I ask you, gentlemen, how is it proposed to erect a garage containing 45,000 to 50,000 square feet for \$250,000, when a garage of 22,220 square feet cost the city \$250,000? It is perfectly obvious, then, that the city does not intend to erect a garage for \$250,000. It is perfectly plain and apparent that if the city does erect a garage, an application will be made here later for an additional \$150,000 in order to erect a garage of the proposed size. The other angle of the situation is that the city may purchase a garage. If the city purchases a garage, it must include the cost of the land. But Mr. Richardson, in his testimony before the committee, said that the junction of Centre street and Columbus avenue is the geographical center of the City of Boston and that any municipal garage which is constructed, in order to function

properly and give us the best service, should be constructed in that vicinity. If he is correct, there is no garage of that size available in that section. There is no garage which has an area of 45,000 to 50,000 square feet in that vicinity. If they intend to purchase a garage which is not of that size—and they do not say in the order what the size of the garage would be—then they should not pay \$250,000 for it. There is no garage in that vicinity which is worth that much money. There is only one garage there which might be used for that purpose, and that garage is assessed for less than \$100,000, and is not worth, judging by the estimate which I have received from real estate experts, any more than \$125,000. During the past two weeks since the committee has met, there has been a good deal of hustle and bustle about this hall and a good many members of the Council have been sent for, the same as in the past, to appear in that office downstairs, in that land of unfulfilled promise, there to be beguiled with words to barter away their self-respect and manhood, their civic virtue and righteousness, in order that a few unofficial heads of the city,—the great triumvirate that lurks in the shadow of the throne, watching their puppet king wielding his scepter of authority, properly or improperly, as one may happen to view it, but always to their satisfaction,—may benefit. To my mind, having been in this Council for two years and having seen the persistent efforts made from time to time to pass the \$400,000 fire station order, raiding the treasury of the City of Boston in order that some unknown might be enriched thereby, I say to you gentlemen that there is only one thin line that stands in the way of that organized raid on the treasury, and that is a line of eleven votes in this Council. That is the only line that stands in the way of that raid on the treasury, and it might be well for this Council to adopt the motto that the French adopted at Verdun. "They shall not pass." I cannot see how any member of the Council can vote for this order having in mind what has come to light concerning it. Mr. Richardson admitted before the committee that the cost of operating and maintaining that garage on Albany street is \$35,000 a year. He admitted that to operate this new garage would cost an additional \$25,000 a year. That makes \$60,000 for the operation and maintenance of the garage. The interest on this loan order would amount to pretty close to \$10,000 a year, and you would have besides the amount for depreciation and repairs on the garage. How can you compare anything like that with the cost of garaging the cars to the city at present, \$16,000 a year? Gentlemen, how can they justify this order? They cannot, gentlemen, and it is for you to defeat the order.

The report was accepted, and the order was rejected, the vote on its passage being, yeas 1, nays 18:

Yeas—Coun. Deveney—1.

Nays—Coun. Bush, Donovan, Dowd, Dowling, Fish, Fitzgerald, Gallagher, Keene, Lynch, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Ward, Wilson—18.

2. Report on order (referred August 22, 1927) that \$300,000 be expended under direction of Fire Commissioner for purchase of site for new fire station in West End—that same ought to pass.

Coun. BUSH—Mr. President and members of the Council, this is the same order that appeared last year before this body in the form of an order for \$400,000 for the purchase of the site of the Revere House for a fire station. Those of you who were present at that time will recall the remarks of Coun. McGrath, who was then on the Finance Committee, and who was also versed in real estate, when we acted upon the matter at that time. The result of our vote on that order at that time was that the Finance Commission made an investigation and requested the Boston Real Estate Exchange to appraise the property. The Boston Real Es-

tate Exchange appraised that site at a value of not more than \$300,000, which was considered a very liberal appraisal. This order is now introduced in conformance with that appraisal, but with this little dark fellow in the wood pile. It may not be known to all of you, gentlemen, that when the city takes property under condemnation proceedings the party from whom the property is taken, if not satisfied with the amount given, can institute *pro tanto* proceedings in court and have the amount that the owner should receive for the property determined by judge and jury. But there is just a little dark fellow in the wood pile there, too, because upon recommendation of the Law Department and approval by the Mayor that suit can be compromised, and it need not be compromised for a much smaller amount than the suit is brought for, either, as long as it is a smaller amount. There is, therefore, nothing to stop the people who own that site from going into court and bringing suit for an additional \$200,000 and having the suit compromised by the Mayor and Law Department for \$100,000, thus giving the owners the benefit of the \$100,000 which they lost because of the fact that we would not pass the \$400,000 loan order. When Mr. Freeman appeared before our committee, the committee asked him whether he intended to institute those proceedings, and he admitted that he did. He was then asked whether he would release his right if the \$300,000 loan order were passed, and he said no, he would not release his right. He was then asked whether he would release his right for \$325,000, and he said no. He was then asked by the chairman of the committee whether he would name any figure for which he would release his rights, any figure which he would accept for that property, and he said no, he would not. Subsequent to that, some of the members of this body were requested to appear in that office downstairs, and were there told by the Mayor that, in spite of the fact that Mr. Freeman was one of the appraisers of this property and had an interest in the property, that interest was not known to the Mayor. I want to call your attention to what Mr. McGrath said in this body on July 11, 1927. He referred to an occasion when the chairman of the Board of Street Commissioners had been called in and Mr. Hurley had been questioned as to the responsibility for the \$400,000 order, because of the fact that the Board of Street Commissioners had recommended the passage of the order for that amount. Coun. McGrath said that Mr. Hurley said: "It has never been called to my attention officially, and I will not accept the child as mine." He also spoke of the fact that Mr. Freeman was called before the Finance Commission, and this is what he says Mr. Freeman said before the Finance Commission: "I did not tell the Mayor I owned the property, but he knows I own the property." And now we find the Mayor, a week ago, saying that he did not know that Mr. Freeman had an interest in the property at that time. I wonder if he knows whether he is the Mayor of this city? He need only ask the average man on the street, and he will tell him who the Mayor is. And Coun. McGrath at that time went on to say: "Of course, he will now have to call for the resignation of Mr. Freeman, who has so hopelessly fallen down. It is the only thing for him to do—to prove that there is no collusion between Mr. Freeman, who still stands as the real estate expert, although he has been shown up as the owner who went down and looked at his own property. Perhaps he did not appraise, but then, if he did not appraise, the Mayor does not understand what an appraisal is for he said he did appraise. Someone is in error." It is very, very evident that nobody cares to accept the responsibility for this particular loan order. The Mayor says that the order ought to pass on its own merit. I am not denying that the order has merit. I admit that it has merit. But let them clean the barnacles off it before they send it here, let them clean off the

filth and mud, let them polish it up, before they send it up here to let us act on it. I say, gentlemen, you can do nothing else but vote this order down, unless Mr. Freeman or his company are willing to give a release of all rights above \$300,000 or name a figure now that they are willing to accept in lieu of all their further rights.

Coun. WILSON—Mr. President and gentlemen, as I understand it, we have heard the minority report of the Finance Committee, of which the last speaker is chairman, for, if my memory serves me correctly, the vote of the Finance Committee was that this loan order should pass. As a member of the City Council for the last two years, with all due modesty I take some credit unto myself, together with the late Coun. McGrath and other councilors, for the initial defeat of the \$400,000 loan order for the purchase of this particular location; and I believe that I with others said at that time that, provided the loan order was sent in containing a figure which the Finance Commission, the Boston Real Estate Exchange and others felt was a fair figure, I would vote for such a loan order. It seems to me that we can let the dead past bury its dead. It seems to me the thing to be determined today is, first, is a central fire station needed by the Boston Fire Department? I know of no person connected with the department who would not answer, "Yes, it is very much needed." It seems to me the second question is, is this particular location a satisfactory one? And I have yet to hear that it is not. It seems to me the third question is, "Is the price of \$300,000 a fair price for this location?" Personally, while I am no judge of real estate values, as they would be judged by an expert, I am willing to take the testimony of the Boston Real Estate Exchange and of the Finance Commission on that one point, that the figure of \$300,000 is a fair figure. My brother raises the point that the order may be passed, the property bought for \$300,000, the city can take it by eminent domain, and that there then remains to the owner of the property the right which the law gives him to bring suit and to recover from a jury an amount which he can prove it is worth in excess of \$300,000. That, of course, is the law. I would have liked to see the owners of this property sign off at a flat \$300,000, and yet I am unaware of what exact legal form of procedure we would follow to attain that result, because, while I am a member of the legal profession myself, I am a little hesitant to ask that the City Council of the City of Boston take unto itself the duties of the Corporation Counsel and of the Law Department in such a matter. As I say, I am unaware of just what form of procedure we would follow to have a man whose land is being bought by the city brought into some agreement with the City Council of the City of Boston so that he would not demand under the law anything in excess of the amount of the loan order we may or may not pass. It seems to me we are getting a little bit of the ethereal when we talk of the City Council entering into any settlement with the owners of this property. I want to make my position clear in this matter. I repeat that I voted against the \$400,000 loan order because I felt that the amount was about \$100,000 in excess of what the property was worth. I now feel that the \$300,000 which appears in the order today is a fair figure. I will vote to accept the report of the committee and to pass the order, containing that figure. It may be that there will be a lawsuit and that the owners will try to get more from the city. But unless I or my brother should be made prior to that time Corporation Counsel of the City of Boston, I don't think there is anything we can do as a matter of law to prevent it. It does seem to me that public opinion could prevent it and that a suit of ten taxpayers of the City of Boston can prevent it. But the members of this body need not fool themselves into the belief that they can prevent it. For that reason I favor the passage of the order.

Coun. DOWLING—Mr. President, I would like to ask the gentleman from Ward 17, through you, please, if he is aware of the assessed valuation of the land and buildings under discussion?

Chairman KEENE—Will the councilor answer the question of Coun. Dowling?

Coun. WILSON—Mr. Chairman, I have no figures in front of me, as apparently the councilor from Brighton has. But, to my best recollection, the last assessed valuation of this particular property, the land plus the building not yet completed, was about \$27,000. Am I right?

Coun. DOWLING—You would be more nearly right if you said the assessed value of land and building was \$269,000.

Coun. WILSON—Assessed value?

Coun. DOWLING—Yes.

Coun. WILSON—Well, Mr. President, that is helpful information.

Coun. SULLIVAN—Mr. President and members of the Council, I intend to vote "yes" on the passage of this order providing \$300,000 for land on Cambridge street, to be used for a fire station. I have failed to hear yet any arguments against the location as being a suitable one for a central fire station on a central street. In the past three or four days or weeks, we have seen big headlines in the papers about large sums of money going to fire sufferers. Thirty-six children have lost their fathers, and many people have been seriously injured. Therefore, having such things in mind, Mr. President, I am willing to take my stand here today. I am not afraid to stand here, although my name comes near the end of the list in voting, and say at this time that I shall vote in favor of this order. I intend to vote "yes" when my name is called here, Mr. President, so that the citizens of this city may point and say that Coun. Sullivan is a man who voted for that fire station, having in mind the protection of the lives and property of the citizens of Boston in the downtown district. I am not afraid of the possible action that may be taken by the owners of the property, as has been suggested here today, being taken. We have our Law Department and Finance Commission. We have the estimate here in the letter of the Finance Commission of June 27 last, setting forth the fact that they have had the property appraised by the Boston Real Estate Board at \$300,000. Therefore, I say that if we pass this order for \$300,000 here today we have done our duty, and it is then up to the Finance Commission and the Law Department of the city to protect the citizens and property owners.

Coun. FITZGERALD—Mr. President, with regard to this matter of the fire station which is proposed to be located in the district I have the honor to represent, I am not prepared at this time to vote for it. I believe there is a greater matter involved, and I think it requires further study. The City owns a very large and valuable piece of land in the rear of this proposed building. It is less than a half minute's walk from the present courthouse, and I believe we ought to take into consideration the erection of a building for the Registry of Deeds and the Probate Court on this site. Therefore, I am opposed at this time to the passage of the order. I believe that further study to the end I have suggested might bring about good results. The question of the price does not enter into it, but I do believe action upon this matter should be further postponed, and the only way to further postpone it is to defeat the order as submitted today, so that the Mayor might have an opportunity to consider the other proposition. I believe the Committee on Counties are to have a meeting, and they can consider the proposed Probate Court and Registry of Deeds. It is an ideal location for the purpose, and if it should not be decided to erect a building for the Registry of Deeds and Probate Court, this matter of the fire station might then be taken

up. We should not now, however, allow that valuable piece of land at the rear to get away from us. What is going to become of it? Why shouldn't it be utilized? For that reason, I am going to vote "no" at this time.

Coun. McMAHON—Mr. President, as a member of the Finance Committee who sat in and listened to the different men who were supposed to know all about this proposed site of the new fire headquarters, I feel the same way as the councilor who represents that district, that we should not act too hastily in this matter. We have heard here today, as we heard last year, probably in a little different way, about women and children. I would like to say here and now that it is not a question of any man, woman or child being in any great danger. Nobody is going to lose a life or a limb. If necessary, let us try to fix up the few fire stations that we already have down here. The councilor from that ward speaks about the importance of a piece of land right in the rear being used for certain purposes. I feel now as I did last year when this proposition came in. I was one of the committee who voted that it ought not to pass. Voting that way on the proposition last year, I have not been shown this year why we should necessarily pick this particular spot. I do feel, as the chairman of our Finance Committee feels, that if I owned such a piece of property and was the real estate expert of the City of Boston I would have to have more than backbone to come in here and ask a committee of the City Council to vote for my proposition, particularly when we know what the land is worth and what he expects to get. Last year I was one of the councilors who voted that the order ought not to pass, and I now feel the same way. Therefore, when the vote is taken I will vote that it does not pass.

The report was accepted, and the order was rejected, the vote on its passage being yeas 8, nays 13:

Yeas—Coun. Arnold, Deveney, Green, Keene, Murray, Parkman, Sullivan, Wilson—8.

Nays—Coun. Bush, Donovan, Dowd, Dowling, Fish, Fitzgerald, Gallagher, Lynch, McMahon, Motley, Murphy, Ruby, Ward—13.

TENNIS COURTS, CHARLESTOWN HEIGHTS.

Coun. DONOVAN, for Coun. Green, offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the construction of tennis courts on Charlestown Heights and also to make the necessary improvements on the shelter building there.

Passed under suspension of the rule.

EMMONS PLAYGROUND, CHARLESTOWN.

Coun. DONOVAN, for Coun. Green, offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to enlarge the Emmons Playground, Charlestown, and make the necessary improvements on same.

Passed under suspension of the rule.

IMPROVEMENTS, SULLIVAN SQUARE COMMON.

Coun. DONOVAN, for Coun. Green, offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the installation of sand boxes, mothers' rest, etc., on the Sullivan Square Common.

Passed under suspension of the rule.

ADDITIONAL LIGHTS, MAIN STREET.

Coun. DONOVAN, for Coun. Green, offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install additional arc lights on Main street, Charlestown.

Passed under suspension of the rule.

ADDITIONAL LIGHTS, CHELSEA STREET.

Coun. DONOVAN, for Coun. Green, offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install additional arc lights on Chelsea street, Charlestown.

Passed under suspension of the rule.

RESURFACING ROBIN HOOD STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Robin Hood street, from Hartford street to Magnolia street, Ward 13, during the present year.

Passed under suspension of the rule.

RESURFACING CHAMBLET STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Chamblet street, from Hartford street to Magnolia street, Ward 13, during the present year.

Passed under suspension of the rule.

RESURFACING HARTFORD STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Hartford street, from Howard avenue to Wayland street, Ward 13, during the present year.

Passed under suspension of the rule.

COUNTY OF SUFFOLK EXPENSES.

Coun. DOWD for Coun. Deveney offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation providing for a special investigation by a special commission, including members of the General Court, of the question of relieving the City of Boston from certain expenses of the County of Suffolk.

Passed under suspension of the rule.

HIGH WATER SERVICE, SOUTH BOSTON.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of a high pressure water service in the South Boston district.

Passed under suspension of the rule.

REPAIRS MUNICIPAL BUILDING,
WARD 6.

Coun. MAHONEY offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to make the necessary repairs on the boilers in the Municipal Building, Ward 6, in order that shower baths may be opened permanently.

Passed under suspension of the rule.

IRON FENCE, INDEPENDENCE PARK.

Coun. MAHONEY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of erecting an iron fence around Independence Park, South Boston.

Passed under suspension of the rule.

REPAVING OF D STREET.

Coun. MAHONEY offered the following:

Ordered, that the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the repaving of D street, South Boston, from Summer street to Dorchester avenue, with smooth pavement.

Passed under suspension of the rule.

RESURFACING WEST THIRD STREET.

Coun. MAHONEY offered the following:

Ordered, that the Commissioner of Public Works be requested, through his Honor the Mayor, to continue the work of resurfacing West Third street, Ward 6, from D street to Dorchester street, which was discontinued last December.

Passed under suspension of the rule.

INMATES AT LONG ISLAND.

Coun. MAHONEY offered the following:

Ordered, That the Institutions Commissioner be requested, through his Honor the Mayor, to have an investigation made as to whether or not any of the inmates at Long Island have sons or daughters who are capable of providing for their support.

Passed under suspension of the rule.

CONFIRMATION OF EXECUTIVE
APPOINTMENTS.

Coun. WILSON called up, under unfinished business, No. 2 on the calendar, viz.:

2. Action on appointments submitted by the Mayor February 6, 1928, of Frank W. Herrick, William T. Culpin, Julius Richmond and Elmer C. Sweeney, to be Constables.

The question came on confirmation. Committee, Coun. Wilson and Parkman. Whole number of ballots, 14, yeas 14, and the appointments were confirmed.

Chairman KEENE called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor February 6, 1928, of John K. Leggat, to be a Weigher of Coal, and Samuel Miller, to be a Weigher of Goods.

The question came on confirmation. Committee, Coun. Wilson and Parkman. Whole number of ballots, 13, yeas 13, and the appointments were confirmed.

RECESS.

The Council voted at 3 p. m. on motion of Coun. SULLIVAN, to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order at 3.23 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted reports as follows:

1. Reports on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.: Anna Y. Sullivan, Bloomfield Hall, February 20, 1928; Maverick Mills Mutual B. A., St.

Mary's Hall, February 13, 14, 15, that said permits be granted, under usual conditions.

Report accepted; said permits granted under usual conditions.

2. Report on order (referred December 12, 1927) on order that annuity of \$600 be paid to widow of James Gavagan, late lieutenant of the Fire Department—that same ought to pass.

Report accepted; said order passed.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. DOWD, for the Special Committee on Jitney Licenses, submitted reports as follows:

1. Report on petition of Boston, & Worcester & New York Railway Company (referred January 16),—recommending passage of following orders, viz.:

Ordered, That permission be hereby granted to the Boston, Worcester & New York Street Railway Company to operate motor vehicles, seating twenty-five each in addition to the driver, in the streets of the City of Boston over the following routes:

1. From Park square, over Charles street, Beacon street, Commonwealth avenue, Brighton avenue, North Beacon street to the Watertown boundary line.

2. From Park square, over Columbus avenue, Berkeley street, Boylston street, Huntington avenue, to the Brookline boundary line.

Ordered, That the licenses granted to the Boston & Worcester Street Railway by the City Council September 9, 1925, and August 16, 1926, be and the same hereby are revoked.

Coun. DOWLING—Mr. President, in order that I may have an opportunity to look that over, I would move that the report lie on the table.

Chairman KEENE—The Chair would say that this is merely a transfer of the rights of one licensee to another.

Coun. DOWLING—Well, Mr. President, I would still like an opportunity to look into the matter, as to the responsibility of the people who are operating, and so on. I might as well express myself rather clearly on one thing. I don't like very much to see reports of committees filed here on certain matters without a single word of explanation being uttered. I am entitled, as other members are entitled, to some information in regard to important matters that come before the body. I don't mean that there should be long speeches, of course. Brief statements of the facts are sufficient. I probably make the longest and most nonsensical speeches that are made here, myself. But I would like just a word of explanation.

Coun. DOWD—Mr. President, for the benefit of the gentleman from Brighton I might say that the order itself, as read by the City Clerk, I should think carries sufficient information. As the Chair has explained, it is simply a transfer of the franchise of the old Boston & Worcester, which has gone out of existence, to the Boston, Worcester & New York. The original license was granted by the City Council of 1925. The Jitney Committee this year has revoked that and reported favorably on a new petition.

Coun. DOWLING—Mr. President, I am satisfied, now.

Report accepted; said orders passed.

2. Report on petition of Boston Elevated Railway Company (referred January 23), to operate buses between junction of Wilton and Cambridge streets and junction of Faneuil and Brooks streets—that said license be granted.

Report accepted; said license granted.

IMPROVEMENTS FOR SULLIVAN SQUARE PLAYGROUND.

Coun. DONOVAN, for Coun. Green, offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the installation of additional shower baths and the construction of additional tennis courts on the Sullivan Square Playground, Charlestown.

Passed under suspension of the rule.

RESURFACING BUNKER HILL STREET.

Coun. DONOVAN, for Coun. Green, offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Bunker Hill street, Charlestown, from Fay square to Chelsea street.

Passed under suspension of the rule.

WIDENING OF MEDFORD STREET.

Coun. DONOVAN, for Coun. Green, offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to provide for the widening of Medford street, at Fay square, Charlestown.

Passed under suspension of the rule.

MOTHERS' REST, CHARLESTOWN.

Coun. DONOVAN, for Coun. Green, offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to submit a report as to the advisability and expense of establishing a mothers' rest and children's playground, and the erection of a building equipped with shower baths in Charlestown, by the taking of land bounded by Bunker Hill street, Charles street and Main street to number 453, as requested in a similar order introduced on December 5, 1927.

Passed under suspension of the rule.

LOCKER BUILDING, BARRY PLAYGROUND.

Coun. DONOVAN, for Coun. Green, offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the construction of a locker building on the Barry Playground, Charlestown, and to make the necessary improvements thereon.

Passed under suspension of the rule.

BLEACHERS, SULLIVAN SQUARE PLAYGROUND.

Coun. DONOVAN, for Coun. Green, offered the following:

Ordered, That the sum of \$60,000 be and hereby is appropriated, to be expended under the direction of the Park Commission, for the construction of concrete bleachers, with a seating capacity of 5,000 on the Sullivan Square Playground, Charlestown, and that to meet such expense 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,

PROGRAM OF STREET WORK.

Coun. DOWLING offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to submit to the City Council, at the earliest opportunity, a list of the streets, or an approximate program of the work, which the Street Laying-Out Department anticipates carrying out in accordance with the provisions of chapter 393 of the Acts of 1906, the financial requirements for which are to be covered by a loan of \$1,000,000 for which his Honor the Mayor requested authorization by the City Council in his communication of January 30, 1928.

Passed under suspension of the rule.

PROGRAM OF SEWER WORKS.

Coun. DOWLING offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to submit to the City Council, at his early convenience, an approximate program of the sewer work which he anticipates carrying out in accordance with the provisions of chapter 426 of the Acts of 1897, as amended by chapter 204 of the Acts of 1908, the financial requirements for which are to be covered by a loan of one million dollars for which his Honor the Mayor requested authorization by the City Council in his communication of January 30, 1928.

Passed under suspension of the rule.

WIDENING OF NORTH HARVARD STREET.

Coun. GALLAGHER offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of increasing to sixty feet the width of North Harvard street, from Cambridge street to Western avenue, Ward 22.

Passed under suspension of the rule.

ADDITIONAL PLACES OF REGISTRATION, WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Board of Election Commissioners be requested, through his Honor the Mayor, to establish two additional places of registration in Ward 18, one in the Mattapan section and one in the Mt. Hope section.

Passed under suspension of the rule.

STREET AND SIDEWALK WORK, WARD 18.

Coun. MURPHY offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the

Mayor, to hurry along the work of constructing and widening Oakland, Ashland and River streets, Ward 18.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to speed up the work of constructing granolithic sidewalks on Austin street, Ward 18.

Coun. MURPHY—Mr. President, I have introduced these orders with the hope that the City of Boston may put some men at work, due to the fact that we have an open winter and much unemployment. We have Oakland, Ashland and River streets, which are in a deplorable condition at the present time, and I cannot find any reason why the work has been discontinued. We have today walking the streets thousands and thousands of men and women who are almost on their knees begging for a livelihood. They are American citizens and in my opinion are entitled to seek employment where the city can expend money that will employ them in a legitimate manner. For some reason, the work on those particular streets has practically stopped, and there is no reason to my mind why it should have been stopped. We have an open winter. In order that I may be sincere with those who have come to my home and who are interviewing me every day, looking for employment, I want them to understand now that it means a violation of the city charter for a councilor to get in touch with the Mayor or any other official looking for employment for these men who are looking for work. I want to inform them, however, as a man coming from the laboring class, those who have to toil day in and day out—yes, and holding one of the hardest jobs in Boston,—that if I can do anything to assist them or others, regardless of the city charter or anything else, I am going to fight for their right to an honest and decent livelihood, going to try to get them jobs, if I can do so, where we have these big projects lying idle in this city. Some of my older friends in the Council have said, "Murphy, you are wasting too much effort talking on these orders when you introduce them." But I have found from my own experience, where I have had to fight in every section of the world—not alone in America—that the only way I was ever able to accomplish any result was by going to the line and fighting for them. So I hope that his Honor the Mayor will, in his wise judgment, see fit to immediately put to work at least a thousand men on Oakland, Ashland and River streets, and get the work completed, instead of letting it lie dormant the way it is at the present time. (Applause from the galleries.)

Severally passed under suspension of the rule.

Adjourned, on motion of Coun. GALLAGHER, at 3.45 p. m., to meet on Monday, February 20, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 27, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Deveney, Dowd, Keene and Murphy.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted appointments as follows:

Constables, for the term ending April 30, 1928: Terence F. Feely, 102 Homes avenue, Ward 15; Walter H. Holland, 77 Park street, Ward 16; David H. Wilkinson, 6 Marine road, Ward 6; Robert E. Lynch, 66 Bowdoin street, Ward 3; Thomas F. Long, Jr., 13 Hall street, Ward 11; Antonio Bentrovats, 137 Chelsea street, Ward 1.

Weighter of Goods: Byron D. Smith of Lincoln avenue, Wollaston, for the Beckwith Manufacturing Company, 31 Old Heath street, Roxbury, Mass.

Severally laid over a week under the law.

APPROPRIATIONS FROM PARKMAN FUND.

The following was received:

City of Boston,

Office of the Mayor, February 27, 1928.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the chairman of the Park Commissioners, in which it is requested that income now available in the George F. Parkman Fund be appropriated for the continuation of Fens, Improvements, and for repairs and replacements that are absolutely necessary at the Aquarium in South Boston. The appropriation requested for work in the Fens will be used for the following purposes:

Grading, loaming, planting, fencing, road construction and the building of a children's playground in the lower end of the present playground.

At the Aquarium, the appropriation will be used principally for tank repairs and replacements.

I submit herewith the necessary appropriation order and recommend its adoption by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, February 20, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—At a meeting of the Board of Park Commissioners held February 17, it was voted that you be respectfully requested to ask the City Council to appropriate from the income of the George F. Parkman Fund the following amounts which are now available for these purposes:

Continuation of Fens Improvements.....\$40,000
Aquarium:

For repairs and replacements at the Aquarium that are now absolutely necessary..... 5,000

\$45,000

Very respectfully yours,
WILLIAM F. LONG, Chairman.

Ordered, That the sum of \$45,000 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.....\$40,000
Aquarium improvements..... 5,000

Referred to the Committee on Parkman Fund.

REPORTS OF EMPLOYMENT BUREAU.

The following was received:

City of Boston,

Office of the Mayor, February 27, 1928.
To the City Council.

Gentlemen,—I transmit herewith communications from the Employment Bureau relative to registrations and positions filled through the Bureau during the week of February 13 to February 18, 1928, inclusive, and week of February 20 to February 25, 1928, inclusive.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Employment Bureau, February 20, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Your Honor,—Pursuant to the City Council orders, inclosed please find the number of registrations and positions filled directly through this Bureau for the week of February 13, 1928, to February 18, 1928, inclusive.

Yours respectfully,
AUGUSTUS SEAVER,
Assistant Secretary in Charge.

Report for the City Council.

Week of February 13, 1928, to February 18, 1928, inclusive, 155 registrations, 138 positions filled.

Yours respectfully,
AUGUSTUS SEAVER,
Assistant Secretary in Charge.

City of Boston,

Employment Bureau, February 27, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Your Honor,—Pursuant to the City Council orders, inclosed please find the number of registrations and positions filled directly through this Bureau for the week of February 20, 1928, to February 25, 1928, inclusive.

Yours respectfully,
AUGUSTUS SEAVER,
Assistant Secretary in Charge.

Report for the City Council.

Week of February 20, 1928, to February 25, 1928, inclusive, 99 registrations, 22 positions filled.

Yours respectfully,
AUGUSTUS SEAVER,
Assistant Secretary in Charge.

Placed on file.

SPOT LIGHT, OAK SQUARE.

The following was received:

City of Boston,

Office of the Mayor, February 27, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner in answer to your order of February 6, 1928, relative to installing an electric spot light over the traffic officer stationed at Oak square.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

February 13, 1928.

Miss M. F. Murphy, Office of the Mayor.

Dear Madam,—Replying to your note of February 9, together with inclosure of an order of the City Council under date of February 6, requesting the Police Commissioner,

through his Honor the Mayor, to place an electric spot light over the traffic officer stationed at Oak square, Ward 22, I desire to state that at the present time there is no officer assigned to this location from the Traffic Division. During the day an officer from Division 14 covering the route in that vicinity covers this point for school children morning, noon and closing time, and another officer covers this crossing from 5 to 7 p. m. each evening.

I am informed that this location is fairly well lighted by electric lights at the present time. This is not a permanent traffic post and I could not make this installation at this season of the year as I do not consider it practical. If in the future conditions warrant making this a permanent traffic post and I have a sufficient number of traffic officers to assign one to this location, and I have numerous requests of a like nature, then consideration may be given to installing a spot light at this location.

I am returning herewith original order of the City Council for your files.

Yours respectfully,

HERBERT A. WILSON,
Police Commissioner.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Edward F. Baker, for compensation for damage to property at 74 Canal street, caused by defect in sewer.

Maria Berlingheri, for compensation for injuries caused by an alleged defect in Mercantile street.

Frank Chase, for compensation for injuries caused by an alleged defect at West Brookline street and Warren avenue.

Alfred M. Davis, for compensation for damage to automobile on East Boston Ferry.

Fannie Freeman, for compensation for injuries and damage to automobile caused by an alleged defect at West Brookline street and Warren avenue.

Annie Glassman, for compensation for damage to property at 946 River street, Hyde Park, caused by defective sewer.

Harry S. Hall, for compensation for damage to drain at 472 Beacon street, caused by defective drain.

Ellen Hayes, for compensation for damage to property at 5 Edison green, caused by water being shut off.

Thomas M. Huse, for compensation for damage to automobile by fire service car.

John J. Kilduff, for compensation for water boiler taken by ashmen.

Peter Kvaraceus, for compensation for damage to car by city cart.

Adelaide McLaughlin, for compensation for injuries caused by an alleged defect at State and Devonshire streets.

Daniel J. O'Connor, for compensation for damage to property at 15 Dillon street, Roxbury, caused by police officers.

Elizabeth Olans, for compensation for injuries caused by an alleged defect at 417 Washington street.

C. H. Porter, for refund on refuse tickets.

Mary J. Riley, for compensation for damage to coat caused by an alleged defect in Warren street, Brighton.

William W. Whitcher, for compensation for damage to automobile caused by an alleged defect in Warren Bridge.

Joseph Carlin, for compensation for damage to property by city truck.

James S. Chapman, for compensation for damage to automobile by snow plough.

M. J. Chipman, for compensation for damage to property at 45 Grove street, caused by fire apparatus.

George H. Costain, for compensation for damage to property at 62 Taylor street, caused by falling tree.

William E. Dower, to be reimbursed for expenses incurred as a result of settlement with Joseph Attardi.

Joseph L. Glick, for compensation for damage to automobile by City Hospital ambulance.

Alice M. Griffin, for compensation for injuries caused by an alleged defect at the corner of Avon and Chauncy streets.

Edwin E. Harris, for compensation for loss of clothing at Dover Street Bath House.

Joseph D. Hopkins, for refund on unused refuse tickets.

William G. Hourihan, for compensation for injuries caused by city truck.

Francis C. Julian, for compensation for injuries caused by city truck.

George R. McCoubrey, for compensation for damage to automobile by city truck.

Stephen J. Murphy, for compensation for injuries caused by an alleged defect at D and Silver streets.

Mrs. Frances Pugatch, for compensation for injuries caused by being bitten by horse attached to city team.

Henry Resnick, for compensation for property damage caused by an alleged defect in Chambers and Green streets.

Savage Boat and Engine Company, for compensation for damage to truck caused by an alleged defect in Northern Avenue Bridge.

Clarence B. Sherwood, for compensation for damage to automobile caused by an alleged defect in Kittredge street.

Mary E. Smith, for compensation for injuries caused by an alleged defect in St. Stephen street.

John L. Solari, for compensation for damage to automobile by city cart.

Amelia M. Theriault, for compensation for injuries caused by mounted policeman at corner of Washington and Summer streets.

Genevieve Thoma, for compensation for damage to automobile caused by city team.

Paul Wojcek, for compensation for damage to property at 849 River street, caused during excavation for sewer.

Mrs. Theresa Zotto, for compensation for injuries caused by an alleged defect in West Boston Bridge.

Mary Whalen, for compensation for injuries caused by defect in steps of East Boston High School.

Executive.

Petitions for children under fifteen years of age to appear in places of public amusement, viz.:

Lilla Frances Viles, Current Events Hall, April 28.

Ellen F. Carney, St. Mary's Hall, February 20.

Harrold de Wolfe, Jordan Hall, May 2.

Special Committee on Jitney Licenses.

Petitions of the Boston Elevated Railway to run buses as follows:

Between Ashmont Station and the junction of Blue Hill avenue and Talbot avenue.

Between Ashmont Station and the junction of Norfolk street and Morton street, Dorchester.

From junction of Beacon and Charles streets to junction of School and Washington streets, as part of present Brookline-Boston bus line running from Washington square, Brookline, to Bowdoin square, Boston.

Between Brookline-Boston line on Washington street and junction of Washington and Market streets.

Between Ashmont Station and Granite Bridge Station.

Between junction of Washington and Market streets and junction of Market street and Western avenue.

Between Ashmont Station and Fields Corner Station.

PROBATION OFFICERS, CHARLESTOWN COURT.

A communication was received from Charles S. Sullivan, justice of the Municipal Court of the Charlestown District, establishing the annual compensation of probation officers of said court.

Referred to the Committee on County Accounts.

REGISTRY OF DEEDS PAY ROLL.

The pay roll of the Registry of Deeds from January 28 to February 18, piece work, and from February 16 to February 29, regular employees, inclusive, to the amount of \$8,773.-20, was received and approved.

LAND FOR SCHOOL PURPOSES IN CHARLESTOWN.

A communication was received from the School Committee acknowledging transfer to the School Committee of land on Schoolhouse court, Charlestown, for use for play purposes in connection with Bunker Hill and Thomas Starr King Schools.

Placed on file.

STORAGE AND SALE OF GASOLENE.

Notices were received from the Street Laying-Out Department of hearings to be held on petitions for storage and sale of gasolene, as follows:

March 12.

Nelson E. Howlett, 757 Washington street, Ward 17, 2,000 gallons.

Newton E. Jones, 9 Barnes street, Ward 16, 1,000 gallons.

J. Robert Lacy, 306-308 North Harvard street, Ward 22, 1,000 gallons.

Herbert L. Laurence, 4009 Washington street, Ward 19, 4,000 gallons.

Rawson Realty and Construction Company, 176-194 Ipswich street, Ward 5, 20,000 gallons.

Referred to the Executive Committee.

ASSESSMENTS FOR SIDEWALKS.

Communications were received from the Commissioner of Public Works with accompanying orders assessing half cost of constructing artificial stone sidewalks, as follows:

	Ward	Half Cost
Dillingham street.....	13	\$939.08
Granger street.....	15	\$2,039.80
Maverick street.....	1	\$134.88
Beach street.....	2	\$129.26
Mansfield street.....	22	\$1,233.91
Washington street.....	17	\$269.52
Pond street.....	19	\$121.75
Blackinton street.....	1	\$299.07

The orders were severally passed under suspension of the rule.

CONSTABLES' BONDS.

The constables' bonds of John H. Burke and Julius Richmond, having been duly approved by the City Treasurer, were received and approved.

REPORT OF COMMITTEE ON FINANCE.

Coun. BUSH, for the Committee on Finance, submitted report as follows:

1. Report on communication from the Mayor and order (referred January 30) for a loan of \$1,000,000 for sewerage work—that same ought to pass.

Coun. BUSH—Mr. President, the Committee on Finance met this last Thursday, with just four members of the committee present, constituting a quorum of the committee. The question of a loan of \$1,000,000 for highways, making of, was taken up, as well as the loan order for \$1,000,000 for sewers. Mr. Bowes of the Sewer Department appeared to furnish information in reference to the loan order for sewers, and Mr. Hurley in reference to the loan order for the highways. The information that the committee was able to obtain was in general very unsatisfactory. The answers to the questions were more or less evasive, and whatever information we were able to obtain was merely of a general nature, and nothing specific could be obtained. The committee then decided that they would hold the million dollar order for highways, making of, until further specific information could be obtained with reference to the contemplated streets and those in progress as well as those upon which work has been done. It seems to me personally, entirely aside from the committee, that this Council would do well to retain at least some control over the expenditure of the funds that come before this body for action. In the past it has been our custom to pass the entire loan order requested by the Mayor. After passing that loan order we have lost all control over it, and whatever information we may receive then as to what is intended to be done with the money does us no good, because after we have once passed the order we have absolutely no further control over the matter at all. It also seems to me that this body, elected by the people for the specific purpose of acting on these matters, should have at its disposal all the information which the administration can place before it. That information has not been forthcoming. Although I do not recommend that the loan order be defeated in its entirety, I do recommend that a motion be made to strike out the \$1,000,000 and insert in place thereof \$500,000 in this loan order, because then, if at any time the sum allowed should prove insufficient to accomplish the desired purpose, we can always grant the additional \$500,000. But there is no necessity for our granting the entire million dollars at the present time, thus putting out of our power the ability to say anything later with reference to the expenditure of that money.

Coun. McMAHON—Mr. President, I move to strike out the words "one million dollars" and insert in place thereof the words "five hundred thousand dollars."

The report of the committee was accepted, and Coun. McMahon's amendment was declared adopted. Coun. Sullivan doubted the vote and asked for a rising vote. The Council stood divided, and Coun. McMahon's amendment, reducing the amount from \$1,000,000 to \$500,000, was declared carried, 9 to 5.

Coun. Sullivan further doubted the vote, and asked for the yeas and nays.

Coun. McMahon's amendment was adopted, yeas 10, nays 7:

Yeas—Coun. Bush, Donovan, Fitzgerald, Gallagher, Mahoney, McMahon, Motley, Ruby, Ward, Wilson—10.

Nays—Coun. Arnold, Dowling, Fish, Green, Murray, Parkman, Sullivan—7.

President GREEN—The question now comes on the passage of the order as amended, and the Clerk will call the roll.

The order as amended failed of passage (15 votes being required for passage), yeas 14, nays 3:

Yeas—Coun. Bush, Donovan, Fitzgerald, Gallagher, Green, Mahoney, McMahon, Motley, Murray, Parkman, Ruby, Sullivan, Ward, Wilson—14.

Nays—Coun. Arnold, Dowling, Fish—3.

Later in the session Coun. WILSON said: Mr. President, I now move that we reconsider our action on order No. 1 on the

second page of the calendar (being the "Order for a loan of \$1,000,000 for Sewerage Works").

President GREEN—The Chair will declare the motion out of order.

Coun. WILSON—Mr. President, I would ask the Chair to state why it is out of order.

President GREEN—The proper motion would be to reconsider the vote whereby the Council rejected the order to provide \$500,000 for sewerage works, that being substituted by the Council for the order to provide \$1,000,000.

Coun. WILSON—Mr. President, that is what I meant,—to reconsider the action of the Council as taken under the first loan order on page 2 of the calendar.

President GREEN—Coun. Wilson moves to reconsider the vote whereby the Council defeated the order to provide \$500,000 for sewerage works. The question is on reconsideration.

Coun. WILSON—Mr. President, I might say a word on the point of why I ask for reconsideration. It is on the ground, first, that, as I understand it, there was some confusion in the minds of the members as to the manner in which they intended to vote on this matter before the executive meeting. The second point is that I understand that Mr. Bowes of the Public Works Department stated that the department is a matter of at least a year behind the Street Commissioners on streets. If that is so, the Public Works Department, instead of being ahead of the game and waiting, is behind.

President GREEN—The question is on reconsideration.

Coun. ARNOLD—I was about to rise, Mr. President, and make the same motion, being one of those who voted against that loan order earlier in the meeting. I feel the same now as I felt then, that the City Council should appropriate the entire amount for the work of this department. Every member of the Council knows that there is a large amount of unemployment in the City of Boston at the present time. Every municipality of any size in the United States has taken on programs of public works to a considerable extent for that reason; and, in my opinion, we should at the present time make this money available as quickly as possible so that many who are now unemployed may obtain employment. I understand that the Public Works Department is ready to start upon a program of construction as soon as money is available for this purpose, and that it will mean an opportunity to employ several hundred men, if money—which is not available at the present time—is furnished. I feel that the Council is blocking the program by refusing to pass the larger amount, and I believe the responsibility is upon the Council only if the work of this department does not go on as it should. I voted against the \$500,000, because I felt so strongly that we should appropriate the entire amount called for in the loan order. I am willing, however, to vote for the \$500,000 with the hope that the Committee on Finance will in its wisdom report immediately the other \$500,000.

Coun. BUSH—Mr. President, with all due respect to the councilor who has just spoken, I wish to call to the attention of the Council a few facts that were stated by Mr. Bowes at the meeting of the Committee on Finance.

Coun. DOWLING—Mr. President, I rise to a point of information. The question is now on reconsideration of the action we took on the order, I believe?

President GREEN—Yes. The point of order is well taken. The question comes on reconsideration.

Reconsideration of the rejection of the order prevailed.

President GREEN—The question now comes

on the passage of the \$500,000 loan order for sewerage works, and the Clerk will call the roll.

Coun. DOWLING—Mr. President, at a meeting of the Council held on February 13 we unanimously passed two orders requesting definite information from the Street Laying-Out Department and the Public Works Department with reference to these two loans. The Committee on Finance has not yet reported on the proposed million dollar loan order for new streets, but it has reported on the proposed loan of \$1,000,000 for sewers, I want now to say that I am strongly in favor of the well established policy of the city in continuing the construction of new streets and new sewers in the rapidly growing residential districts, because I represent such a district, and I am confronted with the needs of the large suburban areas every day of my life. I realize as well as any one can, that the slightest recession from this program of development, which has been going on under all administrations since 1906, would result in great hardship to many of our people, and impose upon some of them staggering financial losses and disappointments, as well as innumerable annoyances and inconveniences that accompany living on unimproved streets. My only thought, and my chief concern in the present situation, which brings us face to face with the responsibility of authorizing the issuing of \$2,000,000 worth of twenty-year bonds for the construction of new streets and new sewers, is not the amount of money involved but whether the present haphazard, catch-as-catch-can method of spending so large a sum of money—with all of its weaknesses, its leaks, and its uncertainties,—is going to continue, or whether, through some magic and previously unknown influence, the city is going to get what it pays for. Now, Mr. President, I hope that I am not unnaturally curious nor unnecessarily suspicious because the administration proposes to spend another \$2,000,000 this coming year for the construction of new streets and new sewers, the need of which I freely admit. In the past two years I voted for \$4,000,000 for programs of this nature, so that I am not overwhelmed by the size of the project. Some of the streets which we were told would be constructed out of the first \$1,000,000, and some of the sewers which we were told would be built out of the first \$1,000,000 have not yet been touched; but I now call to the attention of the Committee on Finance the fact that, while they were considering these matters, considerable portions of the two millions we voted last year have been gobbled up by private interests and spent on large tracts of vacant land which were then, and are still, purely speculative real estate propositions, entered into for personal purposes. The land improved out of a substantial portion of the money which was voted by us last year and the year before, was a highly speculative real estate proposition, and the situation is no better now than it was then, because there had been no other construction and no return to the city in the way of added taxes. The money was squandered under a political promise, and the wishes and hopes of people who are my friends and constituents, who have been paying taxes and living on side streets for forty years, that something would be done in the way of furnishing streets which would be of value to them and to the entire district, and to which we were entitled, have been disregarded, while a street—three of them, as a mater of fact,—were put opposite a railroad track and a baseball park, over which God has not allowed a chick or child to pass since they were built. The streets have been of no value to the city and were of no help or benefit to people who have been paying taxes for forty years and looking forward to something that they could enjoy in the way of streets. I went this morning through a street that is close to me and that is in the district of the gentleman on my right (Coun. Gallagher), Hano street, one

of the principal streets in the Allston district. It is inhabited by people who work hard for a living, and who, like most people who work hard for a living, have large families. There are more children on Hano street in the Allston district than in the most thickly settled part of the West End, number of parents considered. There is not a kiddie on that street who can go to either one of the two primary schools in the immediate vicinity in wet weather with dry feet. They have been going through there for years with mud and water over their shoe tops, and still the request of Coun. Gallagher and the request of myself, to have that street accepted, is absolutely ignored by the Street Laying-Out Department and by the Mayor, who dominates the action of the Board of Street Commissioners. I have all the regard and affection that a man can have for the three members of the Board of Street Commissioners. I have known all of them for thirty years. They are clean, decent, manly, alert, capable, efficient men, and I doubt if the devotion of the chairman of the Board to his family is more pronounced than his devotion to the service of the city with which he has been connected for forty years. But in spite of his uprightness and his desire to do everything he can for me and for other members of the Council, if the instructions do not come from the Mayor's office to fix these streets, it will not be done. If they want a million dollars for the purpose of fixing some political streets, I am opposed to it; if they want a million dollars for the construction of new streets or new sewers, or two million dollars for both purposes, where the streets and the sewers are needed, and the people have a right to expect them, I am in favor of it. In view of the fact that orders were passed at the last meeting calling upon the Street Commissioners and the Commissioner of Public Works to give this Council some information with reference to the street and sewer program, I hope that this matter will be postponed. I believe the Council is entitled to a fairly definite program of work that is to be carried out with the money which we provide. I know too, Mr. President, that there is quite a little of—I don't know what you call it—gravy? in these sewer loans. I don't know how much of the last million dollars has been spent—perhaps when the Public Works Commissioner answers he will tell us—in pacifying the insistent demands of a favored group of two-by-four political contractors, who have no established headquarters, no offices, who have no telephone connections but good, amply adequate political connections, who have little, if any, contractors' equipment, and who have no more contracting skill or engineering ability than is required to dig a post hole for a barnyard fence. I want some information before I vote for \$2,000,000, and every member of this Council ought to have information before he votes for \$2,000,000, \$1,000,000 or \$500,000. I am not going to mention the name of the member, Mr. President, but I was told by a member of the Council who is, I think, now in the room, when we went into the executive meeting, that he thought he was voting on a million-dollar street program when the \$500,000 sewer loan was voted upon. Of course, he was in error. He thought we had voted on a \$1,000,000 street loan when, as a matter of fact, we voted on a \$500,000 sewer loan. I think I am entitled to some information; I think all the members of this Council are entitled to information. I think the Public Works Commissioner should act in good faith and tell us whether the million dollars asked for this year is going to be put into the million dollars' worth of streets which the Street Commission hopes to lay out this year, or whether it is to fill some gap of the past. I was before the Committee on Finance, and the gentleman from the Sewer Division—whose great capabilities I admit—did not make the situation clear to me, and apparently did not make it clear to other members of the Finance Committee, because there is a wide divergence of opinion between the chairman of the Finance Committee and myself,—and

we are both intelligent, although I know he is brighter than I—as to what Mr. Bowes said. But the only way that the Council can get any information, or will be in a position to vote intelligently upon the matter, is by postponing this order until the information is forthcoming.

Coun. BUSH—Mr. President, if I might have been permitted to interrupt the councilor perhaps I could have enlightened him on certain things in reference to this loan order. The councilor who spoke before the last speaker said something with regard to the immense amount of employment that might come to men if this order were passed. As a matter of fact a news item appeared in the paper about two weeks ago which stated, quoting the Mayor, that if the million-dollar orders for sewers and highways were passed he could employ about one hundred additional men. That is a pretty expensive job to pass \$2,000,000 loan orders for. When Mr. Bowes appeared before the Finance Committee he was asked how much of this money would go into the construction of new streets and how much would go into the general construction of old sewers that had to be reconstructed. He replied that about 70 per cent would go into the new streets. Upon further questioning, he admitted, so far as his pay roll and his division were concerned, that about \$150,000 would go for salaries and materials for that purpose in connection with general construction all over the city; that the rest of it would go into new streets. He was then asked whether the new street construction was not given out to outside contractors, and he replied that it was, that none of that new street construction was done by his force, that it was all done by outside contractors. I ask you, gentlemen, if that is done by outside contractors, how the money is going to give employment to 100, 200 or even to ten men? As far as those employed by these contractors are concerned, it has been brought out before members of this Council that the contractors employ mostly men who are aliens for that purpose; that the ordinary American citizen, who has been in this country for some time, does not want to do that kind of work, and that they are forced to employ illiterate, uneducated aliens for that purpose. So I fail to see what bearing the question of employment has on the passage of these orders. Let me say that I am not in favor of holding this loan up entirely. I say that this construction has to go on. There must be some amount of construction. But I do say there is no necessity for our granting them the maximum amount that the city is authorized to issue for the year, on these loan orders, all at one time. The statute provides that we can grant only \$1,000,000 for this purpose in any one year. Why should we give them the entire million at the present time, when no construction can be done for another month or two, any way, and then it will take two or three months to spend the \$500,000 we give them, if we give them that? There is nothing to prevent their coming in here when the \$500,000 is spent and asking for another \$500,000, and by that time we may be able to get some definite idea as to how the money is being spent. I voted in favor of reconsideration of our action on the previous order as amended, and I will vote for the passage of the \$500,000 plan. I will vote for the passage of a million dollar loan, if anybody amends it to that amount.

Coun. McMAHON—Mr. President, I will have to take exception to the remarks of one of the councilors as to the number of men who are going to be employed under either one of these million-dollar loan orders. I have here a few notations, starting December 14, 1927, and running up to January 19, 1928. Starting with December 14, 1927, here is a letter from Superintendent Finneran of the Water Division of the Public Works Department, sent to Mr. Augustus Seaver of the Municipal Employment Bureau, then

at Tyler and Oak streets. I think they have now moved from there up to Pemberton square. Here is the notation that he sends to Mr. Seaver with regard to these contracts that were given out and the men working on them. There were six contracts, with 46 men employed, of whom 31 were aliens and 15 citizens. So that is a part of the unemployment situation which this loan order is not going to help. Then, on December 22, 1927, on six contracts, there were 39 employees, of whom 19 were aliens and 20 citizens. On December 29, there were twelve contracts, with 123 laborers, of whom 56 were aliens and 77 citizens. On January 5, 1928, there were ten contracts, with 107 employees, 43 of whom were aliens and 64 citizens. On January 11 there were four contracts, with 33 employed, 21 of whom were aliens and 12 citizens. On January 12, in the Sewer Division, there were seven contracts, with 99 employed, of whom 46 were aliens and 53 were citizens, and the last one is January 19, Sewer Division, with eight contracts, 94 employed, 42 of whom were aliens and 52 citizens. So I say this to the other councilors, as far as a million dollars for sewers is concerned, that if we give them a million dollars today it is million dollars for sewers is concerned, that if in my ward. I have yet to go asking for a job for a noncitizen. I have a tough enough time in trying to get jobs for unemployed citizens in my ward. When a sewer is opened up in my street, I will see a fellow working there to whom I cannot talk. If I start to talk to him, he does not understand me. And still here are men with large families who need the work. We are told that citizens will not dig in a ditch. I can guarantee to whoever has charge of this work that I will supply him with all the men he needs to dig ditches from eight o'clock in the morning until five o'clock at night. But it is plain to see, as far as I am concerned, that the unemployment situation as I find it is not going to be helped by this loan. I certainly trust that those who are interested in relieving the unemployment situation so far as citizens in their districts are concerned and throughout this city will not be hoodwinked into voting for this order by the cry of "Unemployment." I will vote for \$500,000 under this order, but I don't see how I can vote for more at the present time.

President GREEN—I would say for the information of the councilor who has just taken his seat that I called up the head of a certain department in regard to this sewer loan and asked him for some information as to who was to be employed on the work in the event that the million-dollar order was passed. He said, "Emergency men, citizens." I think I shall have to differ with the gentlemen who is chairman of the Committee on Finance and the gentleman who has just taken his seat. The Commissioner of Public Works, I understand, is ready and willing to put on 200 citizens from different sections of Boston the minute the \$2,000,000 loan orders are passed.

(Several members addressed the Chair.)

President GREEN—Just a moment. Of course, all I can do is to take his word for that; but I thought, as President of this honorable body, that I should give that information to the members, that he has promised, as soon as the order is passed, to put on 200 deserving men in Boston who are out of work. From the looks of the gallery here today, I think it would be a pretty important thing for us to do, to take care of 200 men in that way.

(Several members addressed the Chair, and Coun. Wilson was recognized.)

Coun. WILSON—Mr. President, while the next four speakers are drawing lots in order of precedence, I merely want to state, with reference to the eloquent remarks made by the councilor from Brighton, which started the argument, that in certain respects I agree with him. I listened with attention to all he said, and, unlike the councilor from Fields Corner, did not even whisper while the coun-

cilor from Brighton was reciting. I don't know how much "gravity" there may be in connection with this sort of thing out in Brighton, but I do agree with the councilor on two points. I agree with him, first, that the members of the City Council are entitled to some information—to a sketchy outline, at least—as to what new streets are to be constructed; second, I agree with him that it was a most unfortunate happening that three pairie streets in his ward were completed by the City of Boston, when perhaps the same number of streets, not prairie streets, in my ward, demanded attention. But I think Coun. Dowling is wrong in two respects. As I understand the official of the Public Works Department, two points are made. In the first place, the \$500,000 or \$1,000,000 for sewer work is not all intended necessarily for new streets, in any event; and, in the second place, I understand that this money, or a great deal of it, will in fact be used in streets which have already been passed by the Street Commissioners' office. So the question of program is not of such great importance. With reference to the point made about jobs for the unemployed, I can see where there might not be much relief of the unemployment situation if, as some of the speakers say, the Public Works Department simply leaves the work to contractors to put on two or three hundred of such men as they may choose; but if the Public Works Commissioner will use the power given him under the contracts themselves, so that the contractors will be forced to use citizen labor, that will be quite a different thing. There is certainly no reason why the proper officials should not insist on the contractors employing only citizen labor, under penalty of losing the contract. So, I believe, if the Public Works Commissioner and the director of the Municipal Employment Bureau will work together—or perhaps I might better say, if the Public Works Commissioner will continue to work, and the director of the Municipal Employment Bureau will start to work (laughter)—we can get citizen labor put to work on these contract jobs.

Coun. McMAHON—Mr. President, I don't know whether the councilor is aware that one of the sheets I have here came directly over the signature of Mr. Thomas F. Bowes, Division Engineer of the Sewer Division, to Mr. James H. Sullivan, Commissioner of Public Works, and reads as follows:

"Following is a list of jobs in the Sewer Division being dug by contract on which aliens are employed, showing the number of aliens on each job and the nature of the work being performed by them; also total number of men employed on each job."

And then it goes on to give the jobs and the number of men. For instance, on Centre street, on January 19, there were 15 men on the job, of whom 9 were aliens; on the Southern Artery, 13 were employed, of whom 10 were aliens; on River street, 20 employed, of whom 9 were aliens; on Oakland street, 28, of whom 15 were aliens; on Stimson street, West Roxbury, 9 employed, of whom 6 were aliens; on Harvard street, Dorchester, 6 employed, of whom 2 were aliens; on Beechcroft street, Brighton, 3 employed, of whom 1 was an alien. So as late as January 19, 1928, Mr. President, when you said you were called up and told they were going to employ citizens, that was the situation. I would be tickled to death to see that done, to see it started, but I have been here for two years and still see the same old hash given to me, that "We will employ citizens," and in the two years I have sat here they haven't even given us a fifty-fifty chance between citizens and aliens. According to all the reports I have received, aliens have the benefit of the percentage on every job. You may have been informed, Mr. President, by somebody in that department, but I have to be shown before I will believe it, when we have a man sending these statements in over his own signature, showing what is being done for the aliens as opposed to the citizens in this community.

However, I shall vote for the \$500,000 sewer loan, as here proposed, at the present time.

Coun. WARD—Mr. President, I wish to state that I do not feel as humorous as does the gentleman from Dorchester. I shall not make a long speech, but I do wish to state to the members of this Council that I understand that there are contracts amounting to something like \$300,000 already awarded, and that the Sewer Department has not started the work or employed a man. So I can merely state that when the administration gentleman here brings in the question of unemployment, it is simply an attempt to hoodwink the Council and the citizens of this city. I do not believe that I am voting against the interest of the unemployed in this city when I stand here today and refuse to vote for the half million dollar order proposed here this afternoon for sewerage works.

Coun. DONOVAN—Mr. President, I might say to the gentleman who has just taken his seat that a contract has been let in Boston for some \$715,000 for sewerage work, to help take care of the sewerage needs of East Boston. The contract has been let to the C. and R. Construction Company, 20 men being employed at the present time, 15 of whom are aliens. Last year we were confronted with a unique situation. There were several streets under construction over our way, several contractors having two or three jobs ahead. They had so much work last year that they couldn't do it in that way. And I believe it should not be done in that way. So far as the amount of money is concerned, I believe when the Mayor asks for a million dollars to take care of the sewerage system of Boston, he hasn't anywhere nearly enough money for the purpose. I do say that I think it is at this time judicious and wise, however, to give him but \$500,000, until these contractors are able to show us what they are doing, and then, if necessary, we can vote an additional amount. But when we have just a certain few contractors doing work in the City of Boston, and when some of them have two or three jobs ahead of them and are just taking them up one at a time, we cannot expect the progress we would otherwise have. I would vote under certain circumstances for a million or even two or three million dollars for sewers, but at the present time I am voting merely for \$500,000.

President GREEN—The question is on the passage of the order, and the Clerk will call the roll.

Coun. DOWLING—Mr. President, I believe in my previous remarks, expressing my views in this matter, I moved postponement of the matter for one week.

President GREEN—The Chair does not remember the gentleman making any such motion. The question is on the passage of the order.

Coun. DOWLING—Mr. President, I distinctly remember in my opening words making a motion, saying that I wanted a postponement for a week. I certainly so intended, and I think I did make the motion. In order to clear up the situation, I would ask that the stenographer verify the statement.

President GREEN—The Chair did not understand the gentleman to make any such motion.

Coun. DOWLING—Mr. President, without any disrespect for the Chair, I still insist upon a verification of my statement, and I would appeal from the decision of the Chair.

President GREEN—The stenographer will refer to his notes.

Coun. FITZGERALD—Mr. President, I rise to a point of order, that the Chair had put the question and had directed the Clerk to call the roll.

(The reporter stated that he could find no such motion in Coun. Dowling's remarks.)

Coun. DOWLING—Mr. President, the Clerk not having started to call the roll, I would now move postponement of the matter for one week.

President GREEN—The gentleman is out of order. The question is on the passage of the order, and the Clerk has been directed to call the roll.

The order again failed of passage (fifteen votes being required for same), yeas 14, nays 4:

Yeas—Coun. Arnold, Bush, Donovan, Fish, Fitzgerald, Gallagher, Green, McMahon, Motley, Murray, Parkman, Ruby, Sullivan, Wilson—14.

Nays—Coun. Dowling, Lynch, Mahoney, Ward—4.

President GREEN—And the order is rejected. Coun. WARD—Mr. President, I move that the order be postponed for a week.

President GREEN—The motion is out of order.

CLEANING SOUTH BOSTON STREETS.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to have cleared and put in proper condition, not only the streets to be used for the parade on Evacuation Day, but all the other streets in South Boston, so that the thousands of people who visit the district on that day will find it in a condition creditable to the City of Boston.

Passed under suspension of the rule.

RECESS.

The Council voted, on motion of Coun. DOWLING, at 2.26 p. m., to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by President GREEN at 3.07 p. m.

SOLDIERS' RELIEF.

Chairman MOTLEY, for the Committee on Soldiers' Relief, submitted a report and 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; said order passed.

EXECUTIVE COMMITTEE REPORTS.

Coun. WARD, for the Executive Committee, submitted the following report:

1. Report on petitions (referred today) for children under fifteen years of age to appear in places of public amusement, viz., Lilla Frances Viles, Current Events Hall, April 28; Ellen F. Carney, St. Mary's Hall, February 20; Harrold de Wolfe, Jordan Hall, May 2—that said permits be granted.

Report accepted; permits granted under usual conditions.

REPORTS OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. FITZGERALD, for the Committee on County Accounts, submitted reports as follows:

1. Report on communication from Justice of East Boston District Court determining salaries of Dennis J. Kelleher and Frederick L. O'Brien, probation officers of said court, recommending passage of following orders:

Ordered, That the salary of Frederick L. O'Brien, probation officer for wayward and delinquent children of the East Boston District Court, determined by the Justice of the said court at the rate of \$2,300 per annum, to take effect June 1, 1928, be and the same hereby is approved.

Ordered, That the salary of Dennis J. Kelleher, probation officer of the East Boston District Court, determined by the Justice of said

court at the rate of \$2,900 per annum, to take effect June 1, 1928, be and the same hereby is approved.

Report accepted; said orders passed.

2. Report on communication from Justice of Dorchester Municipal Court determining the salary of Scott H. Rose, assistant probation officer of said court, recommending passage of following order:

Ordered, That the salary of Scott H. Rose, assistant probation officer of the Dorchester Municipal Court, determined by the Justice of the said court at the rate of \$2,000 per annum, to take effect June 1, 1928, be and the same hereby is approved.

Report accepted; said order passed.

REPORT OF COMMITTEE ON CLAIMS.

Coun. RUBY, for the Committee on Claims, submitted report as follows:

1. Report on petition of Patrick J. Lynch for compensation for loss of fowls killed by dogs, recommending passage of following order, viz.:

Ordered, That there be allowed and paid to Patrick J. Lynch the sum of \$62 in compensation for the loss of thirty-two hens killed by a dog or dogs January 2, 1928, said sum to be paid from the income for dog licenses.

Report accepted; said order passed.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. DONOVAN, for the Committee on Public Lands, submitted report as follows:

1. Report on communication from the Mayor and order (referred October 3) licensing the Jamaica Plain Neighborhood Association to build a structure over portion of land at 276 Amory street, Jamaica Plain,—that said order ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. DONOVAN—Mr. President, might I say for the benefit of the members of the Council that this is the sort of order it is customary to pass under the circumstances existing in that place. There is a sewer easement there through land owned by the Jamaica Plain Neighborhood Association, and the association desires to build a structure on a certain portion of the land, their own property. This order will give them permission to do so. The city still continues to own the easement in the property.

The order was passed, yeas 18, nays 0.

REPORT OF COMMITTEE ON LEGISLATIVE MATTERS.

Coun. RUBY, for the Committee on Legislative Matters, submitted report on resolve (referred January 23) favoring enactment of legislation for reimbursement of Nathan Margolis for personal injuries and other damages sustained by him while complying with demand of James J. Quinn, police officer of City of Boston, to assist him in performance of his duties—that same ought to pass.

Report accepted; said order passed.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President GREEN called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor February 13, 1928, of Morris L. Tobman, Jack Karas and Jask Rosenfield to be Weighers of Coal; and Jack Karas and Jack Rosenfield, to be Weighers of Goods.

The question came on confirmation. Com-

mittee, Coun. Mahoney and Fish. Whole number of ballots 17; yeas 17, and the appointments were confirmed.

SALE OF LAND IN WEST ROXBURY.

President GREEN called up under unfinished business No 2 on the calendar, viz.:

2. Ordered, That his Honor the Mayor be and he hereby is authorized, in the name and behalf of the city, to sell at public auction at an upset price of five hundred dollars (\$500) all the right, title and interest the city has in and to a parcel of land situated on the northerly side of Manning street, at the corner of Berry street, in West Roxbury, containing seven thousand one hundred and fifty (7,150) square feet of land, more or less, and to execute a deed of the same to the purchaser in form satisfactory to the Law Department.

On February 6, 1928, the foregoing order was read once and passed, yeas 17, nays 0.

The order was given its second and final reading and passage, yeas 18, nays 0.

SALE OF LAND IN HYDE PARK.

President GREEN called up under unfinished business No. 3 on the calendar, viz.:

3. Ordered, That his Honor the Mayor be and he hereby is authorized and empowered in the name and behalf of the city to sell at public auction, at an upset price of \$500, and to convey by an instrument satisfactory in form to the Law Department, all of the right, title and interest of the City of Boston in and to a certain parcel of land situated on Thatcher street in that part of Boston called Hyde Park, bounded and described as follows:

A certain parcel of land in Hyde Park, comprising lot No. 63, on Division 4, on plan of Fourth and Fifth Divisions of section 6 of Real Estate and Building Company's land in Hyde Park, recorded with Norfolk Registry of Deeds as No. 168 on files of said registry, bounded as follows: Northerly on Thatcher street, fifty feet; easterly on lot No. 64 on said Fourth Division, one hundred seventy-five feet; southwesterly on lot No. 92 on said Fourth Division, fifty-seven and 33-100 feet; westerly on lot No. 62 on said Fourth Division, one hundred forty-six feet, containing 8,025 square feet of land, more or less, being the same premises conveyed to the town of Hyde Park by deed of Real Estate and Building Company, a Massachusetts corporation, dated July 16, 1890, and recorded with Norfolk Registry of Deeds, Book 671, page 6.

On February 6, 1928, the foregoing order was read once and passed, yeas 17, nays 0.

The question came on giving the order its second and final reading and passage.

Coun. BUSH—Mr. President, may I have the report of the chairman of the committee on that?

Coun. DONOVAN—Mr. President, I might say for the benefit of my colleague that this is a parcel of land that came into the possession of the city from Hyde Park, and that it has been used more or less for storage of curbstones and that sort of thing. It is land that cannot be built upon. An upset price of \$500 has been set upon it by the assessors and by the appraiser for the City of Boston.

The order was given its second and final reading and passage, yeas 18, nays 0.

ACCEPTANCE OF MERCIER AVENUE, WARD 17.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Mercier avenue, Ward 17, as a public highway.

Passed under suspension of the rule.

SIDEWALK IN WELLESLEY PARK.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Wellesley Park at number 4 and 6, 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 provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

ACCEPTANCE OF FAIRVIEW STREET,
WARD 16.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Fairview street, Ward 16, as a public highway.

Passed under suspension of the rule.

ACCEPTANCE OF OAK AVENUE.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Oak avenue, Ward 16, as a public highway.

Passed under suspension of the rule.

IMPROVEMENT OF RANDOLPH STREET
PLAYGROUND.

Coun. FITZGERALD offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to include in the budget for the current year the sum of \$25,000 for the placing in proper condition of the grounds, baths, and building at the Randolph Avenue Playground.

Passed under suspension of the rule.

COMPLETION OF WEBSTER AVENUE
PLAYGROUND.

Coun. FITZGERALD offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to include in the budget for the current year, in addition to the amount already provided, the sum of \$25,000 for completion of the Webster Avenue Playground in the North End.

Passed under suspension of the rule.

TRAFFIC ISLANDS.

Coun. FITZGERALD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct traffic islands on Cambridge street, Washington Street North, Charles street and Court street, at whatever points may in his opinion be necessary.

Passed under suspension of the rule.

PERMANENT QUARTERS FOR METRO-
POLITAN FIREMEN POST, ETC.

President GREEN offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the

Mayor, to investigate and report to the City Council the practicability of assigning permanent quarters to the Metropolitan Firemen Post and the Boston Police Post of the American Legion in the old firehouse on Church street, when this property is vacated by the Fire Department.

Passed under suspension of the rule.

ANNUITY TO WIDOW OF CAPTAIN
JOHN M. DONOVAN.

Coun. GALLAGHER, for Coun. Keene, offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of Capt. John M. Donovan, late member of the Boston Fire Department, who died from injuries received in the performance of his duties, such annuity to continue so long as said widow remains unmarried and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

ARC LAMPS ON ST. JOSEPH STREET.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install two arc lamps on St. Joseph street, Ward 11.

Passed under suspension of the rule.

PUBLIC OWNERSHIP OF BOSTON
ELEVATED.

Coun. LYNCH offered the following:

Resolved, That in the opinion of the members of the City Council of Boston the interests both of the taxpayers and the car riders will be best served by public ownership of the Boston Elevated Railway or its stock, either by the state or some subdivision created for the purpose, and the City Council hereby expresses its approval of some such form of public ownership.

Coun. LYNCH—Mr. President, I intended to introduce the resolution earlier in the meeting and to have it referred to the Executive Committee for consideration. But I was delayed and was unable to be here and present it earlier. Therefore I am now satisfied to have it take its regular course, being referred to the Committee on Rules.

The resolution was referred to the Committee on Rules.

CORRECTION IN MINUTES.

Coun. WILSON—Mr. President, I rise to a question of personal privilege. I would like for purposes of the record to correct a clerical error made on page 54 of the minutes, at the meeting of February 13. My estimates may be far off at times, but I do not care to be left on record as estimating the assessed value of the proposed firehouse site and building in the West End at "about \$27,000," which is about \$220,000 different from what I stated at that time.

Adjourned at 4.03 p. m., on motion of Coun. FISH, to meet on Monday, March 5, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 5, 1928.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Lynch.

JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, the Mayor absent, as follows:

Forty traverse jurors, Superior Criminal Court, First Session, to appear April 2, 1928:

George A. Dunbar, Ward 1; Joseph Higgins, Ward 1; Thomas J. Ahern, Ward 2; Max Goldfarb, Ward 3; Frederick Hunt, Ward 3; Michael J. Fallon, Ward 4; Clinton B. Nelson, Ward 4; Mason T. Shattuck, Ward 4; Sumner B. Andrew, Ward 5; Samuel G. King, Ward 5; Patrick J. Fory, Ward 6; Harry Fraser, Ward 6; John J. McCarthy, Ward 6; Francis E. Birmingham, Ward 7; Martin Hook, Jr., Ward 7; Edwin A. Taylor, Ward 7; John J. Connors, Ward 8; Robert L. Fitzpatrick Ward 8; Stephen Callahan, Ward 9; James B. Donoghue, Ward 9; John Griffin, Ward 9; Edgar M. Dutton, Ward 10; Dennis Ryan, Ward 10; Otto W. P. Youngren, Ward 10; Cyrus L. Barclay, Ward 11; William H. Currie, Ward 12; Morris Simon, Ward 12; George H. Richmond, Ward 13; Hyman Lewis, Ward 14; David Snow, Ward 16; Gilbert Bye, Ward 18; George W. Guptill, Ward 18; Frederick W. Sanford, Ward 19; Max Wildermuth, Ward 19; William R. Fairclough, Ward 20; Henry G. Kohl, Ward 20; Otto L. Schulz, Ward 20; Arnold M. Barron, Ward 21; Robert C. Freeman, Ward 21; John C. Todd, Ward 22.

Forty traverse jurors, Superior Criminal Court, Third Session, to appear April 2, 1928:

Robert D. Butt, Ward 1; Patrick Boyle, Ward 2; John T. Conley, Ward 2; John M. Harrington, Ward 2; John J. Hurley, Ward 2; George J. McKernan, Ward 2; Thomas Abruzzio, Ward 3; Thomas F. Condon, Ward 3; Anthony A. Leone, Ward 3; George E. Carlson, Ward 5; Ernest E. Eayrs, Ward 6; Robert F. Fitzgerald, Ward 6; Joseph A. McDonald, Ward 6; Thomas J. Alger, Ward 7; William B. Volmershausen, Ward 7; Cornelius J. Donovan, Ward 8; Nicholas Clinton, Ward 9; Edward F. Dolan, Ward 9; Thomas J. Healey, Ward 10; Samuel A. Fryett, Jr., Ward 12; Henry J. Maguire, Ward 12; Nyman Rayman, Ward 12; Alex Feldman, Ward 14; Guy H. Gibson, Ward 14; Samuel Sherman, Ward 14; John P. Banagan, Ward 16; Fred W. Bowers, Ward 16; George W. Brown, Ward 16; Charles E. Duncan, Ward 17; Raymond S. Clark, Ward 18; Charles F. Hill, Ward 18; William H. Brennan, Ward 19; Lewis R. Cohen, Ward 19; James Otis Braham, Ward 19; Arthur T. Cass, Ward 20; Donald S. Guild, Ward 20; Elmer A. Leavitt, Ward 20; Daniel G. McFarland, Ward 20; Herbert F. Riordan, Ward 20; James W. Carley, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, First Session, April Sitting, to appear April 2, 1928:

Frank M. Darling, Ward 1; Thomas M. Kirwan, Ward 1; William P. Morse, Ward 1; John T. Kirk, Ward 2; Robert G. Dysart, Ward 3; William J. McGrath, Ward 4; Walter H. Quimby, Ward 4; Harry Pollak, Ward 5; William M. Rice, Jr., Ward 5; William J. Burke, Ward 6; John L. Cronan, Ward 6; Edward J. Finnegan, Ward 6; Alfred E. Lesslie, Ward 6; James B. Lynch, Ward 6; Bernard F. Byrnes, Ward 7; John Grant, Ward 7; Michael F. Dolan, Ward 8; John T. Gillen, Ward 8; James W. Linehan, Ward 11; Thomas O'Laughlin, Ward 11; Harry D. Shore, Ward 13; Harry Newmark, Ward 14; Richard J. Kelley, Ward 17; Thomas L. McFarland, Ward 17; John Daniel, Ward 20; Karl A. Scheurer, Ward 20; Gerald R. Davis, Ward 21; Joseph Catavolo, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Second Session, April Sitting, to appear April 2, 1928:

Joseph T. Adams, Ward 1; James M. Cannon, Ward 1; William F. Gill, Ward 1; John C. Rideout, Ward 1; Arthur F. Crowley, Ward 2; James B. Hoak, Ward 2; James F. Kiley, Ward 2; William H. Winnett, Ward 2; John F. Kietly, Ward 3; Harry N. Nichols, Ward 3; Patrick Higgins, Ward 4; Alfred Peterson, Ward 4; Arthur Witton, Ward 4; Edward A. Keene, Ward 5; Timothy F. Harrington, Ward 6; Charles A. Stamm, Ward 7; Albert J. Vincent, Ward 7; Charles A. Pratt, Ward 8; Martin A. Moran, Ward 9; Victor E. Doherty, Ward 11; Michael A. O'Brien, Jr., Ward 13; Thomas J. Finley, Ward 14; John F. McGrath, Ward 15; Adam J. Law, Ward 16; Edgar L. Allen, Ward 18; Thorleif L. Olsen, Ward 19; Patrick P. Ford, Ward 22; Peter McPhee, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Third Session, April Sitting, to appear April 2, 1928:

John J. Murphy, Ward 1; Joseph Sallinger, Ward 4; Edward J. Daltry, Ward 5; William E. Hayes, Ward 6; John V. McGrath, Ward 6; Patrick J. O'Brien, Ward 7; Frederick E. Welch, Ward 8; John Jones, Ward 9; Edward H. Turner, Ward 9; Joseph F. Cronin, Ward 10; George M. Fallon, Ward 10; George H. Doherty, Ward 12; John D. Betts, Ward 14; James Dempsey, Ward 15; Eugene Lynch, Ward 15; James Gamble, Ward 16; John F. Lawler, Ward 17; Thomas W. McDonough, Ward 17; Charles F. Webb, Ward 17; William H. Buchanan, Ward 18; Gustaf R. Zoller, Ward 18; Charles O. Brown, Ward 19; Benjamin F. Himmel, Ward 19; Roland E. Chafey, Ward 20; Leroy F. Clough, Ward 20; Frederick H. Johnson, Jr., Ward 21; Harry G. McLeod, Ward 21; John P. Callen, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Fourth Session, April Sitting, to appear April 2, 1928:

George L. Duncan, Ward 1; William Joy, Ward 1; John F. Brady, Ward 2; Patrick H. Doherty, Ward 2; John J. Maguire, Ward 2; Howard D. Smith, Ward 2; Joseph Nathan, Ward 3; William G. Benson, Ward 4; Ernest H. Koop, Ward 4; Herbert F. Sawyer, Ward 4; Herbert F. Daggett, Ward 5; John Donovan, Ward 6; Richard H. Humphrey, Ward 6; Henry F. Kane, Ward 6; Glen W. Hardy, Ward 7; John W. Ryan, Ward 7; Edward N. Bunker, Ward 8; William E. Lee, Ward 9; Thomas Harrington, Ward 10; Peter A. Welch, Ward 10; John A. Doherty, Ward 13; Jason O. Cilson, Ward 14; James G. Hackett, Ward 14; John E. Crowley, Ward 15; William A. Huebener, Ward 16; George B. Morse, Ward 16; John Barnard, Ward 18; Arnold Rosenfeldt, Ward 21; Timothy W. Crowley, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Fifth Session, April Sitting, to appear April 2, 1928:

Andrew R. Hines, Ward 1; William J. Sullivan, Ward 3; William T. Cassidy, jr., Ward 4; Dominick C. Clancy, Ward 6; James Fleming, Ward 6; Anthony M. Nuse, Ward 6; John H. Perkins, Ward 6; Albert J. Stokinger, Ward 6; George J. Cleveland Ward 7; Harold C. Hamilton, Ward 7; Howard A. Willard, Ward 8; William A. Backman, Ward 9; Lytcott T. Carter, Ward 9; Patrick C. Curran, Ward 10; William T. Yetman, Ward 10; James F. Bigelow, Ward 11; Edward F. Reddington, Ward 11; John J. Wheeler, Ward 11; John J. Condon, Ward 16; John A. Mullin, Ward 16; Adolph T. Jouannet, Ward 17; Henry A. Fraser, Ward 19; Arthur E. Atwood, Ward 20; Charles B. Helmboldt, Ward 20; Frederic Stewart, Ward 20; George C. MacKinnon, Ward 21; Edward J. Cusack, Ward 22; David Ovans, Ward 22; Andrew B. Williams, Jr., Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Sixth Session, April Sitting, to appear April 2, 1928:

William H. Sexton, Ward 1; Leslie J. Stout, Ward 1; Denis O'Connell, Ward 2; Charles E. Riordan, Ward 2; Fred E. Hall, Ward 3; Arthur W. Moore, Ward 5; Edward J. Prest, Ward 5; William J. Burke, Ward 5; John Kelley, Ward 8; Harry P. Hosmer, Ward 9; Adolphus G. Merchant, Ward 9; Francis E. Burns, Ward 11; Charles L. Carvey, Ward 13; Joseph P. Fitzpatrick, Ward 15; Arthur

J. Gallagher, Ward 17; Edmund D. Duffy, Ward 18; Alfred J. Hayes, Ward 18; Harold R. A. Strom, Ward 18; Evald Clewstrom, Ward 19; James M. Gauld, Ward 20; William H. Williams, Ward 20; Henry A. Childs, Ward 21; James M. Wade, Ward 21; Charles R. Howley, Ward 22; William J. Maloney, Ward 22; Andrew T. Wilson, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, Seventh Session, April Sitting, to appear April 2, 1928:

Matthew J. Condon, Ward 1; Patrick Crowley, Ward 1; George A. Magee, Ward 1; Thomas L. Power, Ward 2; John W. Murray, Ward 4; Clarence J. Witter, Ward 5; Frederick Hannon, Ward 6; Frederick V. McGinnis, Ward 6; Joseph E. McLaughlin, Ward 6; Everett M. Bolin, Ward 7; William J. Burke, Ward 7; William A. O'Neill, Ward 7; William J. Ahern, Ward 8; George E. Capelle, Ward 8; Joseph McCaba, Ward 8; Cornelius F. Noonan, Ward 8; James J. Farrington, Ward 10; Nimon Karnow, Ward 12; Anthony L. Gallo, Ward 14; Edward N. Marcus, Ward 14; Joseph M. Davis, Ward 16; Thomas R. Berry, Ward 17; Edward Conroy, Ward 18; Merton L. Holbrook, Ward 20; Frank Kaiser, Ward 20; Frank J. McLaughlin, Ward 21; Patrick Ryan, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Eighth Session, April Sitting, to appear April 2, 1928:

Seth K. Humphrey, Ward 2; George S. Knapp, Ward 3; Nathan Pinstein, Ward 3; Francis E. Burke, Ward 4; Charles A. Dunham, Ward 4; Peter L. Grant, Jr., Ward 4; George H. Bradshaw, Ward 5; Harry A. Titus, Ward 5; John J. Toohy, Ward 5; Charles H. Swartwood, Ward 8; Thomas F. Wilson, Ward 8; Joseph Andrew Wieners, Ward 7; Cornelius G. Ahern, Ward 10; William C. Bourne, Ward 10; Clarence P. Foster, Ward 10; Daniel J. Ryan, Ward 10; Daniel O'Connell, Ward 11; John H. McDonald, Ward 16; Robert J. Moore, Ward 16; Benjamin L. Isaacs, Ward 17; Patrick McCabe, Ward 17; Charles A. Ambeck, Ward 18; Anthony Hedolin, Ward 18; Richard Jackson, Ward 20; Wilmer W. Shields, Ward 20; Carleton C. Staples, Ward 20; Arthur C. Bouchard, Ward 21; George S. Levenson, Ward 21; Samuel P. Aborn, Ward 22.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the Mayor submitted the following appointments, viz.: For the term ending April 30, 1928:

Constable: Max Zimmerman, 15 Bradshaw street, Ward 14.
Weighers of Coal: Wilford Watmough, 127 M street, South Boston, with C. H. Sprague & Son Company, 10 Post Office square; Mynette Brickman, 139 Lamartine street, Jamaica Plain.
Severally laid over a week under the law.

FENCE, INDEPENDENCE SQUARE.

The following was received:

City of Boston,
Office of the Mayor, March 5, 1928.

To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department in reply to your order of February 13, 1928, relative to estimate of cost of erecting iron fence around Independence square, South Boston.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, February 23, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of February 21 with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of erecting an iron fence around Independence square, South Boston.

In reply I desire to say that it will cost approximately \$9,750 to build a 5-foot ornamental iron fence.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

LOCKER BUILDING, BARRY PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, March 5, 1928.

To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department in reply to your order of February 13, 1928, relative to construction of locker building on Barry Playground, Charlestown.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, February 23, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of February 21, 1928, with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to provide for the construction of a locker building on the Barry Playground, Charlestown, and to make the necessary improvements thereon.

In reply I desire to say that it would cost \$45,000 to comply with this request. I regret exceedingly to inform you that the department has only \$2,300 on hand at the present time, which amount will be spent for resurfacing and regrading the entire area in the spring.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

IMPROVEMENTS, SULLIVAN SQUARE PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, March 5, 1928.

To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department in reply to your order of February 13, 1928, relative to installation of shower baths and construction of additional tennis courts on Sullivan Square Playground, Charlestown.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, February 23, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of February 21 with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to provide for the installation of additional shower baths and the construction of additional tennis courts on the Sullivan Square Playground, Charlestown.

In reply I desire to say that the building would have to be enlarged at an expense of approximately \$20,000 in order to add additional shower facilities, and we have no funds available.

The department will be pleased to build two tennis courts there at the opening of the spring season.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

SIDEWALKS, AUSTIN STREET.

The following was received:

City of Boston,
Office of the Mayor, March 5, 1928.

To the City Council.

Gentlemen,—I transmit herewith communication from the Public Works Commissioner in reply to your order of February 13, 1928, relative to speeding up work of construction of granolithic sidewalks on Austin street, Hyde Park.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department,
February 24, 1928.

To the Honorable the Mayor.

I return order of the City Council, dated February 13, requesting the Commissioner of Public Works to speed up the work of constructing granolithic sidewalks on Austin street, Hyde Park.

As this work is seasonable it cannot be commenced until some time after the middle of March, but when construction is resumed the sidewalk work on Austin street will be hurried along as rapidly as possible.

Yours respectfully,
J. H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

SIDEWALK, COLUMBIA ROAD.

The following was received:

City of Boston,
Office of the Mayor, March 5, 1928.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department in reply to your order of January 30, 1928, relative to granolithic sidewalk on Columbia road at numbers 755, 757, 759, 761, 763, 765 and 769.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, February 17, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of February 1, with inclosure, order from the City Council that the Park Commission include in its budget for the present year a sum sufficient to provide for a granolithic sidewalk on the Columbia road side of Richardson Park, also in front of the properties at numbers 755, 757, 759, 761, 763, 765 and 769 Columbia road.

In reply I desire to say that it will cost approximately \$3,000 to remove the present surface and lay granolithic.

As the departmental budget has already been submitted, in order to do this work it will be necessary to add the sum of \$3,000 to the item B-39.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

BOULEVARD LIGHTS ON RIVER STREET.

The following was received:

City of Boston,
Office of the Mayor, March 3, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in answer to your order of February 6, 1928, relative to the rushing along of the work of installing boulevard lights on River street, Ward 18, from Mattapan square to Everett square.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department,
February 18, 1928.

To the Honorable the Mayor,
I return order of the City Council requesting the Commissioner of Public Works to rush along the work of installing boulevard lights on River street, Ward 18, from Mattapan square to Everett square.

Two contractors are at work in this street for the Edison Company, laying conduits for street lighting as well as for other lighting purposes. The electrical work will go ahead as rapidly as possible to allow for the street construction later.

Yours respectfully,
J. H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

CONVENIENCE STATION, BRIGHTON TOWN HALL.

The following was received:

City of Boston,
Office of the Mayor, March 5, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Superintendent of Public Buildings, in reply to your order of January 23, 1928, asking

for an estimate of the cost of providing a suitable convenience station in the old Town Hall, Brighton, Ward 22.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Buildings Department,
February 16, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—Replying to the order of the City Council 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 suitable convenience station in the old Town Hall, Brighton, Ward 22," I respectfully report that I have thoroughly investigated the same and have had a tentative sketch drawn on same and I estimate that the cost will be approximately \$15,000.

Respectfully yours,
JOHN P. ENGLERT,
Superintendent of Public Buildings.

Placed on file.

RESURFACING HARBOR VIEW STREET.

The following was received:

City of Boston,
Office of the Mayor, March 5, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works in reply to your order of January 23, 1928, relative to the providing for the resurfacing of Harbor View street, from Dorchester avenue to Sydney street, Ward 13, during the present year.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department,
February 15, 1928.

To the Honorable the Mayor.

I return order of the City Council requesting that Harbor View street, Ward 13, from Dorchester avenue to Sydney street, be resurfaced, and reports that the estimated cost of an asphalt macadam surface is \$3,000. This work will be cared for as soon as the season opens.

Yours respectfully,
J. H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

SIDEWALK, COLUMBIA ROAD.

The following was received:

City of Boston,
Office of the Mayor, March 5, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department in reply to your order of January 23, 1928, relative to the providing for the construction of a granolithic sidewalk on the southerly side of Columbia road, from Dorchester avenue to Columbia Station.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, February 16, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of January 31, with inclosure, order from the City Council that the Park Commissioners be requested, through his Honor the Mayor, to provide for the construction of granolithic sidewalk on the southerly side of Columbia road, from Dorchester avenue to Columbia Station.

In reply I desire to say that it will cost approximately \$5,000 to remove the present surface and lay granolithic.

As the departmental budget has already been submitted, in order to do this work it will be necessary to add the sum of \$5,000 to the item B-39.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

MUNICIPAL BUILDING, WARD 6.

The following was received:

City of Boston,
Office of the Mayor, March 3, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Superintendent of Public Buildings in answer to your order of February 13, 1928, relative to the making of necessary repairs on the boilers in the Municipal Building, Ward 6, in order that shower bathtubs may be opened permanently.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Buildings Department,
February 24, 1928.

Hon. Malcolm E. Nichols,
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 make the necessary repairs on the boilers in the Municipal Building, Ward 6, in order that shower bathtubs may be opened permanently, I wish to say that I have had my inspector examine conditions in this building and he reports that the boilers are in first-class condition. In fact, if they had been otherwise, I would have had knowledge of same before any order was introduced to the Council, and would have endeavored to alleviate the situation.

It is my intention to have continuous service in the shower bathtubs of the various buildings and this has been no exception.

Respectfully yours,
JOHN P. ENGLERT,
Superintendent of Public Buildings.
Placed on file.

MOTHERS' REST, CHARLESTOWN.

The following was received:

City of Boston,
Office of the Mayor, March 3, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in answer to your order of February 13, 1928, asking for a report as to the advisability and expense of establishing a mothers' rest and children's playground, and the erection of a building equipped with shower bathtubs in Charlestown, by the taking of land bounded by Bunker Hill street, Charles street and Main street to number 453.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, February 23, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of February 21, 1928, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to submit a report as to the advisability and expense of establishing a mothers' rest and children's playground, and the erection of a building equipped with shower bathtubs in Charlestown, by the taking of land bounded by Bunker Hill street, Charles street and Main street to number 453.

In reply I desire to say that this area is situated practically halfway between Sullivan Square Playground, Sullivan Square Common and Charlestown Heights. It is possible to walk from Charlestown Heights to Sullivan square in ten minutes. On account of the close proximity of these three areas, the Board of Park Commissioners deem it inadvisable to advocate the construction of another playground at this point, the cost of which would be approximately \$125,000.

Very respectfully yours,
WILLIAM P. LONG, Chairman.
Placed on file.

IMPROVEMENTS, CHARLESTOWN HEIGHTS.

The following was received:

City of Boston,
Office of the Mayor, March 3, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department in

answer to your order of February 13, 1928, relative to the providing for the construction of tennis courts on Charlestown Heights and also to make the necessary improvements on the shelter building there.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, February 23, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of February 21, 1928, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to provide for the construction of tennis courts on Charlestown Heights and also to make the necessary improvements on the shelter building there.

In reply I desire to say that this is distinctly a children's playground—the area is only large enough to take care of the various supervised children's games.

The necessary improvements on the shelter building are being attended to at the present time.

Very respectfully yours,
WILLIAM P. LONG, Chairman.
Placed on file.

LIGHTING OF CLARENDON HILL FOOTBRIDGE.

The following was received:

City of Boston,
Office of the Mayor, March 3, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works in answer to your order of February 6, 1928, relative to the installation of an arc light at each side of the Clarendon Hill footbridge in Hyde Park.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department,
February 17, 1928.

To the Honorable the Mayor.

I return order of the City Council relative to the installation of an arc light at each side of the Clarendon Hills footbridge, Hyde Park, and report that early in the winter this department received an assurance from the New York, New Haven and Hartford Railroad that it would light this bridge for the convenience of the public.

The railroad company later abandoned the plan and in view of that action this department has now arranged for the installation of suitable lighting fixtures with the object of lighting the approaches as well as the stairways.

Yours respectfully,
J. H. SULLIVAN,
Commissioner of Public Works.
Placed on file.

IMPROVEMENTS, SULLIVAN SQUARE COMMON.

City of Boston,
Office of the Mayor, March 3, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of February 13, 1928, relative to the providing for the installation of sand boxes, mothers' rest, etc., on the Sullivan Square Common.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, February 23, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of February 21 with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to provide for the installation of sand boxes, mothers' rest, etc., on the Sullivan Square Common.

In reply I desire to say that the use of sand boxes on playgrounds have been discontinued by this department for a number of years, due to the fact that they were unsanitary and that it was

impossible to prevent the children from throwing sand and doing grave injury to one another's eyes, ears, heads, etc. For these reasons all sand boxes have been removed from all playgrounds under the jurisdiction of this department.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

RESANDING OF L STREET BATHS.

The following was received:

City of Boston,
Office of the Mayor, March 3, 1928.
To the City Council.
Gentlemen,—I transmit herewith a communication from the chairman of the Park Department in reply to your order of January 30, 1928, relative to including in the budget for the present year a sum sufficient to provide for the resanding of the L street haths.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, February 17, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of February 1, with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to include in their budget for the present year a sum sufficient to provide for the sanding of the L street haths.

In reply I desire to assure you that there will be a sufficient amount of sand on L Street Bath before the opening of the bathing season, June 15.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

ENLARGING EMMONS PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, March 5, 1928.
To the City Council.
Gentlemen,—I transmit herewith communication from the Park Department in reply to your order of February 13, 1928, relative to enlarging Emmons Playground.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, February 23, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of February 21 with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to enlarge the Emmons Playground, Charlestown, and make the necessary improvements on same.

In reply I desire to say that it will cost \$60,000 to purchase the necessary land on Austin street, fill, grade and fence same. I regret exceedingly to inform you that the department has no funds available for this purpose at the present time.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

BOULEVARD LIGHTING, COMMON-WEALTH AVENUE.

The following was received:

City of Boston,
Office of the Mayor, March 5, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of November 14, 1927, relative to the providing of houlevard lamps or other high candle-powered lights on Commonwealth avenue, between Brighton avenue and the Newton line, in sufficient numbers to properly light said avenue and afford reasonable protection to pedestrians and motorists, and also to report what action is proposed to be taken and at what time.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department,
February 24, 1928.

To the Honorable the Mayor.

I return order of the City Council, dated November 14, 1927, regarding lighting conditions on Commonwealth avenue, Brighton.

In conjunction with the Edison Company an estimate has been prepared which shows that in the section of Commonwealth avenue, between Brighton avenue and Warren street, it will be necessary to install twenty-two new arc lamps, to relocate one existing lamp, and to change thirty existing pendant type lamps to those of the houlevard type. The new construction would be at the expense of the Edison Company, and the cost to the city for the relocation and substitution would be \$5,170.

At the present time there is no money available in the budget for doing this work.

Yours respectfully,
J. H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

STREET LAYING-OUT PROGRAM, 1928.

The following was received:

City of Boston,
Office of the Mayor, March 5, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Street Commissioners in answer to your order of February 13, 1928, relative to list of streets and approximate program for laying out new streets during the year 1928.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Board of Street Commissioners,
March 3, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—Replying to the order of the City Council, relative to a list of streets or an approximate program of the work of this office in laying out new streets during the year 1928.

The Board transmits herewith a list of streets throughout the city which it considers of first importance on account of their condition. The approximate cost of this entire program will be over \$1,600,000.

In addition to this the Board desires to call special attention to the fact that the city is pledged to the completion of the widening of Arlington street, the cost of which will be in the neighborhood of \$500,000. The Board is warranted in saying in connection with Arlington street that further delay of the matter will greatly increase the cost.

Respectfully,
For the Board of Street Commissioners,
THOMAS J. HURLEY,
Chairman.

East Boston.

Gladstone street, St. Andrew road, Whithy street
Wellington street.

Charlestown.
Irving place.

South Boston.
Champany street.

Roxbury.

Copenger street, Frawley street, Hayden street,
Iroquois street, Lansdowne street, Stoneholm
street.

Dorchester.

Assahet street, Althea street, Becket street, Duke street, Delmont street, Elm avenue, Fuller street, Goodale road, Arcadia street (foot path), Burgoyne street, Ceylon street, Clematis street, Fox street, Guild road, Hosmer street, Hollingsworth street, Laford street, Milton street, Ormond street, Outlook road, Radcliffe street, Wilder street, Mt. Bowdoin terrace, Milton avenue, Oak avenue, South Munroe terrace, Wilcox road.

Brighton.

Brayton road, Bothwell road, Etna street, Elizabeth avenue, Feneno terrace, Hano street, Harriett street, South Cresent circuit, Hunnewell avenue,

Rogers Park avenue, Griggs place, Sumner road, Taylor street, Wadsworth street, Radcliffe road, Mechanic street, Florence avenue.

Hyde Park.

Bradlee street, Danrell avenue, Foster street, Rutledge road.

West Roxbury.

Alhambra road, Auburn street, Avalon road, Burwell road, Brahm's street, Baker court, Brook road and Lotus place, Cowing street, Dent street, Dudley avenue, Elven road, Emmons road, Martin street, Mahler road, Waldon road, Mendelssohn street, Park Vale avenue, Pershing road, Preston road, Stratford street, Wyvern street, Walker street, Woodbrier road.

Referred, on motion of Coun. DOWLING, to the Executive Committee.

NORTH END PARK PIERS.

The following was received:

City of Boston,

Office of the Mayor, March 5, 1928.

To the City Council.

Gentlemen,—My attention has been directed in the attached letter received from the chairman of the Park Commissioners to existing conditions at the North End Pier. Within the last year the two piers at this park have been badly damaged by fire. In view of the service which these piers render in the summer time to the residents of the North End, I feel that there can be no question concerning the necessity of replacing the two structures. I accordingly submit herewith two orders, one providing for transfers of available balances within the special appropriations of the Park Department and the other providing for the appropriation of the necessary balance from the special fund, Sales of City Property. I recommend adoption of these orders by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, March 2, 1928.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—Permit me to call your attention to the condition of the piers at the North End Park.

Early in the summer months the small pier adjacent to the women's bath house was destroyed by fire. On February 2 fire destroyed the double-deck pier adjacent to the boys' locker room.

North End Park is now without any pier safe for public use and I believe immediate steps should be taken to provide funds for new construction so that the general public at this congested section will have some cooling place before the summer season, or the department and the city will be severely criticised.

The estimated cost of rebuilding the double-deck piers is	\$50,000
The estimated cost of rebuilding the small pier adjacent to the women's bath house is	12,000
The estimated cost of rebuilding the boys' locker room is	5,000
	<u>\$67,000</u>

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$28,467.46 be and hereby is appropriated from special fund, Sales of City Property, for North End Park, Piers and 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 Park, Wellington Hill District, \$18,000; North End Park, Improvements, \$20,532.54, to the appropriation for North End Park, Piers and Buildings, \$38,532.54.

Referred to Executive Committee.

APPROPRIATION FOR SEWERAGE WORK.

The following was received:

City of Boston,

Office of the Mayor, March 2, 1928.

To the City Council.

Gentlemen,—In accordance with the provisions of chapter 426 of the Acts of 1897, as amended by chapter 204 of the Acts of 1908, I submit herewith a loan order providing for the appropriation of \$1,000,000 to be expended for sewerage works. I respectfully recommend the accompanying order to your honorable body for prompt passage.

It has been the custom of the city to authorize a loan in this sum for work which should not long be delayed. Plans for the work are now awaiting your action, and men are idle for whom immediate employment can be provided.

This order is identical in form with that which I transmitted to your honorable body under date of January 30, 1928, and for which the necessary two-thirds vote appears to have been lacking, although the records indicate that but four members of your body opposed this loan or any portion thereof.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

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 \$1,000,000 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, certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

ACTION ON LOAN ORDERS.

The following was received:

City of Boston,

Office of the Mayor, March 5, 1928.

To the City Council.

Gentlemen,—In another message submitted today I have again placed before your honorable body a loan order for \$1,000,000 for the extension of our sewerage system. A similar order was submitted to you under date of January 30 and failed to receive the necessary two-thirds majority, or fifteen votes, for passage.

The purpose of this order is one of service to the people. The work has all been outlined and detailed to your committee in charge of the order and will be repeated if you so desire in your consideration of the present order. Every agency of the city government is again prepared to meet any request you have the right to make. The order is presented by me in the firm belief that the work should be done, and the obligation we owe to the citizens promptly met. I earnestly recommend for it another application of your best judgment in the hope that it will be productive of results beneficial to the public interests.

I ask you also to consider with all reasonable dispatch the order for \$1,000,000 submitted by me to you under date of January 30 providing for the laying out of new streets. I would not disturb your somewhat long deliberation upon the subject matter of this order were it not of the utmost importance to the public to hear something worth while from you. The various departments of the city in charge of the carrying out of the sewer and street program should be given every proper opportunity to proceed with their plans and studies to the end that an early start may be made and a maximum of results accomplished.

Orders similar in character have for many years been approved by the Council. Your records thus far fail to disclose any criticism either as to the value of the work or the method of doing it. No one says that the projects are useless and unnecessary; in fact, their merit has been fully recognized throughout your long debates. I thoroughly appreciate the value of your minute analysis of sewer and street orders providing as they do for the expenditure of \$2,000,000, and still hope that the analysis may sometime produce both sewers and streets.

I offer, therefore, the suggestion that somewhere in between the generalities of oratory so freely spread upon your records the public has a well-founded claim for action upon the merits of these two orders for more sewers and streets.

You cannot, of course, be without knowledge of unemployment in our midst. It is the problem with which our city is much concerned at the present time. With this problem in mind I have advocated many needed improvements for all of which large demands must be made for the employment of labor.

I have introduced and pressed legislation calling for the immediate construction of the extension of the Boylston Street Subway at Governor square, involving an expenditure of approximately \$5,000,000. I have introduced legislation calling for the completion of the Dorchester rapid transit extension by day labor, thus expediting by many months the opening of Mattapan of this great transit artery, the expenditure for which will be in the neighborhood of three-quarters of a million dollars.

My legislation for the widening of Portland, Merrimac and Exchange streets is one of the most important thoroughfare projects presented in years. This street legislation has particular merit at this time, because of the abundant opportunity it offers for the relief of unemployment. During the past three years I have made available more money for schoolhouse construction than in any combined dozen years in the history of the city. Indeed, this sum amounting to the total of \$12,000,000 is almost one half the amount of money appropriated for schoolhouse construction since the year 1915. It has been and still is a tremendous help to unemployment.

The program of hospitalization construction under my administration to date will total over \$8,000,000, for a portion of which I shall presently request your authorization.

I have also presented a proposition for the creation of important additions to the Suffolk County Courthouse amounting to \$3,000,000.

I have requested the Park Department to begin spring work much earlier this year with the result that 100 men can be employed without delay, and upon the passage of the two loan orders now before you, many hundreds of men will be given employment both through contract and day labor.

The release of zoning restrictions on the new Boston University buildings will make the way clear for a building program involving the expenditure of \$20,000,000, with all that that means in the employment of labor.

The rebuilding of the North Station would never have been possible had I not carried into effect the widening of Nashua and Causeway streets. This great piece of construction on terminal and auditorium is timely, and will provide much employment for some time to come. In like manner the great Sears, Roebuck building now under construction will provide work for thousands, not only on building construction, but in the conduct of the affairs of the new enterprise.

I believe that authority should be given by the Board of Zoning Adjustment to Durant Company, Inc., for the erection of its clubhouse facilities for the accommodation of thousands of women with the resulting demand for many hundreds of jobs in the construction of the building.

I realize that your co-ordinate action is not required upon all of the foregoing projects, but it is required upon the two loan orders now before you providing for sewers and streets, involving the expenditure of the great sum of \$2,000,000, and I hope it will be possible for you to consider these two measures without delay, particularly because men are waiting to go to work.

In speaking of these orders I have taken the occasion to place them among other projects of great value for the purpose of indicating that their adoption is wholly consistent with extensive improvements now being made in the City of Boston. There is, of course, need for a careful study of every measure presented, but the real purpose of such study should be one of co-operation and a desire to serve rather than one of destruction and useless criticism.

The City Council has a great opportunity to help in the progress of the city, and it is an opportunity which I feel sure it will improve and turn to the greatest possible good.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

When the Clerk started reading the above communication, Coun. DOWLING said:

Mr. President, I move a suspension of further reading of the communication, and its reference to the Executive Committee, in the interest of saving time.

It was voted that the communication be referred to the Executive Committee.

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 city truck.

Beatrice G. Baker, for compensation for injuries caused by an alleged defect in Harrison Avenue Extension.

John M. Burke, for compensation for damage to automobile caused by an alleged defect in Washington street.

William Cassidy, for compensation for injuries received in City Hospital.

Catherine T. Coogan, for compensation for expenses incurred in plumbing work at 38 Bellevue street, Dorchester.

Roger Courtney, for compensation for injuries received on North Ferry.

John F. Gray, for compensation for loss of business at 15 Lewis street, caused by Transit Department.

Lillian Haynes, for compensation for injuries caused by an alleged defect at 168 Harvard avenue.

Josephine C. Hickey, for compensation for injuries caused by an alleged defect in William Jackson avenue.

Margaret Martin, for compensation for injuries caused by an alleged defect at 108 Dorchester street.

James Martinello, for compensation for damage to car by city car.

Mrs. Letitia McConnell and Mrs. Eliza Traiser, for compensation for damage to property at 34 and 36 Prince street, caused by overflow of water.

Stephen J. Murphy, for compensation for injuries caused by an alleged defect in D street, South Boston.

Thomas F. Nealon, for compensation for damage to wagon by city truck.

Catherine O'Brien, for compensation for injuries received by fall in City Hospital.

Wendla M. Salin, for compensation for damage to property at 19 South Russell street, caused by defective water main.

Sabato S-rino, for compensation for damage to property at 10 Eastman street, caused by defective water main.

Edward Sharp & Son, Inc., for compensation for damage to property at 256 Columbus avenue, caused by bursting of water main.

C. B. Sherwood, for compensation for damage to automobile caused by an alleged defect in Kittredge street.

Mary E. Smith, for compensation for injuries caused by an alleged defect at 193 Brighton avenue, Allston.

E. B. Tobin, for compensation for injuries caused by an alleged defect at West Concord street and Shawmut avenue.

Uphams Corner Market Company, for refund on refuse tickets.

Margaret E. Walsh, for compensation for injuries caused by an alleged defect at Emerson street and Broadway.

Webster Poultry and Eggs Company, for compensation for damage to cab by city truck.

Mary Whalen, for compensation for injuries caused by an alleged defect in steps of East Boston High School.

Arthur F. Wood, for compensation for injuries caused by an alleged defect at 336 Vermont street, West Roxbury.

Joseph Del Tufo, for compensation for damage to property at 129 Shirley street, Roxbury, caused by leak in water pipe.

Special Committee on Jitney Licenses.

Petition of Oakdale Community Garage and Bus Line, for license to operate motor vehicle from Spring street, Charles river, at terminus of Boston Elevated Street Railway cars.

CHANGE OF DUNDEE STREET TO
CLEARWAY STREET.

Notice was received from the Board of Street Commissioners that the name of Dundee street, Massachusetts avenue to Dalton street, had been changed to Clearway street.

Placed on file.

REPORT OF COMMITTEE ON
FINANCE.

Coun. BUSH, for the Committee on Finance, submitted a report on message of Mayor and order (referred January 30) for loan of \$1,000,000 for making of highways—that same ought not to pass, without prejudice.

The report was accepted, and the question came on the passage of the order.

Coun. BUSH—Mr. President, a word of explanation is due the Council upon this report. The Committee on Finance felt, not having the power to reduce the loan order from its original amount, and desiring to refer the matter back to the Council for action on that point, that the action here reported should be taken. Therefore, we voted to report back "Ought not to pass, without prejudice."

President GREEN—The question comes on the passage of the order.

Coun. McMAHON—Mr. President, if I am in order I move now that the words "one million dollars" be stricken out, and that there be inserted in place thereof the words "five hundred thousand dollars." I move that as an amendment.

President GREEN—The question is on the amendment offered by Coun. McMAHON.

The amendment was declared rejected. Coun. WARD doubted the vote and asked for a roll call.

The proposed amendment, to substitute \$500,000 for \$1,000,000, was rejected, yeas 10, nays 11:

Yeas—Coun. Bush, Donovan, Dowd, Fitzgerald, Mahoney, McMahan, Motley, Ruby, Ward, Wilson—10.

Nays—Coun. Arnold, Deveney, Dowling, Fish, Gallagher, Green, Keene, Murphy, Murray, Parkman, Sullivan—11.

Coun. WILSON—Mr. President, I move that the matter be referred to the Executive Committee, where it can be considered in the light of the long list of streets recently presented.

The matter was referred to the Executive Committee.

AWARDING OF CONTRACTS.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be and he hereby is respectfully requested more seriously to consider in his award of contracts for sewer and street construction not merely the lowest bid or most familiar name, but the prompt availability of the contractor's working force for active completion of each job bid upon; and

Further Ordered, That his Honor the Mayor, in view of the present unemployment situation, and in view of the persistent delays in street construction caused each year by the award of more than one job at a time to contractors with inadequate facilities, be and he hereby is respectfully requested to disapprove any other and further requests for extension of time in the completion of street and sewer work in all cases where delay in completion is in any part due to other work being done by the contractor making the request.

Coun. WILSON—Mr. President, any business house receiving a bid is governed not wholly by price, nor the spelling of a man's name, but by the responsibility of the bidder and his supposed ability to complete the proposed work within a reasonable time. In a matter such as street construction the city should be governed by something besides a low bid made by some contractor in his desire to corner the market on city patronage, driving the other fellow out of business by cut-throat competition, and then leisurely completing a list of streets in due time one after the other while the taxpayer waits weeks for his turn to come. This is no new situation. We all know it to be the chief deterrent to real progress in street construction. A few "fair-haired" contractors each "bidding season" corner the market, and then either peddle out a few crumbs to dusker-haired competitors they have starved

out, or with the aid of repeated and freely granted extensions each completes his list of jobs successively "if, as and when." With that chief evil removed I believe the Street Commissioners and the Public Works Department can do more locating and less allocating of funds to be expended for street construction. As a 1928 program I should like to see less money allocated for street work on paper, and more streets actually completed,—less penmanship and more shoveling, less desk work and a little more work in the trenches. Mr. President, I move a suspension of the rule, that the order may be passed at this time.

Coun. DOWLING—Mr. President, I do not disagree with the gentleman on my left very often, but the purpose of the order is apparent, and there seems to be such violent conflict with the conditions of the City Charter that I question very much whether the order does not greatly exceed the powers of the Council. For that reason, I hope that it will be referred to the Executive Committee, where there will be a little better opportunity to understand it.

The order was referred to the Executive Committee.

INFORMATION FROM MUNICIPAL
EMPLOYMENT BUREAU.

Coun. WILSON offered the following:

Ordered, That the director of the Municipal Employment Bureau, through his Honor the Mayor, advise the City Council forthwith the number of names of citizen laborers on file in his office registered as out of employment on January 19, 1928, and desiring work.

Coun. WILSON—Mr. President, at our last meeting, Coun. McMahon read into the record a letter from the Sewer Division of the Public Works Department to the effect that January 19, 1928, on eight jobs then being done there were 94 men employed, of whom 42 were aliens. I understand that under the terms of each contract the Public Works Commissioner can insist on the employment of citizen labor if available. That being so, we have every reason to insist on some degree of co-operation between the Employment Bureau and the Public Works Department. Of course, if the Municipal Employment Bureau had no record of any men in the whole City of Boston applying for work early in January of this year then there would appear to be no further real need even for substituting an efficient employment bureau for the one we now have. But if there were men waiting out on the steps in the cold of Pemberton square on January 19, then 42 of them should have been put to work instead of allowing contractors to scalp the difference between the 65 cents per hour for labor—on the basis of which bids were made—and the 40 or 50 cents paid to men who can't speak English. Apparently it has become more of a qualification to know how to talk "turkey" than to know how to speak English, and recognize all three colors in the American flag. We spent a lot of time arguing that passing a certain loan order will mean jobs for 100 or 200 men, while even as we talk there are scores of jobs admittedly available if only the contractors are held to the specific terms of their contracts. Instead of that they bid on the jobs, knowing that they will be allowed to get by if only enough citizen laborers are hired to take the curse off. Yesterday there was an all-day conference of the Boston Central Labor Union to consider means of relief for the widespread unemployment situation. Men prominent in civic activities and labor union circles spoke at length and a resolution was adopted requesting the Mayor to appoint a committee of citizens to devise a program of relief and recommending as a temporary measure that the municipal authorities immediately inaugurate such necessary and useful public works as will provide employment. That is all constructive suggestion but it takes no committee of citizens to point out that the City of Boston is not capitalizing an existing opportunity for employment of citizen labor on jobs which at this very moment are in the process of construction.

The order was passed under suspension of the rule.

RESURFACING OF HEATH STREET.

Coun. DEVENEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the

Mayor, to provide for the resurfacing of Heath street, from South Huntington avenue to Jackson square, Ward 10, with smooth pavement during the present year.

Passed under suspension of the rule.

RESURFACING OF HAYDEN STREET.

Coun. DEVENEY offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Hayden street, from Fisher avenue to Lawn street, Ward 10, with smooth pavement, during the present year.

Passed under suspension of the rule.

RESURFACING OF ROUND HILL STREET.

Coun. DEVENEY offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Round Hill street, from Edge Hill street to Gay Head street, Ward 10, with smooth pavement, during the present year.

Passed under suspension of the rule.

BRANCH LIBRARY, WARD 10.

Coun. DEVENEY offered the following:
Ordered, That the trustees of the Boston Public Library be requested, through his Honor the Mayor, to submit to the City Council an estimate of the cost of a site and building for a branch library in Ward 10, Roxbury.

Passed under suspension of the rule.

PROPOSED STREET IMPROVEMENTS FOR WARD 18.

Coun. MURPHY offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Cottage street, Ward 18, from Water street to its present end, as a public highway.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Summit street, Ward 18, from Metropolitan avenue to Hemman street, as a public highway.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Hillside avenue, Ward 18, from Clarendon avenue to Poplar street, as a public highway.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Foster street, Ward 18, from Water street to its present end, as a public highway.

Coun. MURPHY—Mr. President, I am introducing these four orders with the hope that after all the discussions are over and the unemployed are informed that they are going to get employment from different sources, something will be done in Ward 18. If anybody is desirous of putting the unemployed at work, we have enough work in Ward 18 to keep them going for five years. Instead of their telling us that they are going to put 100 or 200 men at work, let them get down to business, those who have the means and the power to put men to work, and try to make the streets in Ward 18 passable at least. I hope that his Honor the Mayor will give consideration to that ward. We have about one-sixth of the area of the City of Boston and the condition of the ward today so far as streets is concerned, is absolutely disgraceful. I am just speaking a few words at this time so that the people back in the district will know that the City Council, as far as they are able, are doing their part, and that we are going to keep after the Street Commissioners and the Mayor of Boston until such time as they fix up those streets.

The orders were severally passed under suspension of the rule.

FENCE, INDEPENDENCE SQUARE.

Coun. MAHONEY offered the following:
Ordered, That his Honor the Mayor be requested to originate an appropriation in the sum of \$9,750 for the purpose of providing for the erection of a 5-foot ornamental iron fence around Independence square, South Boston.

Passed under suspension of the rule.

ACCEPTANCE OF LESHER STREET.

Coun. MURRAY offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Leshar street, Ward 19, as a public highway.

Passed under suspension of the rule.

ACCEPTANCE OF ROSEWAY STREET.

Coun. MURRAY offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Roseway street, Ward 19, as a public highway.

Passed under suspension of the rule.

ACCEPTANCE OF PERSHING ROAD.

Coun. MURRAY offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Pershing road, Ward 19, as a public highway.

Passed under suspension of the rule.

RECESS.

On motion of Coun. MURRAY, the Council voted at 3.09 p. m. to take a recess subject to the call of the President. The members reassembled in the Council Chamber and were called to order by President GREEN at 4.50 p. m.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President GREEN called up No. 1 on the calendar, viz.:

1. Action on appointment submitted by the Mayor February 27, 1928, of Byron D. Smith, to be a Weigher of Goods.

The question came on confirmation. Committee, Coun. Fish and Dowd. Whole number of ballots 19; yeas 19, and the appointment was confirmed.

Coun. WILSON—Mr. President, I move under No. 2 to take two names up—Walter H. Holland and Robert E. Lynch.

No. 2 on the calendar, under unfinished business, is as follows:

2. Action on appointments submitted by the Mayor February 27, 1928, of Terence F. Feely, Walter H. Holland, David H. Wilkinson, Robert E. Lynch, Thomas F. Long, Jr., and Antonio Ben-trovats, to be Constables.

Coun. MOTLEY—Mr. President, I move to take up the name of Thomas F. Long, Jr.

Coun. SULLIVAN—And I move, Mr. President, that we take up the name of Terence F. Feely.

Coun. WILSON—Mr. President, it seems to me there may be some difference of opinion in regard to several of these candidates for appointment as constables, and that in all fairness the names should be taken up separately. I accordingly, if I am in order, move to take up at this time the name of Robert E. Lynch.

The motion was carried, and the question came on confirmation of the appointment of Robert E. Lynch as constable. Committee, Coun. Murphy and Motley. Whole number of ballots 17, yeas 17, and the appointment was confirmed.

Coun. SULLIVAN—Mr. President, I move to take up the name of Terence F. Feely.

The motion was carried. The question came on confirmation. Committee, Coun. Dowling and Parkman. Whole number of ballots 18, years 17, nays 1, and the appointment was confirmed.

Coun. FISH—Mr. President, I move to take up the name of Walter H. Holland.

The motion was carried. The question came on confirmation. Committee, Coun. Donovan and Gallagher. Whole number of ballots 19, years 19, and the appointment was confirmed.

Coun. MOTLEY—Mr. President, I move that we take up the name of Thomas F. Long, Jr.

The motion was carried. The question came on confirmation. Committee, Coun. Keene and Motley. Whole number of ballots 17, years 17, and the appointment was confirmed.

Coun. WARD—Mr. President, I move that we take up the names of David H. Wilkinson and Antonio Bentrovats.

The motion was carried. The question came on confirmation. Committee, Coun. Ward and Mahoney. Whole number of ballots 17; years 17, and the appointments were confirmed.

REPORT OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. FITZGERALD, for the Committee on County Accounts, submitted report on communication of Justice of Charlestown Court in regard to salaries of probation officers, recommending passage of following order:

Ordered, That the salaries of the probation officers of the Municipal Court of the Charlestown District, as determined by the Justice of said court, to date from June 1, 1928, be and the same hereby are approved, viz.:

Chief probation officer, \$2,900; probation officer, \$2,300; probation officer for children, \$2,300.

The question came on acceptance of the report and passage of the order.

Coun. FITZGERALD—Mr. President, in regard to these increases proposed for these probation officers, there is very little that the Committee on County Accounts can do. There has been considerable criticism in reference to these large increases. Last week we reported for the Dorchester Court a considerable increase. While I appreciate the fact that it may appear to a lot of people that we are granting an exorbitant amount of money for these increases, the fact is that the judges have certain rights under the statutes, and that there has been a question as to how much power the City Council have as County Commissioners. I have always maintained that we have the same power that the County Commissioners have in every other county in the Commonwealth, but the old City Council, before it went out of existence, had a controversy with Chief Justice Bolster of the Municipal Court, and the Supreme Court, in a certain decision rendered at that time, seemed to decide in favor of the judge. But there has always been a question in my mind whether that was right or not. But at the present time there seems to be very little that we can do, and it is a serious question how much effect any action we might take would have. It is, of course, true, at a time when there is so much unemployment and when a great many men are seeking work in the nation, the state and the city, these men are fortunate to have their positions and to be receiving good salaries. I will say, also, that I, for one, have always believed in distributing things equally and in everybody getting a fair deal. It is now proposed that these men in Charlestown shall get an increase of \$200. Whether the proposed amount represents a proper salary or not is not, under the circumstances, a question for us to decide. As a matter of fact, the probation officers in Dorchester have been increased and those in Roxbury and East Boston have been increased; and, while some people bitterly oppose this increase for the Charlestown officials, you cannot very well pass them over and give to the officers in the other courts an increase of salary. I hope the time is not far distant when we will have election of judges by the people, and when the probation officers will be elected by the people, they being the duly authorized agents who should have the power to do so. I realize that many probation officers arrogate to themselves powers that they should not so arrogate, and which I feel that under the statute they should

not assume. The probation officers were created to give the offender an opportunity. But it is sad to say that in many of the courts in the Commonwealth, including those of Suffolk County, the probation officers have taken unto themselves the duty of acting as judge and jury. Men are surrendered for trivial matters, homes are broken up, fathers are sent to jail for small offences, men are sent to the state farm. It has been a common occurrence in the courts to send men to the state farm, which means virtually a sentence for life, because unless a man goes absolutely straight for two years he is kept there and is given no opportunity. When this probation bill was passed by the Massachusetts Legislature it was for the purpose of giving the men an opportunity. If it is a question of filling the jails, they are now filled to capacity. The House of Correction and the Charles Street Jail can hardly hold any more, and the state farm is loaded down. Under the circumstances, why should we have these probation officers? There is really no work for them. Some of these men had never had experience when they were appointed but were broken-down political hacks, men whose only qualification for the office was that they had political influence behind them; men who had made a failure in business, who could not earn salaries outside and who simply through political influence have been placed in those jobs as probation officers. Some of the judges should be brought on the mat and compelled to give reasons why they have appointed these men, what their qualifications are and who are the ones who influenced them to make the appointments. I say this in all earnestness. The public must, of course, understand that we are limited in our powers. Still, I do not believe we should discriminate against the Charlestown Court. We cannot very well do that. They are certainly entitled to the same consideration over there that has been given to other courts. But I do want to say, as chairman of the committee, in relation to these probation officers—if anything that may be said here today will have any effect upon their hearts and lead to their giving any consideration to the poor unfortunates,—that their work should be carried out along different lines. The law should have been defined some years ago, giving the right to release men in the station house who have been brought there charged with drunkenness. But many of these men in some of the districts, I understand, are too lazy to go to the station house, with the result that men are dragged into the courts and subjected to all kinds of investigations, and kept hanging along interminally. I sincerely hope there will be a change in this matter. I trust that judges will wake up, because people are becoming aroused. The judges ought to investigate more carefully. In Suffolk County, for example, we have men who are a positive disgrace to the service, and I hope before long to have an order introduced here which will bring them all in, and we can see what powers they have got. I think public opinion will have something to say on this matter, if we can bring the fact to the attention of the newspapers. That will make some of the people sit up and take notice. I, for one, feel that we should be pretty careful about voting large increases of salary to people of this sort, particularly when we have in mind the present unemployment situation. It is hard to get anything done for the poor laborers. Still, we see in some cases married women with their husbands occupying jobs of such a nature that they should be able to support them, engaged in probation work and other work of this sort. I think there should be a statute prohibiting employment in the city, state or county, of any woman who is married and whose husband is earning a salary. We are creating a caste here. Many of the women don't want to attend to household duties any more, or to take on other duties of womanhood, but let those go and become social workers, and undertake to tell people how to conduct their homes. It has now become a crime to be poor. I sincerely hope that in the future there will be a change.

Coun. BUSH—Mr. President, I heartily second all the remarks of the previous speaker in regard to the probation officers of Suffolk County. In my experience as a member of the bar, I have seen certain probation officers arrogate to themselves the duty of prosecuting attorney, driving some of these unfortunates into jail; and, for the life of me, I cannot understand how the judges on the bench can sit there and take some of the recommendations of these probation officers, recommendations of

conviction, not merely giving a record to the unfortunate victims, but going further and recommending that a man be sent away, and where he shall be sent. It has become a crying disgrace. Most probation officers don't have the slightest idea of their functions or duties, do not appear to exercise the functions that they were intended to exercise under the statute, and they are aided and abetted by some of the judges.

Coun. WARD—Mr. President, there is only one man that the councilor from the West End and the councilor from Roxbury can have in mind in these charges, and I believe such a man should be named. I believe there is only one man, a probation officer, who is as cruel and mean as is suggested by the councilors, and that is the probation officer in the Roxbury Court; and I will name him, Mr. Keene.

Coun. FITZGERALD—Mr. President, I name them all in general.

The report was accepted, and the order passed.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following reports:

1. Report on message from Mayor (referred today) concerning loan order for \$1,000,000 for extension of sewerage system,—that same he referred to Committee on Finance.

Report accepted; message referred to Committee on Finance.

2. Report on message from Mayor and order (referred today) that \$28,467.46 be appropriated from Special Fund, Sales of City Property, for North End Park, Piers and Buildings—that the same ought not to pass.

Coun. RUBY—I am glad, Mr. President, that the members of the Council have seen fit to vote not to pass on this order. I feel that it ought not to be necessary at any time for the head of a department like the Park Department to necessitate any such improvement or erection, or to reinstate something that has been destroyed in one part of the city by money which has been appropriated in good faith to another section of the city in order to secure completion of all that work. This particular order calls for an appropriation of approximately \$67,000 for the reconstruction of the recently destroyed North End Park pier, which was destroyed by fire. As I have said before, in executive session, I do not know of a member of this Council who is more familiar with the North End Park than I am, having lived in that section for thirty years. The North End Park urgently needs the reconstruction of that pier and the proper improvement of the bathing facilities for the boys and girls; but it should not be necessary for the Park Department to recommend the taking of a certain sum of money allotted to another part of the city for park purposes to carry out their purpose. Out of the \$67,000 which it will cost to reconstruct the North End Park pier they take that \$20,500 from the North End Park improvements, \$28,500 from a special fund, and the balance of \$18,000 they desire you and I to vote to take from a certain section of Boston which they in 1924, under the previous administration, voted to appropriate for park purposes. At this time there is a more urgent need for a mothers' rest, as the Park Commissioner this afternoon admitted, and that \$18,000 could erect a mothers' rest and inclosure in the Wellington Hill section of Boston, which I have the privilege and honor to represent in this Council, and I cannot for the life of me see why the City of Boston, with millions of dollars expended each year, with \$2,173,000 expended for park purposes in 1926, cannot find this \$18,000 from some other fund so that it will not be necessary to leave the Wellington Hill section of Boston without this improvement. I hope that I may in the near future present to the Park Department arguments well enough so that this money that had been set aside in 1924 and has not yet been expended shall be spent later; and I sincerely hope the Council will vote with the Executive Committee that this loan order be not passed. If the Park Department desires to go through with the reconstruction of the North End Park they ought to bring in a loan order which ought to be made up of a sum of money taken either from another unused loan order or from the Reserve Fund, which, of course, can safely stand an \$18,000 reduction on it.

Coun. FITZGERALD—Mr. President, I find myself in a very peculiar position in this matter of

the North End Park, which is situated in the district I have the honor to represent. I do not need to tell any member of this Council of the great congestion in the North End of Boston. No one knows that congestion better than the last speaker, who lived there all his life up to a few years ago. He knows how congested it is, and it is proposed that this money \$18,000, which goes to make up the \$67,000, will be taken out of the park which it is proposed to build in the ward which he represents. As the Park Commissioner stated before the committee today, that will not be built because \$18,000 is not enough money and the man who owns the land will never sell it for \$18,000. We all know that \$18,000 would be nothing. We have a situation here in the North End of Boston—the Webster Avenue Playground, for which a former administration appropriated the money. The buildings were removed and it lies there, a dump. On one side is the Old North Church, that historical monument. I think we have all read about it in history. We know what it stands for. We know that hundreds of thousands of people come from all over the country every year to visit the Old North Church, and directly opposite is St. Stephen's Church, a Roman Catholic Church, for which the people of Boston should be grateful to the Protestants. I never knew that it was a historical church, built in the days of the Revolutionary War, and it was going to decay, due to change in population, but due to their generosity last year the Protestants of this city raised enough to put that church in condition and renovated it completely, so as to make it a historic shrine. That playground lies there, a positive disgrace to any section of our city. The Council can do as they see fit in this matter. Every man who knows anything about the running of the city knows that that will never be built there. It can't be built. The man who owns the property will never agree to sell it for that amount of money, and it is a loss. Of course, you have got to do something for that pier. The Mayor may not be in any mood to do it, but, of course, I am in favor of the loan order. That represents my action. The Floating Hospital comes in there. That pier is completely destroyed. You can't very well discriminate against the section. We are entitled to some consideration. While I sympathize with the gentleman, the former Mayor did the same thing. We had attempted in that ward to obtain the building of a bath house and gymnasium, and he transferred the money to the Overseers of the Poor, now called the Department of Public Welfare. That is done by every administration and has been done since the history of the city. They transfer and then retransfer. We all know that this goes by the board today, and there is no rule that it shall be done this year. The Mayor may be in no mood. The Council have voted it but it has not been used because the Park Commissioner said he opposed it. He is against it, and it can't be done. They say this goes somewhere. The only thing that can be done with it is for a mothers' rest. However, as I say, it affects his ward and it affects my ward. The Council can do as they see fit. The people are poor people down there. The people who live on Wellington Hill moved out where the air is good, where they have nice, large lawns, and they have all the conveniences that money can buy. The wealth of the city is gradually going out there. There is no congestion there. It is a beautiful spot, and the people who are wealthy are living around that section. But down there in the crowded district of the North End on hot nights, the people must sleep on the fire escapes and on the roofs, and you pick up the paper and read of four or five little babies who have rolled off the roofs during the hot nights, their skulls crushed and the blood on the ground. They sleep in baby carriages in the streets in that congested district. Do you want to vote it down against those little children and against that hospital hoat that takes those little babies away? Go ahead.

Coun. RUBY—Mr. President, I cannot make an appeal to vote down or take away that little protection that is given to the health of children, and I can't appeal to you to take away that little breath of air that the North End does not have but that every section in Boston has, and I can't appeal to you if I were to be led to believe by the remarks of the councilor from Ward 3 on the question of Catholic or Protestant churches in Ward 3 that they do not exist, as he would lead this Council to believe, in Ward 14. I hold no brief for him because he is a master at that kind

of appeal without tears; but, Mr. President, I say this, with all due deference to the councilor from Ward 3, that he knows that the Mayor of Boston can rebuild the North End Park pier. He knows that the Park Department must get the money somewhere and can get it for the urging, and he ought not to bring in this argument as to the churches. I lived within two minutes' walk of St. Stephen's Church, because I was born and brought up in Salem street, in the heart of the congested district of the North End of Boston, and I always say that with pride, because we never were ashamed, those of us who came from the North End; but the councilor has no right to appeal in the manner that he did for the destruction of a contemplated enterprise in Ward 14, or in any ward in the city, to his particular advantage. And might I say, Mr. President, that if this \$18,000 is taken away from the Wellington Hill section of Boston, which has the same right to a mothers' rest, as the Park Commissioner said this afternoon he could build, as any ward in Boston, the only difference will be that it will be gone forever. So far as Wellington Hill is concerned the Park Department can, with his Honor the Mayor, find that \$18,000 which it needs in other branches of the special budget, and the councilor from Ward 3 must take that into consideration. I have said in executive session that I was heartily in accord with this order and would vote for this order, but let me remind the councilor from Ward 3 that for the last twenty years, to my knowledge, there has been a concerted effort towards improving that North End Park, and why hasn't anything been done? Down there there is a bathing beach and a lot of cobblestones that they call a baseball diamond, and that playground, because it is carried to the Atlantic Ocean is called a park, and no one that has ever represented that district has ever seen fit to stir one hand with reference to having that condition remedied so that it may be a presentable resting place or a proper park facility. And when it was suggested a few years ago that that park be renamed "Philip J. McGonagle Park" for one of the men who died a few years ago after giving his life to the service of the North End district, there was a hue and a cry made against changing that name to commemorate the man who did more for the North End of Boston than the councilor of Ward 3 will ever do — with all due respect to the councilor from Ward 3. Those things should not be permitted in this district, and he knows it. It is simply an attempt to take away from my district what I think every one of you will fight for in your respective districts,—the need of more park facilities; and the commissioner has admitted, or pointed out, that the Norfolk Street Playground is the place where the children of the Wellington Hill section should go, and I called his attention that the children in passing from the Wellington Hill section to the Norfolk Street Playground would have to go across the most congested area in Boston from an automobile and railway traffic point of view — Blue Hill avenue. I sincerely trust that the Council will stand by its vote in the executive committee, and I assure the councilor

from Ward 3 that, in less than a week, the Mayor will see fit to send another order up here taking care of that \$18,000.

The question came on acceptance of the report of the committee rejecting the order. The report was accepted and said order rejected.

3. Report on message from the Mayor and order (referred today) that the sum of \$1,000,000 be appropriated for Highways, Making of, under the provisions of chapter 393 of the Acts of 1906—that the same ought to pass.

Coun. KEENE—Mr. President, I move you, sir, that this matter be specially assigned on the calendar for the next meeting of the Council, which will be a week from today.

The motion was carried and the order was assigned to the next meeting.

4. Report on order (referred today) that the Commissioner of Public Works be requested to consider certain conditions in awarding contracts for sewer and street construction—that the same ought to pass.

Report accepted; said order passed.

5. Report on communication from the Board of Street Commissioners concerning program for laying out of new streets during year 1928 (referred today)—that same be placed on file.

Report accepted; said communication placed on file.

DEFINITION OF LABORERS.

Coun. RUBY offered the following:

Ordered, That the City Council of the City of Boston, acting under the provisions of section 12 of chapter 309 of the Acts of 1927, hereby determines that the terms "laborers, workmen and mechanics," as used in sections 68 to 75, inclusive, of chapter 152 of the General Laws, shall include all foremen, subforemen and inspectors employed by the City of Boston or by the County of Suffolk.

Coun. RUBY—Mr. President, I ask that that be referred to the Executive Committee.

The order was referred to the Executive Committee.

BOULEVARD LAMPS ON COMMONWEALTH AVENUE.

Coun. DOWLING offered the following:

Ordered, That his Honor the Mayor be requested to provide in this year's budget the sum of \$5,170 for the relocation and substitution of boulevard lamps for the existing lights on Commonwealth avenue, between Brighton avenue and the Newton line, in accordance with the estimate of the Commissioner of Public Works submitted to the City Council on March 5, 1928.

Passed under suspension of the rule.

Adjourned, on motion of Coun. DOWLING, at 5.25 p. m., to meet at 2 p. m., Monday, March 12, 1928.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 12, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m. President GREEN in the chair. Absent, Coun. Lynch.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments:
Weighers: Frank W. Middleton of Glendale Coal Company, 47 Medford street, Charlestown, as Weigher of Coal; M. J. Cullinane of Burmon & Bolonsky, Inc., 9 Chardon street, as Weigher of Goods.

Severally laid over a week under the law.

SALARIES OF PRINCIPAL ASSESSORS.

The following was received:

City of Boston,
Office of the Mayor, March 12, 1928.
To the City Council.

Gentlemen,—I transmit herewith a certified copy of chapter 100 of the Acts of 1928 establishing the salaries of the principal assessors of the City of Boston. This law was enacted by the Legislature on my petition and requires the acceptance of the City Council.

I accordingly recommend the passage of the accompanying order.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That chapter 100 of the Acts of 1928, entitled "An Act Establishing the Salaries of the Principal Assessors of the City of Boston," be and the same hereby is accepted. Referred to the Executive Committee.

LOAN FOR ARLINGTON STREET
WIDENING.

The following was received:

City of Boston,
Office of the Mayor, March 10, 1928.
To the City Council.

Gentlemen,—I transmit herewith loan order in the sum of \$500,000 for Highways, Making of. The purpose of this order is to complete the widening of Arlington street to Arlington square.

You have had before you since January 30 last a loan order in the sum of \$1,000,000, the purpose of which is to construct and lay out new streets in the residential sections of the city. It is my firm opinion that this entire sum of \$1,000,000 should be devoted to streets of this character. In the erection of new homes the faith of the city has been relied upon to render every reasonable and possible service, particularly in the matter of new streets and I do not believe it can be seriously questioned that new streets are a reasonable service consistent with the ability of the city to meet the expense therefor.

At the same time the importance of the completion of a great thoroughfare like Arlington street is obvious. Plans for this work have been prepared and the work has reached the point where its prosecution depends solely upon the availability of the money to meet the expenditures therefor. A further strong reason for the immediate adoption of this order, as well as the adoption of other loan orders pending before your honorable body, is the avenue which it provides for the relief

of unemployment. I accordingly recommend the adoption of the accompanying order.

Yours respectfully,
MALCOLM E. NICHOLS, 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 1906, and that to meet said appropriation the City Treasurer be and hereby is 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.

WIDENING NORTH HARVARD STREET.

The following was received:

City of Boston,
Office of the Mayor, March 12, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Street Laying-Out Department in reply to your order of February 13, 1928, relative to cost of widening North Harvard street, from Cambridge street to Western avenue, Ward 22.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Street Laying-Out Department,
March 3, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—Replying to an order of the City Council requesting an estimate of the cost of widening North Harvard street, from Cambridge street to Western avenue, Ward 22.

This work will cost approximately \$160,000.
Respectfully,

For THE BOARD OF STREET COMMISSIONERS,
THOMAS J. HURLEY, Chairman.
Placed on file.

ARC LIGHTS, CHELSEA STREET.

The following was received:

City of Boston,
Office of the Mayor, March 12, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Department in reply to your order of February 13, 1928, relative to additional arc lights on Chelsea street, Charlestown.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department, March 6, 1928.
To the Honorable the Mayor.

I return order of the City Council, dated February 13, relative to the installation of additional arc lights on Chelsea street, Charlestown, and report that it will cost \$1,450 to install five new boulevard type lamps and change five existing lamps to the boulevard type. There is no provision in the street lighting budget for this work.

Yours respectfully,
E. F. MURPHY,

Acting Commissioner of Public Works.
Placed on file.

OPENING OF SHAWMUT STATION.

The following was received:

City of Boston,
Office of the Mayor, March 12, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Department in reply to your order of February 13, 1928, relative to the opening of Shawmut Station, Dorchester Rapid Transit.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Transit Department, March 8, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—Herewith is returned order of the City Council, dated February 13, relative to the opening of Shawmut Station, Dorchester Rapid Transit.

The estimated cost of furnishing, installing and removing a double cross-over, interlocking, signalling tower and apparatus and the temporary lobbies, toilet facilities, etc., that would be required if this section was placed in operation, is about \$25,000.

In answer to the second question, we wish to advise that all of the work called for in the Dorchester Rapid Transit is indicated on plans on file in the office of the Commissioner of Public Works, and the act specifically provides that no changes can be made from the approved plans without the consent of the Railway Company.

Yours very truly,
CITY OF BOSTON TRANSIT DEPARTMENT,
by T. F. SULLIVAN, Chairman.
Placed on file.

FIRE HOUSE, CHURCH STREET.

The following was received:

City of Boston,
Office of the Mayor, March 12, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Buildings Department in reply to your order of February 27, 1928, in relation to the old fire house on Church street.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Buildings Department,
March 8, 1928.

Hon. Malcolm E. Nichols,
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 investigate and report to the City Council the practicability of assigning permanent quarters to the Metropolitan Firemen Post and the Boston Police Post of the American Legion in the old fire house on Church street when this property is vacated by the Fire Department, I wish to say that this building is not in the care and custody of the Public Buildings Department.

I would be very glad to submit a report thereon, after the building is turned over to this department.

Respectfully yours,
JOHN P. ENGLERT,
Superintendent of Public Buildings.
Placed on file.

RANDOLPH STREET PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, March 12, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of February 27, 1928, in relation to including in the current budget \$25,000 for placing the Randolph Street Playground in proper condition.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, March 6, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of March 5, 1928, with inclosure, order from the City Council, that the Board of Park Commissioners be requested, through his Honor the Mayor, to include in the budget for the current year the sum of \$25,000 for the placing in

proper condition of the grounds, baths and building at the Randolph Street Playground. In reply I desire to say that this request should be in the nature of a loan order as it is practically a construction job.

Very respectfully yours,
WILLIAM P. LONG, Chairman.
Placed on file.

WEBSTER AVENUE PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, March 12, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of February 27, 1928, in relation to including in budget for current year the sum of \$25,000 for completion of Webster Avenue Playground in the North End.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, March 6, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of March 5, with inclosure, order from the City Council, that the Board of Park Commissioners be requested, through his Honor the Mayor, to include in the budget for the current year, in addition to the amount already provided, the sum of \$25,000 for the completion of the Webster Avenue Playground in the North End.

In reply I desire to say that this request should be in the nature of a loan order as it is entirely new construction. Further, it will cost approximately \$45,000 to do this work properly.

Very respectfully yours,
WILLIAM P. LONG, Chairman.
Placed on file.

PLACES OF REGISTRATION, WARD 18.

The following was received:

City of Boston,
Office of the Mayor, March 9, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Election Commissioners, in reply to your order of February 13, 1928, relative to the establishing of two additional places of registration in Ward 18, one in the Mattapan section and one in the Mt. Hope section.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Election Department, March 5, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—Regarding the order passed by the City Council (to establish two additional places of registration in Ward 18, one in the Mattapan section and one in the Mt. Hope section) I wish to say that when this Board is establishing outside registration places for the year 1928, it will take the above matter under consideration, and will notify you of its action.

Respectfully yours,
BOARD OF ELECTION COMMISSIONERS,
FRANK SEIBERLICH, Chairman.
Placed on file.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

H. S. Albee, for compensation for damage to automobile caused by an alleged defect at 359 Massachusetts avenue.

Jack Avruch, for compensation for personal injuries and damage to automobile caused by collision with city team.

Lena Avruch, for compensation for injuries caused by collision of car in which she was riding with city team.

Boston Regalia Company, for refund on unused refuse tickets.

Carolina C. Capodiece, for compensation for damage to property at 247 Harvard street, caused by backing up of sewage.

John W. Corcoran, for compensation for damage to automobile caused by an alleged defect in Adams street.

Katherine Dorr, for compensation for loss of teeth at City Hospital.

Francis A. East, for compensation for injuries caused by defect in ceiling in Longfellow School.

Daniel J. Hynes, to be reimbursed for expenses incurred in removing roots from sewer at 346 Baker street, West Roxbury.

Mrs. Lillian E. Kelly, for compensation for loss of shoes at City Hospital.

Bessie L. Keltie, for compensation for injuries caused by an alleged defect at Massachusetts and Huntington avenues.

Anna F. McTernan, for compensation for damage to property at 162 Cabot street, Roxbury, caused by Water Service.

P. B. Mutrie Motor Transportation Company, for compensation for damage to truck by city truck.

Eliza Palmer, for compensation for loss of teeth at City Hospital.

J. W. Patterson & Sons, for refund on refuse tickets.

Mrs. George H. Richards, for compensation for injuries caused by an alleged defect at 300 Washington street.

Mrs. Margaret P. Smith, for compensation for injuries caused by an alleged defect in Saratoga street, East Boston.

Rose Udelson, for compensation for injuries caused by an alleged defect in Blue Hill avenue.

Mrs. C. B. Wolfendale, for compensation for injuries caused by an alleged defect at Chestnut avenue and Hoffman street.

Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Margaret G. Ronan, Bloomfield Hall, March 17.

Mrs. Raymond Gilbert, P. A. Collins School Hall, March 17.

Marion Thayer Hiltz, Municipal Building, Roxbury, May 17.

PETITION IN RE CITY HOSPITAL.

A petition and complaint was received from Charles J. Bowden and Mary E. Bowden, by their attorney, Roscoe Walsworth, in regard to death of their child at Boston City Hospital.

Referred to Executive Committee.

SALARY OF PROBATION OFFICER, CHELSEA COURT.

A communication was received from the Justice of District Court of Chelsea fixing salary of probation officer of said court.

Referred to the Committee on County Accounts.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings on petitions for storage and sale of gasolene on March 26, viz.: Thomas Barrett, 93 Preble street, Ward 7, 1,000 gallons.

Daniel J. Keefe, 10 and 12 Southern Artery, 1,500 gallons.

Daniel F. Sennott, Boston Fire Department, various locations, 6,430 gallons.

Referred to the Executive Committee.

SIDEWALK ASSESSMENTS.

A communication was received from the Commissioner of Public Works submitting cost of constructing artificial stone sidewalks on Mattakeeset street, with schedule showing names of owners of record and amounts to be assessed, as follows: Mattakeeset street, Ward 18, half cost, \$2,552.18, and recommending 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 names as their proportionate parts of the cost of constructing sidewalks in front of their estates bordering on Mattakeeset street, from River street to Edgewater Drive, Ward 18, and the same is ordered to be certified and notice be given to the persons as aforesaid.

Said order passed under suspension of the rule.

CONSTABLE'S BOND.

The constable's bond of John J. Miller, having been duly approved by the City Treasurer, was received and approved.

REGISTRY OF DEEDS PAY ROLL.

The pay roll of the Registry of Deeds for the period from March 1 to March 15, inclusive, to the amount of \$4,273.44 was received and approved.

ACCEPTANCE OF STREETS IN WARD 14.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Greendale road, Ward 14, as a public highway.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Hosmer street, Ward 14, as a public highway.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Wilder road, Ward 14, as a public highway.

Coun. RUBY—Mr. President, I have put in one particular order, in regard to Greendale road, because of the fact that a hearing was given to the residents of that particular street some time last September or October, at which I was present, and it was taken under consideration by the Board of Street Commissioners. But I did not find that particular street in the list for 1928, and I felt that, as a protection to the people who live on the street, which is 100 per cent built up and has been so for the last four or five years, I should present this order for the laying out and acceptance of the street. I simply state this so that the record may be clear, and so that, if possible, a new hearing may be given to those in that section, who are in urgent and dire need in this matter. The street should be laid out and accepted.

Severally passed under suspension of the rule.

BRANCH LIBRARY, SAVIN HILL.

Coun. SULLIVAN offered the following:

Ordered, That the Trustees of the Boston Public Library be requested, through his

Honor the Mayor, to provide for the establishment of a branch library in the Savin Hill section of Dorchester.

Passed under suspension of the rule.

FOOTBRIDGE TO COLUMBIA STATION.

Coun. SULLIVAN offered the following:

Ordered, That the Transit Commission be requested, through his Honor the Mayor, to inform the City Council as to what action has been taken with reference to the construction of a footbridge over the tracks of the Rapid Transit system from Crescent avenue to the Columbia Station platform.

Coun. SULLIVAN—Mr. President, just a word in regard to that last order, referring to the bridge over the railroad at Crescent avenue. After four or five months' labor, I obtained a guaranty that that would be put through, as described by the newspapers yesterday. Therefore, simply in order to have the matter spread on the minutes here, I have introduced this order. I do not, however, want anybody to get the impression that I am introducing the order because of any fear that the project will not be completed. All ends have been tied up, and I have been guaranteed that new bridge for that section. It will be completed just as soon as the weather permits.

The order was passed under suspension of the rule.

Passed under suspension of the rule.

ACCEPTANCE OF WARD 16 STREETS.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Elm avenue, Ward 16, from Adams to Burgoyne streets, as a public highway.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Spaulding street, Ward 16, from Train to Gustine streets, as a public highway.

Severally passed under suspension of the rule.

RECESS.

On motion of Coun. FITZGERALD the Council voted at 2.31 p. m. to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President GREEN at 3.41 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted reports as follows:

1. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.: Margaret G. Ronan, Bloomfield Hall, March 17; Mrs. Raymond Gilbert, P. A. Collins School Hall, March 17; Marion Thayer Hiltz, Municipal Building, Roxbury, May 17,—that leave be granted.

Report accepted; leave granted on usual conditions.

2. Report on message of Mayor and order (referred today) accepting chapter 100 of Acts of 1928, entitled "An Act Establishing the Salaries of the Principal Assessors of the City of Boston,"—that the same ought to pass.

Report accepted; said order passed.

WILLIAM J. BARRY PLAYGROUND.

President GREEN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to

submit to the City Council an estimate of the cost of constructing a field house, fencing and grading on the William J. Barry Playground, Charlestown, also to include the erection of settees for women facing the waterfront.

Passed under suspension of the rule.

STATUE OF PAUL REVERE.

President GREEN offered the following:

Ordered, That his Honor the Mayor be requested to recommend an appropriation in the sum of \$70,000 from the income of the Parkman Fund for a statue of Paul Revere, to be erected in City Square, Charlestown, said amount to include the expense of a pedestal and construction.

Referred to Committee on Parkman Fund.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President GREEN called up, under unfinished business, No. 3 on the calendar, viz.:

1. Actions on appointments submitted by the Mayor March 5, 1928, of Wilford Watmouth and Mynette Brickman, to be Weighers of Coal.

The question came on confirmation. Committee, Coun. McMahon and Fitzgerald. Whole number of ballots 18, yeas 18, and the appointments were confirmed.

President GREEN also called up, under unfinished business, No. 2 on the calendar, viz.:

2. Action on appointment submitted by the Mayor March 5, 1928, of Max Zimmerman, to be a constable.

The question came on confirmation. Committee, Coun. Gallagher and Donovan. Whole number of ballots 18; yeas 18, and the appointment was confirmed.

LAND, AMORY STREET TO BUILD OVER.

President GREEN called up, under unfinished business, No. 3 on the calendar, viz.:

3. Ordered, That his Honor the Mayor be and he hereby is authorized and empowered in the name and behalf of the City of Boston for the sum of one dollar, and in form satisfactory to the Law Department, to execute and deliver to the Jamaica Plain Neighborhood Association, the owner of a certain parcel of land situate in that part of Boston called Jamaica Plain, and numbered 276 Amory street in said Jamaica Plain, a license to build a structure over a certain portion of the aforesaid parcel of land which was taken by the town of West Roxbury for sewerage purposes under "An Act to Authorize the City of Boston and the Town of West Roxbury to Improve Stony Brook and its Tributaries," chapter 223 of the Acts of 1868. The plan of the proposed structure and its position relative to the land taken for sewerage works are shown on a plan drawn by Blackall and Elwell, architects, dated August 1, 1927, and approved by the Commissioner of Public Works of the City of Boston, reserving to the City of Boston, without any liability for damages therefor, the right by its officers, agents or contractors, at any and all times, to enter upon said land taken for sewerage purposes as above stated, to repair and maintain said sewerage works now therein, and to construct such new works as the said Commissioner of Public Works may from time to time deem proper.

On February 27, 1928, the foregoing order was read once and passed, yeas 18, nays 0.

The order was given its second and final reading and passage, yeas 20, nays 0.

SYMPATHY TO FAMILY OF WILLIAM
H. CASHMAN.

Coun. DONOVAN offered the following:

Resolved, That the Boston City Council extends its sincere and heartfelt sympathy to the bereaved family of William H. Cashman, member of the United States Coast Guard, who gave his life in the rescue of passengers from the wrecked steamship "Robert E. Lee"; and be it further

Resolved, That this be inscribed in the minutes of the Boston City Council as a tribute to the supreme heroism of this son of East Boston.

The resolutions were passed.

SAFETY ISLAND ON DARTMOUTH
STREET.

Coun. PARKMAN offered the following:

Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to establish a safety island for the protection of pedestrians in Dartmouth street at its intersection with Commonwealth avenue, between the park reservations.

Passed under suspension of the rule.

MUNICIPAL BUILDING, WARD 11.

Coun. MOTLEY offered the following:

Ordered, That the sum of \$500,000 be and the same hereby is appropriated, to be expended under the direction of the Superintendent of Public Buildings for a municipal building in Ward 11, and that to meet said appropriation 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 the said amount.

Referred to Committee on Finance.

SIDEWALK ON MAPLE STREET.

Coun. MURPHY submitted the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Maple street from No. 65 to No. 89, inclusive, Ward 13, 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.

WHITE WAY LIGHTING, OAKLAND AND
ASHLAND STREETS.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of a white way system of lighting on Oakland and Ashland streets, Ward 18, from Mattapan square to Hyde Park avenue.

Passed under suspension of the rule.

HAWTHORNE STREET, HYDE PARK.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Hawthorne street, Hyde Park, as a public highway.

Passed under suspension of the rule.

A SECOND RECESS.

President GREEN—The Chair moves that we take a recess for fifteen minutes.

The motion was declared carried at 3.50 p. m.

Coun. WILSON—Mr. President, I doubt the last vote. What is the object of taking another recess at this time?

President GREEN—The Chair will rule for the information of the gentleman who has just taken his seat that he is too late in doubting the vote, that we are now in recess. (Demonstration from the gallery.) If there are any more demonstrations from the gallery, the Chair will clear the gallery.

The members reassembled in the Council Chamber and were called to order by President GREEN at 4.10 p. m.

COMMITTEE ON PARKMAN FUND.

Coun. PARKMAN, for the Committee on Parkman Fund, submitted report as follows:

1. Report on message of Mayor and order (referred February 27) that \$45,000 be appropriated from income of Parkman Fund to be expended on Fens Improvements (\$40,000) and Aquarium Improvements (\$5,000)—that same ought to pass.

President GREEN—The question is on accepting the report of the committee and passing the order, and the Clerk will call the roll.

Coun. PARKMAN—Mr. President, I wish to make simply a brief statement for the information of the Council. The total amount involved here is \$45,000, \$40,000 for Fens Improvements and \$5,000 for Aquarium Improvements in South Boston. The \$40,000 will be spent on a children's playground near the Fire Alarm Station, and the \$5,000 in the Aquarium for repair of the tanks for the fish.

The report was accepted, and the order was passed, yeas 19, nays 0:

COMMITTEE ON JITNEY LICENSES.

Coun. DOWD, for the Committee on Jitney Licenses, submitted reports on petitions for license to operate jitneys as follows:

1. Petition of Boston and Brockton Motor Coach Company (referred September 26, 1927)—that petitioner have leave to withdraw.

Coun. DOWD—Mr. President, I simply want to state that the committee was of the opinion that the Eastern Massachusetts Street Railway and the New York & New Haven Railroad were taking care of any train or bus service that should run through that section. For that reason we felt that there was no demand for the Boston-Brockton Bus Company to operate over that thoroughfare.

The report was accepted.

2. Petition of Boston, Revere Beach & Lynn Railroad Company (referred January 9)—that petitioner have leave to withdraw.

Coun. DOWD—Mr. President, just a word of explanation of the committee's report in regard to the Boston, Revere Beach & Lynn Railroad. As we all probably know, the president and general manager of that road issued a statement that on the 15th of March there would be a curtailment of service, that certain trains over the Boston, Revere Beach & Lynn would be discontinued. They came before our committee asking us to grant them a license to operate three jitney buses from 12.30 to 4.30 in the morning. I am of the opinion, having seen several complaints, letters and communications from officials in Winthrop, and from other places that the people of the sections affected do not desire the Boston, Revere Beach & Lynn to discontinue its train service at 12.30 in the morning and those other cities and towns have not granted the bus permits desired. For that reason, and that alone, the committee feels that when the Boston, Revere Beach & Lynn, road comes before the Jitney Com-

mittee of the City of Boston and asks such bus rights, in connection therewith, shutting off trains affecting those living in towns outside of Boston, that, after all, Boston is only very little interested, only as the road touches a slight part of East Boston, and that in allowing them leave to withdraw, we do so because of the fact that up to the present time not one of the other cities and towns through which they expect to operate has issued to them licenses to operate buses.

The report was accepted.

3. Petition of Vocell Bus Company (referred January 16)—that petitioner have leave to withdraw.

Report accepted; petitioner given leave to withdraw.

COMMITTEE ON FINANCE.

Coun. BUSH, for the Committee on Finance, submitted reports as follows:

1. Report on message of Mayor and order (referred March 5) on loan order of \$1,000,000 for sewerage works—that same ought not to pass, without prejudice.

Coun. BUSH—Mr. President, the Committee on Finance have the same feeling with regard to this order that they did with reference to the previous order in regard to highways, making of. They felt that they would rather recommend that a lesser amount be substituted in place of the million than that the entire million should be reported at this time. Members of the committee—in fact, I believe, most of the members of the Council—were more or less incensed by the tone of the Mayor's letter sent in here last week and the manner in which it was sent in, it having first been given to the press even before the Council had an opportunity to read it. In that letter the Mayor made a great many statements to which we as members of the Council should take exception. He accuses the Council, in the first place, of dilatory tactics. As a matter of fact, the Mayor has been guilty of more dilatory tactics in reference to these orders than has the Council. The Council has several times signified an intention to grant to the Mayor half of that which he requested, but he is determined to obtain the whole or nothing, and, therefore, will not consent to accept the half that the Council wishes to give him. So he certainly cannot accuse the Council of dilatory tactics there. The Council has been willing to cooperate to that extent. Furthermore, he has been creating a smoke screen before the eyes of the public, with the idea of pushing and coercing the Council into voting for these orders as he desires to have them vote, by declaring that relief of the unemployment situation depends entirely on the passage of these orders. As a matter of fact, in Document 107, the last document issued by the City Auditor in December, 1927, under the heading "Debt Incurring Power," we find that on March 3 of last year we authorized the issue of a million dollars loan for the making of highways. We also find on the following page, under the title of "Loans authorized but not issued," that out of that million only \$200,000 has actually been issued, leaving \$800,000 unissued. That now of itself may not mean anything. I do not want to mislead the Council or anybody present. The City Treasurer goes into the market about twice a year for money, and borrows funds with the idea of getting them at the lowest possible rate. He goes out to buy money, and buy it as cheaply as possible, and, with the approval of the Mayor, he is allowed to use any funds that may be available, temporarily, for the purpose, until the bonds are issued. But it does turn out to be a fact that about \$700,000 of that million of last year has not yet been spent, and that the streets on which it was to have been spent have in many cases not even been started. I ask the Mayor why

he does not put men to work with that \$700,000 and not pass the buck to the Council and tell the Council that the reason why he cannot employ these men is that we did not grant this million dollars? And that is not the only argument he has used. He made a statement that appeared in the press a week ago to the effect that three hundred men were going to be employed by the Park Department. As a matter of fact, so far only fifty-four have been requested for that purpose. It strikes me that the Mayor exhibits an attitude slightly at variance with the truth in a good many of these assertions. He has not even stopped at that point. Only a few days ago it came to my knowledge that several men in the Registry of Births, Marriages and Deaths had been granted increases; that increases of \$100 each had been recommended by the Register, that they had been approved by the Mayor, and had been included in the budget by the Budget Commissioner. And yet those men were notified just about five days ago that they were not going to get their increases, and when they protested and wanted to know why, they were told to see their councilors. One of those men happens to come from my ward, and it is perfectly obvious to me, if not to anyone else, that the purpose of throwing those increases out is to get these men to bring pressure to bear upon the councilors to obtain a vote for these orders. That is one of the most disgraceful of the entire bag of disreputable tricks of our pettifogging Mayor. Now, I say that I am perfectly willing to vote for half a million in each one of these loan orders. There is absolutely no reason on earth why the entire million should be granted at this time, under either order. I recommend in both orders that the amount of \$500,000 be substituted in place of \$1,000,000, and then if at any time,—as I have said before, and now reiterate,—we find it necessary, convenient or desirable to do so, we can always grant the other half million in either case.

Coun. SULLIVAN—Mr. President, two weeks ago this loan order for a million dollars came up here, and I voted against the amendment to reduce it to \$500,000. I also changed my vote after the amendment had been adopted, and voted in favor of the \$500,000 only because I did not want to have the entire thing fall down. But I have voted for, and I favor, the use of a million dollars for this purpose. I hope that today we shall take up both of these million-dollar loans and pass them through the Council, and we will then see how many vacancies there are in this gallery. I think, from what I read in the papers about the unemployment situation, that we are the laughing stock of a great many cities in the country today, because we are dickering over these million-dollar loans this year, of all years, when it is necessary to pass them for the improvement of the districts and for the betterment of the city. Therefore, I am here today prepared to vote for this million-dollar loan order which is before us. I say, gentlemen of the Council, let us put the million-dollar loan order through, and then, in the matter of the employment of aliens, put it up to the commissioners and chiefs having this work in charge to give to the citizens of Boston a square deal. And so I say, gentlemen, let us pass the million-dollar loan order today, or defeat it. Let us show our hand.

Coun. McMAHON—Mr. President, the Councilor who has just sat down made a very nice speech in regard to the million dollars and the bluff idea in regard to the unemployed. I stated my position in regard to that matter here two weeks ago, showing on the facts as they existed, and which I then cited, that no matter whether we passed a million dollars or not, we had no assurances that aliens were not going to be employed. Then we heard the letter that was sent to us last Monday by the Mayor in regard to unemployment. He told us that they were

going to send for three hundred men for the Park Department. I got busy last Tuesday and looked into the matter, and found out in connection with the civil service that they had sent for only fifty-four men, twenty-seven being garden laborers and the rest side men, a new phony rating. And in face of facts as we know them, we were told last week that if we did not vote for million-dollar loan orders men would not get employment. Let me say just a word to the gentlemen of the Council about this question of appropriations and unemployment. As you have already been told, there is \$800,000 left over from a million-dollar order of last year, money that could be used and that is not being used to employ men; and still they are now trying to put through this million-dollar loan order, hanging it over our heads today, saying, "If you don't vote for the million you won't get any work for the unemployed." I hope, Mr. President, that the unemployed in the City of Boston will not go crazy and swallow the bunk that was issued in every morning paper today in regard to our action as bearing on the unemployment situation. That is simply something that was gotten up to browbeat the twenty-two councilors who have been elected to this body by the people of this city. If you will just look around the gallery here, you will see men who are on the pay rolls of the city in that gallery, men who have jobs and who should be attending to them, and who are sitting in the gallery here today. And what are they here for? You will see there men getting from \$2,500 and \$3,000 up to \$5,000 a year from the city, men employed to work for the City of Boston, and still you will see them here today in this gallery. I have seen some of them here, and if the other members will look around they will see some whom they know. There are men there who should be in their offices, at their desks, attending to the business for which they are paid by the city. But there has been this cry set up, this smoke screen, about the unemployed, and they have been sent here to occupy seats in this gallery here right in front of our eyes. You have already heard the \$800,000 referred to, left over from last year. And I have figured right up here \$663,600, with which work can be started. If they are sincere, why not take half a loaf, take the \$500,000 now and add it to the amount that has not been spent and which is already available? We are all willing to give them the \$500,000, and that can be added to the \$663,600 which I have figured up here. Why not take that and go out and start men at work? How can they go to work any better on the million dollars here, if they cannot go to work on the \$663,000? I say, don't be fooled, don't be kidded. If they mean business, let them take that \$663,600, and start in tomorrow morning. I have an order here that I would like to present to the Council after the vote is taken on the report of the committee, concerning the \$800,000 of available money that has been referred to. Let them be sincere, taking money that is already available and starting the men to work. I am perfectly willing to vote now for \$500,000, but not for a million, under the order before us.

Coun. KEENE—Mr. President, the sewer situation of the City of Boston is one which affects my ward more particularly than almost any other question that comes before the Council during the year. Some reference has been made here to large sums of money which have been authorized, as loans, but have not been placed. That to me is not hard to understand, because I could not conceive of a mayor allowing a city treasurer to arrange loans and keeping the money waiting in the bank idle prior to the completion of the work on the contracts. By avoiding a thing of that sort a great deal of money can be saved to the city. I do not presume there is a ward in this city with more cesspools than Ward 20; I do not presume there is a ward in the city with more miles of streets

unaccepted, and streets in which there are no sewers. In Washington street, which is the main thoroughfare, the sewer comes from the Dedham line to the Beethoven School, and ends there; and no later than a week ago last Sunday, in Howitt street, I saw sewage seeping up in the middle of the street. The Weld Hill section of our ward has no sewerage at all. Other parts of the ward are in that same condition. Building has stopped there because the people have got sick and tired of putting their money into a section of the city where streets and sewers are not provided. At the present time you have, unobligated entirely, applied to your million-dollar loan of last year, \$25,000 available at this time. The pay roll out of that is \$3,516. They have sufficient money to take care of the pay roll for approximately seven weeks. In case the million dollars or any part of it was not allowed this year you would still have to have an engineering force to take care of contracts placed last year, and which will be begun upon in the next month or two. That pay roll will exceed \$1,610 a week, because we must have engineers looking after the work. It has been the custom, as far as the sewer appropriation is concerned, to take the money appropriated at the beginning of the year and plan your year's work on that basis. That means that work will be laid out calling for the expenditure of approximately a million dollars, the greater part of which will be expended this year. It has been estimated that it would take \$30,000,000 to build our unaccepted streets and put in sewers. So there is no question but what there is need for the money. It has been estimated that it would take \$14,000,000 to take care of the streets and sewers in Ward 20, alone. So it is apparent that there is a necessity for this money, and I say it would be penny-wise and pound-foolish at this time to say that "although we know that you need a great deal more and that we should pass an order for a million dollars, we will let you have \$500,000 now and \$500,000 later." What does that mean? It means, instead of starting out on a program of a million dollars work, starting on a program of a half a million dollars work, and that must directly or indirectly affect the unemployment situation. I don't mean to say that if we pass the order for a million dollars we can start everybody at work tomorrow, but I do say that if we simply pass an order for half a million, and wait until they use that up before allowing more, it will result in a program for half a million, and will result in approximately half the men working who would otherwise be working. So, I hope the members of the Council will be broadminded enough to see the needs of the city in this matter, and to vote for the \$1,000,000.

Coun. WARD—Mr. President, I had no intention of speaking at this time, but, having in mind what has been said by some as to the effect of this on the unemployment situation, I simply wish to say that the matter before us has as much to do with unemployment as a catboat has to do with the "Leviathan." It amuses me as a member of the body to hear some of the talk we have heard in regard to the effect of this action we are asked to take upon the unemployment situation. I do not care anything about the applause of the gallery. That means nothing to me, and I would be entirely willing to move to clean them out now. I am not lifting my voice at any time with the idea of making a play to the galleries. I am here conscientiously, as a member of the Council, to vote on this money to the best of my judgment, having it go where it will do the most good. When we are told about the serious effect that our action may have on the unemployment situation, I will simply say that our action amounts to nothing on the unemployment situation in this city. If the Mayor wants to carry out the program that will relieve unemployment, there are thousands of ways in which he can do it in this city. I

can tell the councilors on my right and left to go to the Roxbury yard and ask the foremen how many men there are engaged in street cleaning in the Roxbury district. The foremen will tell you that we have no street cleaning crew out. If the Mayor wants to relieve unemployment, I would simply suggest that he might clean the streets. There would be a good deal of work in cleaning the back alleys of Roxbury. But he does not want that. He wants to use this cry of unemployment simply as a smoke screen to get his orders through this Council. There is no man here who will fight harder to relieve the unemployment situation than I will, and, with Coun. Bush and McMahon, I am willing to fight tooth and nail for anything that is really in the interest of the unemployed. I know that if it meant relief of the unemployment situation, Coun. Bush and McMahon would be voting with the Mayor on this order. But it does not. I repeat that I do not like to see smoke screens of this sort coming from the Mayor bringing in the question of unemployment simply in order to get orders passed. The passage of this million-dollar loan order would not relieve the unemployment situation. I am not going to rehash the statements that have been made about the \$800,000 that is still there, waiting to be expended, or about the \$500,000 that we are willing to vote today. If they want to start out and do something, let them use that to relieve unemployment. After they have used that, if they will come in again and show that they need more, I will vote for an additional amount.

Coun. DOWLING—Mr. President, I suppose no one will imagine for a moment that I am catering to what the Mayor's office wants. I get along about as well there as a Chinaman would at a Dutch picnic. (Laughter.) But there is some reason in this sewer loan. A man who represents a downtown district of the City of Boston does not begin to realize what the sewer situation is in the great outlying districts, where the home owners and rent payers, the real taxpayers of the city, reside. The gentleman on my left (Coun. Keene) has pointed out the condition that exists in his ward, where the homes are largely of the one and two family type and where in many sections, because of conditions that should be relieved, the ordinary sanitary conveniences that common decency requires and that the Board of Health requires, are unavailable. There has been some misunderstanding, Mr. President, over the street loan and the sewer loan. I understand that we are now discussing the sewer loan, but there has been some misunderstanding over both these loans, due to the fact that the Council wanted and was entitled to a fair statement of the program of work to be carried out by these two departments. A million dollars is a lot of money. Undoubtedly none of us will ever have it, except probably the gentleman from Ward 5 (Coun. Parkman) (laughter), but it is almost impossible for the rest of us to visualize that much money. It is, however, possible for the man who lives in the suburbs and sees new houses going up and new streets being opened, to realize the need of spending a million dollars, and working with the limited amount of information we have we try to do the best we can. I am now perfectly satisfied that the Sewer Division of the Public Works Department could spend a million, or two million, or five million dollars profitably. I am perfectly satisfied that the Sewer Division of the Public Works Department has definite programs which it will be glad to show, including plans and details, calling for the expenditure of nearly \$5,000,000. People owning homes and paying rents in districts like that represented by myself and the gentlemen on my right (Coun. Gallagher), and left (Coun. Keene) have petitioned the city and have especially requested the head of the Sewer Division to make necessary sewer connections in which they are interested. They want those sewers. The work that they ask for, if done, would involve an expenditure of

\$1,286,846. So they do want some sewers, they have some plans, and they are ready to proceed with them, and the Sewer Division ought to have some money. Under the provisions of chapter 393 of the Acts of 1906, which provides for the construction of new sewers, and under which this loan has come before us this afternoon, there is a possibility of using a very large amount for sewer connections in those streets. There comes before the Sewer Division every year innumerable requests to put in sewers in place of sewers that have gone to the bad, in streets that are already surfaced with permanent pavements, and the amount of sewer work necessary in the streets over which we already travel, streets with good surface conditions, permanent paving, would use up another very large amount of money. So I say the program of the Sewer Division is well fixed, well understood, and requests have been made by so many people who are personally interested and who want these loans, that it seems to be childish to haggle over the thing. While I do not expect to get next downstairs, or while I don't expect anybody there to tip his hat to me or to invite me to dine, I certainly think that my district and other districts of the city are entitled to the passage of a million-dollar sewer loan at this time. I certainly hope that no motion to reduce an amount that can be so profitably spent, having in view the health and happiness of the people, will prevail, because if there is one single department of the city that is entitled to what is asked for in this connection, it is the Sewer Division.

Coun. RUBY—Mr. President, for two years I have been a member of the Council. I came into this Council green with reference to such matters as this, and in those two years I became what was known as an administration councilor, for which I apologize to nobody. I have the highest regard for his Honor the Mayor and have had such since I became acquainted with him, and I feel as friendly toward him today as I have felt at any time since I have known him. But when the charter changes were made and councilors were elected from wards instead of from the city as a whole, the one thought in the minds of those who were desirous of seeing that change made was to have better protection given to the different wards of Boston, so that no particular section might derive a greater benefit than another section, if the necessity was equal. We came into this Council as councilors representing our respective wards, not with an idea of being selfish in our devotion to a particular ward, not with an idea of disregarding the interest of the city as a whole, but still with a thought, a mind and an eye, if you please, towards the particular section that sent us here to represent them. And these two orders—they are joint orders, if you please, \$1,000,000 for sewers and \$1,000,000 for highways, making of—are as much of a necessity to me, for my district as they are to any councilor in this body, with all due respect to the councilor from Ward 20 (Coun. Keene). I represent a section that has grown by leaps and bounds in the last five years and is growing today, a section that urgently needs sewer construction and the construction of highways, as much so as any section of Boston; and, while I hate to disagree with his Honor the Mayor, I felt,—having been here for these two years, having seen these loans come in and having seen so little given to Ward 14,—that when the loans came in this year it was my duty and obligation to safeguard the people of my district, so far as sewers were concerned and with reference to highways making of, having an eye to part of the million dollars going into my district. I am, therefore, voting on this proposition with nothing else in view but the thought that I ought to know, as every member of this Council ought to know, what our respective districts are going to get out of this million dollars, knowing the urgent necessity that exists in our district for the

expenditure of some part of the million dollars. A year ago a million dollars was spent for highway construction, and at that time there was submitted to me a list of eight, nine or more streets which the Street Commissioners were seriously thinking of laying out, constructing and accepting in my section. Along about October, when I was getting tired of pleading, waiting and taking a lot of abuse,—justly, if you may please,—from the residents of my section, I succeeded in influencing the Board of Street Commissioners to give me a hearing on a street known as Winston road, and after that hearing the work was commenced on Winston road, and that street was constructed,—one street out of the million dollars, at a cost of \$16,100. And that is all that Ward 14 received in 1927. Along later in the year they gave me a hearing on a street concerning which I have introduced an order here this afternoon, I don't know what became of the matter. But we who come from the suburban districts have a right to know, have a right to be assured of certain work that will be done for us, and it ought not to be the province of the respective departments, when a request or a petition comes to them in regard to laying out a certain street, to say, "Go and see your councilor." It cannot be denied that the Board of Street Commissioners have sent men to me, and that the Sewer Division have sent men to me when requests were made to them that certain sewerage and drainage work be done in Ward 14, and that certain streets be constructed. If they do not intend to construct these streets or sewers in Ward 14, they ought not to send those particular individuals to the councilors from the district, and if they do intend to do those things, when the councilor goes to them in good faith, he ought at least to be informed that the work is in contemplation of being done. Last year, after spending day after day in the Board of Street Commissioners' office, I was told that because of the contemplated laying out and repaving of Oakland and Ashland streets, every engineer available for other work in Boston was taken off, and that for that reason those of us who were in urgent need of streets could not hope to get anything put through, because there wasn't an engineer to lay out the plans. To me that was a ridiculous proposition, because if two streets, involving altogether \$625,000, will take every available engineer in a city such as Boston, we ought to hang our heads in shame when we try to say to the outside world that we want to be the fourth largest city of this country. I say if we, as representatives of our respective districts are to get anything for our districts, this is the place for us to get it. I am not making my personal stand because of a grievance. Good gracious! I would rather, instead of voting for a million dollars for each of these propositions, sewers and streets, vote for several millions because I am one of those who believes with some of the other councilors that we should spend several million dollars a year, both for sewer and for street construction. We have been spending one million dollars a year for each. But we in the outlying sections ought to be assured that when we vote for these orders our districts will be properly considered and properly taken care of. For that reason I am opposed at this time to voting a million dollars on either or both of these propositions, much as I feel that a large amount of money is necessary for these purposes. Therefore, I believe we ought to start the work going, giving a half million dollars in each case, and I have not been convinced up to this minute that half a million dollars given to each division will not start work. I have not been told yet why it is necessary that the entire appropriation should be made at this time. I am ready to vote the entire million dollars on each proposition—and I say that openly in the Council Chamber—when I can be shown just what is intended. But if it is intended to construct streets which are not necessary, I am opposed to the million dollar loan order.

If it is intended to construct streets that are needed—not necessarily in my district, I am big enough to see that if West Roxbury needs certain streets attended to more urgently than Ward 14 does, it should be done,—I will vote for the half million dollars, just the same, but I don't think it is fair to take all this money and segregate it in one locality, perhaps downtown, even though it may be in need of it to a certain extent, but not in as urgent need of it as Ward 14, or perhaps West Roxbury, if you please, or Ward 18, if you please. I believe we should all be given proper consideration. I am not disturbed as to how my vote will be construed as bearing on the unemployment situation, because I do not believe that our action today has anything to do with that, with all deference to the two gentlemen who may think otherwise. In speaking last Monday to members of the labor union, and in talking outside, I have said I would do everything I could to help the laboring men. But these loan orders have absolutely nothing to do with that situation. If these loan orders are passed, the same situation will exist. It is an unfortunate condition existing all over the country. But I do not believe we should be criticized for holding up the loan orders on that ground, that it is affecting the unemployment situation. We are not holding up or preventing work from being done. We are willing to pass, as our fourteen votes of two weeks ago showed, a \$500,000 sewer order, and that order can be passed today if you gentlemen who are opposed to the \$500,000 order will simply be willing to take that amount for the present, and let the work start. Let the unemployment situation be relieved, so far as work contemplated by this order is concerned, 50 per cent, and then let us know what work is being done. It is not because of any grievance that we are taking this stand. That is not the case. Surely I am not, because I have never differed with the gentleman whom I still consider my friend, downstairs. But I do feel, when my district may either be benefited or injured by my stand, that it is my duty to take the stand I am taking this afternoon. So I think if all of us were fair, and those who wish an order passed for the larger amount were willing to compromise, work can be started. But the attitude should not be adopted of "A million or nothing." We are here as public servants. In business, if you cannot get a loaf you will take half a loaf. With all due deference to the Mayor, I don't think he would be backward about taking \$500,000 on either one of these orders, letting the work start, and later on, if those of us who are skeptical as to what our districts will get are satisfied, if orders are brought in for the rest of the amount, I assure you that they will get my vote.

Coun. WILSON—Mr. President, I shall be very short. I have not taken advantage of the numerous intermissions this afternoon to consult experts of any sort. I have listened with some degree of care to the arguments pro and con, with an accent on the pro, made by members of the City Council. It would have interested me still more to have had some of the councilors in their arguments bear a little more closely on the truth, because it seems to me the real question is, whether we want to put the proper departments of the City of Boston this year in a position where they can plan street and sewer improvements that will be actually consummated in 1929. I personally regard as perhaps an insult to my intelligence—if any—the arguments made by members of the Council who have tried to make me believe—I assume that that was their purpose—that the unemployment situation has anything more to do with this particular million dollar loan order than the man in the moon, because every councilor in the room knows, of course, that what will be spent in the next four months will be money voted in 1927, one year ago perhaps this week, or today; and probably the question today is, how much money shall we advance at this time for

plans to be made for streets and sewers into which picks and shovels will go one year from this summer. I can speak on this question with an open mind, because I am already on record as voting for \$500,000 for the sewer loan and also \$1,000,000 for the sewer loan. The reason I was willing to vote the \$500,000 was because I believed something in the way of recognition was due the intelligence of the other members of the Council, and I was willing to meet them half way. We have been voting \$1,000,000 for sewer and street loans since 1906, and I think that a quarter of the money involved has been for new streets and three quarters has had nothing to do with new streets. The question before us now is, simply, are we going to allow the proper departments at this time to plan for half a million or a million dollars for sewers. I am inclined to agree with the councilor from Dorchester that we should have some sort of sketch or outline as to the streets in our particular district where we may hope to have something done. To my mind the insistence of certain members of the Council that something in the way of a program should be outlined is justified, and I am surprised that something of the sort has been so slow in coming through. It is, however, obvious that some members of the Council don't want to vote anything for the laying out of the sewerage work. There are others who think we should vote a million dollars, others who think we should vote for half a million dollars, then letting the Mayor come in later and ask for another half million, a month from now or whatever time it might be. I can understand the point of the man who says we should vote nothing, but I cannot for the life of me follow the logic of the man who says we need a million dollars and that we will vote half a million. Frankly, I cannot understand such logic. Of course, if the question comes up of voting for half a million dollars, having some regard for the intelligence of the other members of the Council, I shall vote for it. The matter is not foreclosed by such action on our part, and we can still vote an additional amount, later. So if a motion is made to amend either or both of these orders, substituting half a million dollars for a million dollars, I shall vote for it.

Coun. FITZGERALD—Mr. President, we have been at odds on this question of sewers and streets for the past two months, and have not been able to arrive at a satisfactory solution of it as yet. During all this time the work is being held up, and the Sewer Division is liable to be crippled in its work. There is only one thing for us to do. We should look at this matter in a sane and sensible way. I have talked with every member of the Council, I have held conferences with them, and have tried to have them see the thing my way. But I have enough common sense, enough intelligence left, to realize that the least we can do is to start something. It now appears to me that we cannot get the million. I would like to ask the gentleman who represents Ward 21, Brighton, a question.

Coun. DOWLING—If the question is not too involved and does not require a great deal of intelligence to answer, I will try to answer it. (Laughter.)

Coun. FITZGERALD—This is the question. You made a very sensible statement in reference to the sewer question. I would like to ask you this. Don't you think it is a fair proposition that your district especially, Brighton,—and I know more about Brighton than I do about West Roxbury or Hyde Park, I know something about the situation out there,—don't you think the people out there would be satisfied if they had some assurance that a start would be made, and wouldn't \$500,000 go a long way toward making the start?

Coun. DOWLING—My answer may be a little involved and perhaps it may or may not be the answer the gentleman wants. Brighton became a part of Boston in 1875. We have had a new policeman, a couple of firemen, a

fire engine house, a few things of that sort, and that is about all, until Coun. Heffernan and myself came here. We have had very little. Of course, we will be satisfied with our share of the \$500,000 for sewer work, but we hope we will get enough money appropriated so that some of our sewer needs will be taken care of, particularly since the plans of the Sewer Division anticipate so much work.

Coun. FITZGERALD—It is self-evident that you cannot get what you want. And I don't agree with you that nothing has been done for Brighton. The late John H. Lee did an awful lot for Brighton. I will not say anything about what you may have got in the last few years, but he certainly helped to build up that place. There is no question about it. Now, it appears to me that there is only one solution for the thing, as brought out in the debate on the floor and by what the members have said. I would like to ask the gentleman from East Boston (Coun. Donovan) how he feels on this question?

Coun. DONOVAN—Mr. President, I will answer the gentleman's question in this way. I realize that the Mayor of Boston needs a million dollars for sewers, but I also realize that I have a street over in East Boston, Milton street, for which I have been trying for two years to have something done. I have asked that sewers be put in. Conditions there have been stated by the Board of Health to be unsanitary; it was so stated by Mr. Bowes two years ago. Now, if I vote for a million-dollar sewer order today, I have no assurance that Milton street will be taken care of. So I am going to vote for \$500,000 at this meeting, and we can give him \$500,000 more later.

Coun. FITZGERALD—Mr. President, it appears now so far as the gentleman from East Boston (Coun. Donovan) is concerned, that he will only vote for \$500,000. I had understood that he would vote for the million. So, Mr. President, I think it is useless for me to debate this matter longer. I think the Mayor himself probably did the best he could. We have probably the worst charter in Boston that was ever put over on any intelligent community, the present charter. There is no question about that, and it is the cause of a good deal of our trouble. I don't blame the members representing the outlying districts. They feel that they are entitled to know something about what can be done for their districts. Those districts have been built up by people who have moved out from the downtown sections and who have had hard work putting up with the lack of things that they had downtown. The members representing those districts are in a tough position. We all know how people will pull your door bell and keep on following you up to get things done. I don't blame them. Of course, it is all very well for those men who hold down fine places in City Hall to sit in their swivel chairs and pass out orders and tell people to go and see their councilors. Many of those men were planted there in the old days by men who were really weaklings and who got them placed there as a matter of friendship. The men who put them there were men who did real work, but many of these men holding these positions, in my opinion, are nothing more nor less than paper engineers. However, the charter is to blame for a good deal of that. His Honor the Mayor is doing the best he can under existing conditions. The men who helped put through the charter have many of them passed away. They did not live to see their dreams realized, because the charter is not a workable proposition. But, in fairness to the Mayor, I think we ought to give something today, and the meeting should not adjourn without giving him something. No matter what we do, our acting is going to be misunderstood, because many people believe that the money which we furnish under the order will be the means of placing thousands of men to work. Of course, that is not so; it cannot be done. So, no matter what we do, our action will be misunderstood, and we will have to bear the brunt of it. However, if the members of the

Council cannot see their way clear to give the million dollars, the only thing to do is to give a half million. That is something.

Coun. DONOVAN—Mr. President, I did not intend to inject myself into the argument here today. I have no grievance with the Mayor of the city or with any member of the Council. Yet I do remember, as a member of the Legislature of 1924 and serving on the Committee on Municipal Finance, the Hon. James M. Curley, appearing before that body and stating that the city should have the right, if adequate amounts were to be considered, to spend at least \$2,000,000 for each of these purposes. I believe the only check we have on the departments and the department heads in the City of Boston is by holding over them something in the way of a check, compelling them to put in something for our districts. I know that Milton street in my district should have been fixed up two years ago. There was complaint by the Board of Health of conditions then existing on that street. For two years I have been trying to have something done and have not succeeded even such a comparatively trifling thing as getting Milton street fixed up. I would like to say also, when we hear about the unemployment situation, that this million dollars is to be given to the contractors. His Honor the Mayor cannot dictate who the contractors shall hire, but he can dictate that they shall hire American citizens. In East Boston we have a job started, building the pumping station there, on which the city is going to spend three quarters of a million dollars. A week ago Thursday I went over there to place a man in employment. I thought by virtue of the fact that I had introduced the order in the Legislature and was a member of this body, that I might at least approach the contractor and see if he could do something for one of my constituents. There were twenty working around there, and I spoke to them as I went along. Fifteen of them did not speak English, were aliens, not citizens of Boston. The only check we have for that sort of thing is for His Honor the Mayor to say to the contractors, "Your contract is terminated if you do not hire American citizens." We can talk here all night; we all have our own opinions. Our minds are made up. I realize that even one million dollars is not enough for sewers, and yet I can only say—and I have no direct grievance against the Mayor—that I am willing today to vote for \$500,000. The logic of the thing then is, as my colleague Coun. Wilson has said, that they can take the half loaf this time, and that the matter is not then foreclosed, but that they can come back and get the other half later. I realize that the Mayor has to have a million, but give him today half of it and then let us go to our districts and see how the money is being spent, and the results that are being obtained. We will then probably stand ready and willing to give the Mayor of the city just what he wants later.

Coun. PARKMAN—Mr. President, I would like to pay my respects to the councilor from Brighton (Coun. Dowling) for the compliment he paid me a few minutes ago. I judge from what he said that he thinks I ought to be able to terminate this discussion very quickly by offering the million dollars myself, and that probably I would not even feel it! (Laughter.) But that is not the fact. I am not particularly proud of my bank account. In fact, I am a little bit in doubt whether it will stand the strain of the little contest in which I am now engaged with the distinguished gentleman from my own ward! (Laughter.) I think it is a great pity to discuss this question and decide it from any other point of view than its merits. It has been said, quite truthfully, that it is not true that the million-dollar loan either for sewers or streets will affect the unemployment situation this year. It will not affect it one particle. It is quite true, as has been said, that the departments are behind. The money appropriated one year goes to the completion of the program the next year, or even the year after that. At the same time, it is also true that that amount of money, approximately \$1,-

000,000, is spent for new sewers and for new streets every year, whether or not it goes toward the program of the year for which the money was voted or the program of a succeeding year. Approximately \$1,000,000 has been spent every year for the carrying out of a general program for streets and for sewers, extending over a period of years. It is for that reason, it seems to me, that the Council should vote the entire million dollars, not only on the sewer loan but also on the street loan. However, I would not be the one to upset a \$500,000 appropriation. I agree that if \$500,000 is all that can be passed this afternoon, it should be passed. Therefore, I shall vote in favor of a \$500,000 loan or in favor of the \$1,000,000 loan.

Coun. MURPHY—Mr. President and gentlemen of the Council, I have listened with interest to the discussion participated in by many experienced members of this Council, and also by some of my friends who came into office when I did. There seems to be, Mr. President, a club working to bring about a desired result, not in a businesslike way, but simply by calling certain individuals in this Council into a corner to compel them to vote according to the dictation of some people. I realize, coming from a ward that for the first time in its history has this year given a man of my party an opportunity to become a member of the body, that I have got to listen. After listening to both Republicans and Democrats—true enough, members of a non-partisan Council, but still members of the parties they come from—I am inclined to think that upon this particular question there is no division in the minds of some of the more experienced members, as a result of the experience they have had in the past two years. If this means that the unemployed are going to work, and if the order involves \$2,000,000, I would be in favor of it, and not only \$2,000,000 but as many millions as can possibly be spent, with due regard to the welfare of the city at large. In my opinion, the ward that I come from is in a worse condition than the ward that the councilor from Ward 20 (Coun. Keene) comes from. We have in that ward one-sixth of the area of the City of Boston, and we find that there are hundreds of unaccepted streets. We find that there are streets that have been accepted and the money for which has been allotted by the city, and yet not a single cent has been spent, except in the newspapers. I would sooner, Mr. President, have His Honor the Mayor give me the privilege of having two or three streets actually laid out than to have it appear on paper that they have been or are being attended to, and to hear from men of experience in this hall that not a single one has been laid out. I heard a councilor from Brighton the other day, one whom I respect as a very intelligent and competent councilor, say that out of all the streets put on the program for his ward, upon not a single one of them has any work been done. Was that right, Mr. Councilor?

Coun. DOWLING—Yes.

Coun. MURPHY—So I say, if we cannot get the million dollars—which I am in favor of here today—for sewers, and if we cannot get a million dollars for streets, which I am in favor of, I am not going to be a party to rocking the boat to the extent that in the final analysis no appropriation will be made and the only ones who will suffer will be the unemployed. So, first, I am for a million dollars in both cases; second, if that cannot be gotten through the Council, I am in favor of voting for \$500,000.

The report was accepted, and the question came on the passage of the order.

Coun. McMAHON—Mr. President, I move as an amendment that we strike out "one million dollars" and insert in place thereof "five hundred thousand dollars."

The amendment was declared rejected. Coun. McMahon doubted the vote and asked for a rising vote.

Coun. KEENE—Mr. President, I call for a roll call.

The President directed the Clerk to call the roll, and the amendment (substituting \$500,000 for \$1,000,000) was adopted, yeas 11, nays 10:

Yeas—Coun. Bush, Donovan, Dowd, Fitzgerald, Mahoney, McMahon, Motley, Murphy, Ruby, Ward, Wilson—11.

Nays—Coun. Arnold, Deveney, Dowling, Fish, Gallagher, Green, Keene, Murray, Parkman, Sullivan—10.

The order as amended was adopted, yeas 21, nays 0:

Yeas—Coun. Arnold, Bush, Deveney, Donovan, Dowd, Dowling, Fish, Fitzgerald, Gallagher, Green, Keene, Mahoney, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Ward, Wilson—21.

Nays—0.

The order will come up for its second and final reading and passage in not less than fourteen days.

APPROPRIATION FOR SEWERAGE WORKS.

Coun. FITZGERALD offered the following:

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 \$500,000 be and the same 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, certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

APPROPRIATION FOR MAKING OF HIGHWAYS.

Coun. FITZGERALD offered the following:

Ordered, That the sum of \$500,000 be and the same is hereby 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 request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

STARTING OF STREET WORK.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works be requested; through his Honor the Mayor, to begin work at once on the \$800,000 now available for street work that should have been done last year.

Passed under suspension of the rule.

\$1,000,000 FOR HIGHWAYS.

On motion of Coun. BUSH, the Council voted to take up assignment, viz.:

4. Ordered, That the sum of \$1,000,000 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 request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

The question came on the passage of the order.

Coun. McMAHON—Mr. President, I move to strike out the "one million dollars" and insert in place thereof "five hundred thousand dollars."

Coun. McMahon's amendment was declared adopted, yeas 13, nays 8:

Yeas—Coun. Bush, Donovan, Dowd, Dowling, Fitzgerald, Gallagher, Mahoney, McMahon, Motley, Murphy, Ruby, Ward, Wilson—13.

Nays—Coun. Arnold, Deveney, Fish, Green, Keene, Murray, Parkman, Sullivan,—8.

The order as amended was passed, yeas 21, nays 0:

Yeas—Coun. Arnold, Bush, Deveney, Donovan, Dowd, Dowling, Fish, Fitzgerald, Gallagher, Green, Keene, Mahoney, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Ward, Wilson—21.

Nays—0.

Adjourned at 5.27 p. m., on motion of Coun. MOTLEY, to meet on Monday, March 19, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 19, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Deveney, Lynch, McMahon and Ward.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the Mayor submitted appointments, as follows, viz.:

Weigher of Goods: William E. Smith, Boston Fish Market Corporation, Boston, Mass.

Laid over a week under the law.

REPORT OF EMPLOYMENT BUREAU.

The following was received:

City of Boston,
Office of the Mayor, March 19, 1928.
To the City Council.

Gentlemen,—I submit herewith, in accordance with your request, the weekly report of the Employment Bureau, for the weeks ending March 3 and March 10.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Employment Bureau,
March 5, 1928.

Report for City Council, week of February 27 to March 3:

Registrations, 114; positions filled, 52.
AUGUSTUS SEAVER,
Assistant Secretary in Charge.

March 12, 1928.
Report for City Council, week of March 5 to March 10:

Registrations, 145; positions filled, 251.
AUGUSTUS SEAVER,
Assistant Secretary in Charge.

Placed on file.

APPROPRIATION FOR MUNICIPAL EMPLOYMENT BUREAU.

The following was received:

City of Boston,
Office of the Mayor, March 12, 1928.
To the City Council.

Gentlemen,—The funds of the Municipal Employment Bureau will expire on or about the first of next month. In view of the large amount of unemployment present in the community, I deem it expedient to continue the activities of this Bureau for another year. I accordingly submit herewith an appropriation order for this purpose. Of the amount specified in this order, approximately \$600 will be expended for office expenses and the balance for the salaries of the eleven employees attached to the Bureau. I recommend adoption of this order by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That a sum not in excess of \$21,000 be and hereby is appropriated to be expended by the Municipal Employment 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.

CLAIMS.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

Ames Agricultural Implement Company, for refund on refuse tickets.

Caroline Cain, for compensation for injuries caused by an alleged defect in Traverse street.

Mary E. Coyne, for compensation for injuries caused by defective floor in Curtis Hall, Jamaica Plain.

Pasqualina DelGrosso, for compensation for damage to clothing on Gove Street Bridge.

Alice H. Doocy, for compensation for of dress at City Hospital.

Robert C. Gorman, for compensation for damage to automobile by police car.

Edward C. Lawless to be reimbursed for expenses incurred on account of his acts as a police officer.

Joseph C. MacKenzie, for compensation for damage to car by fire apparatus.

John Matulaitis, for compensation for loss of diamond ring at City Hospital.

Richard J. McNulty, for compensation for injuries caused by an alleged defect in Court square.

Daniel L. Nelson, for compensation for damage to clothing on ferryboat.

Alice M. Roberts, for compensation for injuries caused by an alleged defect at 825 Boylston street.

Millie Schriber, for compensation for injuries caused by an alleged defect in Harrison avenue.

Thomas H. Sexton, for compensation for injuries caused by employees of Transit Department.

Mrs. Mary Smith, for compensation for injuries caused by an alleged defect in Bremen street, East Boston.

George J. Westwater, for compensation for damage to automobile caused by an alleged defect in Massachusetts avenue.

Jasper E. Yovino, for compensation for damage to automobile caused by an alleged defect in Atlantic avenue.

Harry Goldberg, for refund on victualler's license.

Special Committee on Jitney Licenses.

Petition of the Boston Elevated Railway Company to run buses between Park square and junction of Shawmut avenue and Dover street.

Executive.

Petition of Harrold de Wolfe, for children under fifteen years of age to appear at Jordan Hall, May 5.

COMMUNICATION FROM BOSTON CITY HOSPITAL.

The following was received:

City of Boston,
Hospital Department,
March 15, 1928.

To the Honorable City Council.

We have read in the daily papers of Monday, March 12, that Mr. Roscoe Walsworth, attorney for Charles J. Bowden and wife, has presented a petition to the City Council requesting, on behalf of these parents, that the entire methods of administration of the Boston City Hospital be thoroughly and carefully investigated, in order to ascertain what, if any, changes or improvements should be instituted. This petition was made because of the fact that their child, who had been sent to the South Department of the Boston City Hospital on July 18, 1925, had died there on July 23, 1925, and they did not learn of his death until August 2, 1925. All the facts outlined in the petition to the City Council, except the allegation that an autopsy had been performed, were brought to the attention of the trustees on August 4, 1925. The matter was investigated by Doctor Wilson, Acting

Superintendent at that time, and a report sent to Mr. Walsworth on August 6, 1925.

The trustees had no further communication from Mr. Walsworth until March 5, 1926, when he again called the attention of the trustees to the same facts outlined in his letter of August 4, 1925. As a result of this letter Mr. Walsworth was invited to meet with the trustees, which he did on March 18, 1926. The trustees, after hearing Mr. Walsworth, expressed their great regret, and as a result of Mr. Walsworth's suggestion, the matter was brought to the attention of the Law Department.

Mr. Walsworth again wrote to the trustees on February 16, 1928, calling attention to the fact that he had been referred to Mr. Lyons of the Law Department and that apparently no steps had been made toward any definite suggestion in the matter, and that he had notified Mr. Lyons that unless this was done not later than Monday, he should feel free to bring such proceedings as the interests of his clients justified.

The following is an outline of the hospital side of the case:

The child was referred to the hospital on July 18, 1925, by Doctor Schwartz of East Boston, for whooping cough. For the first four days the patient ran a normal temperature, but during the night of the fourth day he suddenly developed convulsions. His temperature rose very rapidly and at 2.40 a. m. he was placed on the dangerously ill list and passed away at 6 a. m. the same morning. The record of the patient reads "Charles Bowser," and the name on the admission slip made out by the ambulance orderly who went for the patient is also Charles Bowser. The telegram which was sent out from the South Department at 2.47 a. m. on the morning of July 23, 1925, was sent to Mrs. Mary Bowser, 355 Chelsea street, East Boston, and the telegram which was sent out shortly after 6 a. m. notifying Mrs. Bowser of the death of the child, copies of which are enclosed, was sent to the same address. These telegrams, it was later found out, were never delivered, the Postal Telegraph people claiming that they had notified the hospital to that effect. Such an occurrence has been impossible during the past several years, due to the fact that the Telegram Companies were notified that in the event of failure to deliver a telegram they should telegraph that fact back to the hospital, instead of telephoning, as in the past. The supervisor at the South Department, finding copies of these telegrams, which had the correct address but wrong last name, communicated with the Postal Telegraph Company, and was told by them that they had sent these telegrams to 335 Chelsea street instead of 355, and of course they were not delivered. Mr. Way, the supervisor at the South Department, and Mr. Clapp, the night clerk there, both deny that they were ever notified by the Postal Telegraph Company that these telegrams had not been delivered. Mr. Kelly, the night telephone operator at the Main Hospital, also claimed that he never recalled receiving such a message from the Postal Telegraph Company.

It seems extraordinary that the parents should call up the hospital day after day and ask for the condition of Charles Bowden, and receive the condition, when on the books of the hospital there was no such patient. As far as we have been able to find out, the parents never called at the South Department to ascertain the condition of the patient. If they had, we are confident that the doctors, who meet with the parents between two and three would quickly have straightened this matter out.

Until this last petition, no mention has been made of an autopsy, and no autopsy was ever performed on this child.

It is true that at the South Department, due to the fact that it is a hospital for infectious diseases, parents are not allowed to see their children unless they are on the dangerously ill list, but every day between

two and three the doctors in charge of these children are in the rounds of the hospital, where they see the parents of the children and give their condition in detail. If they had called at the South Department at any time while their child was in the hospital the difference in name would have been immediately noted by the doctors in charge.

It may be of interest to note that there were admitted over 27,000 patients to the wards last year; that the number of telegrams sent out per year regarding condition of patients are over 3,000; and that the number of telephone inquiries regarding the condition of patients, per day, is over 3,500. Besides these contacts with the public, the hospital sends out, between 8 p. m. and 6 a. m., through Police Headquarters, over 2,000 yearly messages to friends and relatives of the patients in order to reach them quickly.

The trustees will be glad to discuss any matters with the Council regarding the hospital, and are always ready to receive helpful suggestions for the welfare of the patients.

Yours very truly,
HENRY S. ROWEN,

Acting President, Board of Trustees.

Referred to the Executive Committee.

SIDEWALK ASSESSMENTS.

Communications were received from the Commissioner of Public Works submitting cost of constructing artificial stone sidewalks, with accompanying schedules showing amounts to be assessed to owners of record of estates bordering thereon, on streets as follows:

Talbot avenue, Ward 17; West Tremlett street, Ward 17; Tappan street, Ward 20; Ashmont street, Ward 16; Harold street, Ward 12; Rossmore road, Ward 11; South Huntington avenue, Ward 19; Perkins street, Ward 19; Lochstead avenue, Ward 19.

Said orders severally passed under suspension of the rule.

CONSTABLES' BONDS.

The constables' bonds of George A. Ramacorti, Walter H. Holland and Thomas F. Long, Jr., having been duly approved by the City Treasurer, were received and approved.

RESIGNATION OF JAMES A. PARSONS.

Notice was received of the resignation of James A. Parsons, Assistant Director of the Commercial, Industrial and Publicity Bureau. Placed on file.

RESIGNATION OF JOHN C. SMITH.

Notice was received of the resignation of John C. Smith as Superintendent of the City Scales, Haymarket square. Placed on file.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held on petitions for storage and sale of gasolene on April 2, viz.:

Fullmore Garage, Inc., 839-851 Washington street, Ward 17, 1,000 gallons.

Francis C. Stack, 56 West Glenwood avenue, Ward 18, 25,000 gallons gasolene, 15,000 gallons oil, 15,000 gallons kerosene.

Lawrence S. Tucker, 1150 River street, Ward 18, 2,000 gallons.

Referred to the Executive Committee.

REPORT OF COMMITTEE ON CLAIMS.

Coun. RUBY, for the Committee on Claims, submitted report as follows:

1. Report on petition of William E. Dower (referred February 27) for reimbursement of

amount paid by him in settlement of damage claim in accident while Dower was performing his duties as a member of the Fire Department—recommending the passage of the accompanying order, viz.:

Ordered, That the sum of \$400 be allowed and paid to William E. Dower for expense incurred by him in the settlement of an action brought against him on account of his acts as a member of the Fire Department, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

RECESS.

The Council voted at 2.34 p. m., on motion of Coun. MAHONEY, to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by President GREEN at 3.17 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted reports as follows:

1. Report on petition of Harrold de Wolfe (referred today) for permit for children under fifteen years of age to appear at Jordan Hall, May 5,—that permit be granted.

Report accepted; said permit granted under the usual conditions.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President GREEN called up, under unfinished business, No. 1 on the calendar, viz.:

1. Actions on appointments, submitted by the Mayor March 12, 1928, of Frank W. Middleton to be a Weigher of Coal, and M. J. Cullinan to be a Weigher of Goods.

The question came on confirmation of the appointments. Committee, Coun. Fish and Murphy. Whole number of ballots 15, yeas 15, and the appointments were confirmed.

SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of March, 1928.

Report accepted; said order passed.

COLLECTION OF BROKEN MILK BOTTLES.

Coun. MOTLEY offered the following:

Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to investigate and report to the City Council as to whether or not the practice of the milk companies of collecting broken milk bottles and keeping the same on their premises for long periods is a menace to the health of the community on account of breeding rats and other vermin.

Passed under suspension of the rule.

PROPOSED ACCEPTANCE OF LINCOLN ROAD.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Lincoln road, Ward 14, as a public highway.

Passed under suspension of the rule.

FIRE ALARM BOX, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to install a fire alarm signal box on Bowdoin street, Ward 14, at or near its junction with Oakley street.

Passed under suspension of the rule.

BRANCH LIBRARY, FOREST HILLS.

Coun. MURRAY offered the following:

Ordered, That the Trustees of the Boston Public Library be requested, through his Honor the Mayor, to establish a branch library in the Forest Hills section of Ward 19, and, if inexpedient to erect a building for this purpose, that the trustees be requested to hire suitable quarters.

Passed under suspension of the rule.

TRAFFIC TUNNEL, WARD 19.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of constructing a traffic tunnel between Hyde Park avenue and Washington street, Ward 19.

Passed under suspension of the rule.

PARKING RULES AT MATTAPAN SQUARE.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to change the parking rules at Mattapan square, in the business area, to provide for parking on an angle with the curbing instead of parallel to the curbing as at present.

Coun. MURPHY—Mr. President, I have received many complaints from the merchants in the vicinity of Mattapan square who complain that some time ago they were allowed to park their automobiles at an angle with the curbing, and that since the new rule has been enforced whereby they are now compelled to park parallel with the curbing they are losing approximately 25 per cent of their business. You can readily see, on a thoroughfare of the width of Blue Hill avenue at Mattapan square, that if automobiles are parked parallel with the curbing it means just about half the number of cars can be parked there. So I hope his Honor the Mayor, for the sake of the business of the city and of those who do their shopping by automobile, will take whatever steps he may deem necessary to grant this request.

The order was passed under suspension of the rule.

\$3,000,000 FOR HIGHWAYS.

Coun. MURPHY offered the following:

Ordered, That the sum of \$3,000,000 be and the same 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 request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Coun. MURPHY—Mr. President, I am introducing this loan order for the purpose of trying to do something for the suburban wards of this city. At the present time, in Ward 18, we have in the neighborhood of 300 streets, roads, ways and terraces unaccepted, and with the yearly appropriation of \$1,000,000 which has been the custom in past years I am led to believe from all the figures I can gather that it will take the City of Boston some

thirty years to lay out and accept those streets. This, of course, is a condition that should not prevail. We have springing up in the suburban district every day new streets, and if we are going to carry out our thought of a greater Boston, the greatest thing we can do, in my opinion, is to first put the house we live in in order. If we can first do that, by putting streets in such condition that they will be at least passable, we will then be able to fascinate our neighbors and be able to really develop a greater Boston. So I hope his Honor the Mayor will take into consideration the great necessity of fixing up the streets in the suburban district. Also, this appropriation, if granted, will give an opportunity to put the unemployed at work, while putting the streets in proper condition. I certainly trust that his Honor the Mayor will O. K. this loan.

Referred to the Committee on Finance.

LOAN ORDERS FOR STREET AND SEWER WORK.

The following was received:

City of Boston,
Office of the Mayor, March 19, 1928.
To the City Council.

Gentlemen,—Permit me to call emphatically to your attention the existence of two loan orders now pending before your honorable body, one in the sum of \$500,000 for the construction of new streets and the other also in the sum of \$500,000 for the construction of sewers. These two orders were presented at your last meeting by Mr. Fitzgerald of Ward 3, and they represent the balance of a million dollars for streets and a million dollars for sewers, orders for which were introduced by me to the Council for consideration on January 30.

It is to be regretted that the Finance Committee of your honorable body was not called together during the week by its chairman for the purpose of considering the two orders introduced by Mr. Fitzgerald. They refer to the most essential work of the city, which has never been subjected to unreasonable delay prior to this year. The failure of prompt action of these matters is wholly contrary to good public policy and to the best public practice, which is to make all necessary work that can be done promptly available for the relief of distress caused by unemployment. Men are waiting to go to work on work which ought to receive immediate authority from your body.

I recommend that you act with all possible dispatch on the two orders referred to above.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Coun. WILSON—Mr. President, I call attention to the fact that Coun. Murphy has now raised the \$500,000 to \$3,500,000. (Laughter.)

President GREEN—The communication will be referred to the Committee on Finance.

Coun. FITZGERALD—Mr. President, before that is referred to the Committee on Finance, if acceptable, I move that the Council take a recess for 15 minutes, in order that we may have an executive meeting and discuss this matter.

President GREEN—For the information of the gentleman who has just taken his seat, I will say that the Committee on Finance cannot meet at this time without the unanimous consent of the body. Is there any objection to Coun. Fitzgerald's motion?

Coun. BUSH—I object, Mr. Chairman.

The communication was referred to the Committee on Finance.

ROAD RACE, APRIL 14.

Coun. MAHONEY for Coun. Dowd offered the following:

Ordered, That the City Messenger be and hereby is, authorized to rope off the streets in the vicinity of Union Park street and Harrison avenue on April 14 for the road race held by the Cathedral Young Men's Catholic Association, the expense to be charged to the appropriation for City Council, Flags, Ropes and Stakes.

Passed under suspension of the rule.

PROPOSES ACCEPTANCE OF CHESTER STREET.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway Chester street, Dorchester, Ward 18.

Passed under suspension of the rule.

MUNICIPAL BUILDING, WARD 16.

Coun. FISH offered the following:

Ordered, That the sum of \$500,000 be, and hereby is, appropriated to be expended under the direction of the Superintendent of Public Buildings for the construction of a Municipal Building in Ward 16, 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 Committee on Finance.

INFORMATION IN RE DORCHESTER RAPID TRANSIT DELAY.

Coun. WILSON offered the following:

Ordered, That the Transit Commission advise the City Council whether completion of the Dorchester Rapid Transit System is being delayed by the employment of nonunion labor or any difficulties incident thereto.

Passed under suspension of the rule.

CRITICISM OF GOOD GOVERNMENT PUBLICATION.

Coun. BUSH—Mr. President, I ask unanimous consent to make a statement.

President GREEN—The gentleman may proceed, unless there is objection. The Chair hears none.

Coun. BUSH—Mr. President and members of the Council, no doubt all of you here have received this little two-leaved sheet entitled "City Affairs" purporting to be published by the Good Government Association. It seems that they are endeavoring to acquaint the public with affairs at City Hall and how we are spending the taxpayers' money. To that I have no objection whatsoever. If they do that correctly I think they are performing a very useful function. But I have a very strong objection when statements appear in these pamphlets which are not only inaccurate and misleading, but in some cases wholly untrue. In this last issue published by the Good Government Association, of which nobody seems to know the membership and the integrity of whose board of directors I do not question in the slightest—it states among other things that the net funded debt of the City of Boston continues to go up, and mentions the fact that the debt has increased from 1891 to about \$96,000,000 this last year. They fail to state, however, that of this debt a large part consists of the subway and tunnel, rapid transit debt, and apparently the gentleman who acts

as secretary and who probably compiles this information is ignorant of the different status of that part of the debt, although he is, of course, sincerely and earnestly interested in doing his particular job. As a matter of fact, the debt of the city which applies to tunnels and subways, rapid transit is entirely amortized by the rentals which the City of Boston receives from the Boston Elevated and other railways for the use of those tunnels and subways. The charges for the use of the subways are so made that a certain portion of them will eventually amortize that debt. What such a debt means is merely that the state lends its credit for the purpose of building these subways and tunnels and that the taxpayers pay out of their pockets absolutely nothing for that purpose. It is merely a question of financing, and the Transit Commission does a very, very fine job in that respect. As I say, that is one of the statements in this publication which is inaccurate and misleading. In another section of the same pamphlet they make the statement that the Finance Commission was responsible for the failure of the fire station loan order of \$400,000 to pass last year, or for the reduction in its amount. As a matter of fact, the members of this body know that that result was accomplished through the efforts of ex-Councillor Joseph McGrath and that the Finance Commission never took the matter up until it was brought to their attention by Coun. McGrath. But the Good Government Association gives the credit entirely to the Finance Commission in this pamphlet. I repeat that they are performing a useful function in publishing this particular pamphlet, but I think it behooves the Good Government Association to see that the statements made in it are at least accurate and truthful, and that if they are to use such a publication for their own political aggrandizement the penalty will be that they will lose the confidence of the public, which is what they are seeking to obtain. I have taken pains to discover whether any members of the Good Government Association have sought to obtain any information from either the City Auditor or the Budget Commissioner with reference to these matters of which they speak. They have been continually harping on the budget in the pamphlet; yet none of them have made any effort to obtain any information concerning it from such authorized sources. I am inclined to believe that if a city budget were to come up and strike Mr. Oliver in the face he would not recognize it. It seems to me the least they could do would be to inform themselves concerning these matters, and not to attempt to mislead the voters of the city with reference to city finances.

Coun. WILSON—Mr. President, I wish to second Coun. Bush's suggestion that the Good Government Association might well seek to set an example to the members of this body or others to whom it is trying to indicate the proper course to pursue in city affairs by itself being careful of its facts and by consulting the proper authorities before mak-

ing public statements. I, too, was surprised in reading the latest literary effort of the association to see that apparently the secretary of the Good Government Association still believes in the old fairy tale that the Fin. Com. had anything at all to do with the reduction of the fire station loan.

Coun. DONOVAN—Mr. President, I heartily agree with the views that have been expressed by both previous speakers. I took occasion last week to investigate the status of the debt of the City of Boston, and found that the debt for subways tunnels, rapid transit, which is amortized and paid off by rentals charged to the road, has increased from \$42,500,000 to \$50,000,000, an increase of \$5,000,000 or \$6,000,000 having been caused mainly by the Dorchester rapid transit work; and that at the completion of the project the city may have invested some \$60,000,000, which will however, be paid off by the return received from rentals from the Boston Elevated, and will not come out of the pockets of the taxpayers. I believe if the secretary of the Boston Good Government Association would attend strictly to the finances of the city as they really affect the citizens and taxpayers, instead of bothering with the election of councillors in the different districts, some good for the city might be accomplished.

Coun. SULLIVAN—Mr. President, I simply wish to add one word of proof to what has been said by Coun. Bush in regard to the inaccuracy of statements by the Good Government Association, showing by another misstatement how near they get to the truth in what they put in their pamphlets and their publications during election time. They had me down as being thirty-one years of age. (Laughter.) It may have been intended as a compliment to me, but I am sorry to say that I have the consciousness of being a little bit older! Perhaps I should thank them through this body for the assistance they gave me in the last campaign by giving thirty-one years as my age! No doubt it helped me very much!

CENTRAL FIRE STATION.

Coun. FITZGERALD offered the following:

Ordered, That the sum of \$400,000 be, and hereby is, appropriated for the purpose of securing a site in the West End of Boston for the erection of a Central Fire Station and headquarters for the Fire Commissioner of the Boston Fire Department, and that the City Treasurer be hereby authorized to issue, from time to time, on the request of the Mayor, bonds of the City of Boston to said amount.

Referred to the Committee on Finance.

Adjourned, on motion of Coun. MURRAY, at 3.42 p. m. to meet on Monday, March 26, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 26, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Lynch.

SAFETY ISLAND, DARTMOUTH STREET.

The following was received:

City of Boston,
Office of the Mayor, March 22, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of March 12, 1928, relative to the establishing of a safety island for the protection of pedestrians in Dartmouth street at its intersection with Commonwealth avenue, between the park reservations.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, March 21, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of March 16, relative to inclosed order from the City Council, that the Park Commissioners be requested, through his Honor the Mayor, to establish a safety island for the protection of pedestrians in Dartmouth street at its intersection with Commonwealth avenue, between the park reservations.

In reply I desire to say that this intersection comes under the jurisdiction of the Public Works Department—the Park Department controls both avenues, but does not control Dartmouth street.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

BRANCH LIBRARY WARD 10.

The following was received:

City of Boston,
Office of the Mayor, March 22, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the director of the Boston Public Library, in reply to your order of March 5, 1928, relative to an estimate cost of a site and building for a branch library in Ward 10, Roxbury.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

March 20, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—Replying to the order of the City Council of March 5, 1928, *in re* "estimate of the cost of site and building for branch library in Ward 10, Roxbury":

The cost of a library building, approximately the size of the satisfactory West Roxbury Branch (estimating on the basis of \$1 per cubic foot) would be about \$140,000. A lot for such a building should have some 135-foot frontage by 55-foot depth. The cost of the land would depend, of course, on its location, but it is reasonable to believe that the building and land would cost in the neighborhood of \$150,000.

Respectfully yours,
CHARLES BELDEN, Director.

Memorandum *in re* Branch Library Building in Ward 10, Roxbury.

The Parker Hill Branch Library in Ward 10 was first opened in 1907, and serves a population of approximately 40,000. The book circulation in 1927 was 45,862, and the number of live card holders, 1,808.

The location of the present branch is admirable, but its quarters are much too small. Service cannot be further extended in the same.

The district is residential and serves an intelligent and appreciative clientele. In order adequately to serve the large number of educational institutions in the vicinity, including the Wentworth Institute, Teachers College, the Harvard Medical School, Simmons College, Emmanuel College, Northeastern University, and the Art Museum School, larger and more adequate quarters are essential.

If a portion of the Mission Hill Playground, directly opposite the present branch, the front part of which apparently is not used for playground purposes, could be released for a new branch building, the cost of the land for a library building would be eliminated, while its location would probably be the best obtainable for the ward.

Placed on file.

TUNNEL AT FOREST HILLS.

The following was received:

City of Boston,
Office of the Mayor, March 22, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of January 9, 1928, relative to the construction of a tunnel under the railroad tracks at Forest Hills, to replace the present toll gate bridge connecting Hyde Park avenue and Washington street, Ward 19.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department, March 20, 1928.
To the Honorable the Mayor.

I return order of the City Council, dated January 9, 1928, requesting the replacement of the Tollgate Bridge at Forest Hills by a tunnel, and report that a careful study has been made of the possibilities of a tunnel at this point and an approximate estimate of the cost of construction is \$25,000.

This would eliminate some of the climbing up and down stairs as the present bridge is 20 feet above the railroad tracks. The approach from Washington street to the tunnel would be a gradual approach, and there would be no stairs, but on the approach from Hyde Park avenue there would have to be either an exceedingly steep gradient, which would be so sharp as to be dangerous, or a combination of steps and sloping walks, so that on the Hyde Park avenue side there would be considerable climbing.

This is a matter that should be referred to the Board of Street Commissioners for action.

Yours respectfully,
J. H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

WORK ON OAKLAND AND OTHER STREETS.

The following was received:

City of Boston,
Office of the Mayor, March 22, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of February 13, 1928, relative to the work of widening and constructing Oakland, Ashland and River streets, Ward 13.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department,
March 20, 1928.

To the Honorable the Mayor.

I return order of the City Council, dated February 13, 1928, requesting that the work of widening and constructing Oakland and Ashland streets and River street be expedited, and report that considerable underground work is now in progress, and the contractor who has the construction contract in River street will follow without delay, weather permitting.

The construction work on Ashland and Oakland streets will be advertised very shortly. Some delay

has been occasioned by the Boston Elevated changing its plans, in that it has decided to double track Oakland street from Wilmot street to Mattapan square. This decision on the part of the railway company necessitates a petition to the Board of Street Commissioners for a double track location, trolley poles, etc., which petition, it is understood, has been filed with the Street Commissioners.

Pending action by the Board of Street Commissioners track grades will be established, thereby leaving the plans complete and permitting the work to proceed without further delay.

Yours respectfully,
J. H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

BRANCH LIBRARY, SAVIN HILL.

The following was received:

City of Boston,
Office of the Mayor,
March 22, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from director of the Boston Public Library, in reply to your order of March 12, 1928, relative to the providing of a branch library in the Savin Hill section of Dorchester.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Library Department, March 20, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—Replying to the order of the City Council of March 12 that the trustees of the Boston Public Library provide for the establishment of a branch library in the Savin Hill section of Dorchester, I would again state that no provision has been made in the Library Department budget for 1928 for the establishment of any new branch libraries. The Savin Hill section of Dorchester is in need of library facilities, it being one of the four or five sections of the city furthest distant from any existing branches.

Again may I call your attention to the fact that the trustees will be glad at any time to take up with the Library Committee of the City Council the whole question of branches: their proper location to serve the greatest need, as well as the necessity of additional appropriations for their operation when established.

Respectfully yours,
CHARLES BELDEN, Director.

Placed on file.

REPORT OF EMPLOYMENT BUREAU.

The following was received:

City of Boston,
Office of the Mayor, March 22, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Employment Bureau, relative to the number of registrations and positions filled for the week ending March 17, 1928.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Employment Bureau,
March 19, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—Pursuant to the City Council orders, inclosed please find the number of registrations and positions filled directly through this Bureau for the week ending March 17, 1928.

Respectfully,
AUGUSTUS SEAVER,
Assistant Secretary in Charge.

Report for City Council, week of March 12 to March 17, 1928:

Registrations, 73; positions filled, 32.

AUGUSTUS SEAVER,
Assistant Secretary in Charge.

Placed on file.

HIGH PRESSURE SERVICE, SOUTH BOSTON.

The following was received:

City of Boston,
Office of the Mayor, March 24, 1928.
To the City Council.

I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of February 13, 1928, relative to the installation of a high pressure water service in the South Boston district.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department,
March 21, 1928.

To the Honorable the Mayor.

I return order of the City Council, dated February 13, 1928, and report that chapter 488 of the Acts of 1895, providing for a metropolitan water supply, took from the city its water supply and placed the supplying of water to the various cities and towns under the Metropolitan Water Board. Section 3 of said act states, "Said board shall furnish said water to the city, town or company by delivering the same into a main water pipe of the city, etc., under sufficient pressure for use without local pumping." Section 20 says, "The premises to which the high service supply shall be furnished shall be subjected to the approval of said Metropolitan water board."

Excepting the districts on Telegraph Hill and at Independence square, which are supplied by high service, the remainder of South Boston is supplied from the so-called "southern low service," and the normal water pressures range from forty to sixty pounds at the street level. This normal pressure is as good, if not better, than the pressure in other districts of Boston. Any greater water pressure in South Boston would have to be obtained from the Metropolitan District Commission, the successors of the Metropolitan Water Board. It is very questionable whether their approval could be obtained to an extension of the high service in South Boston beyond the present limits on Telegraph Hill and Independence square.

As the service is now adequate and satisfactory, it is not advisable to consider the installation of an independent high service main, at a cost of \$1,000,000 even though the Metropolitan District Commission was agreeable.

Yours respectfully,
J. H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

FOOTBRIDGE, COLUMBIA STATION.

The following was received:

City of Boston,
Office of the Mayor, March 22, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Transit Department, in reply to your order of March 12, 1928, relative to the construction of a footbridge over the tracks of the Rapid Transit system, Crescent avenue to the Columbia Station platform.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Transit Department,
March 19, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.
Dear Sir,—Herewith is returned order of the City Council, dated March 12, 1928, requesting information regarding the construction of a footbridge over the tracks of Dorchester Rapid Transit from Crescent avenue to Columbia Station.

Section 4 of chapter 480 of the Acts of 1923, providing for the extension of rapid transit facilities in the Dorchester district, requires the consent of the company in writing to any changes in the filing plan, and this consent having been given by the company in a written communication to this department dated March 9, the department accordingly voted at its meeting of March 12 to proceed with the work at once.

Yours very truly,
CITY OF BOSTON TRANSIT DEPARTMENT,
T. F. SULLIVAN, Chairman.

Placed on file.

IMPROVEMENT OF BARRY PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, March 22, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of March 12, 1928, relative to an estimate of the cost of constructing a field house, fencing and grading on the William J. Barry Playground, Charlestown, and the erection of settees for women facing the waterfront.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, March 20, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of March 16, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to submit an estimate of the cost of constructing a field house, fencing and grading on the William J. Barry Playground, Charlestown, also to include the erection of settees for women facing the waterfront.

In reply I desire to submit copy of report forwarded to you on February 23, 1928.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

City of Boston,
Park Department, February 23, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of February 21, 1928, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to provide for the construction of a locker building on the Barry Playground, Charlestown, and to make the necessary improvements thereon.

In reply I desire to say that it would cost \$45,000 to comply with this request. I regret exceedingly to inform you that the department has only \$2,300 on hand at the present time, which amount will be spent resurfacing and regrading the entire area in the spring.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

LOAN FOR SANATORIUM.

The following was received:

City of Boston,
Office of the Mayor, March 26, 1928.
To the City Council.

Gentlemen,—I transmit herewith a loan order providing for the appropriation of \$1,400,000 for improvements at the Sanatorium Division, in Mattapan, of the Boston City Hospital. This order is based on a request submitted to me by the trustees of the hospital, which request I am appending hereto, together with a letter from the architects summarizing the work which is contemplated in the event of the approval by your honorable body of the accompanying loan order.

Up to the present time the Sanatorium at Mattapan has confined its activities to the care of advanced cases of tuberculosis. It has no facilities for the care of incipient or moderately advanced cases and it has been necessary for the city to depend on sanatoria maintained by the state for the treatment of its citizens in the early stages of this dread disease. It is the consensus of medical opinion that Boston should have facilities for the care and treatment of cases in all stages of tuberculosis and with the carrying out of the program on which the request of the hospital trustees is based this desired end will be accomplished.

The improvements contemplated within the appropriation requested may be summarized as follows:

The construction of a hospital to house 150 incipient and moderately advanced cases of tuberculosis.

The construction of an adequate administration building.

The construction of new kitchens, dining-rooms, recreation rooms, etc., to take care not only of the patients in the proposed new building but of the patients in the buildings now existing at Mattapan.

The erection of a nurses' home to accommodate not less than sixty-five nurses and possibly seventy-five.

The enlargement and modernizing of the present boiler plant, together with the development of a modern laundry.

Alterations in present buildings in order that they may conform with the enlarged institution.

I feel that it is unnecessary for me to emphasize the importance of the work contemplated in this program. The trustees of the City Hospital have spent months in considering the entire proposition. I am content to accept their decision in the matter and respectfully recommend adoption of the accompanying order.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Hospital Department,
Boston, March 23, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Mr. Mayor,—In response to your Honor's request and in accordance with your wishes, the trustees of the Boston City Hospital respectfully request that you provide \$1,400,000 for the purposes specified below.

On April 1, 1927, the trustees of the Boston City Hospital assumed the trusteeship of the Boston Sanatorium, which contains approximately 400 beds for the care of advanced cases of tuberculosis, but none for the care of incipient or moderately advanced tuberculosis, and is now known as the Sanatorium Division of the Boston City Hospital. Since taking it over they have made a very careful study of the tuberculosis situation in Boston, and have conferred with men particularly interested in this subject.

As a result of this study, the trustees are convinced that immediate provision should be made for the housing of incipient and moderately advanced cases of tuberculosis, and that new hospital buildings should be constructed to care for 150 such cases. They have learned that not only is it necessary and wise to make such provision, but that chapter 501, section 3, of the Acts of 1924, compels cities and towns having a population of more than 100,000, to establish and maintain within their limits one or more hospitals for the reception of persons having smallpox, diphtheria, scarlet fever, tuberculosis or other diseases dangerous to the public health, unless there already exists therein a hospital satisfactory to the Department of Public Health for the reception of persons ill with such diseases. Dr. George H. Bigelow, Commissioner of Public Health, at a conference with the hospital trustees, stated that it was the duty of the City of Boston to build immediately a hospital to house 150 cases of incipient and moderately advanced cases of tuberculosis.

The trustees conferred with James H. Ritchie and Associates as to the probable cost of the necessary new buildings and such changes as might be necessary in the existing buildings in order to comply with chapter 501, section 3, to make new roads and make the grounds more attractive, and learn that approximate cost would be \$1,400,000. Attached is a letter from James H. Ritchie and Associates showing in more detail the manner in which this money is to be expended. It is proposed to construct these new buildings on the grounds of the Sanatorium at Mattapan, on land now owned by the City of Boston.

Yours respectfully,
JOHN J. DOWLING, M. D.,
Superintendent.

Approved by
HENRY S. ROWEN, M. D.,
Acting President of Trustees.

Boston, March 22, 1928.
Dr. John J. Dowling,
Boston City Hospital.

Dear Doctor Dowling,—I hand you herewith our report upon the approximate cost of the construction and equipment of the new building contemplated for the Consumptives' Hospital, Mattapan. This work should consist of the following:

A new hospital building of one hundred fifty beds.

An administration building attached to this hospital building on the north side.

Beyond that new central kitchens, dining rooms, recreation rooms, etc., to take care not only of the

patients in the proposed new hospital building but of the patients in the buildings now existing on the site.

In the new hospital buildings would be dining rooms for patients, for help, nurses, and staff.

In addition to this above described building there should be connecting corridors from the new building to the existing corridor, the connection to be made near the present boiler building, and a new connecting corridor from this new building over the hill to connect with the now existing buildings.

There should be a new nurses' home to accommodate not less than sixty-five nurses, and possibly seventy-five.

It also becomes necessary to add to and modernize the present boiler plant. This work would consist of new boilers that would be placed in the present laundry building, and a modern laundry would be developed in the new hospital building referred to above. These boilers should be fired by stokers or by the use of pulverized coal with crushers and blowers.

At the present time you are not making your own electricity but are buying from the Edison Company. With the amount of steam you are generating and will generate with this new plant, it would be wise to use the live steam for generating electricity and heat the buildings with the exhaust. We, therefore, have figured adequate power to furnish lighting for the entire plant. The manufacturing of electricity would necessitate some changes in outside distribution from the power plant to the various buildings, and we have taken care of that.

In addition to the definite items of estimate on new work, we recommend an item of forty-five thousand dollars (\$45,000) for changes in existing buildings to adapt them to new uses.

In addition to that we recommend a contingent fund of fifty thousand dollars (\$50,000).

We estimate that the equipment will cost approximately eighty-five thousand dollars (\$85,000).

This shows a total of one million three hundred twenty-nine thousand four hundred forty dollars (\$1,329,440). I would call your attention to the fact that we have not put in any item for new roads or drives that will be required to give access to these new buildings from the main street nor connecting roads from this building to existing roads.

I believe if a request were made for one million four hundred thousand dollars (\$1,400,000) that it would be adequate to take care of these various items and also the roads.

Very truly yours,
JAMES H. RITCHIE.

Summary of Cost of Contemplated Work at Consumptives' Hospital, Mattapan.

New Hospital building—150 beds, cubage, 650,000 cubic feet.....	\$515,000 00
Administration building, cubage, 95,000 cubic feet.....	60,000 00
New kitchens, dining rooms, etc., cubage, 160,000 cubic feet.....	71,000 00
Connecting corridors, cubage, 75,000 cubic feet.....	45,000 00
Nurses' home, cubage, 285,000 cubic feet.....	198,000 00
Changes in the boiler plant, including all the work enumerated above.....	190,000 00
Changes in present buildings.....	45,000 00
Contingent fund.....	50,000 00
	<hr/>
	\$1,174,000 00
Architects' fees—6 per cent of above,	70,440 00
Equipment estimated at 7½ per cent of above.....	85,000 00
	<hr/>
Total.....	\$1,329,440 00

Ordered, That the sum of \$1,400,000 be and the same hereby is appropriated, to be expended under the direction of the trustees of the Boston City Hospital, for new buildings and additions to existing buildings at the Sanatorium Division, Mattapan, as well as for equipment and furniture for such new buildings and additions, and that to meet said appropriation the City Treasurer be and hereby is 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.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Katherine A. Chelius, for compensation for damage to property at 59 Whiting street, caused by break in water main.

Domenico DeStefano, for compensation for damage to automobile by city truck.

Amanda Ehrenholm, for compensation for injuries caused by an alleged defect in Clarendon street.

Louis Factor, for compensation for injuries caused by an alleged defect at 58 Glenway street, Dorchester.

Edward G. Galvin, for compensation for damage to automobile caused by an alleged defect in Tremont street.

Lewis P. Harding, for compensation for damage to automobile caused by an alleged defect at 2894 Washington street.

Mrs. Margaret A. Harrison, for compensation for injuries caused by an alleged defect in Parker street, Roxbury.

Samuel S. Horlick, for compensation for damage to automobile caused by an alleged defect in Cambridge street.

Mrs. Celia Kelley, for compensation for loss of clothing at City Hospital.

Charles Lerner, for refund on garage license.

W. D. Messinger & Co., for refund on refuse tickets.

Rose Murphy, for compensation for injuries caused by an alleged defect at 71 Canal street.

Vencenzia Pelletieri, for compensation for injuries caused by an alleged defect at 1A Unity street.

Fred M. Burton, for compensation for damage to automobile caused by fire apparatus.

Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

- Maria Paparello, Jordan Hall, May 9.
- Annie P. Varney, Copley-Plaza, April 14.

COMMUNICATION FROM CHARLES J. BOWDEN.

A communication was received from Roscoe Walsworth, attorney for Mr. and Mrs. Charles J. Bowden, relative to death of their child at City Hospital.

Referred to Executive Committee.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of petitions for storage and sale of gasolene, hearings on same to be heard on April 9, viz.:

John W. Biggs, 1565 Blue Hill avenue, Ward 18, 3,000 gallons.

Boston Elevated Railway, 2567 Washington street, Ward 9, 2,000 gallons.

James F. Collins, 1607 Dorchester avenue, Ward 16, 5,000 gallons.

Referred to the Executive Committee.

APPROVAL OF CONSTABLE'S BOND.

The constable's bond of Max Zimmerman, having been duly approved by the City Treasurer, was received and approved.

REGISTRY OF DEEDS PAY ROLL.

The pay roll of the Registry of Deeds, from February 20 to March 17, for piece work, and from March 16 to March 31, by regular employees, amounting to \$8,533.54 was received and approved.

APPOINTMENT OF FIRST ASSISTANT ASSESSORS.

The following was received:

City of Boston,
Assessing Department,
March 16, 1928.

James Donovan, Esq.
City Clerk.

Dear Sir,—This is to notify you that the Board of Assessors, at a meeting held March 12, 1928, voted to appoint the following-named first assistant assessors in this department, effective March 31, 1928, at salary of \$1,700 per annum:

Joseph A. McMorrow, 45 Englewood avenue, Brighton.

Richard F. Pierce, 58 Hunnewell avenue, Brighton.

John M. Machugh, 301 City Hall Annex, Boston.

John J. Chapman, 837 East Third street, South Boston.

Paul J. Oswald, 100 Tyndale street, Roslindale.

Thomas H. Dacey, 46 Vermont street, West Roxbury.

The above appointments were approved March 13, 1928.

Respectfully,
BOARD OF ASSESSORS,
FRED E. BOLTON,
Secretary to the Board.

Placed on file.

COMPARATIVE AMOUNTS OF PAVING.

The following was received:

City of Boston,
Finance Commission, March 26, 1928.

To the Honorable the Mayor and City Council.—Gentlemen,—In order to show the comparative amount of paving in the past ten years, under the Peters administration, the Curley administration, and the two years of the Nichols administration, the Finance Commission submits three tables prepared by its consulting engineer.

Table I shows the amount of pavement laid by contract during this period. The highest record was made in 1919 and in 1920, under the Peters administration. There was a substantial falling off in the amount of pavement thus laid in the Curley administration. The second year of the Nichols administration shows a marked increase over the first year and, though exceeding any year of the Curley administration, was still far below the two high years of the Peters administration.

Table II shows the amount of pavement laid by the day labor force of the city, setting forth first the amounts of permanent pavement and finally showing the amounts of both permanent work and temporary repairs combined. It is to be noted that no year of either the Curley or Nichols administration equalled any year of the Peters administration.

Table III combines the areas of pavement laid by contract and day labor and also shows the average for the eight years preceding the Nichols administration. It should be noted that in the second year of the Nichols administration this combined work exceeded any year of the Curley administration, but was below all but the first year of the Peters administration.

It should be noted that the work of the second year of the Nichols administration, except as to the permanent work done by the day labor force, exceeded the first year and showed a substantial total.

Respectfully submitted,
THE FINANCE COMMISSION,
by CHARLES L. CARR,
Chairman.

(Annexed were the tables referred to.)

Just as the Clerk started reading the communication, Coun. WILSON said:

Mr. President, do I understand that this is the campaign tract in behalf of ex-Mayor Peters, to be used in his campaign for Governor?

The CLERK—The nature of the communication can be best understood after it is read.

The communication was ordered placed on file, on motion of Coun. RUBY.

MOTHERS' REST, WELLINGTON HILL.

Coun. RUBY offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to construct a mothers' rest on Wellington Hill, Ward 14, the cost to be charged to the appropriation of \$18,000 made in 1924 for park purposes on Wellington Hill.

Passed, under suspension of the rule.

ARC LAMPS, ASHTON STREET.

Coun. RUBY offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to install sufficient arc lamps on Ashton street, between Callender street and Frontenac street, to provide for the adequate lighting of this thoroughfare.

Passed under suspension of the rule.

SAVIN HILL BATHING BEACH.

Coun. SULLIVAN offered the following:

Resolved, That the City Council hereby endorses the position taken by the Mayor in requesting that the Commonwealth of Massachusetts expend a sufficient appropriation to restore the Savin Hill Bathing Beach to the condition in which it was before the construction of the Old Colony Parkway.

Referred to the Committee on Rules.

REMOVAL OF TREE.

Coun. WARD offered the following:

Ordered, That the Board of Park Commissioners be authorized, through his Honor the Mayor, to remove the tree in front of 18 and 20 Dorr street, Roxbury, as a public menace.

The order was passed under suspension of the rule.

LIGHTING SYSTEM OF ROXBURY BUSINESS DISTRICT.

Coun. WARD offered the following:

Ordered, That the Public Works Commissioner, through his Honor the Mayor, be requested to include in the budget for the current year the sum of \$10,000 to be used for the improvement of the lighting system in the business district of Roxbury.

Passed under suspension of the rule.

SIDEWALK ON CLARKSON STREET.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Clarkson street in front of No. 83, 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, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

SIDEWALK ON COLUMBIA ROAD.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Columbia road west side, from Sayward street to Bird 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, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Coun. McMAHON—Mr. President, I would like to say just a word upon that order for a sidewalk on Columbia road. That is one of the busiest thoroughfares we have in Dorchester, and this is a section of the road where the sidewalk has been left out. I don't know the reason why

they do not want to put concrete in there. The condition of the sidewalk, so far as the traveling public is concerned, is bad. The road is all right for machines and for men who may be walking on the boulevard, but the sidewalk is in terrible condition. I hope the Council will pass the order. The order was passed, under suspension of the rule.

ROPING OFF STREETS FOR MARATHON RACE.

Coun. PARKMAN offered the following:

Ordered, That the City Messenger be authorized to rope off such streets as may be necessary, as in former years, in connection with the Marathon race, to be held on April 19, 1928, under the auspices of the Boston Athletic Association, the expense attendant thereto to be charged to the appropriation for City Council, G-3.

Passed under suspension of the rule.

IMPROVEMENTS FOR FATHER BUCKLEY PLAYGROUND.

Coun. MAHONEY offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to place benches and plant trees in Father Buckley Playground, Ward 6.

Passed under suspension of the rule.

WIDENING OF BRIDGE OVER RESERVE CHANNEL.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of widening the bridge over the Reserve Channel, formerly called the L Street Bridge.

Passed under suspension of the rule.

APPROPRIATION FOR INCINERATION PLANT

Coun. WILSON offered the following:

Ordered, That the sum of \$335,000 be, and the same hereby is, appropriated to be expended under the direction of the Commissioner of Public Works for the construction of a modern incineration plant in the City of Boston 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.

Coun. WILSON—Mr. President, in reference to that order, let me say, as all the members of the Council are aware, that the present garbage disposal of the City of Boston is handled partly by city labor and partly by contract. The garbage from all the districts except West Roxbury, Brighton and East Boston, I am informed, is disposed of down the harbor, at Spectacle Island, under a ten-year contract with the Coleman Disposal Company, the contract expiring in 1932, and I understand that by the end of the term of the contract the company will have received close to three and one half million dollars under its ten-year contract. On August 2, 1926, I introduced an order into this body requesting the Commissioner of Public Works to advise the City Council as to what the approximate cost would be of handling the garbage disposal of the city by incineration. He replied under date of November 8, 1926, that a study of the situation, based on the cost of recent experience in New York City and other large cities of the country, showed that it would cost about \$4,000,000 to install such modern incinerators in Boston as would properly solve the problem, and that plants would have to be installed in various sections. The commissioner divided the city into seven districts at a cost from \$335,000 in East Boston or Brighton or West Roxbury, up to \$875,000 covering South Boston, Back Bay and the West End. I again urged in May of last year upon his Honor the Mayor the prompt construction of an incin-

erator in at least one or two of our districts. The Coleman Disposal Company contract ends in 1932, by which time we, as I say, will have paid the Coleman Disposal Company at least three and one half million dollars. As I say, three of the districts of the city whose garbage is not at the present time handled by the Coleman Company, are Brighton, West Roxbury, East Boston. I believe incineration of garbage even in conservative, old-fashioned Boston, is inevitable. It is not advisable to wait until 1932 until the expiration of the Coleman contract before starting to do anything. I believe the City of Boston should at this time plan for the building of an incinerator in one of the three districts not now handled by the Coleman Disposal Company—namely, perhaps, West Roxbury and the Hyde Park district,—at a cost of \$335,000, and then by 1932, having ourselves tried out the system that has been such an advantage to cities in other parts of the country, we will know whether we want the garbage of the entire city disposed of through the Coleman Company or through our own plants and with our own money. It seems to me the time to plan to do this is the present time. It will not only eliminate various dumps throughout the city, but will eliminate such nuisances as now exist in Boston Harbor and Dorchester Bay.

The order was referred to the Committee on Finance.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. DOWD, for the Special Committee on Jitney Licenses, submitted report as follows:

1. Report on petition of the Gray Line, Inc. (referred February 13), for petition to operate jitney buses from corner of Boylston and Charles street to Franklin Park Refectory—that a license be granted.

Coun. WILSON—Mr. President, where is the route? If these buses go out my way, I am interested; if not, I don't care presumably.

Coun. DOWD—Mr. President, I would say to Coun. Wilson that this is through a small section of Coun. Parkman's ward, mostly through the park system and Commonwealth avenue. I understand that the Park Commissioners have already given the permission desired.

Report accepted; said license granted.

CONFIRMATION OF EXECUTIVE APPOINTMENT.

President GREEN called up No. 1 from the calendar, under unfinished business, viz.:

1. Action on appointment submitted by the Mayor March 19, 1928, of William E. Smith, to be a Weigher of Goods.

The question came on confirmation. Committee, Coun. Murphy and Parkman. Whole number of ballots 18, yeas 18, and the appointment a confirmed.

LEASE OF OLD ARMORY, EAST BOSTON.

Coun. DONOVAN offered the following:

Ordered, That the Superintendent of Public Buildings be authorized, with the approval of his Honor the Mayor, to lease the premises in the old armory at Maverick and Bremen streets, East Boston, to the John A. Hawes Post, G. A. R., and the Major Grady Camp, U. S. W. V., jointly, at a rental of \$1 per annum.

Passed under suspension of the rule.

SEWER LOAN PASSED.

On motion of Coun. KEENE, the Council took up, under unfinished business, No. 2 on the calendar, viz.:

2. 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 \$500,000 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, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On March 12, 1928, the foregoing order was read once and passed, yeas 21, nays 0.

The order was given its second and final reading and passage, yeas 21, nays 0.

HIGHWAY LOAN PASSED.

President GREEN called up under unfinished business, No. 3 on the calendar, viz.:

3. 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 request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On March 12, 1928, the foregoing order was read once and passed, yeas 21, nays 0.

AMOUNTS ALLOWED FOR 1928.

Suffolk County Courthouse (Custodian).....	\$174,566 74
Suffolk County Courthouse (County Buildings).....	93,932 00
County Buildings.....	107,902 27
Jail.....	210,049 58
Supreme Judicial Court.....	61,847 07
Superior Court, Civil Session, (General Expenses).....	571,801 98
Superior Court, Civil Session (Clerk's Office).....	156,802 56
Superior Court, Criminal Session.....	488,584 93
Probate Court.....	24,174 00
Municipal Court.....	385,236 47
Municipal Court, Charlestown District.....	30,506 41
East Boston District Court.....	30,105 99
Municipal Court, South Boston District.....	26,742 55
Municipal Court, Dorchester District.....	28,002 17
Municipal Court, Roxbury District.....	76,004 50
Municipal Court, West Roxbury District.....	30,999 25
Municipal Court, Brighton District.....	17,375 60
Boston Juvenile Court.....	28,060 98
District Court of Chelsea.....	27,608 45
Registry of Deeds.....	182,227 74
Index Commissioners.....	22,523 00
Insanity Cases.....	30,115 00
Land Court.....	7,275 00
Medical Examiner Service, Northern Division.....	26,088 91
Medical Examiner Service, Southern Division.....	16,160 00
Associate Medical Examiner, Northern Division.....	2,060 00
Associate Medical Examiner, Southern Division.....	1,905 00
Miscellaneous Expenses:	
Auditing Department.....	955 00
Collecting Department.....	1,170 00
Sheriff.....	3,200 00
Treasury Department.....	5,449 86
Granite Avenue Bridge.....	3,338 69
Social Law Library.....	1,000 00
Penal Institutions Department:	
Office Expenses.....	36,081 18
House of Correction.....	393,103 43
Steamer "Michael J. Perkins".....	70,595 00
	<hr/>
	\$3,373,551 31
	<hr/>
County Debt Requirements.....	\$122,112 13
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COUNTY OF SUFFOLK APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1928.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1928, for 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 County of Suffolk, or the departments or officers thereof, and to meet their 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 hereinafter specified be met out of the money remaining in the treasury at the close of business on December 31, 1928, exclusive of the money raised by loan or needed to carry out the requirements of any statute, gift, trust or special appropriation, and

The order was given its second and final reading and passage, yeas 21, nays 0.

THE COUNTY BUDGET.

Coun. FITZGERALD, for the Committee on Appropriations, offered the following:

[SEAL.]

REPORT OF THE COMMITTEE ON APPROPRIATIONS SUBMITTING THE APPROPRIATION BILL FOR THE COUNTY OF SUFFOLK FOR THE YEAR 1928.

In City Council, March 26, 1928.

The Committee on Appropriations, to which was referred January 30, 1928, the appropriations and tax orders, having considered the subject, respectfully recommends the passage of the accompanying orders.

For the Committee,
JOHN I. FITZGERALD,
Chairman.

by the income of the financial year beginning January 1, 1928, and taxes to the amount of \$3,495,663.44 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 divisions 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 appropriation of the city and county and all taxes assessed for meeting the city's proportion of the state tax for the year 1928, be due and payable on the fifteenth day of September, 1928; that interest shall be charged on all taxes remaining unpaid after the second day of October, 1928, in accordance with the pro-

visions of chapter 59, section 57, of the General Laws, 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 September, 1928, 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 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.

Ordered, That except where salaries are fixed by statute or ordinance, compensation of employees who receive annual salaries in weekly installments be computed on the basis of 365 days to the year.

The report was accepted, and the question came on the passage of the accompanying orders.

Coun. FITZGERALD—Mr. President, this appropriation calls for the expenditures of \$3,495,663.44. The Committee on Appropriations had before them the different persons concerned—the sheriff, clerks of courts of the entire county, and so on. There was very little that the committee could do, as the members well know. It is impossible for us to increase the amounts therein stated. The only power we have is to cut down. We did not see where we could cut any increase asked for, as the Mayor and the Budget Commissioner had already gone over those items very carefully and reduced them considerably. There are about one hundred employees of the entire county who have received increases, ranging in the main from \$1 to \$2 a week, nobody getting an increase of more than \$200 a year. The range, generally speaking, is all the way from \$50 to \$100 a year. There is very little I can add. The matter has been gone over, as I have said, and we have submitted the report for the consideration of the Council.

Coun. DONOVAN—Mr. President, I would like to ask the chairman of the Committee on Appropriations a question. I have attended two of the committee meetings. I would like to ask the chairman how this compares with last year's budget, if there are any substantial increases allowed to any of the departments, aside from increases in salaries?

Coun. FITZGERALD—Mr. President, I cannot very well go into detail in answering that question. I know that the watchmen in the courthouse received no increase last year but they have received an increase of \$2 a week this year in the budget. That is one thing I do know with reference to any particular item. As I said, the increases may have ranged from \$50 to \$100 a year in some of the other departments.

Coun. DONOVAN—Mr. President, I would like to ask this question. Have their overhead expenses increased proportionately with each year's increase in the budget or are they practically the same as in the budget of last year?

Coun. FITZGERALD—Mr. President, I will state that the budget is practically the same. One thing that you cannot figure on is repairs on county buildings. You cannot tell what will happen from day to day there. There is liable to be a fire, a lot of things may happen that will throw out your calculations. But, so far as the budget is concerned, it stands about as it did last year.

Coun. DOWD—Mr. President, I move you, sir, that it be referred to the Executive Committee.

Coun. WARD—Mr. President, I second the motion.

Coun. FITZGERALD—Mr. President, I will ask the purpose of referring to the Executive Committee?

Coun. WARD—Mr. President, I have been here for two years. The Chairman of the Committee on Appropriations a year ago invited every member of the Council to sit in with that committee. There are some items here that I would like to look into. I am not prepared to talk or act upon the matter this afternoon without an opportunity for further consideration. There are things here that concern Roxbury. I would like to have this matter referred to the Executive Committee for discussion. I don't want to discuss it in open meeting with the

chairman of the Committee on Appropriations, and that is my reason for wishing to have it referred to the Executive Committee.

Coun. FITZGERALD—Mr. President, we might as well understand each other first as last. Ever since I have been a member of the Council I have been opposed to so-called executive meetings, because they are not executive meetings. I served in the Massachusetts Legislature for some years, and we had there real executive meetings, and when I came down here I was amazed at the way business was conducted. What we have here are not executive meetings. So we might as well understand each other first, as I say, as last. We might as well have it right out here. After all, the first of the month will be Saturday, and if this budget is not passed it will upset the whole bookkeeping of the county and put things upside down. There is nothing we can do here. If we want to reject the budget, well and good. We cannot increase one item in it. That is understood. Why act like a lot of schoolboys? Why not pass it? Nothing can be done. The men in charge of the various departments have come in here and have told us about the needs of their departments, and have stated the reason for the slight increase. Of course, as I say, we cannot make any increases for any employee. The pleas in behalf of employees have been made before the Mayor and the Budget Commissioner, and we can do nothing about it. We are handicapped under the charter, cannot increase. Why prolong the thing? The Mayor and the Budget Commissioner, sitting jointly with the department concerned, have arrived at certain figures, and nothing can be done by us. So let us have it out now. If there is any information wanted, or if there is to be any discussion, why not have it out right here and now? I sympathize with members of the Council. We all have our friends. Sometimes they make trouble for us. They soon forget, in this age. They owe allegiance to nobody. There was a time when these people obtained positions in the courthouse and they owed the positions to somebody, because, after all, they do not get their jobs on their good looks or on their ability at all times. They must have somebody interested in them, must have somebody who works for them. But when they get the positions they soon forget. And there is such a thing as a close corporation in the courthouse. When a man gets a place as a court officer, be then finds a place for some of his daughters or sons, or brothers, or for a dear sister,—until pretty soon you find father, brother, sister, son, daughter, and others in the courthouse, and then we find that they have a close corporation. But there is nothing we can do here. If the gentleman has any particular case in mind, what can we do about it? There is nothing that can be done about it,—nothing. I sympathize with some of the employees, and with what some of the heads of the department would like to do but cannot do. I sympathize with Mr. Campbell and others who have tried to get more consideration for their employees. There is another department in the courthouse that we have no control over, the Probate Court, except in a few items, and the employees of that department are miserably underpaid. They are governed from the State House. The girls go in there at \$600 or \$700 a year, while in other departments they go in at \$1,200 or \$1,300. Perhaps somebody can say a word for them, but there is nothing we can do. It is up to the committee on State Administration and Finance, at the State House. A few years ago, under a report of the Committee on Municipal Finance, the county control was placed under the authority of the state. I don't want to see action on this thing delayed any longer than necessary. What is the use? I sympathize with Councilors Ward and Dowd in regard to any particular case they may have in mind. But we all have cases where we think something should be done, and are helpless. I suppose every employee in some of the departments has been to see me. I have had my coat pulled, I have been bawled around on the street and in City Hall, and have had letters written to me. People have come to see me, and all I could tell them was that I had no power, that none of us have any power in the matter, and it is idle for us to give the impression that we have. Some men who are hanging around go to city or county employees and tell them they have nothing to do but get after us in order to get what they want, and then they come to us and tell us they want increases. But we have absolutely nothing to

do in the matter, as we all know. Any increases must come from the Mayor's office. That is where the responsibility lies, with his Honor the Mayor, and unless the Mayor and the Budget Commissioner agree, we are helpless. All we can do is to cut the salary. If the members here want to cut salaries, that is one thing. If the councilors from Roxbury want to take the matter up further, I trust that they will do it right here and not go into executive session. The newspapermen and others will be in the so-called executive session. It is as public as if it were held here. Why not, if necessary, debate it here, have it out? If the thing goes over, it is apt to lead to trouble in the bookkeeping system of the city and county, entirely upsetting it, because they should have the thing settled by March 31. That is what the Budget Commissioner tells me. But if the gentleman insists on having it referred to the committee, after the remarks I have made, I shall not object.

Coun. McMAHON—Mr. President, I have listened to the remarks of the chairman of the Committee on Appropriations and also to what has been said by the two Roxbury councilors. I would like to ask the chairman of the Appropriations Committee how about these bosses who are supposed to be in charge of the different county budgets? How about the sheriff, Mr. Campbell, and the rest of them? There is a good deal of talk about their running their own business up there, and to the effect that we cannot do anything but cut items. I would like to ask the chairman why we are asked to vote for this budget, if we have nothing to say about it. Here we get this on Monday and are told that it must be passed immediately, so that it will go into effect by Saturday. I have had to do with this sort of thing for two years, and I do not propose to hop over the hurdle from Monday to Saturday, if I know it. I would have liked to ask questions at the meeting of the committee. I heard that they were to have a meeting at ten o'clock, and I got around at twenty minutes past ten, and the thing was all over. Perhaps somebody tipped them off that I was going to ask some questions. I feel the same way as the Roxbury members and other members about this matter. If some of us has known what was going on in connection with the county budget, they wouldn't fly through it so quickly. I feel the same in regard to that budget that I do in regard to any other budget. If a member asks to have it referred to the Executive Committee, why not refer it to the Executive Committee, like anything else? I feel like the fellows from Roxbury on this matter,—it is time that we did find out something. If we cannot get it through the chairman of the committee, let us get it here. I am just as willing to ask questions here as in the Executive Committee, and to have the thing put right in the record.

Coun. FITZGERALD—Mr. President, I don't want to be misunderstood. Of course, we can't cut, and I did not say that we couldn't. But I said that is the only power that we have. I am not particularly concerned with any individual who figures in this budget. The members will know my opinions in the matter. I am not concerned with any of them. I thought I made myself plain. I said that when they got their jobs they didn't care for anybody. If the other members wish to join in cutting salaries, I am willing. That is their prerogative. I thought I made myself fully understood. I have been identified for a long time with matters of this kind, and know something about them. I hold no brief for the people concerned here, and have no sympathy with them. I do say that these men in charge are not to blame. They could not do anything more than they have done. It is true that we held hearings, and they were called to order on schedule time, and every person whom we summoned came there and we went over the different items. We did not desire to do anything unfair to any member of the Council. I have some notions myself in regard to the thing. I believe in going through it, and going through it right. I did not rush the budget. I will say, for the information of the members, that everything was taken down by our shorthand reporter, and that it is in typewritten form and can be read over. We could not do anything more. Sheriff Keliher came in, and I asked him about the budget, whether he was satisfied, and he said he was satisfied. I asked him about increases, and he said that the increases in salaries would take up about \$4,000 for the year, that they were

putting in a new washing machine, drying machine, which would take about \$2,500 or \$2,600 more. Outside of that, he said there was only the natural increase, due to increase in population. I can go all over this, if you want. I said to him, "Mr. Sheriff, have you given the janitors any increase this year, up in the courthouse?" and he said, "Yes." He said that they had taken care of the janitors and watchmen. Coun. Dowling wanted to know from the sheriff if he knew how the elevator men in the county service were paid, as compared with the men in City Hall. He said he thought they were practically the same, although he could only speak, of course, for the courthouse. Of course, if the members want to go all through this, well and good.

Coun. DONOVAN—Mr. President, we are justly County Commissioners of this county and, while I am not personally opposed to an increase of pay for any individual employed in the courthouse, I am opposed to the heads of these departments who, as the chairman of the Committee on Appropriations has said, have made themselves a close corporation here in Suffolk County. And what do we find? After we pass the budget, a department head comes in here, as happened last year, Sargent or Lord from the probation office, and then we find that they appoint probation officers who are not even citizens of Boston, men being taken from all over the state for these positions, while the taxpayers of Boston pay the bills. I think it is high time for the body to scrutinize every item in the county budget and to watch these department heads very carefully. When we have once passed the budget, and they have got a foothold, they go ahead in their own way. In East Boston, for instance, and I understand it is the same in other sections, you will find people working in the courthouse who are relations to those different department heads, who placed them there, and those people go to the councilors and say, "Pass the budget," although year after year the appropriations for county expenses are increasing and increasing, and will eventually get as bad as the appropriation for the School Committee in Boston,—which started in at \$16,000,000, went up to \$18,000,000 and then \$21,000,000, and so on. We find the same thing here in Suffolk County, in connection with the county budget. It is high time that we scrutinize this budget, and do not pass it merely on the say-so of certain people that everything is O. K.

Coun. WARD—Mr. President, I still maintain that the budget coming in here today is a one-man budget, that there are twenty-one other members of the Council who have had no say in the budget. I do not believe outside of the Committee on Appropriations that any man here has been consulted in regard to the budget. We are told about the minutes of the meeting. I have not seen them and the members of the Council have not seen them. I certainly hope this matter will be referred to the Executive Committee. If we want to scrutinize it, let us do it there. I want it understood that I am not delivering my vote to the gentleman from the West End. This is a matter that everyone of us has a right to give proper consideration to. And I don't want any discussion behind closed doors. This is a matter not for one man but for twenty-two men. Mr. President, I move the previous question.

Coun. BUSH—Mr. President, as a member—
President GREEN—Coun. WARD moves the previous question. The question is on referring the matter to the Executive Committee.

The report and orders were referred to the Executive Committee.

RECESS.

The Council voted at 3.19 p. m., on motion of Coun. DEVENEY, to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President GREEN at 4.46 p. m.

REPORTS OF COMMITTEE ON FINANCE.

Coun. BUSH, for the Committee on Finance submitted reports as follows:

1. Report on message from Mayor (referred

March 5) in regard to loan orders for sewerage work and laying out of highways—that same be placed on file.

Report accepted; said message placed on file.

2. Report on message from Mayor (referred March 19) in regard to loan orders for sewerage work and laying out of highways—that same be placed on file.

Report accepted; said message placed on file.

3. Report on message of Mayor and six orders (referred November 14, 1927), providing for rescinding of authorization to borrow money under four distinct loan items, items being Fire Station, Shawmut avenue and Tremont street; Charities Administration Building and Temporary Home, furnishing and equipping; Hospital, Parker Hill, Buildings, etc.; Maternity Building (City Hospital)—that same ought to pass.

The report was accepted.

President GREEN—The question is on the passage of the order, and the Clerk will call the roll.

Coun. BUSH—Mr. President, I suppose the Council would like an explanation of this report. These are loans that were authorized but not issued, several loans of last year. The City Hospital item, I believe of \$800,000 odd, is the largest. They found that they did not need to use the amount of money specified in the loan for the purpose of accomplishing the work, and now they wish to rescind the authorization, as reported by the committee.

The orders were rescinded, yeas 20, nays 0:

Yeas—Coun. Arnold, Bush, Devaney, Donovan, Dowd, Dowling, Fish, Fitzgerald, Gallagher, Keene, Mahoney, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Ward, Wilson—20.

Nays—0.

3. Report on order (referred January 16) that \$50,000 be appropriated for construction of sanitary and locker building at John H. Doherty Playground—that same ought to pass.

Coun. FISH—Mr. President, for the benefit of the other councilors I would like to say that the John H. Doherty Playground, known as the Dorchester Town Field, is one of the oldest playgrounds and one of the largest playgrounds in Boston, and one of the very few that has not a locker building. For seven months in the year this playground is patronized by 35,000 to 40,000 people weekly to witness baseball, football and soccer games, and during the winter months, when the playground is flooded for skating, the children are compelled to sit on the ice or on the cold banking, to change their shoes for skating, when they should have a locker building for the purpose. I hope the order will pass.

The report was accepted and the order was passed, yeas 21, nays 0:

Yeas—Coun. Arnold, Bush, Devaney, Donovan, Dowd, Dowling, Fish, Fitzgerald, Gallagher, Green, Keene, Mahoney, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Ward, Wilson—21.

Nays—0.

4. Report on order (referred February 6) that \$30,000 be appropriated for construction of concrete bleachers on McConnell Playground, Savin Hill—that same ought to pass.

Report accepted; order passed, yeas 19. Nays—Coun. Dowling, Parkman—2.

5. Report on order (referred January 9) that \$75,000 be appropriated under direction of Park Commission for purchase of land in Brighton to be used as playground—that same ought to pass.

Report accepted; said order passed, yeas 21, nays 0.

6. Report on order (referred February 13) that \$60,000 be expended for construction of concrete bleachers on Sullivan square, Charlestown—that same ought to pass.

Report accepted; said order passed, yeas 20, nays, Coun. Parkhurst—1.

SEWER LOAN OF \$500,000.

Coun. BUSH—Mr. President, I herewith submit a further report of the Committee on Finance, upon which I desire to be heard.

Coun. BUSH, for the Committee on Finance, submitted the following:

Report on order (referred March 12) that \$500,000 be appropriated for sewerage works—that same ought to pass.

Coun. BUSH—Mr. President, when this loan order, in company with a loan order for the making of highways, each order providing for \$1,000,000, was first presented to this body, I fought for the principle that these loans should not be granted *in toto* at the request of the Mayor until the Council had some assurance as to the manner in which the money was to be spent, because previous experience in the past had taught us that the Mayor's program was not to be relied upon, as presented to this body. I was eventually successful in obtaining, with the co-operation of this body, the cutting of that loan order from \$1,000,000 to \$500,000, and also the cutting of the loan order for the making of highways from \$1,000,000 to \$500,000. In the past two years of my experience in this Council I have come to the conclusion that the Mayor has attempted to make a chorus of dancing marionettes out of the Council, dancing attendance upon his wishes and requests. When the new Council came into office there was some independence shown on several matters, and I was then of the opinion that perhaps it was not true that the Innes-Nichols combination controlled the legislative branch of this city. I feel, we having voted for the cut to \$500,000 about three weeks ago and not having been shown by the Mayor or by any of the department heads any reason, any good, valid and sufficient reason, why these further loans of \$500,000 each should be passed, I feel that I cannot now conscientiously vote for them. I said at that time that I would vote for a million dollars for the making of sewers if it became eventually necessary and desirable, and we were assured of the Mayor's good faith in the matter. I question the Mayor's good faith on these orders. For the past month or so he has resorted to every conceivable kind of trick and device and every means of bringing pressure to bear, underhanded and otherwise, to obtain the necessary votes on these orders. How well he has succeeded I do not know yet. We will find out when this loan is put to a vote. He has befogged the issue with the unemployment situation, knowing in his own heart that these loans have nothing whatever to do with the alleviation of unemployment and that he cannot possibly alleviate unemployment by the passage of these loans; and knowing also in his own heart that he has \$700,000 yet unexpended from last year's appropriation which could easily be put to work immediately, but which he has not yet used. I say that I question the Mayor's good faith, and I think most of the members of the Council will agree with me that his good faith is to be questioned, under the circumstances. I further say, no matter how the other members here may vote on these orders, I do not think the time has arrived yet when I can conscientiously vote for either of them at the present time; and I shall not be one of the dancing marionettes who will dance attendance on the Mayor's wishes purely because he wishes to have his desires gratified.

Coun. SULLIVAN—Mr. President, I voted against the amendment to cut these loans from a million dollars to \$500,000, although the amendments were passed. I then voted in favor of the \$500,000, because I wanted to have some money appropriated for these purposes. I now intend today to go through on this \$500,000 more for the sewer loan—and I am not a dancing marionette, as my good friend on the left says. I am here to see the city go ahead. As far as the unemployment situation is concerned, I am not going into that to any extent, because that will eventually take care of itself after these loans are passed. I will not say that so many men will go to work, or that so many men will not go to work. I simply say, "Let sewers be built, let highways be built, let the improvement of the city go forward and not backward." I intend as a member of this body to vote "yes" on both of these loan orders, as I have done all through the different sessions and in committee meetings.

President GREEN—The question comes on accepting the report of the committee.

Coun. PARKMAN—Mr. President, at the meeting at which these orders were passed before, I stated my position, and I would now like the opportunity to state it again, to be that the orders should be passed entirely on their merits and without regard to the various issues which have been created on either side, and without regard to personal motives on the part of any councilor or on the part of those who have submitted the loan orders. The merits of the annual loan order of \$1,000,000 for new sewers and the order for \$1,000,000 for new streets have been debated year

after year, until there can be no further question about them. In fact, I feel that an amount of \$1,000,000 for each of those purposes is a minimum amount to keep pace with the growing needs of the city. The orders have been clouded, as Coun. Bush has said, by all kinds of suggestions as to their effect on unemployment, and the statements that have been made as to their effect on unemployment have tended no doubt to create antagonisms in the Council chamber. There should be, however, no such antagonisms aroused on matters of this sort. It is not within the province of this Council, under the City charter, to insist upon any specific program being completed. Under the terms of the charter, the Council is prohibited from taking part in the executive or administrative business of the city. Within certain limits, perhaps, the Council can ask for information; within those limits I believe information has been furnished. I do not expect to be called a dancing marionette by any man. I doubt if my record in the Council would perhaps justify applying that title to me. On the other hand, I have not been actuated in my conduct in this body by any personal antagonisms. It has been reported, and has come back to me, that my candidacy for delegate to the National Republican Convention is based on antagonism to the Nichols administration. I am not conscious, nor have I ever been, of any antagonism to the Mayor's office. I am opposed, and always shall be, to methods of invisible government to which my principal opponent resorts. I am opposed to the use of government for private and personal ends. Government was not entrusted by the voters to any group of men for any purpose except the general good of all. When I find the power of City Hall exerted on behalf of a party candidate for delegate to a party convention, I shall protest—and I do now protest. The domination of a boss in party politics thrives on the basest motives in human character—cupidity and fear. It operates through temptation and intimidation. The fear of the loss of a job, the lure of a political ambition, the threat of the loss of city business, are all being used by my opponents in a party political contest which is peculiarly one which the voters of the party in their independence should decide. Once and for all, I want it understood that it is these methods to which I am opposed, and not any personal antagonism to any particular man or group of men.

The report was accepted and the order passed, yeas 20, nays 1:

Yeas—Coun. Arnold, Deveney, Donovan, Dowd, Dowling, Fish, Fitzgerald, Gallagher, Green, Keene, Mahoney, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Ward, Wilson—20.

Nays—Coun. Bush—1.

The order will take its second and final reading in not less than two weeks.

HIGHWAY LOAN OF \$500,000.

Coun. BUSH, for the Committee on Finance, also submitted the following:

Report on order (referred March 12) that \$500,000 be appropriated for making of highways—that same ought to pass.

Coun. DOWLING—Mr. President, I just want an opportunity to say a few words on the order, because my position in connection with the street loan is much different from my position on the sewer loan. I felt some time ago, when the request came from his Honor the Mayor for a million dollars for the construction of highways, under chapter 393 of 1906, that I was entitled, as I think most of the other councilors felt that they were entitled, to some information. I had my desire for information with reference to the program for street work on the situation that exists in my district and one with which I am very, very familiar. I saw constructed out of the last million dollars voted for the making of highways last year three streets in my own district, for which no one in my section asked the construction. One was through a vacant tract of land lying between Commonwealth avenue and the Boston & Albany railroad tracks, which is not suitable for real estate development in the next twenty years. As soon as the snow has disappeared from the ground, if you will ride out on Commonwealth avenue just before you reach the Packard Motor Car Company, you will see two lines of edgestones ready for the construction of a new street this year;

and if you look further into the vacant tract you will see another double line of edgestones, which is to be used for the construction of a second street in that locality. I believe I am entitled to some information on the street program. The Mayor has offered us some specious and spurious reasons for voting for these loans that I know are not at all agreeable to me. I want to know where some of the work is going to be done. I want to know if three more such streets are to be built in your district, my district or the district of the gentleman across on the left. I want to know, because people living on side streets in my district and the district of every other suburban representative in this Council are ploughing through the same mud they have ploughed through for the last forty years, although they have been paying the same tax rate as people in the Back Bay. They are entitled to streets, and I want to feel sure that a reasonable street program is going to be carried out. In the absence of any information that guides me on that matter, I am going to vote "No."

The report was accepted, and the order was given its first reading and passage, yeas 19, nays 2:

Yeas—Coun. Arnold, Deveney, Donovan, Dowd, Fitzgerald, Gallagher, Green, Mahoney, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Ward, Wilson—19.

Nays—Coun. Bush, Dowling—2.

The order will take its second and final reading and passage in not less than two weeks.

REPORT OF EXECUTIVE COMMITTEE.

Coun. KEENE, for the Executive Committee, submitted reports as follows:

1. Report on message of Mayor (referred February 27) and order that annuity be allowed to widow of Captain John M. Donovan, late of Fire Department—that same ought to pass.

Report accepted; said order passed.

2. Report on petitions for children under fifteen years of age to appear at places of public amusement, viz.: Maria Paparello, Jordan Hall, May 9; Annie P. Varney, Copley-Plaza, April 14—that leave be granted.

Report accepted; said permits granted under usual conditions.

3. Report on the appropriation orders for the County of Suffolk (referred today) that the same ought to pass.

The report of the committee was accepted.

The county budget was passed, yeas 21, nays 0.

JITNEY LICENSES.

Coun. DOWD, for the Committee on Nitney Licenses, submitted the following:

Report on petition (referred February 27) of Boston Elevated Railway to operate buses between Brookline line and junction of Washington and Market streets—that leave be granted.

Coun. DOWD—Mr. President, I simply want to say that this proposes to give to the Elevated a bus right in the Brighton district which has the approval of both the representatives from that district.

The report was accepted and leave granted on usual conditions.

UNPAID WATER BILLS.

Coun. WILSON offered the following:

Ordered, That since unpaid water bills under the law are a lien on real estate, his Honor the Mayor be, and he hereby is, respectfully requested to instruct the proper department heads to enforce this existing remedy against house owners, rather than penalizing tenants by shutting off water because of nonpayment of water bills by their landlords.

Coun. WILSON—Mr. President, something that has occurred in one of the Dorchester wards this afternoon is the occasion for this order. Some months ago I talked with various department heads, including the Water Division, concerning the present system of the City of Boston whereby tenants are penalized in order to put indirect pressure on a landlord who has continued to duck paying his water bills. I remember an occasion when I was pulled out of bed in the middle of the night because a new constituent of mine had moved into a three-family house, the water being

shut off Saturday, and his family were thereby deprived of water Saturday, Sunday, Monday and Tuesday. I want to say, in defence of the Water Department, that I was able through their office to get the water turned back on. But it does seem to me, having in mind the great inconvenience and menace to tenants in the City of Boston through this sort of thing that something should be done at an early date so that this direct pressure will not be put on a tenant in order to make his landlord pay his water bill. Since under the present state of the law an unpaid water bill is a lien on real estate, I would certainly appreciate, so far as my district is concerned, seeing a few of these property owners deprived of their buildings, if necessary, where they do not pay their water bills, through lien proceedings, which will put a penalty on the owner of the house, instead of on the tenant, and also stopping this system of depriving a whole street full of people of the use of water in this or that district. I think such a movement would have the co-operation of the Water Department and other departments, except that they have been going along in the old rut so long that they apparently don't know just how to get into the new line. I understand that, although the statute has been on the books for several years, the City of Boston has never yet enforced a lien on any land owner for nonpayment of a water bill, and I think it is high time that something of the sort should be done to a few of these landlords, so that they will pay their water bills and the tenants will have the use of water facilities.

Coun. McMAHON—Mr. President, this is a matter which has just been called to our attention and as far as I am concerned, it certainly strikes home. Within the last five minutes I have seen a headline in the Boston *Traveler* that twenty-six Dorchester tenants have been without water for the past week. I know there have been two or three such occasions that have come under my notice, but I did not know that a whole block would be shut off. As Coun. Wilson has said, I don't know why we should take it out of the people who pay rent, because the landlord fails to keep his obligation and to pay his bill. As I look over the streets and the addresses here, and the names, that is a section of my district where the people really need water. I think the head of the Water Department or of our Collecting Department, when a man goes out to shut the water off, if he is a man with a heart, should look into the thing and see what damage and what trouble it is going to put the tenants in the house to if the water is shut off. I feel probably a little stronger in this matter than does the councilor who spoke before me. I think when a man goes out and shuts off water from twenty-six tenants because the landlord owes a bill, it is time that the Mayor should call in the head of the department that gives orders of that kind and ask him from now on, before having a man shut water off, to see who it is going to bother and what damage it is going to cause. I say personally that this is an outrage, that any man or any group of men can go out and shut water off and cause trouble of this sort. Looking at the picture, you see little tots, one about nine months old, and this whole group with the water cut off from them in such a wholesale and summary way, so that you would think we were in Russia instead of in the City of Boston. It is certainly an outrage that people can be deprived of water, people who are not at all responsible even for the hills not having been paid, in any such way. I am glad that the councilor did put the order in. I think it is a perfectly good order and that it ought to pass.

Coun. FITZGERALD—Mr. President, the Council has today spent a lot of time on a few useless matters, and I think it is about time that a more important matter such as this should take the attention of the Council. This sort of thing has been going on for a long time, and the men who are the head of this particular branch are the ones who ought to be brought to time. I feel that it is the duty of this Council to have an investigation of that particular branch of the service. The Council has a right to summons witnesses and send for books and papers, and look thoroughly into matters of this sort. Certainly no such arbitrary action should be allowed, cutting off a necessity of life from women and little children, as has been done through the orders of the head of that branch of the city's service. They have been doing this sort of thing repeatedly, and the newspapers have been bringing it to our attention time and time again, but nothing has

been done about it. The intent of the Legislature in passing the lien law was to prevent just that kind of thing. But I don't know that this order will be of any avail. I think it might have been well to bring the matter up earlier in the session, calling attention to this sort of action which ought to be corrected, rather than wasting the time of the Council upon matters that amount to little or nothing, so far as our possible action is concerned. Here we have a matter that concerns every man, woman and child in the city, and this is the sort of thing we should deal with instead of wasting time on matters where we can do nothing, and then only for people who care little for us. I would rather assist one family in my district where water had been shut off, people whose word is worth something, than to take action to help people who care nothing for us, whether they are in the offices of the clerks of the courts, the Registry of Deeds, or anywhere else. Nothing in that budget order, I feel, concerns us so much as the need our citizens have for water. I hope this sort of arbitrary action, action which is so injurious to our citizens, will be stopped, particularly cases where these men know what the result will be if the water is shut off, and they still do it.

Coun. WARD—Mr. President, I believe as much in this order as does the councilor who introduced it and those who have since spoken upon it. On August 22, 1927, I introduced this order because of conditions which had come to my attention in the Roxbury district:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to discontinue the practice of shutting off water because of nonpayment of water bills, as these bills are now a lien upon real estate."

I think Coun. Wilson's order should go farther. If such an order as I have just read was introduced in August, 1927, and no action has been taken on it, and the same condition now prevails, why not carry out the suggestion of the councilor from the West End and have an investigation of the department, bringing the department heads who are concerned before the Council here? Let us fight the thing, not laying it on the table. I feel that if action had been taken under the order that I offered in August, 1927, the condition that we now see prevailing in Dorchester would not have been brought about.

Coun. McMAHON—Mr. President, I now call on you to declare a recess for five minutes, so that we may have a chance to send for the men who are responsible for this thing that has come to our attention. I am perfectly willing to wait here until that man has been brought in, and then we will see if some action cannot be taken to turn the water on.

President GREEN—The Chair would state for the information of the councilor who has just taken his seat that City Hall closes at five o'clock and that it would be impossible to get those heads over here now.

Coun. McMAHON—Mr. President, I am perfectly willing to let the President or anybody go downstairs and have his Honor the Mayor call up the head of that department, and he can have that water turned on in fifteen minutes, by a call over the telephone. I don't want to wait for a week, to wait until tomorrow, or to delay this thing in any way whatever. This is something urgent, something that has to be done, and it is my ward. There is not a man in this body who will object to staying here for half an hour or more in order to see if that thing cannot be corrected. In the meantime, I think we might take a recess, and I would so move.

President GREEN—I understand the councilor to move a recess, subject to the call of the Chair.

Coun. WARD—Mr. President, I would move that we take a recess until 7.30.

Coun. RUBY—Mr. President, this may be an unusual proceeding. I have other appointments tonight, including going to see a sick parent, but I believe this is one situation in which we ought to act. Let those who say that the Council is a joke see that when an emergency arises we are willing to meet that emergency. I am willing to stay here until midnight to relieve a situation of this kind. We know that Coun. Ward last August introduced the order he has quoted, having in mind the same situation, and that it had no appreciable results. I think this is one of the times when this Council can well afford to take a recess and come back here at half-past seven, if

necessary, bringing in here the head of the Water Department, with whom I have had some talk in previous months, as well as every individual who has been instructed to shut off water simply because some head of a department says, "Go out to such and such individuals, on such and such a street and shut their water off." And when a man goes out in furtherance of such instructions, it makes no difference to him whether there is a sick mother or child in the house, someone unable to care for himself. Regardless of what the situation is, that man shuts the water off, and when you make an appeal in regard to the matter in City Hall, you get very little satisfaction. These things are every-day occurrences, but I have never before seen a case where they have shut off water from a whole block of houses because, the owner, through some force of circumstances, has been able to delay paying the bill. I dare say now that if these men are brought in here at half-past seven o'clock tonight and the question is asked, "How many pieces of property are there in Boston today where the first, second or third quarter of the water bill has been unpaid?" they would probably tell you 30 or 40 per cent. They are not enforcing the law with reference to lien on property. They could bring into court every property owner who is delinquent in the matter of paying the water bills. But they go out to these poor sections of Boston and turn off the water and in many cases the poor family does not even know how to get to City Hall, to make their complaint known, although they pay their bills. I hope Coun. Ward's motion will be passed.

Coun. MURPHY—Mr. President, I do not desire to take very much time. I realize that some of the families in Boston today have been shut off from one of the very important means of existence, water. We have ninety families here today out of employment, out of money and absolutely in want of food. I hope, Mr. President, regardless of how long we stay here, that before we leave his Honor the Mayor will have these gentlemen notified to come in here, and will perform a real public duty by seeing that these people in the City of Boston who are suffering will have water, before we leave here tonight.

President GREEN—The Chair will declare a recess, with the approval of the Council, and will appoint the five Dorchester councilors a committee to wait on his Honor the Mayor, with Coun. Wilson chairman. Is there any objection? The Chair hears none.

Coun. WARD—Mr. President, I would like to move that we reassemble here at eight o'clock instead of 7.30.

President GREEN—The Chair will state that there is no need of setting any such hour for the reassembling of the Council. The committee, having been appointed by the President, will immediately wait upon his Honor the Mayor, and bring in a report.

Coun. RUBY—What are the committee's duties, Mr. President?

President GREEN—To get the water turned on, the water that is needed by these families in the Dorchester district, tonight.

Coun. RUBY—I certainly think, Mr. President, that this is a matter that should be attended to at once, that we should not wait until next Monday or any other time. I do not think the Mayor is to blame for this. I think if he has seen the article in the newspaper he will have ordered the water turned on before this. I think he has as much feeling for those people as we have. But this is an emergency, and I feel that the people responsible ought to be brought in. I, for one, do not think the Mayor is responsible. I do feel, however, that the people who are responsible for it ought to be brought in, even if we are inconvenienced as a result.

Coun. WARD—Mr. President, this is not a matter where action is necessary simply in the interest of the people of Dorchester. We all feel that in this particular case there is an emergency. But the trouble is a general one, and one that we ought to go at in that way. The particular emergency referred to here is one that should be immediately remedied. I believe, however, that we should have a recess until eight o'clock or whatever other time is sufficient, and then reassemble.

Coun. BUSH—Mr. President, the emergency that exists at the present moment is that the water should be turned on for these people out there in Dorchester in whose houses it has been

shut off. That is the emergency. That, it seems to me, can be attended to at once, and that is all that we expect to accomplish right now. It is useless to get the men to come in from their homes for purposes of a general investigation in regard to the causes, tonight. We can do that just as well a week from today as today. We do want to meet the present emergency, and it seems to me that that is all we are called upon to meet at this moment.

President GREEN—The Chair will declare a recess, and will request the committee to wait on the Mayor immediately.

Coun. WILSON—As I understand it, Mr. President, there are two points to the order, the first of which is to have a general remedy for the situation. But all that we are expected to do at the moment, as I understand it, is to get in contact with the Mayor's office, and have the water turned on immediately in that particular district. If that can be accomplished, the Council does not need to wait beyond the recess.

The Council took a recess at 5.37 p. m. and reassembled in the Council Chamber at 5.51 p. m.

Coun. WILSON—Mr. President, the committee reports that we have seen the Mayor, and he has stated that he was unaware that this had occurred. He has got in touch with the chief of the department and has ordered the water immediately turned on. The committee recommends, however, that it be authorized to have a meeting tomorrow afternoon, at two o'clock, to consider the question of enforcing such liens against property where water bills are unpaid, rather than penalizing tenants as is being done at the present time by shutting off the water. I understand that the committee has such authority.

President GREEN—The Chair will state that it has, and the Chair thanks the committee. Coun. Wilson's order, I will say for the information of the Council, will be referred to the committee.

The order offered by Coun. WILSON was declared to be referred to the special committee of Dorchester members, of which Coun. Wilson is chairman.

COMPLETION OF SULLIVAN SQUARE WIDENING.

Coun. GREEN offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to inform the City Council as to whether or not the work of widening Sullivan square will be completed before June 17 so that it will not interfere with the local celebration on that date.

Passed under suspension of the rule.

LOCKER BUILDING, BARRY PLAYGROUND.

Coun. GREEN offered the following:
Ordered, That the sum of \$45,000 be and the same hereby is appropriated, to be expended under the direction of the Park Commission, for the construction of a locker building on the Barry Playground, Charlestown, and for the necessary improvements thereon, 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 Committee on Finance.

APPROPRIATION FOR EMMONS PLAYGROUND.

Coun. GREEN offered the following:
Ordered, That the sum of \$60,000 be and the same hereby is appropriated, to be expended under the direction of the Park Commission, for the purchase of land to enlarge the Emmons Playground, Charlestown, and for the filling, grading and fencing of same, 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 Committee on Finance.

APPROPRIATION FOR SMITH'S POND
PLAYGROUND.

Coun. MURPHY offered the following:

Ordered, That the sum of \$50,000 be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission, for necessary improvements on the Smith's Pond Playground, 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.

Coun. MURPHY—Mr. President, I want to say just a few words on that order at this time. This Smith's Pond Playground is in a deplorable, unsanitary and dangerous condition. Instead of being a place for recreation, it is a menace to the health of the people in the Sunnyside district of Hyde Park. For some time the local high school teams have been obliged to play their games outside of Hyde Park. I hope the Park Commission, through his Honor the Mayor, will immediately put Smith's Pond Playground in good condition, so that we can expect to have a baseball diamond

that will be in such condition that they can play games at home this year.

The order was referred to the Committee on Finance.

PROPOSED ACCEPTANCE OF
EDGEWATER DRIVE.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Edgewater Drive, from River street to Mattakeeset street, Ward 18.

Coun. MURPHY—Mr. President, this particular drive borders on the Neponset river, and the condition of it today is absolutely a menace to the health of the families residing there. In rainy weather mothers are compelled to keep their children inside for fear they may be drowned in some of the holes, they are so deep.

The order was passed under suspension of the rule.

Adjourned at 5.56 p. m., on motion of Coun. MURRAY, to meet on Monday, April 2, at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 2, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair and all the members present.

JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, the Mayor absent, viz.:

Forty traverse jurors, Superior Criminal Court, First Session, to appear May 7, 1928:

Dennes J. Collins, Ward 1; John J. Norris, Ward 1; Thomas F. Maguire, Ward 2; Benjamin F. Pearce, Ward 3; Louis Richie, Ward 3; Harry E. Macomber, Ward 4; H. Daland Chandler, Ward 5; Herbert W. Dayton, Ward 5; Henry C. Derby, Ward 5; Charles Doughty, Ward 5; Julius Hawes, Ward 5; James J. Judge, Ward 5; Charles E. Walker, Ward 5; Edward H. Cogan, Ward 6; William J. Costello, Ward 6; Albert N. Newcomb, Ward 6; Joseph McFarland, Ward 6; Bayard G. Gough, Ward 9; James J. Hennaghan, Ward 11; Michael J. McBridge, Ward 11; William Hirschman, Ward 12; Alie Posner, Ward 12; William H. Trautman, Ward 12; Abraham Cohen, Ward 14; Charles J. McCarthy, Ward 15; William S. O'Brien, Ward 16; Frank W. Coleman, Ward 17; William H. Meyer, Ward 17; Albert H. Lochr, Jr., Ward 18; Charles J. Olson, Ward 18; Thomas W. Smith, Ward 18; James P. Donovan, Ward 19; Paul F. Jackson, Ward 19; William Ronan, Ward 19; Charles F. Koopman, Ward 20; David A. Merrill, Ward 20; Joseph E. Scanlon, Ward 20; Asa G. Howland, Ward 21; Edward Herbert Whitney, Ward 21; Charles B. Reed, Ward 22.

Forty traverse jurors, Superior Criminal Court, Fourth Session, to appear May 7, 1928:

James A. Harris, Ward 1; Guisepe Marino, Ward 1; Charles Sturniolo, Ward 1; William J. Ahern, Ward 2; Edward J. Callaghan, Ward 2; William H. Garvin, Ward 2; Michael Maguire, Ward 2; Harold T. Farnsworth, Ward 4; John D. Preston, Ward 4; Charles S. Smith, Ward 4; Harry W. Gilman, Ward 5; James A. Hagerty, Ward 5; David W. Byford, Ward 6; James A. O'Neil, Ward 6; Thomas S. Dobbins, Ward 7; James A. Marks, Ward 7; Joseph C. Burton, Ward 8; Alonzo G. Fraser, Ward 8; Thomas A. Lynsky, Ward 9; Cornelius T. Reddick, Ward 9; John J. Galvin, Ward 10; Joseph Thompson, Ward 10; John F. Fay, Ward 11; Samuel Braverman, Ward 12; Frank G. Eifer, Ward 12; Henry White, Ward 12; Abraham Wolff, Ward 12; John J. Hassett, Ward 13; Edward M. Merriam, Ward 13; Harry Hyman, Ward 14; Louis Malsberg, Ward 14; Herbert P. Bourne, Ward 15; John R. Neason, Ward 15; Harold C. Packard, Ward 16; Edward F. Murray, Ward 18; John Hurd, Ward 19; Robert C. Heyder, Ward 20; Herman A. Rietzel, Ward 20; Alfred G. Corrin, Ward 22; Thomas H. Sheehy, Ward 22.

Twenty-four traverse jurors, Superior Civil Court, First Session, April Sitting, to appear May 7, 1928:

John W. Tyrer, Ward 1; James H. Sheehan, Ward 1; Charles R. Downey, Ward 1; Emil B. Ahlborn, Ward 5; Charles P. Stone, Ward 5; Charles A. Waggett, Ward 6; Archibald F. Whitehead, Ward 6; Thomas E. White, Ward 7; Timothy M. Kelliher, Ward 8; James Welsh, Ward 9; Peter J. Braddley, Ward 10; John S. Maxwell, Ward 10; William F. Upton, Ward 10; William W. Robinson, Ward 12; Robert J. Drooker, Ward

14; John J. Donovan, Ward 15; John F. Urquhart, Ward 15; James V. Barrett, Ward 17; Thomas H. Corey, Ward 20; Fred L. Deane, Ward 20; LeRoy S. Kenfield, Ward 20; Edgar J. Leland, Ward 20; Michael Meyers, Ward 21; Stuart J. Smith, Ward 21.

Twenty-seven traverse jurors, Superior Civil Court, Second Session, April Sitting, to appear May 7, 1928:

Michael Dello Russo, Ward 1; William McLellan, Ward 1; Charles W. Morrison, Ward 1; Manuel J. Safrin, Ward 1; Michael L. Buttmer, Ward 2; John J. Mitchell, Ward 3; William I. Foskey, Ward 4; John G. Haber-bosh, Ward 4; Francis E. O'Brien, Ward 4; William Huber, Ward 7; Patrick Joseph Hunt, Ward 8; Charles D. Miglierina, Ward 8; John J. Fallon, Ward 9; William J. McBarron, Ward 13; Frank Winn, Ward 14; Henry J. Henderson, Ward 16; William Barrett, Ward 17; William E. Harold, Ward 17; Alonzo K. Paul, Ward 17; William H. Shuttleworth, Ward 17; Grant R. Beebe, Ward 18; Frederic T. Harriman, Ward 19; Charles J. McCarthy, Ward 19; Theodore A. Macmann, Ward 20; Frank A. Oberlander, Ward 20; Henry V. Kenney, Ward 21; Bascom E. Mason, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Third Session, April Sitting, to appear May 7, 1928:

John J. Forrest, Ward 1; Samuel Raskin, Ward 1; Harry Snapp, Ward 2; Charles C. De-Courcey, Ward 3; Daniel G. Healey, Ward 6; John J. Keenan, Ward 4; John P. Marchant, Ward 4; Jeremiah D. Murray, Ward 4; John J. Mahoney, Ward 6; William J. Newby, Ward 6; Lester B. Robbins, Ward 7; LeRoy Hubbard, Ward 8; Frank E. Cook, Ward 11; Michael J. Kerwin, Ward 12; Joseph Michel-man, Ward 12; John J. Connolly, Ward 13; Oliver J. McElman, Ward 13; John Moriarty, Ward 13; James R. Roach, Ward 13; Marks Green, Ward 14; Andrew B. McCulloch, Ward 16; Wilfred C. Beck, Ward 19; Karl H. Schulz, Ward 19; Edward P. Winchester, Ward 19; Alexander Duff, Ward 20; William H. Morrill, Ward 20.

Twenty-nine traverse jurors, Superior Civil Court, Fourth Session, April Sitting, to appear May 7, 1928:

Laurence J. Coogan, Ward 1; James J. Kirwan, Ward 1; Matthew K. Simpson, Ward 1; John H. Fitzpatrick, Ward 2; Edward A. Logan, Ward 2; Albert A. Hussey, Ward 5; William T. Wyman, Ward 5; Francis M. Lennon, Ward 7; Herbert E. Glasier, Ward 8; Carl W. Olson, Ward 8; William T. Hoewel-man, Ward 9; Godfred Becker, Ward 10; Abraham I. Rudnick, Ward 12; Nicholas G. Morrissey, Ward 13; Lawrence H. Woodbury, Ward 13; John A. Reilly, Jr., Ward 14; John Serle, Ward 15; Thomas Sullivan, Ward 15; John S. Donoghue, Ward 17; Edward M. Funk, Ward 18; Edmund L. Lynsky, Ward 18; Joseph H. Finneran, Ward 19; Harold W. Weber, Ward 20; William L. Brennan, Ward 21; Samuel R. Goodwin, Ward 21; Lawrence S. Slater, Ward 21; John O. Stanwood, Ward 21; Thomas D. Keenan, Ward 22; Francis A. Pfeffer, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Fifth Session, April Sitting, to appear May 7, 1928:

John A. Gallagher, Ward 1; Arthur G. Fidler, Ward 2; William J. O'Hearn, Ward 2; James J. Punch, Ward 2; Frederic T. Whitney, Ward 4; Albert L. Carpenter, Ward 5; Arthur J. Teeling, Ward 6; Leon M. Weaver, Ward 6; James A. Barry, Ward 7; William J. Days, Ward 7; Charles H. Lind, Ward 7; Francis J. Brennan, Ward 8; James R. Flynn, Ward 8; Frederick A. Conkey, Ward 10; Josef C. Mueller, Ward 10; Henry J. Hunter, Ward 11; Hyman Barron, Ward 12; Walter F. Schofield, Ward 12; George W. Shea, Ward 14; Joseph McInnis, Ward 15; John A. Weidner, Ward 16; Frank M. Hanford, Ward 17; William C. Hayes, Ward 17; Ernest W.

Hilliard, Ward 18; William J. Hofmann, Ward 18; Hobart M. Morgan, Ward 19; William Bishop, Ward 20; Horace G. Yapp, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Sixth Session, April Sitting, to appear May 7, 1928:

Joseph H. Casey, Ward 2; James F. Griffin, Ward 2; Burtin L. Longley, Ward 4; Henry C. Tuttle, Ward 5; Richard Ward, Ward 5; Francis E. Conley, Ward 6; Dennis F. Lynch, Ward 6; Jeremiah McCarthy, Ward 6; Frank X. Weiss, Ward 9; John F. Leonard, Ward 10; Henry A. Molloy, Ward 11; Laurence Broderick, Ward 15; James I. Murphy, Ward 15; Frank M. Ochs, Ward 15; Albert Michelsen, Ward 16; Mark S. Coughlin, Ward 17; James F. Power, Ward 17; George K. Withrow, Ward 17; Edwin L. Marshall, Ward 18; John Radley, Ward 19; James G. Walsh, Ward 19; Frederick C. Bruce, Ward 20; Chester L. Harts, Ward 20; William S. Jackson, Ward 20; William E. Laurie, Ward 20; Daniel MacArthur, Ward 20; Samuel R. MacKillop, Ward 21; Ernest Chamberlain, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Seventh Session, April Sitting, to appear May 7, 1928:

Frederick T. Quirk, Ward 1; Henry J. McLaughlin, Ward 2; Peter Fopiano, Ward 3; Philip J. Herlihy, Ward 4; Frank M. Meade, Ward 4; Daniel W. Woods, Ward 4; William Bloom, Ward 5; Henry J. Connolly, Ward 6; John F. Hargedon, Ward 6; Henry J. Kelleher, Ward 7; William F. Rogers, Ward 7; Ernest S. Gabriel, Ward 9; Charles H. Wilson, Ward 9; Dennis A. Scannell, Ward 11; John F. Cameron, Ward 12; Alfred W. Russell, Ward 12; Ernest W. Starrett, Ward 12; Frank White, Ward 12; Benjamin R. McElevenny, Ward 14; Samuel Porter, Ward 14; John O. Tierney, Ward 14; Michael J. Hannon, Ward 16; James Larkin, Ward 16; Frank J. Quinn, Ward 16; Percy H. Boyd, Ward 18; Leon L. Hayes, Ward 21; Thomas MacDonald, Ward 22; Augustus McGovern, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Eighth Session, April Sitting, to appear May 7, 1928:

Patrick J. Powers, Ward 1; George Jesson, Ward 2; John A. W. Crapo, Ward 4; Warren F. Stedman, Ward 4; Felix Vorenberg, Ward 4; Thomas G. Frothingham, Jr., Ward 5; William M. Collins, Ward 6; Joseph L. Riley, Ward 6; Martin Brennan, Ward 7; John H. Keressee, Ward 10; Harry J. Aronson, Ward 12; James F. Jesso, Ward 15; Albert A. Meehan, Ward 15; John A. McKenna, Ward 16; Edmund H. Wright, Ward 16; Charles J. Bergdoll, Ward 17; Ernest B. Kreutel, Ward 18; Edward N. Lee, Ward 18; Ralph W. Marshall, Ward 18; Godfrey Moore, Ward 18; John T. H. Slayter, Ward 18; George Cotterell, Ward 19; James Kilduff, Ward 19; James C. O'Leary, Ward 19; Herbert B. Russell, Ward 19; George C. Smith, Ward 19; Thomas D. Sullivan, Ward 19; Lee S. Perkins, Ward 20.

Coun. RUBY in the chair.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted appointments as follows:

Thomas J. Kelley, 50 Batavia street, Boston; Charles B. McGahan, 311 Washington street, Brighton; Charles V. Hurley, 312 Congress street, Boston; William F. Warren, 77 Floyd street, Jamaica Plain, to be Weighers of Goods.

Severally laid over a week under the law.

BRANCH LIBRARY, FOREST HILLS.

The following was received:

City of Boston,
Office of the Mayor, April 2, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the director, Boston Public Li-

brary, in reply to your order of March 19, 1928, relative to the establishing of a branch library in the Forest Hills section of Ward 19.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Library Department, March 26, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—Replying to the order of the City Council of March 19 that the trustees of the Boston Public Library be requested, through his Honor the Mayor, to establish a branch library in the Forest Hills Section of Ward 19, or to rent quarters for the said purpose, I would again state that no provision was made in the Library Department budget for 1928 for the establishment of any new branch libraries. The Forest Hills section of Ward 19 is in need of library facilities, it being one of the sections of the city furthest distant from existing branches.

Your attention is again called to the fact that the trustees, at a recent meeting, voted that they would be glad at any time to take up with the Library Committee of the City Council the whole question of branches, their proper location to serve the greatest need, and also the necessity of additional appropriations for their operation.

Sincerely yours,
CHARLES BELDEN, Director.

Placed on file.

MOTHERS' REST, WELLINGTON HILL.

The following was received:

City of Boston,
Office of the Mayor, April 2, 1928.
To the City Council.

Gentlemen,—I transmit herewith from the Park Department a communication in reply to your order of March 26, 1928, relative to construction of mothers' rest on Wellington Hill, Ward 14, the cost to be charged to the appropriation of \$18,000 made in 1924 for park purposes on Wellington Hill.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, March 30, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of March 28, with inclosure, order from the City Council, that the Board of Park Commissioners be requested to construct a mothers' rest on Wellington Hill, Ward 14, the cost to be charged to the appropriation of \$18,000 made in 1924 for park purposes on Wellington Hill.

In reply I regret exceedingly to inform you that \$18,000 is not sufficient to purchase land and build a shelter. Under statute law, chapter 293, Acts of 1892, the department cannot expend over two-thirds of the appropriation for the purchase of land. Furthermore, to my mind, there is no necessity for a mothers' rest at this area as we have two playgrounds in close proximity, namely, Norfolk street and Almont street.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

FIRE ALARM BOX BOWDOIN STREET.

The following was received:

City of Boston,
Office of the Mayor, April 2, 1928.
To the City Council.

Gentlemen,—I transmit herewith communication from the Fire Commissioner in reply to your order of March 19, 1928, relative to installing a fire alarm signal box on Bowdoin street, Ward 14, at or near its junction with Oakley street.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Fire Department, March 31, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I return herewith the following order of the City Council:

“Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to install a fire alarm signal box on Bowdoin street, Ward 14, at or near its junction with Oakley street.

In City Council March 19, 1928. Passed.

Attest:

W. J. DOYLE,
Assistant City Clerk.”

After investigation it is found that a fire alarm box at this location is needed, and I have ordered its installation.

Yours very truly,
E. C. HULTMAN,
Fire Commissioner.

Placed on file.

REMOVAL OF TREE.

The following was received:

City of Boston,
Office of the Mayor, April 2, 1928.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department in reply to your order of March 26, 1928, relative to removal of tree in front of 18 and 20 Dorr street, Roxbury, as a public menace.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, March 30, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of March 29, with inclosure, order from the City Council, that the Board of Park Commissioners be authorized to remove the tree in front of 18 and 20 Dorr street, Roxbury, as a public menace.

In reply I desire to say that this tree is a live tree and under the Special Acts of 1915, this tree cannot be removed. I will, however, make arrangements to do the necessary trimming and remove any menace that exists.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

FATHER BUCKLEY PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, April 2, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of March 25, 1928, relative to placing benches and planting of trees in Father Buckley Playground, Ward 6.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, March 30, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of March 29, with inclosure, order from City Council, that the Board of Park Commissioners be requested to place benches and plant trees in Father Buckley Playground, Ward 6.

In reply I desire to say it is the intention of the department to plant trees in the spaces left open for that purpose this spring. It is not, however, the intention to place any benches in this small playground, owing to its close proximity to the church and the fact that it could not be controlled at night.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

EMPLOYMENT BUREAU REPORT.

The following was received:

City of Boston,
Office of the Mayor, March 31, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Employment Bureau, in reply to your orders, relative to the positions filled during the week ending March 24, 1928.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Employment Bureau, March 26, 1928.
Report for City Council, week of March 19 to March 24, 1928:

Registrations, 207; positions filled, 193.
AUGUSTUS SEAVER,
Assistant Secretary in Charge.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Grace D. Bacon, for compensation for damage to clothing caused by an alleged defect in Ashland street, West Roxbury.

Angelina Botteglieri, for compensation for injuries caused by an alleged defect at 322 Hanover street.

Frank Butera, for compensation for injuries caused by an alleged defect in Faneuil Hall Market steps.

Florence G. Calhoun, for compensation for injuries caused by an alleged defect in Warrenton street.

Mary A. Cameron, for compensation for injuries received on steamer “Michael J. Perkin.”

Francis Kelleher, for compensation for injuries caused by being struck by car while employed at Hawkins street yard.

Mary A. Lee, for compensation for injuries caused by an alleged defect in Bunker Hill street.

Edward L. Lyons, for compensation for damage to automobile caused by an alleged defect in Alford street, Charlestown.

Concetto Mangiello, for compensation for injuries caused by broken glass in Paris Street Gymnasium.

Malcolm McLeod, for refund on refuse tickets.

Margaret Murray, for compensation for injuries caused by an alleged defect at 7 Corcy street.

Sofia Pietrowski, for compensation for injuries caused by an alleged defect at Woodward street and Dorchester avenue.

Edward A. Rosebach, for refund on license for pool table.

Reba Sacks, for compensation for injuries caused by an alleged defect at Hanover and Union streets.

Donato Salvucci, for compensation for injuries caused by an alleged defect in Snow street, Brighton.

Joseph J. Shea, to be reimbursed for back pay as employee of City Hospital, while in service of United States during World War.

Rebecca Simonds, for compensation for injuries caused by an alleged defect at 102 Myrtle street.

John J. Sullivan, for compensation for damage to truck by city team.

Rose Virott, for compensation for damage to property at 730 Dudley street, caused by backing up of sewage.

Fred J. Wills, for compensation for damage to automobile caused by an alleged defect in Cambridge street, Allston.

Josefa Wolongewica, for compensation for damage to property at 626 Dorchester avenue, caused by leak in water main.

Joseph Horgan, for compensation for injuries caused by defect in sidewalk on Heath street.

Katherine A. McManus, for compensation for damage to property at 19 Whiting street, caused by ash truck.

Executive.

Petition for children under fifteen years of age to appear at places of public amusement, viz.:

Lulu Philbrook, Jordan Hall, May 23.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held on petition for storage and sale of gasolene, on Monday, April 16, viz.:

Joseph Corman, 877 Morton street, Ward 18, 2,000 gallons.

Referred to the Executive Committee.

APPOINTMENT OF FIRST ASSISTANT ASSESSOR.

Notice was received of the appointment of George F. O'Callaghan of 15 Rutledge street, West Roxbury, to be a first assistant assessor, effective March 31, 1928.

Placed on file.

CONSTABLE'S BOND.

The constable's bond of David H. Wilkinson, having been duly approved by the City Treasurer, was received and approved.

President GREEN in the chair.

MINORS' LICENSES.

President GREEN submitted petitions of forty-eight newsboys for licenses and same were duly approved under the usual conditions.

ALTERATION OF MORTON STREET BRIDGE.

A communication was received from the Department of Public Utilities inclosing order of the commission upon petition of the City Council relative to alteration of Morton Street Bridge.

Placed on file.

SPECIAL COMMITTEE ON JITNEY LICENSES.

Coun. DOWD, for the Committee on Jitney Licenses, submitted reports as follows:

1. Report on petition (referred February 27) of Boston Elevated Railway to operate buses between junction of Washington and Market streets and junction of Market street and Western avenue—that petitioner have leave to withdraw.

Coun. DOWD—Mr. President, the committee has voted on the petition of the Boston Elevated Railway, just read, to run a line of jitneys in Brighton, leave to withdraw, and has made a similar report on four other petitions of the Elevated. The committee feels, if such petitions of the Boston Elevated road are to be granted, that there should be some public demand created for them, and, so far as the committee has been shown up to the present time, there has been no demand that these jitneys be permitted. It is very evident that the Boston Elevated Railway is of the opinion that all it has to do, in order to be allowed to run jitneys through the streets of Boston, is to present petitions to the City Council, and that the City Council must grant the petition. But I say to the Trustees of the Boston Elevated that just as soon as they show good faith to the citizens of Boston in regard to

matters of this kind, it will then be time for us to consider them seriously. Take, for instance, the situation on Adams street, Dorchester, where bus petitions were granted and where the tracks were removed, and the conditions there at the present time are intolerable. The people have to wait fifteen to twenty minutes to get on a bus, and in some cases have to walk a mile or a mile and a half to Fields Corner. The representatives of the Boston Elevated waited on the jitney committee and said that these petitions must be granted before the opening of the transit accommodations at Peabody square and Fields Corner. But I am of the opinion that while I am a member of the Jitney Committee I will never vote to allow the Boston Elevated to operate jitneys on any street where cars are being operated at the present time. They are very desirous of pulling up tracks and operating simply jitneys in such cases, thereby giving poor service to the public. It is well known that people can ride on street cars, that you can get from 100 to 110 people on a street car. But the fact is that the Boston Elevated show about as much interest in the wishes of the people of Boston as would a lobster in the middle of the Sahara desert. The committee have, therefore, reported leave to withdraw on the five petitions of the Boston Elevated.

Coun. WILSON—Mr. President, through you may I ask the chairman of the Jitney Committee whether the Boston Elevated have slipped through the Legislature an act under which, when a jitney license is once granted by the City Council, we have no power to revoke the license?

Coun. DOWD—Mr. President, I would inform the councilor from Dorchester that I do not believe the Boston Elevated slipped that through, but somebody has had it slipped through the Legislature, and at the present time I would inform the City Council that if any person or corporation gets the right to operate jitneys from this body, we then have no right whatsoever to repeal said license. That right rests entirely with the Department of Public Utilities at the State House, as I understand it.

The report was accepted, and the requested license was refused.

2. Report on petition (referred February 27) of Boston Elevated Railway to operate buses between Ashmont Station and junction of Blue Hill and Talbot avenues—that petitioner have leave to withdraw.

Report accepted; said license refused.

3. Report on petition (referred February 27) of Boston Elevated Railway to operate buses between Ashmont Station and Fields Corner Station—that petitioner have leave to withdraw.

Report accepted; said license refused.

4. Report on petition (referred February 27) of Boston Elevated Railway to operate buses between Ashmont Station and Granite Bridge Station—that petitioner have leave to withdraw.

Report accepted; said license refused.

5. Report on petition (referred February 27) of Boston Elevated Railway to operate buses between Ashmont Station and Junction of Norfolk and Morton streets—that petitioner have leave to withdraw.

Report accepted; said license refused.

REPORT OF COMMITTEE ON CLAIMS.

Coun. RUBY, for the Committee on Claims, submitted report on petition of Edward C. Lawless (referred March 19) to be reimbursed for expenses incurred on account of his acts as a police officer,—recommending passage of following order:

Ordered, That the sum of \$347.66 be allowed and paid to Edward C. Lawless for expenses incurred by him in the settlement of an action brought against him on account

of his acts as a member of the Police Department, said sum to be charged to the Reserve Fund.

The report was accepted, and the question came on the passage of the order.

Coun. FITZGERALD—Mr. President, I would like an explanation of the order.

Coun. RUBY—Mr. President, for the benefit of the councilor, I will say that this police officer, under instructions from his superior officer, and on complaint of another man, in performance of his duty, paid a visit to the rear of a certain store and discovered a man in the act of removing some kind of merchandise. The matter was then brought to court, on complaint, and a warrant was refused, as a result of which suit was brought against this police officer and judgment was recovered to the amount mentioned in the order. The payment of this sum, to reimburse the officer, is now recommended by the Police Commissioner, as well as by the Corporation Counsel's office, after a careful investigation and study of the matter. The committee recommends that the order be passed.

Coun. FITZGERALD—Mr. President, I would like to ask the Councilor who the judge was who heard this case?

Coun. RUBY—I think the records will show that it was Judge Creed who heard the case and refused the warrant, as a result of which the complainant and the officer were sued. Judgment was rendered against the complainant, in the amount of \$1,500, and against the officer in the amount of \$347. That was the amount of the judgment against the police officer.

The order was passed.

REPORT OF SPECIAL COMMITTEE IN RE WATER SHUT-OFFS.

Coun. WILSON, for the Special Committee *in re* water shut-offs, submitted the following report:

The Special Committee of the City Council appointed on March 27, 1928, to investigate the advisability of substituting for the present water shut-off system the tax lien alternative authorized by the 1923 Act of the Legislature met in a three-hour session in the City Council Chamber Tuesday afternoon, March 28, 1928. Appreciating the seriousness of the subject practically the entire membership of the Council was present. The inquiry followed a depriving of twenty-six Dorchester tenants, including eighteen young children, of all water supply for almost an entire week as a result of failure by the landlord to pay a water bill almost a year old.

Under the existing provisions of an old city ordinance still effective under Revised Ordinances of 1925, chapter 27, section 22, it is provided that the Public Works Commissioner "shall shut the water off from, and let it on to, any particular service when notified by the city collector that the water rate therefor has not, or has, been paid and at such other times as he deems necessary; 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." It will therefore be noted that when an unpaid water bill is referred by the city collector to the Water Division of the Public Works Department the existing City Ordinance not merely authorizes, but specifically directs, the Water Department to deprive tenants of all water supply whether for drinking, bathing or sanitary purposes.

By chapter 391 of the Acts of 1923, however, the Massachusetts Legislature gave to the City Collector additional power to collect unpaid water bills in exactly the same manner as ordinary unpaid real estate taxes, viz., by the enforcement of a lien on the property

itself rather than by the unfair method of depriving tenants of the prime necessity of life.

The testimony of George H. Johnson, City Collector, at the hearing in summary was as follows:

" . . . This disturbance is not the result of any condition connected with the Water Income Division or the Collecting Department, but the condition is, one of the representatives of the owner using this, as I say, as a club, to force the tenants to pay rent. . . . Leniency and courtesy are the rule, but an unpaid water bill for practically a year, where the owner is responsible, ought to be paid. . . . A lien for an unpaid water bill takes the same course as a real estate lien or unpaid tax bill, and you would have to advertise accurately and specifically three times in the *City Record* and have a sale. . . . The enforcement of the collection of water bills by lien would incur an expense of not less than \$25,000; it would incur a liability of at least twelve clerks to keep those accounts in proper form. . . . One of the strongest virtues of the present control of the collector's department is that I have reduced from 5,000 to a thousand and some odd the sales of real estate property, saving a departmental expense in excess of \$26,000 last year. . . . Now the shut-off is the easiest, the sweetest and nicest method of collecting a water bill, if judgment is exercised. . . . The other way, if you want us to follow the lien law, which has never been followed, would be to install, say, twelve additional clerks, and instead of having a couple of hundred pages of advertising in the *City Record* you will have 400 or 500. So I maintain that the shut-off is the easiest way. And this is an unfortunate case, one out of approximately 400,000. . . . But, after all, it comes back to the owner. That is, it seems unfair where the owner has not paid the water bills, say, on property where he claims that certain tenants are not paying the rental, to put responsibility on the officials of the city to use the club of shutting off the water so he can get payment of his rent. That is where the trouble comes. . . . The water lien law was established in 1923. . . . Now about operating it. You have to go through the same proceedings as you do in connection with other liens on real estate for taxes. . . . The responsibility for shutting off this water was that of the Water Income Division, the wielders of the wrench, the men who carry the wrench around. But I maintain before that wrench was used they ought to have tried to dig up the owner. . . . I only know as a matter of record that we sent up the unpaid notice to Mr. Sullivan on December 20 in this particular case. We have the shut-off notice here, and that is as far as we go,—we don't go any farther after it leaves us. . . . The issue, as I look at it, is the proper handling of the collection of water bills, so that the city will eventually get the money without injustice to the owner, if the owner is on the level."

Your committee differs from the City Collector and believes that the real issue, properly viewed, is the proper collection of unpaid water bills so that the city will eventually get its money without injustice to the blameless and unfortunate tenant, and without causing a menace to the public health. The committee feels that Mr. Johnson's reference to using a "club" was much more appropriate than his suggestion that the shut-off is "the sweetest and nicest method of collecting a water bill!"

Your committee disputes Mr. Johnson's suggestion that enforcement of the lien law would mean an additional expense of \$25,000 and the employment of twelve additional clerks by the city. A transfer of water collections to the office of the City Collector, where they belong, might mean additional clerks there but obviously would mean exactly that much less work in the Water Division and probably a net saving of help so far as the city is con-

cerned. And since the collector has in one year reduced ordinary tax sales to one fifth their former volume we are more than willing to give credit where credit is due and assume that he would meet with similar success as to water liens. Furthermore, as will be shown, the Water Department is an income producing department which for years has shown a very substantial excess of income over expenses and accordingly any expenditures incurred incident to collection of water taxes are more than made up by the collections made.

The collector's characterization of the Dorchester incident as the "one unfortunate case out of approximately 400,000" is contrary to the experience of every member of this Council. The Water Department advises that actual water shut-offs average over 1,300 a year, with an average of at least one collapsed water boiler per week! Mr. Johnson's suggestion that the Water Department before it "wielded the wrench" should have tried to dig up the owner is doubtful advice. In the first place this unpaid water bill owed was over a year old and was, of course, not turned over to the Water Department by the collector until he himself had exhausted every reasonable means of collection from the owner. When the Water Department received the unpaid water bill from the office of the Collector the present city ordinance not merely authorized but directed the Water Division to proceed with a shut-off. The function of the Public Works Department is not to collect taxes.

The most relevant of the testimony given by Division Engineer Christopher J. Carven was as follows:

"Coun. Wilson—In regard to the Ordinance of 1925, chapter 27, section 22, when you receive a notice from the City Collector's office that water bills have not been paid, it is up to your department to act under the existing ordinance, is it not?"

Mr. Carven—Yes, sir.

Coun. Wilson—You have nothing to do with the enforcement of the tax lien authorized by the act of 1923? That is up to the Collecting Department?

Mr. Carven—I don't consider that my duty, at all, collecting.

Coun. Wilson—It is your duty, when you receive information from the collector's office in regard to water tax bills not having been paid, to shut off?

Mr. Carven—Yes, sir.

Coun. Wilson—Now, if that particular ordinance of 1925, that chapter, was revoked, repealed, your department could not carry on without some financial provision being made.

Mr. Carven—Not to balance the accounts, no, sir.

Coun. Wilson—How much would it take the first year, if the change were made, for your department?

Mr. Carven—We figure probably about three-quarters of a million each year is driven in by this harsh method of shutting off the water or threatening to shut it off.

Coun. Wilson—That money would eventually all come back, whether the city used the tax lien system or the shut-off system that is used at the present time?

Mr. Carven—Yes, sir. But the first year we would be very badly in debt, depending on the tax lien system.

Coun. Wilson—Your department would be short?

Mr. Carven—Yes, by that amount of money the first year, say three-quarters of a million.

Coun. Wilson—But that could be taken care of if your department was given additional money to carry on, either by a loan order or through the budget?

Mr. Carven—Absolutely.

Coun. Wilson—And you would not then have to shut the water off?

Mr. Carven—No, and we would be glad to get rid of it.

Coun. Mahoney—How much notification do these parties get before the water is shut off?

Mr. Carven—Oh, anywhere from one to

three years. We never shut off immediately. They are given at least, I would say, three or four notices, quarterly bills, and we send the men around, you know, to notify them and urge them, coax them to pay.

Coun. Mahoney—Don't you think there should be some investigating done, or is there any investigating in regard to the conditions in these different houses, in the matter of sickness and so on?

Mr. Carven—Of course, that is practically impossible, there is such a large number. Of course, in any case where we get a telephone notice that a party is sick, we would not shut off at that time.

Coun. Mahoney—Don't you think some investigating should be done?

Mr. Carven—It might be done, but I doubt if it would be possible, there would be so many things to investigate. I doubt if we would ever get through with it.

Coun. Wilson—How many cases of shut-off were there last year?

Mr. Carven—Last year about 1,300,—that is, about thirty a week. That would be the average. We don't shut off a tremendous number, you know. Mostly, when we go there and threaten, they produce the money, pay.

Coun. Wilson—The average owner of a house pays his bills, and your trouble has been chiefly, at least for the last four or five years, with a certain clique, a certain group, the same men year after year?

Mr. Carven—The same number every quarter.

Coun. Wilson—And those few men are to blame, and their tenants suffer, and if we should use the tax lien method and a few houses were sold over their heads to enforce the lien, we would get rid of the bad actors, wouldn't we?

Mr. Carven—I should say so; yes.

Coun. Motley—Why isn't it done, then?

Mr. Carven—Well, that would mean a change in the ordinances, you see, because now we have only the right to shut off.

Coun. Motley—Well, you have a right to use that tax lien method?

Mr. Carven—That is not for my department to use, no. That would be for the City Collector's office, I suppose.

Coun. Dowd—Do you care to state whether any particular person is to blame, directly or indirectly, for the shutting off of the water in your district?

Mr. Carven—No, I blame the system, the method under which we work.

Coun. Murphy—Do you believe the system that has been carried out in your department, of which we have been speaking, of shutting the water off, is right or wrong?

Mr. Carven—It is a harsh system, and I say if it could be remedied, it should be.

Coun. Murphy—Do you believe it ought to be?

Mr. Carven—Absolutely. We don't want to get into this turmoil of shutting off unfortunate tenants. We hate it.

Coun. Murphy—And yet you have not received instructions from anybody to shut the water off?

Mr. Carven—No. We follow the city ordinances. Why should we receive specific orders in any particular case? We follow the routine, under the ordinances.

Coun. Motley—Mr. Carven, have you any solution to offer?

Mr. Carven—As to the remedy?

Coun. Motley—Yes.

Mr. Carven—I think myself, if it could be a lien proposition, that would be the prettiest way, the neatest way, having the lien so arranged that it would go on automatically and function, and cut out the shut-offs entirely. Nobody is in favor of them, Mr. Councilor.

Coun. Motley—Why not?

Mr. Carven—Because it is a harsh proposition. You are doing an injustice to people by the shut-off.

Coun. Donovan—How many cases of collapsed boilers have you had in connection

with your department by virtue of the fact that the water was shut off, say in this last year?

Mr. Carven—It would be a guess, Mr. Councilor. I should say fifty."

Questioning of James A. McMurray in charge of the Income Branch of the Water Service brought out the following:

"Coun. Wilson—As we understand the situation, there is no reason why that tax lien system cannot be utilized if your department is protected and given money to do business with? Is that a proper statement of the situation?"

Mr. McMurray—Yes, sir.

Coun. Wilson—How much do you think your department would require the first year?

Mr. McMurray—I think three-quarters of a million, as I believe Mr. Carven has stated.

Coun. Wilson—And if a loan order was passed to cover that, or if an additional amount was provided in the budget, so that you would be protected up to the end of the first year, then you would be going on an even keel, wouldn't you?

Mr. McMurray—Yes, sir.

Coun. Bush—How soon after you get the delinquents from the office of the collector do you shut off the water?

Mr. McMurray—We got 20,000 names in the last year, and only 1,300 were shut off. It is very evident that we do not shut off a great many. We never shut off until six months after the notice has come from the Public Works Department.

Coun. Wilson—Taking the 1,300 shut-offs, or whatever the number is, in the course of a year, is it a fact that practically all the time you find the same bad actors?

Mr. McMurray—The same ones.

Coun. Wilson—And if those men were wiped out, this whole shut-off question would be practically eliminated?

Mr. McMurray—Yes, sir.

Coun. Wilson—You say you have about the same set of owners each year. How many would be involved?

Mr. McMurray—About 1,200. Of course, there would be 20,000 altogether, but many of them come in and pay, when they are told that the bills are unpaid and must be paid.

Coun. Wilson—There is an existing possible solution, isn't there, if the lien provision is taken advantage of.

Mr. McMurray—Yes."

Your committee strongly urges that both Mr. Carven and Mr. McMurray, as the very men in charge of all water shut-offs under the present ordinance, are in a position to know whereof they speak when each admits the harshness and unfairness of the present system and recommends collection of water taxes by an enforcement of the existing water lien statute. From their testimony it is apparent, first, that no drastic action even now is taken until after some six months, and second, that practically the very same owners are delinquent year after year. It occurs to your committee that during this period of over six months the city might well have preferably been exercising its tax lien rights against the property of the owner himself rather than waiting to some day "use the wrench" on some hapless tenant; and further that since the same house owners are delinquent year after year a real enforcement of the tax lien in a few outstanding cases would promptly end the evil for good and all.

The only real argument against enforcement of the tax lien law by the City Collector, in lieu of the present water shut-offs by the Water Department under the ordinance, is that for the first year some emergency provision must be made to keep the Water Department in funds. But that would mean a temporary expedient only and not any real additional expense to the city. The City of Boston collects about four million dollars in annual revenue from water and over a long period of time there has invariably been an annual balance remaining from receipts after all expenditures including the state water as-

essment. At the close of the year 1927, for example, the surplus water income amounted to \$56,037.60.

On December 31, 1927, there was only \$152,175 not collected out of the first, second and third quarters assessed for water in 1927. Your committee very much questions the estimate of the Water Department that stopping the shut-off threat would increase that figure to \$750,000. Even if it did, \$750,000 is less than 20 per cent of the total annual income. Within the admittedly long time the city now waits before actually shutting off a tenant's water the City Collector might well be enforcing the water lien against the property itself. A few tax sales against the chronic offenders would soon cure delinquents just as the present collector has already reduced ordinary real estate sales annually from 5,000 to 1,000.

The testimony of Assistant Corporation Counsel Joseph P. Lyons before your committee is further enlightening. Mr. Lyons said: "I should say that under the law of 1923, the lien law, chapter 391 of the Acts of 1923, amending chapter 40 of the General Laws, relating to powers and duties of cities and towns, you could collect all the water bills and that that is up to the collector. More of your water bills can be collected in that way. Of course, whether you want to change the ordinance or not, you do have the lien law under which you can collect the bills. It is for the City Council and the Mayor to determine. You can change the ordinance."

"Coun. Wilson—There is nothing novel in the lien law? The City Collector would simply act as he does with regard to other bills?"

Mr. Lyons—Absolutely nothing novel. It is really adding to the power of the City Collector to collect water bills the same as ordinary tax bills, by lien.

Coun. Ward—Don't you think when the Legislature passed this lien law they had in mind just this point of placing the responsibility on the owner of the property rather than on the tenant?

Mr. Lyons—I think so, because it took some time to do it. There were quite a few years before we could have this law passed, putting the onus on the owner and having the lien apply to the property, so that the bill could be collected in that way.

Coun. Ward—And you would suggest that we can change the ordinance?

Mr. Lyons—Yes. By changing the city ordinance you can put the duty on the collector to collect by lien instead of the way in which it is done now, by forcing the Public Works Department to shut off the water.

Coun. Ward—And that is the only solution? Mr. Lyons—That is the only solution, by law."

Under the provisions of General Laws, chapter 111, sections 122, 123 and 124, when flagrant cases are forwarded to him by the Water Department, Doctor Mahoney of the Board of Health has brought criminal complaints against house owners who have created a so-called "nuisance, course of filth, and cause of sickness" by allowing an occupied dwelling house to be without water. Under the provisions of chapter 339 of the Acts of 1927 Mr. Ellis of the Rent and Housing Committee has proceeded against lessors of dwelling houses who have wilfully or intentionally failed to furnish water and such conduct on the part of an owner is punishable by a fine or imprisonment. Doctor Mahoney of the Board of Health stated to the chairman of your committee that the present water shut-off ordinance is a relic of an archaic age and a menace to the public health.

On all these facts, is it logically consistent with the policy of our own Board of Health to continue a city ordinance which requires the Water Department of the City of Boston itself, by its own act, to create a cause of disease and a menace to health, even though the purpose of the water shut-off may be indirectly to force an owner to pay a water bill by totally depriving some unfortunate

tenant of all water for drinking, bathing, cooking or sanitation? Wilfully causing or permitting an occupied dwelling house to be without a water supply under the statute is a criminal act punishable by fine or imprisonment, and yet in effect the present ordinance is mandatory in requiring the Water Department, on receipt of an unpaid water bill from the office of the City Collector, to itself create just that criminal situation.

Your committee fails to follow the logic of the suggestion that the city retain the shut-off power only for extreme cases,—both on the ground that the ordinance as it now stands is in every case essentially mandatory on the Water Department once the unpaid bill is turned over to it by the City Collector, and also on the ground the extreme case of the persistent and chronic tax dodging house owner is the very case where tax lien remedy provided by the Act of 1925 should most appropriately be used.

And again, why is the present unsanitary system of depriving a tenant of water because of his landlord's delinquency in paying a water bill any more logical than it would be for the City Sanitary Department to refuse to make further garbage collections from a dwelling house on which the ordinary real estate tax has not been paid?

On the admission of the representative of the Water Department himself, last year an average of one boiler a week blew up or collapsed following a water shut-off under the present ordinance. Let alone the fact that the city denies any liability for such damage as this action of the Water Department may cause when acting under the ordinance, what of the positive danger to the lives of such blameless citizens of this city as may happen to live in the house of an owner who wilfully or negligently fails to pay his water bill?

The newspapers are to be commended for focusing public attention on the present outrageous system, but not one thing will have been accomplished to effectually prevent a recurrence of the evil unless the present City Ordinance, which not only permits but expressly directs such procedure, is repealed, and the Legislative Act of 1923 authorizing enforcement of the lien law for water bills be resorted to in lieu thereof. The present procedure is not a credit to any city government. Your committee feels that the "onus," as Mr. Lyons has said, should be placed squarely where it belongs, namely on the property of the persistent tax-dodging landlord,—not on helpless women and children in some tenement house. Therefore we urge immediate adoption of the accompanying ordinance for the repeal of the water shut-off provision in section 22, chapter 27 of the Revised Ordinance of 1925.

ROBERT GARDINER WILSON, Chairman.
ISRAEL RUBY,
PETER J. MURPHY,
ALBERT L. FISH,
FRANK B. SULLIVAN,
THOMAS W. McMAHON.

An Ordinance Concerning Shutting Off Water.
Be it ordained by the City Council of Boston, as follows:

Chapter twenty-seven of the Revised Ordinances of 1925 is hereby amended in section twenty-two by inserting after the word "however" in the seventeenth line of said section the following words:

"that while a dwelling is occupied by a tenant other than the owner the water shall not be shut off for nonpayment of water rates by the owner, and further provided."

Coun. WILSON—Mr. President, I have submitted here the report of the Special Committee of the City Council appointed last week to consider the advisability of substituting for the present method of shutting off water for nonpayment of bills the tax lien method which can be resorted to under the act of the Legislature of 1923. Concerning the report Coun. Ruby is ready to make a motion, Mr. President, and attached to the

report is the ordinance the adoption of which is recommended. I would ask that the ordinance, instead of being referred to the Committee on Ordinances, be referred to the Executive Committee in order that we may take action upon it today.

Coun. RUBY—Mr. President, I move that the report of the special committee be accepted and that it be printed as a public document.

Coun. RUBY'S motion was carried.

President GREEN—The question is on reference of the ordinance to the Executive Committee.

Coun. WARD—Mr. President, I move that it be referred to the Committee on Ordinances.

Coun. WILSON—Mr. President, with reference to the motion just made, I have not in my mind at the present moment exactly what the membership of the Committee on Ordinances is. I know that I was a member of it last year. Without intending any reflection on any committee, it is my feeling—and I infer from listening to those who were at the hearing upon this matter of shutting off water, it is their feeling—that this is a matter that should receive immediate attention. The matter having been gone into at great length last Monday and the report of the special committee submitted here today being very detailed, it occurs to me that this matter may very well be acted upon today, inasmuch as the action suggested follows the recommendations of Mr. Carven, Mr. McMurry, the Board of Health and Mr. Lyons of the Law Department. All are on record as stating that the present ordinance should be repealed as a public health measure among other reasons. For that reason, I move reference of the ordinance to the Executive Committee. I may also say that an order has been issued by his Honor the Mayor, as I understand—and I assume it to be the fact—that there are to be no further water shut-offs until further notice. Having been trained more or less successfully in the legal profession, I personally am under the impression that his Honor the Mayor and the members of the City Council, as well as heads of departments, are all subject to the provisions of the city ordinances, until they are repealed. Therefore, until the present ordinance is repealed, in the case of every unpaid water bill sent by Mr. Johnson to the Water Income Division, the water must be shut off. In fact, there is no choice left in the matter to the Water Income Division, in spite of any order by the Mayor or by this body, unless the ordinance is repealed.

Coun. WARD—Mr. President, there is a little information I have, of which I am not at all certain, relative to water rates, which I cannot stand up here and speak about authentically, but there is going to be something done in the matter of water rates that nobody here is aware of, and it may cause some little difficulty if this recommendation goes through today. So I would like to see the matter referred to the Committee on Ordinances, which is the committee that is supposed to act upon matters of this sort that come before the body, the proper committee.

Coun. Ruby's motion to refer the matter to the Executive Committee was declared carried.

Coun. WARD—Mr. President, I doubt the vote and ask for a rising vote.

Coun. WILSON—Mr. President, I am always willing to be taught, am always willing to learn things, and my attitude upon this whole matter might change perceptibly if Mr. Ward will divulge the advance information he has received, so that we will know what this new water rate situation is and why the matter should be delayed awaiting it.

Coun. WARD—Mr. President, if I could speak authentically upon the matter, I would give the councilor the information desired, but I cannot.

The motion to refer to the Executive Committee was declared lost.

The motion to refer the matter to the Committee on Ordinances was declared carried.

Coun. WILSON—Mr. President, in order that I may know for my own information and as a matter of record, may I ask at the present time who the members of the Committee on Ordinances are, so that I may know, if the matter is held up for an unreasonable length of time, who is responsible for the delay?

President GREEN—For the information of the gentleman who has just taken his seat, I will read the names of the committee,—Sullivan, Arnold, Wilson, Fitzgerald, Keene, Ward and Fish.

LOCKER BUILDING, SOUTH BOSTON.

Coun. MAHONEY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of constructing a locker building, equipped with shower baths, on the property now owned by the City at C street and Broadway, South Boston.

Passed under suspension of the rule.

APPROPRIATION FOR NORTH END PARK.

Coun. FITZGERALD offered the following:

Ordered, That his Honor the Mayor be requested to send to the City Council an appropriation of \$28,467.46 from Special Fund, Sales of City Property, for North End Park, Piers and Buildings.

Passed under suspension of the rule.

INFORMATION IN RE TAXICAB STANDS.

Coun. WARD offered the following:

Ordered, That a special committee consisting of five members of the City Council be appointed by the President for the purpose of obtaining information relative to the circumstances under which taxicab stands are allotted in the public highways adjacent to hotels, theaters and railroad terminals and other public places, together with the fees, leases, rentals or other financial remunerations paid for these special privileges, the proposed inquiry being with a view to increasing the city's revenue from this source.

Coun. WARD—Mr. President, there seems to be a conflict of authority between the Police Department and the Street Commissioners' office relative to these taxicab stands in our city. At the Hotel Statler, I understand, \$17,000 a year is paid by one taxicab company to the Hotel Statler for the use of our public streets, the streets owned by the City of Boston and paved by the City of Boston. That gives you an idea of the amounts collected for taxicab privileges by the Hotel Statler and other hotels in this city. Right across here from us at the Parker House, I understand that \$10,000 a year is received for the special privilege of standing taxicabs there. I have no objection to taxicabs standing outside of hotels. I think they are a necessity. But I do object to monopolies of this kind. I do object to hotels obtaining these amounts from such companies for the use of our streets. I think if any such revenue is to be paid, the city should receive it. I think, also, that instead of certain companies being granted this monopoly, an opportunity should be given to independent taxicabs and individuals to participate in that sort of thing.

Coun. WILSON—Mr. President, I welcome the opportunity to agree with the councilor who has just spoken, if only once, even if I cannot agree the whole distance. I think this is a matter that should be looked into. I do not oppose the present system because of the monopoly, but on the general ground that, no matter what company may benefit, in a congested street like School street there should be no taxicab stand in front of the Parker House. Also, the Hotel Statler should not

be entirely surrounded by taxicabs. As a matter of personal experience, I have had to ride around the Hotel Statler two or three times in a private machine in order to get a chance to draw up to the curb and let off a passenger, and I have found at the North and South Stations that there is frequently no chance for the ordinary private vehicle to get within 200 yards of either station on account of taxicabs crowding the curb.

Coun. McMAHON—Mr. President, speaking to the order offered by Coun. Ward, I have myself had a few experiences with independent cabs. So far as I am personally concerned, it makes no difference to me whether a cab is an Independent, a Checker or a Town. But I notice that where an Independent cab has a stand, there is usually a sign stating that this is a stand for three cabs, four cabs or five cabs, whatever the number may be. I have had some experience with reference to the Hotel Statler, and I have also had experience in coming in here and trying to alight from an auto across the street here, at the Parker House. I happened to come along the street one Monday, going to the Hall to attend a meeting, and wanted to stop at the end of the Parker House building. The machine pulled into the curb, I opened the door and started out, and as I did the starter said, "You cannot park here." I immediately raised objection, said, "Why not? At least, I can stop here." He said, "No. I have the rights here." I said, "I don't know what rights you have, but I intend to get out here, and when the driver gets ready he will move along." Well, he left, and that was the end of it. I don't know how people can alight at the Hotel Statler at times, with the number of machines surrounding the building, as Coun. Wilson says. It seems to me if somebody is seeking a lot of money for our highways and other city expenses, to help to meet our costs, it would be well for the councilors to take some action here by which the city will get revenue in this way. It might be a good means of councilors getting money to fix the streets in their various districts. Regulations could be made regulating this sort of thing and obtaining revenue that now goes out of our hands, for some municipal purpose. I see no reason why the hotels or other corporations should obtain this revenue, which really should go to the city, when it might well be invested in some of the suburban wards such as I come from. I hope, Mr. President, that you will carefully consider the make-up of this committee when you are picking out the members, making it a good heavy committee.

Coun. PARKMAN—Mr. President, I was out of the Council Chamber when the order was read. I would like to ask if the Clerk will be good enough to read it again for my benefit.

(The Clerk read the order.)

The order was declared referred to the Committee on Rules.

Later in the session, on motion of Coun. Ward, the reference to the Committee on Rules was reconsidered, and the order was passed under suspension of the rule.

President GREEN appointed as said committee, Coun. Ward, Murphy, Murray, Dowling and Sullivan.

REST ROOM, COLUMBIA ROAD BUILDING.

Coun. McMAHON offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to provide for the installation of a ladies' rest room in the Municipal Building on Columbia road.

Coun. McMAHON—Mr. President, the order I have just introduced deals with a matter that should be taken care of at once. We have a municipal building out there on Columbia road, with a baby clinic that meets there every Monday and Wednesday, and on Mondays and Wednesdays there are 175 to 200 babies brought

there to the clinic. Of course, somebody has to bring them, usually the mother or perhaps an aunt. When they get in there together, there are between 300 and 400 people. In the municipal building, or in connection with the Columbia road gym, there are no conveniences for these women whatsoever. They cannot use the room the nurses have at the clinic, and in spite of the fact that the municipal building is so large, it lacks proper conveniences. It seems to be one more of those buildings where they have overlooked something. Also, in that building we have a library that is visited by anywhere from 300 to 500 women and children during the course of a day, and there is the same lack of facilities in connection with the library that there is in the rest of the building. I would like to have this order passed at the present time.

The order was passed under suspension of the rule.

ARC LAMP, WARD 13.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of an electric arc lamp at the corner of Dudley and Magnolia streets, Ward 13.

Passed under suspension of the rule.

CONDITION OF RIVER STREET.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to compel the contractor who recently relaid drainage pipes on River street, Hyde Park, between Cleveland and Barry streets, to immediately restore the street to its former condition, thereby removing a municipal disgrace.

Coun. MURPHY—Mr. President, at the present time in Hyde Park, between Barry and Cleveland streets, the police have been compelled to close River street to travel. In the meantime the city and the contractors are discussing the question of who is responsible for putting the street in proper condition. I hope, Mr. President, that his Honor the Mayor will take this matter under advisement immediately and throw his influence to compel the contractor to put the street back into its former condition, so that it will be safe for automobile traffic.

The order was passed under suspension of the rule.

RECESS.

On motion of Coun. DOWLING, the Council voted at 3.10 p. m. to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President GREEN at 3.48 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted reports as follows:

1. Report on petition (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Lulu Philbrook, Jordan Hall, May 23—that leave be granted.

Report accepted; leave granted under usual conditions.

2. Report on message of Mayor and order (referred March 19) that a sum not in excess of \$21,000 be appropriated to be expended by Municipal Employment Bureau—that same ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. DOWLING—Mr. President, I wish to say just a few words in connection with this

order, because the shaking of a municipal Christmas tree on April Fools' day does not seem to me at all appropriate. I know that the \$21,000 asked for by the Employment Bureau is a Christmas present to several girls, half a dozen bums, and four or five men who do the work. There are four or five bums who never report at the office, can be found in private offices, who do no work for the city, and who never sweat a hair or turn an eyelash for the man who is out of employment. That is one way of milking the city, and it has been going on for some time and is apparently going to continue, my objections to the contrary notwithstanding. If it is the purpose of the Mayor or any of his friends to milk the city in this way, I am objecting, and I am objecting as strongly as I do to another thing that came to my attention today from an eminent respectable official of the county. Down in the office of the auditor there is a bill filed in the interest of Dr. William F. Boos, of 196 Beacon street, Boston. He asks for something like \$300 for examining the blood of the members of the crew of the S-4, which was sunk in Provincetown Harbor a few months ago. Gentlemen, in connection with a tragedy like that, which occupied the attention and called forth heartfelt prayers of millions of people in this country, a professional man, acting under the influence of Dr. George Burgess Magrath, Medical Examiner of Suffolk County, connives and schemes to milk the county to the extent of \$300 for examining the blood of the innocent victims of that wreck. You can go ahead and spend all the money you want and throw away all the money you want; but when the question comes on the passage of the order I am going to ask for a roll call. I don't take all the credit in this Council for being decent, but I do want the people of this city to know that I am decent in this matter, because this is an outrageous steal, an effort to perpetuate in positions some people who are no good.

Coun. McMAHON—Mr. President, I certainly do not like the remarks of the councilor who has just taken his seat, telling me that there are six or seven bums in the Employment Bureau, and three or four women, who are not deserving of consideration. I don't think the councilor knows what he is talking about. Personally, I know two or three of the people there, and I certainly would not say that they are bums. In fact, I could not say that there is anybody there who is a bum. I don't think we should get up here in this Council when an appropriation of this sort comes in and make such loose remarks. Certainly, I don't think the gentleman should get up and tell the members that there are six or seven bums in that department. I take exception to the councilor's statement that there are six or seven bums there.

Coun. BUSH—Mr. President, as I said before, about two weeks ago, in the Executive Committee, when this order for a transfer was first introduced, I do not feel that the Municipal Employment Bureau of the City of Boston should be done away with entirely, because it is perfectly patent that we should have some such sort of bureau in the city to which people who are out of employment can apply without having to pay the usual fee that would be expected from an employment bureau. However, I see no necessity for employing the number of men at present on the pay roll of the Bureau. To my personal knowledge, there are only four or five in that Employment Bureau at the most who do any actual work. The rest of them are around City Hall, here, there and everywhere, hanging around the Mayor's office and other offices continually, and not doing a stiver or tap of work, never soliciting a job for anybody either over the telephone or personally. As I have said before, they are mere political hangers-on and are taken care of by the Mayor simply for that purpose. However, in view of the fact that the Bureau must continue to function, and that it does function to some extent, however poorly, we may feel that

some appropriation should be made to maintain it. But I do not feel that we are justified in voting the entire year's salary to the eleven or twelve men now on the pay roll. I know that in the past we have tried to obtain information from them as to just what they have obtained in the way of chances of employment, and we have never received anything except information about so many registrations and so many positions filled. We have never been able to obtain information as to how long these men have filled the positions, or who they were, and our requests along such lines from time to time have been completely ignored. They have never given us information as to how long the men put down in their lists have been employed. They would set forth, for instance, so many registrations, and so many employed out of those. The men may have been employed for one day, and yet they call that obtaining jobs for them. I shall not vote for the \$21,000 for the entire year's appropriation for this Bureau. I will vote for a sum consistent with the operation and maintenance of the Bureau upon a fairly workable basis, which is a basis of five or six people, and I believe that \$10,000 is sufficient to cover that. Therefore, I move that the figure "\$10,000" be substituted in place of the \$21,000 now stated as the amount of the appropriation.

Coun. DOWLING—Mr. President, it seems to me that the amendment offered by the gentleman on my left would not straighten the matter out so far as I am concerned, because it would be impossible for the Council to direct his Honor the Mayor to reduce the force so as to eliminate those who, I reiterate, are bums. It would simply give his Honor the Mayor \$10,000 to continue the four or five bums and the several industrious workers for six months in employment. So I do not see that any advantage is to be gained by the amendment offered by the gentleman on my left.

Coun. WILSON—Mr. President, I, like perhaps the other speakers who have spoken on this question, have no axe to grind with any of the personnel of the present department, which has been doing no particular good, in the old Police Headquarters. I know, however, that there are some individuals there, comprising a minority, who really do some work. For that reason, I would hate to see the few workers among the drones in the hive blamed for what the majority do not do. I wonder how many members of the City Council who are so ready and willing in Executive Committee to vote away \$21,000 without even a word of discussion, know anything about what the Municipal Employment Bureau is doing, as compared with what it has in the past been able to accomplish under competent management? Are they aware of the fact—and I am now reading from one of ex-Mayor Curley's addresses—that "on March 1, 1922, the Municipal Employment Bureau was established. At the time of opening, by applying the general law of percentage deduction based on figures obtained from fifty industrial plants in and around Boston, 65,000 unemployed was a conservative figure"? Are they aware of the fact that in the first year, or part of the year, of its existence employment for 6,255 men was secured at a cost of \$1.52 each, and that the Bureau was being used exclusively at that time by many large Boston concerns? Are they aware of the fact that the Employment Bureau increased its scope with an enlarged personnel and that December 1, 1923, found an increase in registration of 14,000 men filed with that office, and that of this number of registrants, the Bureau was able to place 11,798 men at a cost of only \$1.36 each? In those two years, the first 1922, the time for which I have given the figure of 6,255 men being placed at work, the Bureau was struggling along with five men and one woman, and with an annual pay roll of only \$10,700 a year, and are they aware of the fact that in the biggest year in the history of the Employment Bureau, there were eight men and one woman, putting at work 11,798

men in one year, at a cost of \$1.36 each, and with a pay roll of only \$15,000 a year? And now we have a Municipal Employment Bureau up there with an annual pay roll of \$21,000, or twice the amount spent when it was running at its height, with eleven men on the pay roll instead of five men and one woman one year and eight men and one woman the second year? On the basis of 290 jobs a month, so-called job for a day or a part of a day, or 3,480 a year, taking the appropriation of \$20,000 or \$21,000, that means about \$6 each; and the men would have been a good deal better off if they had been given \$6 apiece to buy some food for their families, instead of going through the motions of getting jobs for a day or half a day at a time. I have had men report to me that they went there at ten o'clock in the morning and hung around on the steps, and if they had a card from the right councilors the guard would tell them to come in, and if not, they didn't get in. They would then stay around and would be told that the head of the department was busy, would be told in the middle of the day that he had gone to lunch, and finally at four o'clock would be told that he had gone home. That is the way the thing has gone along. And I know that they have been kept hanging around there, because I have seen them. There they are, men looking for work, with families starving at home, waiting six or eight hours around the old Police Headquarters, and then at the close of the day told that the one in charge has gone home. And then you wonder why I am all excited and upset over the situation. Then they keep this order for \$21,000 waiting in the committee week after week, while I am sitting there, and then when I am not there, it is taken up and passed without a word. So when I came in there I opened the discussion. There had been one member of the Council who raised the point that possibly the appropriation was illegal, and yet they did not even call upon the Law Department to find out whether it was illegal, they were so eager to pass this blanket order for \$21,000. In the over two years that I have been a member of the Council, this is the first instance I remember that a lobby has been so successful in connection with any department that the City Council has lain down, curled up and died without insisting on a courteous reply to courteous questions, the answer to which would give us some information on the question of whether the department needs \$21,000 or not. Months ago, when they sent in a weekly report as to the number of men who had been put to work, I introduced an order here to ascertain whether the figures were not padded, and also to find out, in regard to men who were alleged to have been furnished employment through the efforts of the Bureau, what the nature and circumstances of the employment was—whether they got two hours' work, half a day's work, or whether they really got a job. On February 6, 1928, I introduced such orders, two months ago, and I said then and say now that the orders were fair and square orders, to which we are entitled to answers. I say now that there are members of this Council who want to curl up, lie down and die, without getting a fair reply to these questions; and, while I will not read all the questions, I will read some of them, so that we can thoroughly understand their nature:

"That the Director of the Municipal Employment Bureau, through his Honor the Mayor, be and he hereby is directed to advise the City Council forthwith whether there are still ten persons on the pay roll of the Bureau, and, if not, how many?"

Of course, the only reason why we have received no answer is, presumably, that there are now more than ten.

"Whether the total of the Bureau is still at the rate of \$19,000 per year, and, if not, the present figure per annum?"

And, of course, one of the reasons why that is not answered, I understand, is that the expense is now \$2,000 in excess of \$19,000.

"The total expenses of the Bureau for the month of January, 1928, other than rent?"

Isn't that a fair question?"

"The amount of the telephone bill for the Bureau for the month of January, 1928?"

Is that a fair question to be asked by a body that is going to vote on the appropriation of \$21,000, blindly?"

"The present monthly rental being paid by the City of Boston for the quarters now occupied by the Bureau in Pemberton square?"

Is that a fair question?"

"What arrangements, if any, have been made for housing the Bureau after the expiration of the present lease covering the premises now occupied by the Bureau?"

Is that a fair question? Is it a business-like question to be asked by men who are expected to vote \$21,000 blindly for this Bureau?"

"For what further period it is estimated funds already appropriated by the Council for the maintenance and operation of the Bureau will be sufficient to pay all expenses either with or without any expense for rent?"

Is that a fair question?"

"Whether two secretaries, seven clerks and a stenographer are at present necessary for active work in the Bureau, as now conducted, and if not, what number of persons?"

Is that a fair question?"

"The working hours per working day of each officer or employee of the Bureau at the present time? The number of persons now on the pay roll of the Bureau who are working full time in the Bureau, and the number of persons now carried on the pay roll of the Bureau, working part time?"—and I use that word "working" advisedly. As one of the members of this Council, one of the members representing the twenty-two wards of this city, I feel that I have a right to ask such questions of the head of this department; and if a majority of the members of this body are willing to sit here and vote \$21,000 without an answer to these questions, I am ashamed to be a member of a body that does so. That about tells the story, Mr. President. As I say, I have no criticism to make of the personnel of the Bureau as a whole. I know there are members of that Bureau who, if they were employed in the Bureau, run as it was in 1922 and 1923, would be doing work that would be of benefit to the City of Boston. I have no personal acquaintance with the members, and none of them have lobbied me, for my vote, one way or the other. But I know the nonsuccess I have had in obtaining jobs for constituents through that Bureau. I was prepared to come in here and vote a reasonable amount of money until we should receive further information, or some information from this department, even though I have waited two months for an answer to these questions. But when I see the success of the lobby here, when I see the secrecy with which it is working, when I go into executive session and find \$21,000 has been voted blindly without one word of discussion, and particularly when I see that done on the one day when I was not at the time at the meeting and they knew I was one of the chief opponents of the measure, I resent it. So far as I am concerned today, I will not vote one nickel for that defunct Bureau.

Coun. KEENE—Mr. President, I do not intend to take exceptions to the remarks of my colleague in so far as he follows the facts, but when any member will get up in this body and make a statement as a fact when he is not sure of his ground, he does not respect the position he holds. The statement has been made by the councilor that this action was slipped over. The Executive Committee met in regular session and at the regular time, and if he is so busy with outside matters that we have to wait until he attends to such matters and comes into our meeting, before we can transact any business, it is about time that we change the rules of this organization. That matter has been lying on the table for several weeks. It was brought up at this meeting and was acted upon, and the committee adjourned.

But we re-entered the room and out of courtesy to the councilor, because he raised objection, reopened the meeting. There were statements there made that were unfair to the members of this body, statements made in that room with newspaper men present, broadcast to the people of the city, that this organization, this City Council, is composed of men who will sit in a room and slip things over. I certainly object to that sort of thing, and I think the other members of this Council do, also.

Coun. WILSON—Mr. President, the statement that I make on the floor of this Council today, the statement that I have made in the past or that I shall make in the future, stands; and I repeat my statement, made before the last speaker spoke, to the effect that this matter was slipped over in the Executive Committee, and I say that that statement is founded on fact. This particular \$21,000 blind order has been lying on the table there in the committee week after week. At times when I have been there, at the last meeting and other times, nobody showed any interest in taking it up from the table. But at a time when I was not there today, and at a time when there was not a quorum present, it was done. Therefore, I object to this particular order having been so passed, under such circumstances. I am not apologizing for my absence from the meeting held by the Executive Committee with such unusual promptness today. Let me say that the reason for my absence from the chamber was because I was checking up my own order, introduced early in the session,—an order, the importance of which, in my opinion, far transcends this particular \$21,000 loan order. It involved the important question of repealing the ordinance with reference to water shut-offs. I was talking that over with the assistant clerk and other members of the Council, and was considering the advisability of asking for a reconsideration at this meeting, in view of the fact that a number of members who objected to its being referred today to a committee which could facilitate action upon it, a week ago today were willing to stay here until eight o'clock at night, if necessary, to take some decisive action. After my conversation in regard to that matter had been completed, I went into the executive meeting and found that this order had been passed. And so, when I make the statements I have made here today in this Council, Mr. President, I based them on facts, not fiction. That is why I am voting against this particular order for \$21,000. I like to hear facts, not fiction.

Coun. KEENE—Mr. President, I will state for the information of the councilor and so that it will be a matter of record, that when the Executive Committee met in session today there were fourteen members present, all of them sitting in the chamber at this time.

Coun. RUBY—Mr. President, the outbreak this afternoon in regard to this question is nothing more than a recurrence of what we saw last year and the year before, in regard to the expenditures of the Municipal Employment Bureau. I am one of those who believe that an employment bureau in a city such as ours is absolutely necessary; and I am not convinced that his Honor the Mayor has sent up an order here for \$21,000 simply that a certain group of bums, so called, may be taken care of. Scrutinizing the list of young men and women who are today employed in that department, I would like to know what six of the ten employees of the department are the bums? Is it Augustus Seaver, Stephen Sullivan, Lawrence Conley, Michael DeCicco, John J. Kelley, Peter J. McDonald, Irving Shallett or either of the ladies—Alice B. Ryan, Alice G. Carter, Margaret P. Jennings? There are other methods of trying to defeat a measure than by coming into a body such as ours and promiscuously using certain expressions that people would be more careful in using outside of this room. I do not believe it is fair that there should be such characterizations in this body

and I don't think it is fair to his Honor the Mayor. Possibly the gentlemen who have made these statements do not care whether they are fair to the Mayor or not, but I do think things that have been said here should be considered by those who have uttered them as unfair to the members of this Council. Certainly, when a measure of this sort is before us, it is unfair to give expression to such language as has been used here with a view to defeating the measure. I dare say there is not one of the ten whom I could honestly say is a bum in the literal use of that slang expression, and we certainly ought to be a little more careful in the use of such words, in my opinion. Personally, I believe it is just as well, if this department is to continue, that we make the appropriation for the salaries at one time, instead of appropriating \$5,000 today, \$5,000 in July, \$5,000 in September and \$50,000 in December, as we have done for the last two years. Why not pass the appropriation in a lump sum, instead of in instalments? It might be well to bear in mind that this department has not increased in membership, but rather has decreased, because I have before me the pay roll back in June 1, 1925, when there were fourteen employees of the department, at an annual salary of \$27,000. I also have before me the pay roll back on June 1, 1927, when there were ten employees, at an annual salary of a little over \$19,000. I do not think his Honor the Mayor has asked for this money for a department which he does not believe will function. I believe the department is a necessary and functioning body in this city. True, we may disagree as to the ultimate results that can be obtained. But I do think it is to be taken for granted that a proper functioning body to do this sort of work is necessary in a city like ours, with 65,000 or 70,000 people, men and women of Boston, out of employment. They should be given an opportunity to go to a proper employment bureau, where they will not be compelled to pay a week's salary to work for a few weeks, and then lose their job. So I feel that a public employment bureau of this kind can do a good deal of good. For that reason, I made the motion in executive committee, and I make no apology for it. I slipped nothing over, in my opinion, because I felt that that particular order had been discussed, had been thoroughly considered, and that nothing different was proposed to be done than has been done in the previous two years. Because a member is unfortunately absent because of other work he is doing is no reason for the statement that in taking the vote we did we were taking advantage of his absence.

Coun. FITZGERALD—Mr. President, some very serious charges have been made here. I have listened attentively to what has been said, and I don't think such charges should be made as lightly as some members seem to make them. We are now living in a critical time, when men elected to public office are subjected to charges, left and right. Consequently, our action here today is certain to be misunderstood. I advise the members of this body to go slowly. The Mayor of this city is also entitled to some consideration. He was elected after a long drawn-out battle and a bitter contest in which the majority party in this city was torn asunder by men who sold the pass, as was done in bygone days. Unless they could rule, they were bound to ruin. But his Honor the Mayor is now Mayor of the town and entitled to some consideration. If he has seen fit to put friends there, and they have sold him out, taking a dirty, contemptible course and not fulfilling the duties they have been appointed to perform, he is not to blame. This is a great city to manage, and he cannot have his finger on the pulse of every one of the city departments. These men ought to thank God that they have positions, when there are nearly 100,000 people out of employment in the city. We have now a situation such as we have never before had in the history of the city, in

the matter of unemployment. I do not defend any man who is there and who is performing his duty improperly, and no member of the Council ought to uphold such with the thousands and thousands of impoverished families, and the little children starving in this city. If you could read the letter I have here from a school teacher drawing attention to a pitiful case in the ward I represent, or if you could go to the lodging house district of the South End and see the poor people in basements starving, you would realize the seriousness of unemployment conditions in this city. In view, however, of the serious charges that have been made by the gentleman from Dorchester, and in view of the serious charges that have been made by different members, I simply say that we should go slow. I do not believe those charges are founded, but in justification of ourselves we ought not to act too quickly. I believe this should go over to the next meeting. I believe, as Coun. Ruby states, that this voting \$5,000 and \$5,000 again is not called for. We were called up last summer in the hot days to vote for a \$5,000 or \$6,000 appropriation. Let the thing be settled once and for all. But, in view of the fact that these charges have been made, and certain questions have been asked which have not been answered, questions to which the member asking them has a right to an answer, I believe we should go slowly. When we are elected here, we have a duty to perform, and we don't want to have serious charges go out to the newspapers, to the effect that things are being slipped over, charges that employees are not doing their work, that they are engaged in other occupations besides those for which they are being paid by the city, that they are spending time in other offices than their own, without some attention being paid to them. If that sort of thing is so, an answer should be forthcoming; if not, the appropriation should be passed. I say we should not blame the Mayor. He is entitled to some of the fruits of victory. The voters knew what they were doing, acted with their eyes open when they voted him into office for four long years. He has a right to take care of his friends, although they may deceive him. We all have friends who make trouble for us. It is not our enemies, but our friends who do the jobs on us. I believe his Honor the Mayor is entitled to some consideration, and I don't believe it should go forth in the newspapers tomorrow morning that we have railroaded this thing through. If there is nothing to be lost by holding it over for a week, I don't believe in hurrying it. In view of the charges that have been made, let us pause, let us go slow.

Coun. WILSON—Mr. President, there are two things I would like to refer to, very briefly. One of the councilors from Dorchester made the point that a properly functioning body, having the duties supposed to be performed by this Bureau, is necessary, when we have about 60,000 or more unemployed in the City of Boston. That is one of the points I have made, that a properly functioning employment bureau is an absolute necessity of the City of Boston. It is because I do not consider that the present Bureau is functioning that I have made the statements I have today. The gentleman also considers that an appropriation should be made for the whole year's program of this Bureau. I agree with him there. The only question is that neither he nor anybody else in the room has been advised as to what the yearly program is. One other word concerning the Executive Committee. If my memory serves me correctly, the matter of the \$21,000 for this Bureau was not taken up last week. The previous week it was taken up and discussed, in distinction to the procedure today, and at that time, on my motion, the matter of \$21,000 was laid on the table until we should receive from the director of the Municipal Employment Bureau some information in response to these questions which I have asked. My memory may be faulty, but that is certainly my distinct recollection. The answers to those

questions are not here today. So I repeat, taking this loan order for \$21,000 with its history, that it certainly is a surprise to me that it should have been passed blindly without discussion in the committee.

President GREEN—The question is on Coun. Bush's amendment, substituting \$10,000 for \$21,000.

Coun. MURPHY—Mr. President, I have attended many meetings in my day, and I do not believe in the history of any organization have I before heard men so forget that there is after all such a thing as orderly procedure in all kinds of meetings. Statements have been made here which I do not intend to discuss, charges have been made which I do not intend to discuss; but I do intend to discuss the merits or demerits of the need of an employment bureau in a city of the type of Boston. Coming from the working people, I suppose I am as well acquainted with the facts as any member sitting in this Council today, and never in my experience have I witnessed such conditions as are prevailing today in the matter of unemployment, with the exception of the latter part of 1920 and the first part of 1921, when the trusts of this country tried to bring about what was known then as the reconstruction period. Those of us who had to work for an hourly wage in 1921 were compelled to take reductions, to have our conditions changed, and people were sore put to it to get employment. The situation confronting this city today is identical with the situation that brought about the birth of this Employment Bureau. It was started under the administration of Ex-Mayor James M. Curley. Nobody has ever doubted his ability as an executive and if in his wise judgment, after seeing the chaos that existed in the way of unemployment, he established this Bureau, I say now under the conditions confronting it it is absolutely essential that it should continue. Mr. President, I desire to add just a few words, in view of the charges that have been made. First, it is said that the Executive Committee of this Council, using a colloquialism of the streets, railroaded this particular loan order through. I take exception to that statement. Second, it has been said that certain employees, who are human beings, if you please, are bums. I take exception to that exception, when it is applied to any creature of Almighty God. But, in view of the statements and charges that have been made, in order that I and others might be guided the way any decent man ought to be guided, I say let us have a postponement. Let them have the time, and if this Employment Bureau has not got the proper employees to manage it, I say an investigation should be had, and the gentleman who has spoken and who asked for certain facts some months ago should, in justice to himself and in justice to us, be given time to have the facts brought in, so that this Council will not be placed on record in a wrong light. I, Mr. President, know something about unemployment. It exists in every craft, every organization of which I am a member. Numbers are today laid off, walking the streets, looking for employment. Every industry in the country is going through one of the worst depressions ever known in the history of America. We are not in a position to alleviate that condition. That alleviation will have to be brought about in the only way we know, by reducing hours, shortening the work week and thus creating employment for a greater number of those who have become subject not to chattel slavery but to wage slavery. So I say, Mr. President, that I am sorry this debate has gone to the extent that it has. I believe there are times even in the worst periods that may arise when men can be cool, calm and collected. We are told that the Employment Bureau is not putting anybody at work. I know of two cases. I have never been inside the Employment Bureau since I have been a member of the Council, but I know of two cases that I sent there and they were offered employment at \$18 a week, and I had one

of them call me up at my home and say he wouldn't take temporary employment at \$18 a week. I have never met Mr. Seaver in my life. I hold no brief for Mr. Seaver or any man, if he is not doing his duty, but I do hold a brief for a bureau, whatever its name, that is an instrument whereby the workers, those of the class from which I come, are enabled to get in and out of the cold in these days, and who, if there is a chance for employment, are given that chance. It is all very fine to say that the Employment Bureau of the City of Boston is not providing the amount of employment that would be indicated in the figures that have been given to us. Can anybody point out to me one single employment bureau in Boston that is demonstrating today what it demonstrated in some previous year? No, it is the same cry of every worker—into the office or into the factory, and out, and the factories and places of business are going farther now than they ever went before. They are placing notices in machine shops, saying, "You will not bother the man in charge. No help is needed." Oh, very well. My people remember that. There was a time, Mr. President, when the sign did not read that way. It read, "No Irish are wanted," but with the help of God and with the consideration of Boston and its voters the Irish are here, and they are here for a square deal. We don't propose to be any better than anybody else, but we do propose to be as good as any other race. I hope, Mr. President, that this matter will be put over to the next meeting so that everybody will be given ample opportunity to examine into the charges that have been made. If they can be proven, I will be the first man to vote to discontinue the Employment Bureau or any bureau or department that is not functioning in the way it ought to function.

Coun. Bush's amendment, to insert \$10,000 in place \$21,000, was rejected, yeas 1, nays 20:

Yeas—Coun. Bush—1.

Nays—Coun. Arnold, Deveney, Donovan, Dowd, Dowling, Fish, Fitzgerald, Gallagher, Green, Keene, McMahon, Mahoney, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Ward, Wilson—20.

Coun. DOWD—Mr. President, I now move you that action be postponed until the next meeting.

Coun. WILSON—Mr. President, do I understand that the purpose of the motion is to have this laid on the table or postponed until the next meeting, or until we shall obtain from the director of the Municipal Bureau some information which will allow us to vote intelligently on this particular order, —or is the intention simply to put off the evil day?

Coun. DOWD—Mr. President, I was not aware of the fact that the questions sent to the director of the Employment Bureau by Coun. Wilson, through the action of this Council, were not answered. Until such time as those questions are answered, I do not feel myself that I am desirous of voting for any appropriation for said Bureau.

Coun. DOWLING—Mr. President, I understand the motion of the gentleman from Ward 8, now before the Council, to be that the matter be put over for one week?

President GREEN—Yes.

Coun. DOWLING—Mr. President—

Coun. FITZGERALD—Mr. President, I rise to a point of order, that the gentleman from Brighton is out of order.

President GREEN—The Chair rules that the motion to lay on the table for a week is debatable.

Coun. DOWLING—Mr. President, I was going to suggest, before the motion of the gentleman from Ward 8 is put to the Council, that it be amended to include a provision that the superintendent of the Employment Bureau be directed to appear before the Executive Committee to give whatever information the Council may desire in connection with the matter.

President GREEN—The Chair would state that if the Council desires to lay the matter on the table or postpone it, it can be taken up at any time, and that the gentleman's amendment is out of order.

Coun. DOWLING—Then, Mr. President, it would be in order for me later to offer a motion that the Superintendent of the Employment Bureau appear before the Executive Committee at the next meeting?

President GREEN—Yes.

Coun. RUBY—Mr. President, I don't know how the other members feel in regard to postponing action on this matter further. I am satisfied that the Council has spent enough time upon the matter. We have had the order here for several weeks, and everybody has had a chance to look into it and to make up his mind in regard to it. In spite of the outburst we have had, the members are or should be informed in regard to the situation and prepared to vote, and I don't think that consideration of the order needs to be further postponed. This is nothing new. We have heard this same characteristic expression with regard to some of these men before, last year and the previous year. I think nothing can be gained by postponing action on this measure because of the disturbance that has arisen here. I do not think the councilor from Ward 17 feels that the matter has been illegally brought into the Council from the executive session, because every opportunity was accorded—

President GREEN—The gentleman will please confine himself to the question, which is on postponing the matter to the next meeting.

Coun. RUBY—I am speaking against postponement, and giving my reasons for my position. I think all the information that any member could have desired could have been asked for and obtained in the six or seven weeks we have had the matter under consideration, and I certainly trust that further postponement will not prevail.

Coun. DOWLING—Mr. President, I would like to ask the gentleman one question,—what his objections are to getting some information with reference to this order, when he has wished to have that same method pursued in order to get information from department heads in regard to department appropriations? This is a department that asks for authority to spend \$21,000. What possible objection can you have to the Council obtaining some information in regard to the matter?

Coun. RUBY—Mr. President, I will be glad to answer the question in this way. Any one of us who desired information could have asked for the information in the course of the past six or seven weeks since his Honor the Mayor has seen fit to send the order in here. I think the Mayor has given us ample opportunity for investigation, and I do not personally think that further postponement will yield anything to us that we could not have had before. For that reason, I am satisfied to vote for the appropriation, which I believe is necessary, today. I feel that we have had the opportunity, as I have said before, to have discovered anything we wanted to discover in reference to this department. I don't think anything will be gained by further postponement.

Coun. BUSH—Mr. President, I thoroughly agree with the previous speaker in his remark, so far as the possibility of obtaining desired information is concerned, because I do not think any further information will be obtained. To that extent I agree with him. But when he says we could vote for this order today, even though we do not obtain the information, I do not agree with him. When he says we have ample time to obtain the information I agree with him again, but I would also point out to him that our efforts to obtain that information have been fruitless, that the head of the Bureau has consistently ignored the request of the department for the information and has never vouchsafed it when we have requested it. I also am op-

posed to postponement of this matter. Ample opportunity has been given the director of the Employment Bureau to give that information to the Council. He has not given it. I went a little farther than I really should when I offered to amend the order, in which amendment the Council saw fit not to sustain me. I will not vote for the \$21,000. But I also say that I am opposed to further postponement of the matter, because I believe ample opportunity has been given the director to furnish that information.

Coun. WILSON—Mr. President, with reference to the suggestion of the councilor from Dorchester (Coun. Ruby) that we have had a long time in which to consider this matter and have not endeavored to get information, I will merely refer to the fact, which suffices so far as I am personally concerned, that I have had all these questions on record, questions as to which I sought information, since February 6. The gentleman again makes reference to the Executive Committee. Unless I am mistaken, he will recollect that when I reached the executive meeting, I personally doubted the presence of a quorum on that particular vote, and asked for a roll call, which I did not obtain.

The motion to postpone action for a week was declared lost.

The order was passed, yeas 18, nays 4:

Yeas—Coun. Arnold, Deveney, Donovan, Dowd, Fish, Fitzgerald, Gallagher, Green, Keene, Lynch, Mahoney, McMahon, Motley, Murphy, Murray, Ruby, Sullivan, Ward—18.

Nays—Bush, Dowling, Parkman, Wilson—4.

Later in the session Coun. WILSON said: Mr. President, may I respectfully request at this time that if in the course of the next few days the councilors learn what the Council voted the \$21,000 for, the information may be transmitted to you and you will advise us?

REPORT OF COMMITTEE ON PARKMAN FUND.

Coun. PARKMAN, for the Committee on Parkman Fund, submitted report on order (referred March 12) that \$70,000 be appropriated from income of Parkman Fund for a statue of Paul Revere to be erected in City Square, Charlestown—that same ought not to pass.

Coun. PARKMAN—Mr. President, just a word in connection with this order. The matter came to us because a large number of Charlestown societies and individuals were interested in the erection of a statue of Paul Revere in City square. It was desired to take the money from the income of the Parkman Fund. We had a very long and deliberate hearing and gave the matter consideration from every point of view. We had before us a representative who appeared in favor of the order, the Park Commissioner, and a representative of the Law Department. The Corporation Counsel's office advise us, in the first place, that it was very doubtful whether it was within the scope of the Council's authority under the City Charter to originate an appropriation of this nature. Second, it was doubtful if it was legally within the terms of the bequest; in the third place, the Park Commissioner said, if it was within the terms of the bequest, that he doubted very much the expediency of using so much of the Parkman Fund for the erection of a statue when the money could be so much better spent in the interest of the public, in meeting other demands of the parks and playgrounds. The committee, therefore, decided and recommend to the Council that the order should not pass.

Report accepted; order rejected.

REPORT OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. FITZGERALD, for the Committee on County Accounts, to whom was referred No-

ember 28, 1927, the communication from the Justice of the Municipal Court determining an additional allowance for clerical assistance in the office of the clerk of said court for civil business, submitted report, recommending passage of the accompanying order, viz.:

Ordered, That until otherwise ordered, the sum of \$28,900 per annum be and hereby is allowed for clerical assistance in the office of the Clerk of the Municipal Court for Civil Business.

Report accepted; order passed.

APPROPRIATION FOR WILLIAM HEALEY PLAYGROUND.

Coun. MURRAY submitted the following:

Ordered, That the sum of \$40,000 be and the same is hereby appropriated, to be expended under the direction of the Park Commission, for the erection of bleachers, grading, new baseball diamond, new tennis courts, etc., on the William Healey Playground, Ward 19, 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.

PROPOSED ACCEPTANCE OF PROSPECT AVENUE.

Coun. MURRAY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Prospect avenue, Ward 19.

Passed under suspension of the rule.

SPEEDING UP OF CONSTRUCTION OF WARD 18 STREETS.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to speed up the work of constructing Doncaster street, Mildred avenue and Caton street, Ward 18.

Passed under suspension of the rule.

PROPOSED ACCEPTANCE OF MAGDALA STREET, WARD 16.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Magdala street, Ward 16, as a public highway.

Passed under suspension of the rule.

PROPOSED ACCEPTANCE OF ASHLAND STREET, WARD 16,

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the

Mayor, to accept and lay out Ashland street, Ward 16, as a public highway.

Passed under suspension of the rule.

DEVELOPMENT OF BOSTON AIRPORT.

Coun. WARD offered the following:

Ordered, That the City Planning Board be requested, through his Honor the Mayor, to call a conference of the officials of all cities and towns within the Metropolitan District for the purpose of drafting plans for the development of the Boston Airport, the expense to be borne jointly by said cities and towns.

Coun. WARD—Mr. President, I will say but a few words, owing to the lateness of the hour. I intended to talk at length on the matter, but since the hour is late and the Council wishes to get home, I will simply say this, that the federal government intends to do nothing, the state intends to do nothing, and I do not believe the entire expense should be borne by the city. Therefore, this order reads that the Metropolitan District Commission be requested to call together a conference having in view the development of the airport of Boston, with the result that we may have the greatest air terminal in the world at the time when this giant enterprise will be at its height. I shall move suspension of the rule and passage of the order.

The order was passed under suspension of the rule.

INVESTIGATION OF CANDIDATES FOR CONSTABLES.

Coun. RUBY offered the following:

Ordered, That a special committee of five members of the City Council be appointed to investigate candidates for reappointment as constables.

Referred to the Committee on Rules.

BRANCH LIBRARY, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Library Trustees, through his Honor the Mayor, be requested to establish a branch library in the vicinity of Franklin Park and Franklin Field section of Ward 14.

Passed under suspension of the rule.

PROPOSED IMPROVEMENTS FOR FRANKLIN FIELD.

Coun. RUBY offered the following:

Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to construct additional tennis courts, a mothers' rest and such other improvements as in his judgment may be made on Franklin Field, and that the sum of \$18,000 appropriated in 1924 for the Wellington Hill section of Ward 14 be transferred to make said improvements in Franklin Field.

Passed under suspension of the rule.

Adjourned, on motion of Coun. WILSON, at 5 p. m., to meet on Monday, April 9, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 9, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m. President GREEN in the chair and all the members present.

HYDE PARK AVENUE.

The following were received:

City of Boston,
Office of the Mayor, April 9, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of January 9, 1928, relative to the cost of constructing a cement roadway in Hyde Park avenue, from Neponset avenue to the Readville Trotting Park, Ward 18.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department,
March 30, 1928.

To the Honorable the Mayor.

I return order of the City Council, dated January 9, 1928, requesting an estimate of the cost of constructing a cement roadway in Hyde Park avenue, Ward 18, from Neponset avenue to the Readville Trotting Park, and report that the estimated cost of this work is \$370,000.

Yours respectfully,
J. H. SULLIVAN,
Commissioner of Public Works.

City of Boston,
Office of the Mayor, April 9, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of January 9, 1928, relative to the cost of constructing a cement roadway in Hyde Park avenue, from Forest Hills to Neponset avenue, Ward 19.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department,
March 31, 1928.

To the Honorable the Mayor.

I return order of the City Council, dated January 9, 1928, requesting an estimate of the cost of constructing a cement roadway in Hyde Park avenue, Ward 19, from Forest Hills to Neponset avenue, and report that the estimated cost of this work is \$134,000.

Yours respectfully,
J. H. SULLIVAN,
Commissioner of Public Works.
Severally placed on file.

SEWER IN CLIFFORD STREET, HYDE PARK.

The following was received:

City of Boston,
Office of the Mayor, April 9, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of February 6, 1928, relative to the construction of a sewer in Clifford street, Hyde Park.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department,
April 4, 1928.

To the Honorable the Mayor.

I return order of the City Council, regarding the construction of a sewer in Clifford street,

Hyde Park, and report that this work will be included in our construction for the current year. The estimated cost, including the necessary outlets, etc., is \$29,792.

Yours respectfully,
J. H. SULLIVAN,
Commissioner of Public Works.
Placed on file.

LOAN ORDERS FOR STREET WIDENINGS.

The following was received:

City of Boston,
Office of the Mayor, April 9, 1928.
To the City Council.

Gentlemen,—I transmit to you four loan orders in an amount deemed sufficient to meet executions of court in cases arising from the widening and laying out of Cambridge street, Court street, Tremont street, Kneeland street, Dock square and Faneuil Hall square, together with a communication from the City Auditor in reference thereto.

I respectfully recommend the adoption of said loan orders.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Auditing Department, April 7, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—In accordance with your instructions I have conferred with officials of the Street Laying-Out Department and Law Department, with a view to estimating the additional loans that will be necessary for the completion of the payments for the widening and laying out of Cambridge street and Court street, Tremont street, Kneeland street, Dock square and Faneuil Hall square.

As a result of suits already settled for land damages in connection with these various improvements, the original loans authorized outside of the debt limit, have been found to be insufficient, and amounts now due for original awards and other expenses can not be paid except through executions of court.

While it is impossible to predict the outcome of the court cases now pending, it is believed, as a result of conferences held, that the following amounts will be required to complete the necessary payments.

Cambridge street and Court street.....	\$400,000
Tremont street improvement.....	40,000
Kneeland street improvement.....	450,000
Dock square and Faneuil Hall square improvement.....	450,000

The Corporation Counsel believes that court action on all the outstanding cases will be taken within the current year.

It is respectfully suggested that loan orders in the above amounts be submitted to the City Council at once.

Respectfully yours,
RUPERT S. CARVEN,
City Auditor.

Ordered, That the sum of \$400,000 be and hereby is authorized to be expended by the Board of Street Commissioners for Cambridge street and Court street, and that to meet said appropriation the City Treasurer be 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.

Ordered, That the sum of \$40,000 be and hereby is authorized to be expended by the Board of Street Commissioners for Tremont Street Improvement, and that to meet said appropriation the City Treasurer be 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.

Ordered, That the sum of \$450,000 be and hereby is authorized to be expended by the Board of Street Commissioners for Kneeland Street Improvement, and that to meet said appropriation the City Treasurer be 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.

Ordered, That the sum of \$450,000 be and hereby is authorized to be expended by the Board of Street Commissioners for Dock Square and Faneuil Hall Square Improvement, and that to

meet said appropriation the City Treasurer be 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.

Referred to the Committee on Finance.

ADDITIONAL APPROPRIATION FOR
AQUARIUM.

The following was received:

City of Boston,
Office of the Mayor, April 9, 1928.

To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Chairman of the Park Commissioners in which he points out that an additional appropriation of \$2,000 will be required in order to complete the improvements and replacements contemplated at the Aquarium, South Boston. Early in this year your honorable body appropriated \$5,000 for this work, but subsequent developments indicate that the actual cost will be in the neighborhood of \$7,000, hence the request for the additional appropriation. I submit herewith an order providing for the appropriation of this amount and respectfully recommend its adoption by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, April 9, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—On March 13, 1928, an appropriation of \$5,000 was made from the income of the George F. Parkman Fund for improvements and replacements that are urgently needed at the Aquarium, South Boston, and on March 29, 1928, advertised proposals for doing the work were opened at this office. The lowest bid was \$6,300, which is \$1,300 more than the appropriation. We find that additional repairs and replacements that are needed will require a sum amounting to \$700, making necessary a total extra appropriation of \$2,000.

At a meeting of the Board of Park Commissioners held on April 6, it was voted that you be respectfully requested to ask the City Council to appropriate from the income of the George F. Parkman Fund the sum of \$2,000, which is now available, same to be used for repairs and replacements mentioned above.

Respectfully yours,
WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$2,000 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:

Aquarium improvements..... \$2,000

Referred to the Committee on Parkman Fund.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held April 23 on petitions for storage and sale of gasolene, viz.:

S. H. Ansell & Son, 825 Summer street, Ward 6, 1,000 gallons.

Pacific Warehouse Trust, 130 Auckland street, Ward 15, 1,000 gallons.

Summer D. Hersey, 5287 Washington street, Ward 20, 5,000 gallons.

Bernard B. Stolmaker, 1026 Columbus avenue, Ward 9, 2,000 gallons.

Referred to the Executive Committee.

ANNUAL APPROPRIATIONS FOR YEAR
1928.

The following was received:

City of Boston,
Office of the Mayor, April 9, 1928.

To the City Council.

Gentlemen,—I submit herewith my budget recommendations for the City of Boston for the fiscal year 1928 in full segregated form, in substitution for the lump sum recommendations submitted on January 30, 1928.

The allowances as recommended total \$41,456,728.53. This total represents a reduction of \$2,731,048.35 in the estimates as originally submitted and is \$810,831.70 in excess of the total of my budget recommendations for 1927. The detail of this excess is shown in the following table:

Increase in city maintenance total..	\$1,068,380 39	
Decrease in city debt requirements.....	\$226,566 42	
Decrease in income department appropriations.....	30,982 27	
		257,548 69
		\$810,831 70

The increase in the city budget total from that of last year may be directly attributed to two causes, first, the restoration of certain items which were eliminated from last year's budget owing to the legislative reduction of the tax limit, and, second, personal service adjustments and increases included in this year's budget. The items restored to the budget total \$570,000, the major item on the list being that of Reconstruction and Repair of Streets by Contract. The 1927 budget carried an appropriation of \$250,000 for this item, whereas the budget herewith submitted contains an appropriation of \$750,000.

Salary increases and personal service adjustments included in this year's budget total \$475,000. The major portion of this amount has been allotted for the purpose of increasing by \$100 existing maxima of patrolmen and privates and the two grades of superior officers immediately above the rank and file of the uniformed forces in the Police and Fire Departments. Approximately 2,700 employees of these two departments will benefit by this increase. The increase will be effective on June 1, 1928, for the officers and for those privates and patrolmen who reached the existing maximum of \$2,000 on or before June 1, 1927. In the case of those privates and patrolmen reaching the maximum after this date the increases will be effective on the anniversary of their joining the department.

Aside from these two major items additional allowances are present in the budget because of additional election functions, revision of Fire Department running schedules, installation of the Teletype system of communication in the Police Department, cleaning of Stony brook, additional health clinics, additional motor equipment in the Fire and Public Works Departments, additional food, fuel, medical, surgical and laboratory allowances at our hospitals and institutions, and additional relief allowances in the Public Welfare Department. In the main, these increases have been offset by reductions in appropriations for snow removal work made possible because of the open winter, together with savings which have been effected in the Collecting Department in the matter of conducting the annual tax sale.

It is pointed out to note that the debt requirements of the city for the current year are approximately a quarter of a million dollars less than similar requirements in 1927. This reduction may be attributed in part to my policy of limiting the authorization of loans to essential and necessary projects, and to an estimated reduction in the amount of temporary loans to be issued during the current year.

The reduction in appropriations for income departments may be attributed wholly to reduced appropriation in the Water Division. Commencing with this year, the city will be called upon to finance a large increase in the metropolitan water assessment due to the contemplated enlargement of the metropolitan water supply. With this additional burden facing the city, I have deemed it necessary to keep the appropriations of the Water Division at the lowest possible point commensurate with efficient service.

Under the provisions of chapter 320 of the Acts of 1889, departments may spend, prior to the passage of the budget, "one-third the entire amount appropriated for the department for the previous year." While none of the departments of the city have as yet reached this statutory limit of expenditures, nevertheless, the time is rapidly approaching when such a condition will occur. It is therefore desirable that the budget receive early consideration by your honorable body, and I respectfully recommend its adoption.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

DEPARTMENT ESTIMATES AND AMOUNTS ALLOWED BY MAYOR FOR 1928.

	Estimate.	Allowance.
Art Department.....	\$1,025 00	\$710 00
Assessing Department.....	323,059 39	310,148 41
Auditing Department.....	80,019 84	78,686 50
Boston Retirement Board.....	26,800 62	25,864 55
Budget Department.....	11,878 16	11,878 16
Building Department.....	266,552 48	260,078 84
Board of Appeal.....	12,329 33	9,729 33
Board of Examiners.....	5,274 16	5,190 83
City Clerk Department.....	53,959 12	52,936 74
City Council.....	69,075 00	67,580 14
City Council Proceedings.....	12,450 00	12,250 00
City Documents.....	43,000 00	42,000 00
City Planning Board.....	33,396 05	28,760 79
Collecting Department.....	193,282 97	179,383 61
Election Department.....	275,746 01	274,359 60
Finance Commission.....	50,000 00	50,000 00
Fire Department.....	4,583,509 00	4,384,312 27
Wire Division.....	106,702 23	106,603 78
Health Department.....	959,560 19	889,558 92
Hospital Department.....	2,151,998 27	2,102,460 07
Sanatorium Division.....	460,328 02	419,370 49
Institutions Department:		
Central Office.....	55,070 68	53,895 82
Child Welfare Division.....	205,114 46	192,235 14
Long Island Hospital.....	676,401 78	594,830 31
Steamer "George A. Hibbard" and launch "James J. Minot".....	57,552 03	39,602 03
Rainsford Island, care of.....	3,000 00	2,800 00
Law Department.....	96,406 28	95,757 77
Library Department.....	1,263,920 00	1,143,004 00
Licensing Board.....	33,994 24	33,794 24
Market Department.....	17,902 65	17,816 69
Mayor, Office Expense.....	83,104 20	83,104 20
Public Celebrations.....	70,000 00	65,000 00
Park Department.....	1,829,306 51	1,649,818 46
Cemetery Division.....	208,582 22	172,053 88
Police Department.....	5,781,337 00	5,695,145 34
Public Buildings Department.....	669,410 90	572,718 56
Public Welfare Department:		
Central Office.....	2,048,838 36	1,990,293 79
Temporary Home.....	10,937 00	10,755 00
Wayfarers' Lodge.....	19,280 47	18,190 47
Public Works Department:		
Central Office.....	91,828 49	90,047 20
Bridge Service.....	495,087 22	480,040 92
Ferry Service.....	573,902 53	560,008 76
Lighting Service.....	988,345 58	977,308 74
Paving Service.....	2,031,277 11	1,681,190 42
Sanitary Service.....	3,415,963 85	3,168,974 02
Sewer Service.....	768,670 59	717,607 39
Registry Department.....	55,222 75	53,221 02
Reserve Fund.....	500,000 00	475,000 00
Sinking Funds Department.....	3,350 00	3,300 00
Soldiers' Relief Department.....	393,066 81	314,638 93
Statistics Department.....	14,981 08	14,915 03
Street Laying-Out Department.....	190,253 51	187,683 17
Supply Department.....	49,873 66	47,563 27
Treasury Department.....	65,775 00	64,075 62
Weights and Measures Department.....	52,550 09	43,591 15
Bridges, repairs, etc.....	155,000 00	100,000 00
Ferry Improvements, etc.....	15,000 00	15,000 00
Granolithic Sidewalks.....	200,000 00	50,000 00
Reconstructing and Repairing Streets by Contract.....	1,000,000 00	750,000 00
Reconstructing and Repairing Parkways by Contract.....	204,420 00	45,000 00
Street Signs.....	25,000 00	25,000 00
	<u>\$34,139,672 89</u>	<u>\$31,591,844 37</u>
City Debt Requirements.....	<u>\$7,444,208 79</u>	<u>\$7,444,208 79</u>
Printing Department.....	<u>\$477,839 14</u>	<u>\$479,410 24</u>
City Record, Publication of.....	<u>\$34,135 72</u>	<u>\$32,008 22</u>
Public Works Department, Water Service.....	\$1,753,093 68	\$1,574,699 88
Collecting Department, Water Division.....	60,794 84	58,096 23
Water Service, Debt Requirements.....	276,460 80	276,460 80
	<u>\$2,090,349 32</u>	<u>\$1,909,256 91</u>

RECAPITULATION OF AMOUNTS ALLOWED BY MAYOR FOR 1928.

From Taxes:		
For city purposes within the tax limit.....	\$31,591,844 37	
City debt requirements.....	7,444,208 79	
City total.....		<u>\$39,036,053 16</u>
Carried forward.....		\$39,036,053 16

<i>Brought forward</i>		\$39,036,053 16
From revenue:		
Printing Department.....	\$479,410 24	
<i>City Record</i> , Publication of.....	32,008 22	
Public Works Department, Water Service.....	1,574,699 88	
Collecting Department, Water Division.....	58,096 23	
Water Service, Debt Requirements.....	276,460 80	
		<u>2,420,675 37</u>
Grand total.....		<u>\$41,456,728 53</u>

BASIS OF ESTIMATES, 1927.

Average valuation, \$1,841,057,566.16.		
\$13 on the thousand brings.....		\$23,933,748 36
Estimated income and cash in treasury.....		<u>6,589,715 62</u>
Amount available for appropriation inside tax limit.....		<u>\$30,523,463 98</u>

BASIS OF ESTIMATES, 1928.

Average valuation, \$1,882,009,566.67.		
\$12.50 on the thousand brings.....		\$23,525,119 58
Estimated income and cash in treasury.....		<u>8,066,724 79</u>
Amount available for appropriation inside tax limit.....		<u>\$31,591,844 37</u>

WAYS AND MEANS OTHER THAN TAXES FOR 1928.

An estimate of the ways and means, other than taxes, of meeting expenditures of the City of Boston and County of Suffolk for the year ending December 31, 1928.

Building Department.....	\$80,000 00
City Clerk Department.....	19,000 00
Collecting Department.....	52,000 00
Fire Department.....	130,000 00
Health Department.....	23,000 00
Hospital Department.....	310,000 00
Institutions Department.....	10,000 00
Interest.....	525,000 00
Library Department.....	20,000 00
Licensing Board.....	55,000 00
Market Department.....	147,000 00
Mayor.....	52,000 00
Park Department.....	105,000 00
Peddlers' Licenses.....	8,000 00
Police Department.....	48,000 00
Public Buildings.....	20,000 00
Public Welfare Department.....	375,000 00
Public Works Department.....	315,000 00
Registry Department.....	12,000 00
Soldiers' Relief Department.....	40,000 00
Street Laying-Out Department.....	70,000 00
Street Laying-Out Department.....	70,000 00
Weights and Measures Department.....	14,000 00
County of Suffolk.....	575,000 00
Corporation Tax.....	3,200,000 00
Street Railway Tax.....	160,000 00

\$6,365,000 00

Available cash in treasury Decem- ber 31, 1927.....	1,701,724 79
	<u>\$8,066,724 79</u>

APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR, 1928.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1928, for 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 County of Suffolk, or the departments or officers thereof, and to meet their 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 or 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; and the appropriation for *City Record* be met by the income of

said 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 December 31, 1927, 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 January 1, 1928, and taxes to the amount of \$30,969,328.37, 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 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 county and all taxes assessed for meeting the city's proportion of the state tax for the year 1928 be due and payable on the fifteenth day of September, 1928; that interest shall be charged on all taxes remaining unpaid after the second day of October, 1928, in accordance with the provisions of chapter 59, section 57, of the General Laws, 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 September, 1928, 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 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.

Ordered, That, except where salaries are fixed by statute or ordinance, compensation of employees who receive annual salaries in weekly installments be computed on the basis of 365 days to the year.

Referred to the Committee on Appropriations.

PIERS AT NORTH END PARK.

The following was received:

City of Boston,

Office of the Mayor, April 9, 1928.

To the City Council.

Gentlemen,—I again submit herewith two orders, one providing for transfers of available balances within the special appropriations of the Park Department and the other providing for the appropriation of the necessary balance from the special fund sales of city property, for replacing the two

piers at North End Park. I recommend adoption of these orders by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor he and hereby is authorized to transfer:

From the appropriation for Park, Wellington Hill District, \$18,000; North End Park, Improvements, \$20,532.54, to the appropriation for North End Park, Piers and Buildings, \$38,532.54.

Ordered, That the sum of \$28,467.46 be and hereby is appropriated from Special Fund, Sales of City Property, for North End Park, Piers and Buildings.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

T. H. Corrigan & Sons, for compensation for expense incurred in fixing sewer drain at 1049 River street, Hyde Park.

Mary L. Dietrich, for compensation for injuries caused by an alleged defect at 18 Tyler street.

Mrs. Helen P. Donovan, for compensation for injuries caused by an alleged defect at 71 Grove street, West Roxbury.

Jennie Fallon, for compensation for injuries caused by an alleged defect at 15 Boynton street.

John J. Flynn, for compensation for loss of clothing at Deer Island.

John Grahill, for compensation for damage to automobile by city team.

Walter J. Masuret, for compensation for damage to automobile caused by an alleged defect at 52 Boutwell street, Dorchester.

Joseph McGlynn, for compensation for damage to automobile caused by an alleged defect at Camden street and Columbus avenue.

Harry A. Nickerson, for compensation for injuries received August 8, 1927, caused by hole in street at Arch and Franklin streets.

Athanasios Panageotopulos, for refund on taxes paid twice.

Mrs. Rose Rimelman, for compensation for injuries caused by an alleged defect at 476 Harvard street.

Ralph B. Stickney, for compensation for injuries caused by fire service truck.

West End Phonograph Company, for compensation for damage to automobile by police car.

D. & O. Box Company, for compensation for damage to automobile by city team.

Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Ramona Hawkins Tarris, Jordan Hall, May 10.
Mary Campbell, Jordan Hall, May 16.

SIDEWALK ASSESSMENTS.

A communication was received from the Commissioner of Public Works submitting cost of constructing artificial stone sidewalks with schedule showing names of owners of estates, with amount to be assessed, and order covering same, viz.: Cushing avenue, Ward 13, half cost, \$114.57.

Said order passed, under suspension of the rule.

APPROVAL OF CONSTABLE'S BOND.

The constable's bond of Terence F. Feeley, having been duly approved by the City Treasurer, was received and approved.

RESIGNATION OF CONSTABLE.

Notice was received of the resignation of Julius Ansel, constable.
Placed on file.

APPOINTMENT OF FRANK SEIBERLICH AS CHAIRMAN.

Notice was received from the Mayor of appointment of Frank Seiberlich as chairman of the Board of Election Commissioners.

Placed on file.

APPOINTMENT OF ALEXANDER WHITESIDE.

Notice was received of the appointment by the Mayor of Alexander Whiteside of 233 Beacon street to position of trustee of the Boston City Hospital.

Placed on file.

REGISTRY OF DEEDS PAY ROLL.

The pay roll of the Registry of Deeds, for the period from April 1 to April 15, to the amount of \$4,277.50, was received and approved.

DEATH OF HON. JAMES A. GALLIVAN.

Coun. MAHONEY offered the following:

Resolved, That the Boston City Council deeply feels the hereavement which the City and the Nation have sustained in the death of the Hon. James A. Gallivan, Representative in Congress from the Twelfth Congressional District. His passing brought to a close a brilliant career in the legislative halls of the Nation, and the City of Boston has suffered an irreparable loss.

The resolution was adopted.

GALLIVAN BOULEVARD.

Coun. MAHONEY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to give the name of Gallivan Boulevard to the highway now known as the Southern Artery, Dorchester.

Coun. MAHONEY—Mr. President, I might say in regard to that order, relating to the naming of the new Southern Artery in memory of the late lamented Congressman James A. Gallivan, that it is an idea conceived and sponsored by one of the leading newspapers of Boston, approved by some of the leading public officials in the city, and approved by the leading men in the Twelfth Congressional District. I move a suspension of the rule and the passage of the order.

The order was passed under suspension of the rule.

Coun. MAHONEY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to hold a public hearing before May 9, 1928, in the matter of naming the new Southern Artery the "Gallivan Boulevard."

Passed, under suspension of the rule.

EXPENSE OF EDITION OF "BOSTON STATISTICS."

Coun. DOWLING offered the following:

Ordered, That the expense incurred in the printing of an edition of 300 copies bound in leather of the handbook entitled "Boston Statistics" be charged to the appropriation for city documents.

Passed, under suspension of the rule.

REGULATION CONCERNING JUNK DEALERS' PREMISES.

Coun. SULLIVAN offered the following:

City of Boston.

In the year Nineteen Hundred and Twenty-eight.

An Ordinance Concerning Junk Dealers.

Be it ordained by the City Council of Boston, as follows:

Section 1. No person dealing in junk or second hand articles shall store or keep for sale or sell any junk or second hand articles on any premises,

either land or buildings, unless said premises have been approved for such purpose by the health commissioner, the fire commissioner and the building commissioner.

Sect. 2. Any person violating this ordinance shall be punished by a fine not exceeding twenty dollars for each offense, and a separate offense shall be regarded as committed for every day during which such violation shall be continued.

Referred to the Committee on Ordinances.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Coun. KEENE called up under unfinished business No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor April 2, 1928, of Thomas J. Kelley, Charles B. McGahan, Charles V. Hurley and William F. Warren, to be Weighers of Goods.

The question came on confirmation. Committee, Coun. Lynch and Dowling. Whole number of hallots 17; yeas 17, and the appointments were confirmed.

\$500,000 FOR SEWERAGE WORKS.

President GREEN called up under unfinished business No. 2 on the calendar, viz.:

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 \$500,000 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, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On March 26, 1928, the foregoing order was read once and passed, yeas 20, nays 1.

The order was given its second and final reading and passage, yeas 21.

\$500,000 FOR MAKING HIGHWAYS.

President GREEN called up under unfinished business No. 3 on the calendar, viz.:

3. 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 request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On March 26, 1928, the foregoing order was read once and passed, yeas, 19, nays 2.

The order was given its second and final reading and passage, yeas 20, nays, Coun. Dowling, 1.

RESCISSION OF SUNDRY LOANS.

President GREEN called up, under unfinished business, No. 4 on the calendar, viz.:

4. Ordered, That the right to borrow money for Fire Station, Shawmut avenue and Tremont street, under the loan order passed September 9, 1925, and approved by the Mayor September 10, 1925, be limited to \$60,000 and the authorization to borrow in excess of said amount for said purpose be and the same hereby is rescinded.

Ordered, That the right to borrow money for furnishing and equipping Charities Administration Building and Temporary Home, under the loan order passed September 28, 1925, and approved by the Mayor September 29, 1925, be limited to \$15,000 and that the authorization to borrow in excess of said amount for said purpose be and the same hereby is rescinded.

Ordered, That the right to borrow money for Hospital, Parker Hill, Buildings, etc., under the loan order passed June 8, 1925, and approved by the Mayor June 12, 1925, be limited to \$180,000 and that the authorization to borrow in excess of said amount for said purpose be and the same hereby is rescinded.

Ordered, That the right to borrow money for Hospital, Parker Hill, Buildings, etc., under the

loan order passed November 30, 1925, and approved by the Mayor December 1, 1925, be limited to \$140,000 and that the authorization to borrow in excess of said amount for said purpose be and the same hereby is rescinded.

Ordered, That the right to borrow money outside the limit of indebtedness for the erection of a Maternity Building, under the loan order passed August 4, 1924, and approved by the Mayor August 5, 1924, be limited to \$390,000 and that the authorization to borrow in excess of said amount for said purpose be and the same hereby is rescinded.

Ordered, That the right to borrow money for the erection of a Maternity Building, under the loan order passed August 4, 1924, and approved by the Mayor August 5, 1924, be limited to \$195,000 and that the authorization to borrow in excess of said amount for said purpose be and the same hereby is rescinded.

On March 26, 1928, the foregoing orders were read once and passed, yeas 20.

The orders were given their second and final reading and passage, yeas 22.

PLAYGROUND FOR BRIGHTON.

President GREEN called up under unfinished business No. 5 on the calendar, viz.:

5. Ordered, That the sum of \$75,000 be, and hereby is, appropriated, to be expended under the direction of the Park Commission, for the purchase of land in Brighton, in the section bounded by Arlington, Market, Faneuil and Parsons streets, to be used as a playground, and that to meet said expenditure 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 March 26, 1928, the foregoing order was read once and passed, yeas 21.

The order was given its second and final reading and passage, yeas 22.

MONEY FOR BLEACHERS, SULLIVAN SQUARE PLAYGROUND.

President GREEN called up, under unfinished business, No. 6 on the calendar, viz.:

6. Ordered, That the sum of \$60,000 be, and hereby is, appropriated, to be expended under the direction of the Park Commission, for the construction of concrete bleachers, with a seating capacity of 5,000 on the Sullivan Square Playground, Charlestown, and that to meet such expense 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 March 26, 1928, the foregoing order was read once and passed, yeas 20, nays 1.

The order was given its second and final reading and passage, yeas 22.

SANITARY AND LOCKER BUILDING, DORCHESTER.

President GREEN called up, under unfinished business, No. 7 on the calendar, viz.:

7. Ordered, That the sum of \$50,000 be, and hereby is, appropriated, to be expended under the direction of the Board of Park Commissioners, for the construction of a sanitary and locker building, with necessary equipment, at the John H. Doherty Playground, better known as Dorchester Town Field, Ward 16, and 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.

On March 26, 1928, the foregoing order was read once and passed, yeas 21.

The order was given its second and final reading and passage, yeas 22.

MONEY FOR BLEACHERS, McCONNELL PLAYGROUND.

President GREEN called up under unfinished business No. 8 on the calendar, viz.:

S. Ordered, That the sum of \$30,000 be, and hereby is, appropriated, to be expended under direction of the Park Commission, for the construction of concrete bleachers with a seating capacity of 2,500 on McConnell Playground, Savin Hill, and that to meet such expense 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 March 26, 1928, the foregoing order was read once and passed, yeas 19, nays 2.

The order was given its second and final reading and passage, yeas 20, nays, Coun. Dowling, Parkman, 2.

RECESS.

The Council voted at 2.41 p. m., on motion of Coun. MAHONEY, to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President GREEN at 3.19 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following:

1. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Ramona Hawkins Tarris, Jordan Hall, May 10.

Mary Campbell, Jordan Hall, May 16, that said permits be granted.

Report accepted; permits granted under usual conditions.

REPORT OF COMMITTEE ON RULES.

Coun. ARNOLD, for the Committee on Rules, submitted reports as follows:

1. Report on order (referred March 26) endorsing position taken by the Mayor in requesting Commonwealth to restore Savin Hill bathing beach to condition in which it was before construction of Old Colony Parkway—recommending passage of the order.

Report accepted; said order passed.

2. Report on order (referred April 2) that special committee be appointed to investigate candidates for reappointment as constables—recommending passage of the order.

Report accepted; said order passed.

REPORT OF COMMITTEE ON ORDINANCES.

Coun. SULLIVAN, for the Committee on Ordinances, submitted report on ordinance (referred April 2), inserting in chapter 27 of Revised Ordinances of 1925 a provision that while a dwelling is occupied by a tenant other than the owner the water shall not be shut off for nonpayment of water rates by the owner,—recommending that same ought to pass.

Coun. WARD—Mr. President, I don't know whether the chairman desires to make an explanation of this or not, but this is an ordinance that I had referred to the Committee on Ordinances last week, when Coun. Wilson wanted it passed under suspension of the rule. So the Committee on Ordinances met today and we have reported it out in order to get it back into this meeting.

The report was accepted, and the ordinance was passed.

SIDEWALK ON CANTERBURY STREET.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 914-922 Canterbury 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 suspension of the rule.

HANDBALL COURT, TENEAN BEACH.

Coun. FISH offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the erection of a handball court at Tenean Beach, Ward 16.

Coun. FISH—Mr. President, last year this body appropriated the sum of \$50,000 for the purchase of additional land adjoining Tenean Beach, and for beach improvements. The City of Boston has already purchased 300,000 square feet at a cost of \$35,000, which leaves a balance of \$15,000. I have received numerous suggestions—not from the L Street Brownies but from the Tenean Beach Brownies—that a handball court be erected on Tenean Beach.

The order was passed under suspension of the rule.

FIRE APPARATUS, MEETING HOUSE HILL.

Coun. McMAHON offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to provide for the installation of a new hose and chemical truck at Meeting House Hill, to replace the old truck at present assigned to that district.

Coun. McMAHON—Mr. President, referring to that order I have just presented, let me say that the district I come from is probably one of the toughest fire hazard districts that we have in the City of Boston. We have had a truck there for the last ten or twelve years which, when it comes to making the hills out there, sometimes gets up, and sometimes does not. I have already written to the Fire Commissioner in regard to the matter and have not received any reply. I thought by presenting this in the Council and attracting the attention of his Honor the Mayor, we might be able to get one of the ten new trucks that the Fire Department has just purchased. I move a suspension of the rule and passage of the order.

The order was passed under suspension of the rule.

RESANDING OF STRANDWAY.

Coun. LYNCH offered an order:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the resanding of the Strandway, from the break-water at Columbia road to City Point.

Passed, under suspension of the rule.

RESURFACING OF L STREET.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of L street, from East Fourth street to Columbia road.

Passed, under suspension of the rule.

HEADQUARTERS OF MUNICIPAL EMPLOYMENT BUREAU.

Coun. DOWLING offered the following:

Ordered, That the Superintendent of the Municipal Employment Bureau be and hereby is given authority to use rooms numbered 48, 49 and 50, on the fourth floor of City Hall, now under the exclusive control of the City Council, as the headquarters of the said Municipal Employment Bureau, and that the Superintendent of Public Buildings, through his Honor the Mayor, be requested to make any further alterations or changes in those rooms that may be deemed necessary by the Superintendent of the Municipal Employment Bureau to facilitate the handling of the work of that bureau.

Coun. DOWLING—Mr. President, I was one of a very small minority of the City Council last Monday, who voted against making further ap-

propriations for the so-called Municipal Employment Bureau, for the very good reason that almost every member of the Council agreed with me in private that this Bureau renders very little, if any, actual service to the unemployed. Since it is apparently settled that this totally useless bureau is to be continued at an expense to the taxpayers of \$21,000 a year it is at least fair to the unemployed, and to the city, that the employees of the bureau do something towards relieving the employment situation, and the first thing to be done to make it possible for the bureau to function is to provide it with suitable headquarters. Today, the bureau is not only useless—as it has been since it was loaded down with a lot of political wallflowers—but it is homeless. For several months, the bureau has been located on the first floor of the building formerly occupied as police headquarters in Pemberton square, and it was compelled to abandon these quarters on April 1, on account of the expiration of the lease which the city had on those premises. It is perfectly clear that the bureau will not be able to function at all unless it is provided with some kind of a headquarters, and without a headquarters the only beneficiaries of the \$21,000 appropriation will be the political daffodils (laughter) whose names are carried on the payroll, which is far from being the purpose of a bureau of this kind. It may be of passing interest to those who voted for the appropriation order last week to know that Mr. Augustus Seaver, who revels in the glorified title of "Assistant Secretary to the Mayor," and who is supposed to be directing the affairs of the Employment Bureau, neglected to make any future plans or provisions for a headquarters for this bureau, notwithstanding the fact that he knew the lease of the old Police Headquarters Building would expire on April 1. A whole week was lost before the bureau finally secured temporary office accommodations in a building in Haymarket square. No one who knows Mr. Seaver will express any surprise over this situation for, like some of his subordinates in rank—and some of them are ranker than others—he toils not, neither does he spin, yet Solomon in all his glory was never arrayed like this particular payroll patriot. (Laughter.) Now, I can imagine that there is nothing that would appeal so strongly to Mr. Seaver, and to Mr. Sullivan, and to Mr. Di Cicco (alias Mr. Foote), who are the three principal loafers in the Municipal Employment Bureau, as having a soft job, a good salary, no work to do, and no place in which to do even a little work if it suddenly became necessary for them to exert themselves. Mr. Seaver spends very little time in his office, even when he has one, for most of his time is devoted to that utterly impossible task of converting a few hungry Democrats into affluent Republicans. (Laughter.) Being a good Republican, I ought not to object to that, but I know the futility of such an effort, under such auspices, and I am of the opinion that if Mr. Seaver is going to continue to draw \$50 a week from the city, he ought to be willing to do something that is more practical in its results and more lasting in its influence than in conducting a political revival. Mr. Sullivan is less attentive to his real duties as an attache of the Employment Bureau than the lordly Augustus Forensic Seaver, Assistant Secretary to the Mayor and General Director of the bureau. He usually reports for duty between noon and 1 o'clock, and after arranging his luncheon engagements for the day, he disappears into the distance like the setting sun at the end of a summer's day. (Laughter.) The least necessary of all of the attaches of the Employment Bureau is Mr. Di Cicco, for his chief duty to the administration is acting as cheer-leader for his Honor the Mayor at smoke-talks, summer outings, and political rallies, of which there are few at this season of the year. This fall Mr. Di Cicco will be a cheer-leader for Herbert Hoover, or whomever the Republicans nominate for President, taking his orders from the administration leaders, and next year he will be one of the cheer-leaders for Lafayette Mulligan, Lydia Pinkham, or whoever appears to have the best chance of being elected Mayor of Boston. (Laughter.) Mr. Di Cicco, like his effulgent superior, Augustus Forensic Seaver, has proved his nonpartisanship by having been a member of nearly every political party under the sun, and he has been a doormat at some political headquarters ever since I can remember. His time is spent in a private office on Wash-

ington street, when he is not sunning himself in what is known as "Heel Alley," in the rear of City Hall, and the only success he has achieved in finding employment for anyone was when he annexed himself to the city payroll. He, like Mr. Seaver and Mr. Sullivan, was rated as an assistant secretary to the Mayor, when this administration first blossomed forth, but that title was dropped after awhile, and he is now just an ordinary hanger-on, with very little hope, very meager desires, and very little ambition, except to save himself the necessity of looking for something to do. (Laughter.) Now, it is not fair to the actual workers in the Employment Bureau, of whom there are several, to have three entirely useless and unnecessary lounge lizards gumming up the works, and making it impossible for the real workers to do something for the unemployed. Unless the Council has joined hands with the Mayor, and intends to play on the misfortunes of those who are unable to secure employment it will do something in the direction of making the Employment Bureau as it should, and one way to do this is to bring the Employment Bureau to City Hall, where it can be under surveillance and where it can place its services at the disposal of hundreds of men, women and children, who come here every day in the week with distressing stories of hardship and privation, due to the lack of employment. The three rooms mentioned in the order just read by the clerk are on this floor of City Hall, directly across the corridor from this chamber. These rooms are in the custody of the City Council, and they are rarely if ever used. They did serve a useful purpose for several months last year, providing a headquarters for the Mayor's Traffic Survey, but at present, and in the future, they will doubtless remain unoccupied, as they have for several years past. It is a further and unnecessary waste of money to pay for quarters, janitor service and telephone service, for the Employment Bureau, in a private building, while there are idle rooms at City Hall, for which there appears to be no immediate or ultimate use. If we are honest and sincere with our constituents who are out of employment, and for whom we so often publicly profess an undying affection, we can demonstrate our interest in a practical way rather than with lip service, by bringing the Employment Bureau to City Hall. I have abandoned all thought of ever getting a job for a friend of mine by sending him to an employment bureau located in a remote section of the city, where there is no one to receive him or even take a passing interest in him. I wouldn't insult a fellow who thought well enough of me to vote for me, thereby giving me a good job, by sending him to three well paid city hunkers whose job it is to toss the unfortunate unemployed around like dead leaves in the forest. If the Employment Bureau were located in this building where you and I could visit occasionally, and show a personal interest in the unemployed as well as in the bureau itself, it might amount to something, and I hope that the members of the Council who voted for the \$21,000 appropriation for the Employment Bureau last week, will join me in making it possible to use that money as it should be used, in aiding the unemployed in securing work, instead of paying salaries to political heelers who rarely if ever work. I move a suspension of the rule and the passage of the order.

Coun. BUSH—Mr. President, I have listened with a good deal of attention and amusement to the councilor's dissertation on his feelings with regard to the Municipal Employment Bureau and his desire to have that bureau brought up here in close proximity to this Council. I am a little bit surprised and somewhat astounded at the request of the councilor, in view of the fact that at a previous meeting he gave the appellation to some of the men employed in the Municipal Employment Bureau of plain bums, and I am rather surprised that the gentleman would care to associate with or be in such close proximity to these plain bums. However, it denotes a very self-sacrificing attitude on his part, and if he is willing to sacrifice his own comfort and well-being by such association, I don't think any other councilors ought to have any objection. It has been called to my attention still further, with reference to his Honor the Mayor's overwhelming sympathy for the unemployed of the City of Boston, that some eighteen out of the thirty-five street clerks who have been appointed come from the Eleventh Congressional District. This might not seem at all an undue proportion if

it were not for the peculiar coincidence that there is a sharp fight staged in the Eleventh Congressional District in behalf of Mr. Innes, a very close friend of his Honor the Mayor, who is running as a delegate to the National Convention, and it looks very much to me as if this were an attempt to divert municipal funds for the purpose of building up a campaign organization having a private end. Furthermore, the Mayor has such great sympathy for the unemployed that one of those who have been placed in the city employ as a street clerk in the Assessing Department, is a bank director over in East Boston, who seems to need money very badly. Evidently the banking business is getting very bad, or he must have some strong influence exerted in his behalf in City Hall. To my mind, appointing such men at \$5 a day for forty days, or at an expenditure of \$200, for the purpose of rendering political service in the Eleventh Congressional District, obtaining votes for the Innes slate, seems to me an entirely unjustifiable and unwarranted deviation of municipal funds. The Finance Commission has several times pointed out the fact that these clerks are a useless adjunct of the Assessing Department, any way, and from personal knowledge of the work that some of them do I know it does not amount to very much and that their services at least could be very easily dispensed with. In the past it has been the custom of the Mayor to allow each city councilor to appoint or name one of these street clerks, and the councilor usually picked out some needy, worthy case in his own district, some man to whom this \$200 for a small amount of work would be very welcome. This year, I understand, from my experience, that very few councilors have been extended that privilege. Apparently, any member who has not voted for everything that the Mayor desires in the Council is not to obtain one of these appointments of street clerks. Of course I feel very much hurt because I have not had the privilege of naming one of them. However, I believe I will get over it in time, and perhaps the amount of effort that will be exercised on behalf of Mr. Innes by these employees will not gain for him as many votes as he anticipates in the coming primary.

Coun. WILSON—Mr. President, naturally, as one of those who opposed the recent gift to the so-called Employment Bureau, I am interested in this order of Coun. Dowling's and also in the suggestion that we take action which may bring a certain number of gentlemen and others to this particular floor of City Hall. I think the danger that has been suggested is greatly over-estimated, because, if we can judge anything from the picture that has been drawn, these rooms across the way will not be greatly congested as a result of bringing this particular department to the fourth floor. There will probably be some who will come here, when it is realized that the department is here, and it may be more or less of a public service to take the boys of the department off the alley, getting them indoors, in the place where they will be supposed to work. One of the councilors within the last week or ten days, I understand, called for four members of the bureau in succession and did not find any of them in. I don't know whether he started in with the captain, the first lieutenant, and down the list, or worked up from the water boy. So there is apparently some difficulty at the present time in finding out just where this so-called Municipal Employment Bureau is. One of the questions asked Mr. Seaver some months ago, when a few of us were trying to ascertain for what he wished to spend the money, was, where the Municipal Employment Bureau would move to when the lease ran out on the Old Police Headquarters. It might perhaps have been well for Mr. Seaver, for his own edification, to ascertain those facts at that time, because nobody now seems to know where the department is located. At present, it seems to be a sort of floating hospital for the jobless. (Laughter.) It seems that the members of the Municipal Employment Bureau at last accounts are wandering about Boston, hanging around the street corners, and accordingly, it might be well to give them the job of visiting the various corners. There seems to be some difficulty in knowing just where the members of the bureau can be found at any given moment, except once a month, at pay day, on the first floor, downstairs. For that reason, I am in favor of the motion.

Coun. McMAHON—Mr. President, I agree somewhat with the councilor's order, but I think the councilor went a little too far when he suggested giving up the three rooms. Certainly I

think the farther two rooms would be sufficient for the bureau, the two rooms in the corner, and I think they could get along without the hearing room.

Coun. DOWLING—Mr. President, I would say in answer to the councilor that I believe the smallest room we have here is ample for the Employment Bureau. (Laughter.)

Coun. McMAHON—Well, I certainly do not agree that the three rooms are necessary. I don't like to vote against the order, but I do not feel that I can vote to give up the three rooms. I would vote for the two rooms.

Coun. DOWLING—Mr. President, if thereby I do not embarrass my position or jeopardize my rights, in order to get the support of the councilor from Dorchester (Coun. McMahon), which I relish at all times, I am willing to amend the order so as to render available the two rooms.

President GREEN—The Chair would suggest that the order might be referred to the Executive Committee, if the councilor is agreeable.

Coun. DOWLING—Mr. President, that will not satisfy me, inasmuch as I made the motion to suspend the rule and pass the order.

Coun. FITZGERALD—Mr. President, for my benefit, I would like to have the order read, being absent from the room at the time when it was read. (The order was read.)

Coun. FITZGERALD—Mr. President, I am opposed to the passage of that order. I do not think the Council should surrender any of its rooms here. I don't think the Council has rooms enough to transact its business as it is. It is impossible now to get any privacy when you are talking with your constituents, and I think that is a question that should be considered before anything such as is suggested in this order should be done. Why should we surrender any of the rooms of the City Council to the Employment Bureau? I don't think the Council should vote for this order today. It is a serious matter. I hope the order will not slide through so easily as is suggested, under suspension of the rule. There are constituents who come here and who like to see us, to transact business with the councilors, and we have not now the privacy or the room we should have. So I believe the rooms we have should be retained for the exclusive use of the Council. If room is needed in the building for the Employment Bureau, put them down in the basement. Why bring them up here? I don't think this is any joke at all. It is a serious matter, and the Council ought to regard it as a serious matter. If there is any available space in the basement, that can be used, but let us not give up the rooms we have here. It is outrageous to think of such a thing. I understand that our committee rooms here were used by the Traffic Board and, by the way, I was the only one who voted against that use, maintaining that that sort of thing should be taken care of otherwise without encroaching on our quarters. The man at the head of that work spent a great deal of time in Chicago, Los Angeles, and other places, and I don't think there was any necessity, when he was in the City of Boston, of taking up our quarters. If there are any rooms to be given away, let it be in another part of the building. If we have large numbers in the rooms over here, the members of the Council will be pulled and hauled in hallways and all over the place. The Council is a large body, larger than it has been for a number of years, and each of us have a number of constituents who wish to see us and who should have an opportunity to do so, and we should have a place where we can meet and talk with them with a reasonable degree of privacy. Each man represents his local district and when a number of people come here to see us, unless we can have the use of such room as we are supposed to have now, they must be denied the privacy which they should have. There are many who want to talk with members of this body on matters concerning our duties here, and they should have that opportunity. If we give up the use of our rooms to the Employment Bureau they will not have that opportunity, and to get at us by use of the telephone would be practically impossible. Mr. President, this order is a piece of nonsense. There is only one way of meeting questions of this sort, and that is fairly and squarely. I do not believe in knocking. I have not received any favors from that bureau, and do not look forward to doing so. I have never, since I have been a member of the body, obtained a position for a constituent at the hands of the Municipal Employment Bureau, and I

suppose I will continue to get the same treatment. However, I do not believe in attacking his Honor the Mayor in this matter, or the Employment Bureau, meeting after meeting. There is a way to do things, and this is not the right way. I don't believe in slapping people in the face in a matter of this sort, introducing an order of this kind, and trying to have it slid through under suspension of the rule, and thinking it is a joke. Every man here has an axe to grind, and has his particular favorite or the one whom he is against. It is not so much a question of the Mayor, but men have their favorites and those whom they wish to attack. There is one man in that department who has been mentioned to whom I will at least give credit. He is on the level, although he may be criticized, and no one seems to want to say a word for him. He seems to be the butt of attack of the Council, meeting after meeting, but I believe he does as much work as anyone there. I don't believe in this business of attacking or protecting this one or that one, without knowing whether they are doing good work in their positions or not. Neither do I believe in trying to do something that makes us appear ridiculous. At least the Council should stand up and not surrender its rights. As I understand it, this proposed action of the Council has been anticipated, anyway. I understood that they were going to be moved down to the Baldwin Street School, in Chardon place. If the thing has been decided otherwise, I did not know it. Nobody cared when it was proposed to move the bureau around in different parts of the ward that I represent. That was all right. If they were put in one part of my district or another part, it made no difference, whether we objected or not. Now it is proposed to move them up here, into our quarters. I object, if I am the only one, and I ask that the vote be taken by yeas and nays.

Coun. ARNOLD—Mr. President, I don't believe the Council wants to vote upon the matter at this time. It has not been before the body in any way, shape or manner, before, and previous speakers have raised serious objection to it. Therefore, I move you, sir, that the matter be referred to the Executive Committee.

Coun. WARD—Mr. President, I have heard so many points of view expressed on the matter this afternoon that I don't know whether it is the idea to put the Municipal Employment Bureau office up here, or whether it is proposed to put them on some of our parks and playgrounds. The idea of this order is that the Municipal Employment Office shall come into City Hall. It has been in City Hall for three or four weeks, and while here, it was under the ban and was not successful. Now, Mr. President, every member of the Council has friends who come here to see him, as the gentleman from the West End has said, and there should be some chance for privacy. I think every opportunity should be afforded to give privacy to those who come here, that they should not be subjected to being crowded and pushed around. Every member should be given a chance to interview in private people who wish to see him. There certainly would be no such privacy if the Municipal Employment Office were up here and the members of the Council were given no proper opportunity to meet those who wish to see them here. There certainly would be no privacy with all the other men around here, men from all over the city, waiting around and looking for jobs. Of course, you cannot blame them, and they should be taken care of. But the Municipal Employment offices should not be in our quarters. Certainly that will not help solve the unemployment situation. I am trying, as we all are trying, to put as many men at work as possible. We are doing the best we can in every way. But it would simply result in a wild goose chase if the Municipal Employment offices were put in our committee rooms, and would do no good. I am opposed to the order, because I don't think the unemployment situation will be at all aided by its passage.

Coun. FISH—Mr. President, I voted for the appropriation for the Employment Bureau last week, although I have received no favors whatever from the Municipal Employment Bureau. I am, however, opposed to the department coming here to City Hall, on the fourth floor, and taking up room that we need in connection with the performance of our duties.

Coun. WILSON—Mr. President, I do not agree with the position that one of the speakers seems to take, that it is a question of whether the bureau is

or is not a credit to the office of the Mayor of Boston. The only reason for the Municipal Employment Bureau is its possible benefit to the city as a whole. As far as I am concerned, none of my constituents who have been rapping at the door of the bureau trying to get in day after day have succeeded. The position of members here, who are very friendly to the bureau, and to the jobless, and who don't want to see these men coming around up here, reminds me of people whom I know who spend their time trying to hide away their poor relatives. So far as the occupation of the three rooms across the way is concerned, I think, perhaps, the point is well taken that, if we are short of room, a motion be made to strike out from the present order Rooms 48 and 49, because really in all frankness I am honestly of the belief that we will only need, as Mr. Dowling has said, the corner room, one room where the members of the Employment Bureau can check in once a day. Accordingly, I move to amend the order as presented by striking out Rooms 48 and 49—if I am correct in the numbers—leaving in Room 50, which is the small corner room. That, I think, will be ample.

President GREEN—For the information of the councilor who has just taken his seat, I will state that the amendment is out of order until we first dispose of Coun. Dowling's motion to suspend the rule.

Coun. MURPHY—Mr. President, I would like to get some information so that I may be thoroughly informed as to the duties of this Council. Do I understand, Mr. President, from the order that has been presented, that it is the duty of this Council to provide quarters for the Employment Bureau? I ask that as a question.

President GREEN—For the information of Coun. MURPHY, I would state, as my individual opinion, no.

Coun. MURPHY—Well, Mr. President, I have heard considerable debate on the personnel of this Employment Bureau. It so happens that I am not personally acquainted with a single soul working in that department, but I have always tried to take a position that would be tenable; so I, at this time once again, say that it is too bad that the only target that the members of this Council can shoot at is the Employment Bureau. I believe that in any city in America—yes, and in any city of the world—you will find such conditions prevailing, that if you want to centre an attack on this or any other department, it is the easiest thing in the world to do so. I understand that this Employment Bureau has in its service today some of the boys who responded to the noble call of duty in 1917, and who are not in physical condition today to perform the same kind of day's work that they would have been able to perform had they not been wounded in the performance of their duty to this country. I say that without question those men—yes, and women, if there are any such—are entitled to all the consideration that any city can give to its citizens. Mr. Seaver has been mentioned, and some other fancy names that I cannot remember have been referred to. But I believe there is only one way to investigate anything, and that is through the appointment of a committee which can call these people before it and give them what I would expect, and what every American citizen is entitled to, a fair trial with a fair chance to state their case. Order after order has been put into this body in the short time that I have been a member of it, and it seems to me as if they were of no avail.

Coun. DOWLING—Mr. President, if the gentleman will yield, I rise to a point of order, that the gentleman is not speaking to the question, which is on suspension of the rule. I enjoy the tone and volume of his voice, but it seems to me he is covering much larger territory than is warranted by the motion before the Council.

Coun. MURPHY—Mr. President, it seems as though I should hardly be required to ask permission of the councilor on my right (Coun. Dowling) to proceed as I have been proceeding, after the way in which he has covered about every field in the city and used about every slang word in the English language, in talking upon the order. I think he should be willing to extend some latitude to me in explaining my position on this particular question. It is all right to juggle with motions and orders and quibbles, when you have plenty of money in your pocket, but you cannot exist on the ifs and ands of parliamentary procedure, in actual life. So I intend until such time as I am ordered by the chair to discontinue as being out of

order, to continue on the lines upon which I started out. Getting back to what I said, I stated that I believed a committee should be appointed to deal with the question of the Municipal Employment Bureau and that the men charged with negligence in the performance of their duties should be given a fair and square chance to stand before that committee and explain what they have been doing. No man can deny that right to any other man. And so, going on, Mr. President, I wonder why they have singled out the Employment Bureau? That is only one part of this great city government. Is there any man who has been a member of this body for any time who could not at this very moment walk through City Hall and from observation he led to believe that certain city employees are not performing their work? Of course, that might seem to be so in some cases if we are just governed by our observations at a particular moment. But I have found in my experience that, in order to get the proper information about things of this sort, you have to live with such men day in and day out, and I believe—and I want to be placed solidly on record to this effect—that the employees of all departments of this city, including the Municipal Employment Bureau, are performing their duty to the best of their ability. Until such time as an investigation is held and it is proven otherwise to me, I will stand by our city employees, because I believe we have heard here nothing but a lot of hunk, meeting after meeting.

Coun. WARD—Mr. President, I think the previous speaker has about hit the nail on the head. We passed this order under suspension of the rule, we are not going to accomplish anything. If it goes to the Executive Committee and we discuss there the advisability of taking the old police station, downstairs, and using that as an employment office, we may be able to accomplish something and get somewhere.

Coun. WILSON—Mr. President, with reference to one of the remarks made to the effect that the personnel of the Employment Bureau, as a whole, are performing their duties to the best of their ability, I grant that argument, because in my opinion, nine tenths of the make-up of the bureau have no ability! I appreciate, also, the fact that there are perhaps two World War veterans among the eleven. For that reason I would like to see the war veterans, who I understand are doing some work, relieved of the odium of having to support the drones in the hive. On the other hand, in regard to the particular question that is before us, let me suggest that we are perhaps wasting time, because I am given to understand that a lease has been signed for the entire ground floor of the so-called Blackstone Hotel, that at least quarters have been practically acquired there for this purpose, which will of course afford Mr. Seaver less excuse today for taking a six-hour lunch hour. If it is

true that some arrangements have been made, this matter may well go to the Executive Committee, because if quarters have been taken, the question has been settled for us.

The Council refused to suspend the rule for the passage of the order, which was referred to the Executive Committee.

ROPING OFF STREETS.

Coun. MURRAY offered the following:

Ordered, That the City Messenger be authorized to rope off Centre street, Jamaica Plain, from Walden street to Westerly street, on the occasion of the Michael J. O'Connell Post, American Legion, road race on April 19, 1928; the expense attending the same to be charged to the appropriation for City Council, Flags, Ropes and Stakes.

Passed under suspension of the rule.

PROPOSED RESURFACING OF ROCKVIEW STREET.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Rockview street, Ward 19, and the setting of edgestone and construction of granolithic sidewalks on same.

Passed under suspension of the rule.

ALMONT STREET PLAYGROUND.

Coun. MURPHY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to put Almont Street Playground, Mattapan, in proper condition.

Passed under suspension of the rule.

SIDEWALK ON MONKS STREET.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Nos. 1, 3, 5 and 7 Monks street, Ward 6, 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.

Adjourned on motion of Coun. WILSON at 4.10 p. m. to meet on Monday, April 16, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 16, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Dowd, Mahoney and Sullivan.

APPOINTMENT OF CONSTABLES.

The following was received:

City of Boston,
Office of the Mayor, April 16, 1928.
To the City Council.

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 day of May, 1928.

All of the persons named in this list are reappointments.

Commissions of constables not named herein will expire on April 30, 1928, and such constables are hereby removed from office from and after May 1, 1928, for the good of the service.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

CONNECTED WITH OFFICIAL POSITIONS, AND TO SERVE WITHOUT BONDS.

Philip J. Brennan, William W. K. Campbell, John D. Carmody, John M. Casey, John B. Cassidy, Martin F. Cavanagh, John F. Coffey, Andrew B. DeCourcy, Joseph W. Ferris, Joseph Fucillo, Daniel F. Hines, Joseph W. Hobbs, William A. Kelley, Lawrence J. Kelly, Edward J. Leary, John McLoughlin, Emery D. Morgan, Ernest C. Nickerson, Timothy F. Regan, Charles H. Reinhart, Edward M. Richardson, Frank B. Skelton, Thomas H. Staples, John J. Sullivan, Rudolph F. Watson.

With Animal Rescue League.

Julian Codman, Frederick O. Houghton, Archibald C. McDonald, Henry C. Merwin, Frank J. Sullivan.

With Massachusetts S. P. C. T. A.

Harry L. Allen.

AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING BONDS.

John S. Avramides, Ralph J. Banks, Daniel Barry, John J. Bavis, Ernest M. Bellows, David Belson, Joseph W. Bennett, Antonio Bentrovatz, Aleck Berg, Carl Birger Berg, Theodore R. Bernson, George W. Bloomberg, George A. Borofski, John H. Brady, Thomas F. Brett, Charles B. Broad, George W. Brooker, James L. Brooks, Francis E. Brown, Warren A. Brown, Louis Budd, John H. Burke, Henry P. Burns, Sherman H. Calderwood, Atlante Campagna, Daniel B. Carmody, Thomas C. Carr, William E. Castaldo, Matthew W. Chait, Hyman Charney, William K. Coburn, William F. Cogan, Louis Cohen, Denis J. Collins, William A. Collupy, Arthur E. Connor, William S. Cooper, Albert A. Cosby, James G. Curran, James B. Cushing, Joseph P. Cutter, August P. D'Arcy, William Davis, Paul V. Dicicco, George G. Drew, Louis L. Dubrow, Charles W. Duran, James S. Duval, Louis Ebb, Thomas Fee, Terence F. Feely, Daniel G. Finnerty, Peter C. Foy, Harris Friedberg, Paul R. Gast, George L. Gilbert, James W. Gilmore, Arthur Glass, Maurice J. Glick, Louis Goldberg, Samuel Goldkrand, Samuel Goldmeir, Samuel Goldsmith, Alexander Goodman, Edmund C. Grady, John S. Grady, Joseph Granara, Sears H. Grant, Salvatore Grassa, George W. Green, Harry Greenbaum, William C. Gregory, Joseph Guttentag, Joseph S. Halbert, Charles F. Hale, St. Clair E. Hale, John F. Halligan, John D. Hayes, Walter H. Holland, Albert T. Homsy, John H. Howard, William A. Iannone, Jacob Isgur, Walter Isidor, Charles H. Jackson, Max Jacobs, David Kaplan, James Kaplan, David

Keller, Francis E. Kelly, William H. Kenney, Thomas H. King, Clarence H. Knowlton, Bronis Kontrim, Mark H. Krafsur, Abraham Krinsky, William J. Lally, Martin J. Leggett, Barnet Levenbaum, John J. Levy, Allen Libby, Thomas F. Long, Jr., Antonio Longarini, Gaetano Lopes, Joseph G. Luke, Robert E. Lynch, Salvatore Maffei, Bernard H. Masee, Jeremiah J. Mahoney, Leslie P. Mann, Isie Martin, John C. McCluskey, Anthony D. McMann, John A. McMeniman, William P. Miles, John J. Miller, Patrick J. Monahan, Andrew W. Murphy, Elmer S. Nyman, Edward Ober, Michael W. Ober, Daniel W. O'Brien, James E. O'Brien, Michael O'Donnell, Jefferson H. Parker, Phillip S. Phillips, James A. Quinn, George A. Ramacorti, Robert Reid, Julius Richmond, Bartholomew F. Roach, William H. Robinson, Hyman Roszman, Joseph H. Ryan, Robert E. Scott, Samuel Semiansky, Samuel Shain, Sidney J. Sheinfeld, Abraham Singer, Henry J. D. Small, George C. Souther, John Suslich, Arthur J. Sullivan, Jerome Suvalle, Benjamin J. Tackeff, Francis J. Tobin, Joseph Todisco, Joseph M. Torr, Jeremiah A. Twomey, Aber Uckerman, Roman J. Vasil, Sidney A. Vinton, John J. Walsh, James H. Waugh, Charles F. Weinberg, Joseph Weiner, Abraham I. Weiss, John F. Welch, Karl H. West, Richard W. Whipple, David H. Wilkinson, Philip G. Wolf, Max Wortzman, John A. Wragg, Maurice Zeeman, Max Zimmerman.

Severally laid over a week under the law.

APPOINTMENT OF MINOR OFFICERS.

The following was received:

City of Boston,
Office of the Mayor, April 16, 1928.
To the City Council.

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, 1928. The appointments of all such officers not named herein are hereby revoked from and after April 30, 1928.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

(The list of appointments is contained in City Document 49.)

Laid over for one week under the law.

SALE OF LAND IN CHARLESTOWN.

The following was received:

City of Boston,
Office of the Mayor, April 16, 1928.
To the City Council.

Gentlemen,—I transmit herewith an order authorizing the sale of a small parcel of land adjoining the Charlestown Playground to W. F. Schrafft & Sons Corporation for the sum of \$1,656.90, being the assessed valuation.

This is in substitution of an order passed by your honorable body last year authorizing the sale of this land at public auction at a price of \$2 per foot. It has been almost invariably the custom of the city in making sales of land to provide that the sale should be made at public auction except in special cases where such a sale might not be advantageous to the interests of the city.

I enclose communication from the Schrafft Company containing its offer to acquire this property together with a photostatic copy of the plan of its entire property here, and in view of the character of the particular lot in question, I recommend the passage of the enclosed order.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

60 State Street, Boston,

April 9, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Mr. Mayor,—In the spring of 1927 in connection with their building program, W. F. Schrafft & Sons became desirous of acquiring a wedge-shaped piece of property from the Sullivan Square Playground for the purpose of straightening out the boundary line between the playground and the Schrafft Company property immediately adjoining. This small piece of land contains 2,367 square feet, and is shown on the inclosed plan outlined by orange lines.

A letter, a copy of which is inclosed, was sent to the Park Department in June of 1927, offering to purchase this particular piece of land from the Park Department at a price of seventy (70) cents a foot, or a total of \$1,656.90. This price was based on the assessed valuation of the property. After several conferences with the Park Department officials, and after explaining the purpose for which the land was desired, the proposition of Mr. Schrafft was acceptable to the Park Department. The matter was then taken up with the Law Department and it was determined that the city had the right to sell the piece desired by Mr. Schrafft at the price suggested.

Following the opinion of the Law Department, the Board of Park Commissioners determined to carry out the proposal of Mr. Schrafft, and on August 18, 1927, voted that the piece of land in question was no longer needed for public purposes and recommended that the same be sold. A copy of this vote was sent to your Honor under date of August 23. Subsequently, an order was drafted and introduced into the City Council and finally passed. Whoever drafted the order was apparently unfamiliar with the purposes and understanding of the proposal of Mr. Schrafft because the order as passed by the Council provided that this piece of land should be sold at public auction at an upset price of \$4,700 or \$2 a square foot. The matter left in this way was impossible for acceptance on the part of the Schrafft Company.

Inclosed is a photostatic copy of the plans of the layout of the grounds in front of the recently erected and substantial buildings of the Schrafft Company. On the plan we have indicated the wedge-shaped piece of land by orange lines, and it is easily seen that the city is not deprived of any benefit by selling this land, nor is the playground injured.

If the company acquires this parcel, it is intended to build a substantial retaining wall along the line with the playground. There will be granolithic walks and driveways, and between the walks and driveways will be graded and seeded lawns with shrubbery. The value of the wedge-shaped piece of land by itself is nominal, but if made part of the development of the holdings of the Schrafft Company, it is easily seen that its value for tax purposes to the city is greatly increased.

The erection of magnificent buildings and the layout of the grounds as shown on the inclosed plan will surely have the effect of beautifying Sullivan square locality, and has increased the taxable properties at that place.

If the city will not co-operate with Mr. Schrafft to the extent of conveying this piece of land at the assessed valuation, he will be obliged to rearrange his plans and have his walks and driveways laid out in a different manner.

We are inclosing herewith a form of order which we suggest might be submitted by you to the City Council provided that your Honor approves the acceptance of the proposition made herein.

Very truly yours,

RICHARD S. TEELING,
Attorneys for W. F. Schrafft & Sons.

Ordered, That his Honor the Mayor be, and hereby is, authorized in the name and on behalf of the City of Boston, to sell to W. F. Schrafft & Sons Corporation, for the sum of \$1,656.90, all right, title and interest of the City of Boston in and to a parcel of land situated on the northeasterly side of Main street, in the Charlestown district of said Boston, and containing 2,367 square feet of land, more or less, and to execute and deliver a deed of the same to said W. F. Schrafft & Sons Corporation in form satisfactory to the Law Department. Said land is bounded and described as follows:

Southwesterly by the northeasterly line of Main street, 32.71 feet; northwesterly by land of the City of Boston 144.76 feet; and southeasterly by land supposed to belong to W. F. Schrafft & Sons Corporation 144.76 feet; containing 2,367 square feet of land, more or less.

Ordered, That the order passed by the City Council December 12, 1927, and approved by the Mayor on December 15, 1927, authorizing the sale at public auction of a parcel of land on the northeasterly side of Main street be, and the same is, hereby rescinded.

Referred to the Committee on Public Lands.

BRANCH LIBRARY, WARD 14.

The following was received:

City of Boston,
Office of the Mayor, April 16, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Library Trustees in reply to your order of April 2, 1928, relative to establishing of a branch library in the vicinity of Franklin Park and Franklin Field section of Ward 14.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Library Department, April 9, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—Replying to the order of the City Council of April 2 requesting the trustees of the Boston Public Library, through his Honor the Mayor, to establish a branch library in the vicinity of Franklin Park and the Franklin Field section of Ward 14, permit me again to state that no provision was made in the Library Department budget for the year 1928 for the establishment of any new branch libraries. The section of the city suggested, in Ward 14, is, however, in need of library facilities.

The Board of Trustees at a recent meeting voted that it would be most bappy at any time to take up with the Library Committee of the City Council not only the whole question of the need of new branches, but the necessity of additional annual appropriations for their successful operation.

Respectfully yours,
CHARLES F. BELDEN, Director.

Placed on file.

WIDENING OF SULLIVAN SQUARE.

The following was received:

City of Boston,
Office of the Mayor, April 16, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works in reply to your order of March 26, 1928, inquiring as to whether the work of widening Sullivan square will be completed before June 17 so that it will not interfere with the local celebration on that date.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department, April 6, 1928.
To the Honorable the Mayor.

I return order of the City Council, dated March 26, 1928, requesting information whether or not the Sullivan square improvement will be completed on or before June 17, 1928.

In connection therewith, I will state that bids for the work were opened April 4, and the contract will be executed within a few days. I can say that the improvement will be so far advanced that it will not interfere with the celebration on June 17, 1928.

Yours respectfully,
J. H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

LOCKER BUILDING, SOUTH BOSTON.

The following was received:

City of Boston,
Office of the Mayor, April 16, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of April 2, 1928, relative to estimate of cost of constructing locker building, equipped with shower baths, on property now owned by the city at C street and Broadway, South Boston.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, April 9, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of April 5, with inclosure, order from the City Council that the Park Commission be requested, through his

Honor the Mayor, to furnish the City Council with an estimate of the cost of constructing a locker building, equipped with shower baths, on the property now owned by the city at C street and Broadway, South Boston.

In reply I desire to say that it will cost \$350,000 to build an up-to-date building at this point.

Very respectfully yours,
W. P. LONG, Chairman.

Placed on file.

LOAN FOR POWER PLANT, CITY HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, April 16, 1928.

To the City Council.

Gentlemen,—I am advised by the president of the Board of Trustees of the City Hospital that in order to complete the additions and alterations made necessary in the power plant of the hospital by the building program now under way that an additional appropriation of \$18,000 will be required. I accordingly submit herewith in accordance with the provisions of chapter 352 of the Acts of 1924 two loan orders providing for the amount requested. I recommend adoption of these orders by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Hospital Department, April 12, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Mr. Mayor,—On May 25, 1926, the sum of \$225,000 was appropriated for power plant, additions and alterations. On May 20, 1927, bids were opened for making such changes in the power house as might be necessary for any further extensions in the hospital program. The lowest bid was \$269,500, and at a meeting of the Board of Trustees held on the date that the bids were opened it was voted to reject all bids. It was then decided by the trustees to only do such work as was necessary to provide heat, light and power for such buildings as might be in existence during the past winter. The architects, James H. Ritchie and Associates, revised their original plan for the power plant, and on July 19, 1927, bids were opened for this work, and on July 22, 1927, the trustees accepted the lowest bid, \$78,954. On March 21, 1928, bids were opened for the remainder of the work in the power house, and the lowest bid plus Alternate No. 1 was that of M. S. Kelleher Company at \$158,766. The balance of the original appropriation of \$225,000 after the preliminary work was completed, was \$144,398.03. The trustees, on the recommendation of the architects, James H. Ritchie and Associates, voted to award the contract to M. S. Kelleher Company, provided that the difference between \$144,398.03 and \$158,766 would be provided by you from the unappropriated balance of \$400,500 due on the original \$3,000,000 for hospital buildings.

Therefore, on behalf of the trustees, I respectfully request that \$18,000 be appropriated from the balance of \$400,500 now unappropriated, to the appropriation for Additions and Alterations to Power Plant.

Yours respectfully,
JOSEPH P. MANNING,
President, Board of Trustees.

Ordered, That under authority of chapter 352 of the Acts of 1924 the sum of \$6,000 be, and hereby is, appropriated to be expended by the trustees of the Boston City Hospital for power plant, additions and alterations, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Ordered, That under authority of chapter 352 of the Acts of 1924 the sum of \$12,000 be, and hereby is, appropriated to be expended by the trustees of the Boston City Hospital for power plant, additions and alterations, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, bonds or certificates of indebtedness of the city to said amount, the same to be issued outside the limit of indebtedness.

Referred to the Committee on Finance.

REST ROOM, MUNICIPAL BUILDING.

The following was received:

City of Boston,
Office of the Mayor, April 16, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Superintendent of Public Buildings in reply to your order of April 2, 1928, relative to the installation of a ladies' rest room in the Municipal Building on Columbia road.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Buildings Department,
April 7, 1928.

Hon. Malcolm E. Nichols,
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 provide for the installation of a ladies' rest room in the Municipal Building on Columbia road," I respectfully state that there is not an inch of available space in this building for any such feature.

This is one of the most active buildings as far as occupancy is concerned that there is in the department. The Park Department function there, having showers, gymnasium and a running track; the Library Department, which occupy practically the whole of the first floor, and it is only within a year that I made over the tank room into a reading room for children. There are so many veteran organizations and auxiliaries to same meeting in this building that it is practically occupied every night of the month, also the Board of Health has a baby clinic there every day. It has become so congested that the room set aside for the custodian of the building is to be utilized by part of the baby clinic function.

Regretting exceedingly my inability to grant this request, but the foregoing facts preclude the possibility of this.

Respectfully yours,
JOHN P. ENGLERT,
Superintendent of Public Buildings.

Placed on file.

WIDENING L STREET BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, April 16, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works in reply to your order of March 26, 1928, relative to an estimate of the cost of widening the bridge over the Reserve channel, formerly called the L Street Bridge.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department,
April 6, 1928.

To the Honorable the Mayor.

I return order of the City Council, dated March 26, 1928, requesting an estimate of the cost of widening L Street Bridge, and report that a bridge with a 60-foot bascule draw span, masonry foundation, dredging, etc., will cost about \$425,000.

Yours respectfully,
JAMES H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

NEW SURGICAL BUILDING, CITY HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, April 16, 1928.

To the City Council.

Gentlemen,—The new surgical building at the Boston City Hospital will be completed some time during the month of June. The trustees of the hospital are desirous of occupying this building at the earliest possible moment and for this reason are anxious to commence placing orders for the necessary furnishings and equipment for this building. In order for them to do this, it is necessary

that an appropriation be made available for the purpose and in accordance with the request contained in the attached communication I am submitting herewith two orders under the provisions of which \$72,000 will be made available for this purpose. Of this amount \$38,000 will be financed within the borrowing power of the city and the balance will be secured by transfers from four special appropriations of the Hospital Department in which unexpended balances now exist. I respectfully recommend adoption of these orders by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$38,000 be, and hereby is appropriated to be expended by the trustees of the Boston City Hospital for Surgical Building, Furnishing and Equipping, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city 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 Thorndike Memorial Building, Furnishing and Equipping, \$1,018.29, to the appropriation for Surgical Building, Furnishing and Equipping, \$1,018.29.

From the appropriation for Out-Patient Building, Furnishing and Equipping, \$11,609.29, to the appropriation for Surgical Building, Furnishing and Equipping, \$11,609.29.

From the appropriation for Maternity Building, Furnishing and Equipping, \$10,891.92, to the appropriation for Surgical Building, Furnishing and Equipping, \$10,891.92.

From the Appropriation for Nurses' Home, Furnishing and Equipping, \$10,583.44, to the appropriation for Surgical Building, Furnishing and Equipping, \$10,583.44.

Referred to the Committee on Finance.

MUNICIPAL EMPLOYMENT BUREAU REPORT.

The following was received:

City of Boston,
Office of the Mayor, April 16, 1928.
To the City Council.

Gentlemen,—I transmit herewith a report from the Municipal Employment Bureau, in reply to your orders, relative to the number of registrations and positions filled for the week ending March 31, 1928.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Report for City Council, week of March 26 to March 31, inclusive:

Registrations, 113; positions filled, 54.
AUGUSTUS SEAVER,
Assistant Secretary in Charge.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and respectively referred to the committees named, viz:

Claims.

Orazio Fiorello, for compensation for damage to property at 70 Chelsea street, caused by backing up of sewage.

Frank P. Graham, for compensation for damage to automobile caused by an alleged defect in Chelsea Bridge.

Andrew Gumansky, for compensation for damage to property at 164 Bolton street, caused by backing up of sewage.

Charles C. Hennessey, for compensation for injuries caused by city cart.

M. L. Leahy, for compensation for injuries caused by an alleged defect at 417 Washington street.

Mrs. Katherine McKenna, for compensation for damage to property at 18 Hanlet street, Dorchester, caused by backing up of sewage.

Julius Meterparel, for compensation for damage to automobile by city truck.

National Used Auto Parts Company, for compensation for damage to automobile by city cart.

Nunzio Paladino, for compensation for damage to property at 46 Commercial street, caused by backing up of sewage.

Louis Palmero, for compensation for injuries caused by an alleged defect at 11 Pond street.

Mrs. Alice Preston, for compensation for injuries caused by an alleged defect in Tremont street.

Filomena Rossetti, for compensation for injuries caused by an alleged defect in ferryboat.

Grace M. Ruggiero, for compensation for damage to automobile on ferryboat.

Securities Real Estate Trust, Inc., for compensation for collapse of boiler at 17 Vogel street caused by shutting off water.

148 State Street Trust, for compensation for damage to property at 148 State street, caused by leak in water main.

Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz:

Rev. Dennis J. Maguire, Grover Cleveland School Hall, April 27.

Ethel Orlov, Copley-Plaza, April 17.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held April 30 on petitions for storage and sale of gasolene, as follows:

Joseph M. Harrington, 645 Hyde Park avenue, Ward 18, 1,500 gallons.

Peter Gangemi, 880 Hyde Park avenue, Ward 18, 1,000 gallons.

Nils P. Ivarson, 138 Belgrade avenue, Ward 20, 3,000 gallons.

Referred to the Executive Committee.

SALARIES OF MUNICIPAL COURT CLERKS.

Coun. DOWLING offered the following:

Ordered, That chapter 233 of the Acts of 1928 entitled "An Act Equalizing the Salaries of the Clerks and Assistant Clerks of the Municipal Court of the City of Boston" be, and the same hereby is, accepted.

Referred to the Executive Committee.

MEMORIAL SIGN AT WILSON SQUARE.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor to replace the memorial sign at Wilson square, corner of Hammond street and Shawmut avenue, Ward 9.

Passed under suspension of the rule.

ACCEPTANCE OF METROPOLITAN AVENUE.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Metropolitan avenue, Ward 18, from Beacon street to the New York, New Haven & Hartford Railroad as a public highway.

Passed under suspension of the rule.

ACCEPTANCE OF HEBRON STREET.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Hebron street, Ward 18, as a public highway.

Passed under suspension of the rule.

ENTERTAINMENT OF OCEAN FLYERS.

Coun. DOWLING offered the following:

Ordered, That his Honor the Mayor be requested to provide sufficient funds, not to exceed twenty-five thousand dollars, to be expended under the direction of the Director of Public Celebration for

the proper entertainment of Commandant James Fitzmaurice, Capt. Hermann Koehl, and Baron von Huenefeld, premier aviators of Ireland and Germany, who are the first to fly westward over the Atlantic Ocean.

Coun. DOWLING—Mr. President, it occurs to me in connection with this order that his Honor the Mayor has extended felicitations to the three aviators of the other side who have just completed a circuit of the world, and, knowing that the public celebration funds are low, I have offered this order for whatever consideration it may receive.

The order was passed under suspension of the rule.

REPAVING OF CAMBRIDGE STREET.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Cambridge street, Ward 2.

Passed under suspension of the rule.

COMMITTEE TO INVESTIGATE CONSTABLES.

President GREEN announced the following committee to investigate constables: Coun. Ruhy, Wilson, McMahan, Motley and Fitzgerald.

RECESS.

The Council voted at 2.13 p. m., on motion of Coun. LYNCH, to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber at 4.09 p. m. and were called to order by President GREEN.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following:

1. Report on petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Rev. Dennis J. Maguire, Grover Cleveland School Hall, April 27; Ethel Orlov, Copley-Plaza, April 17—that leave be granted.

Report accepted; leave granted on usual conditions.

2. Report on order (referred April 9) that Rooms 48, 49 and 50 be given to Municipal Employment Bureau for headquarters—that same ought not to pass.

The report was accepted, and the question came on the passage of the order.

Coun. DOWLING—Mr. President, I move that the vote be by roll call.

President GREEN—The Clerk will call the roll.

Coun. WILSON—Mr. President, I don't want to interrupt, but we have not yet found out that the information that quarters have been absolutely arranged for elsewhere is or is not correct. While I favored this order last week, moving an amendment that only one room be given up for this purpose, it seems to me we should not vote blindly until we know whether or not the lease has been signed for quarters in some other building. Therefore, I move that the order be laid on the table, unless there is some objection.

Coun. Wilson's motion to lay the order on the table was declared carried.

Coun. RUBY doubted the vote and asked for a rising vote. The Council stood divided, and the motion to lay on the table was lost.

President GREEN—The Clerk will call the roll on the passage of the order. Those in favor of the passage of the order will vote "yes," those opposed "no."

The CLERK—Mr. Arnold.

Coun. ARNOLD—Mr. President, I would like to know what the question is. Do I understand that the committee reported against allowing the Employment Bureau to use these rooms? Is that the question?

President GREEN—The Clerk will give the desired information to Coun. Arnold. The Clerk will read the order.

[The Clerk read the order.]

Coun. ARNOLD—Mr. President, I understood the provisions of the order perfectly, but I did not know whether I was voting on the subject matter of the order or on the report of the committee.

President GREEN—Those in favor of the passage of the order will vote "yes," and those opposed will vote "no."

Coun. MURPHY—Mr. President, I would like to have the order read again, and then I will ask a question.

[The Clerk again read the order, for the information of Coun. Murphy.]

Coun. MURPHY—Now, Mr. President, I would like to ask a question. Has this Council any right to pass that kind of an order? In other words, have we any right to pass an order that directs the Employment Bureau to go ahead and prepare to make arrangements for coming to this floor?

President GREEN—The Chair will rule that the Council has a right to give authority to use the rooms. The Clerk will continue the call of the roll.

Coun. DOWLING—Mr. President, for the purpose of supplying information to the gentleman from Dorchester [Coun. Wilson] who was in doubt about the home or homeless condition of the Employment Bureau, I want to say that I have first-hand information that the Employment Bureau is now temporarily located in a former hotel in Haymarket square; that it is a tenant at will, no lease having been signed; and as recently as this morning I was in the office of the Housing and Rental Commission when a request came from some of the attaches of the Employment Bureau, who felt that the Housing and Renting Commission had something to do with the matter, that the landlord he compelled to turn on the heat, because, to use the words of a former naval hero, "The poor devils were dying." They wanted heat. They have temporary use of the premises, but simply as tenants at will, and they are lacking in heat.

Coun. BUSH—It seems to me, rather than allow the Employment Bureau to be without proper quarters, it would be a magnanimous act on our part to allow them to come up here and use these rooms, also saving the city the expense of leasing premises outside.

The order was rejected, yeas 3, nays 15:

Yeas—Coun. Bush, Dowling, Wilson—3.

Nays—Coun. Arnold, Deveney, Donovan, Fish, Fitzgerald, Gallagher, Green, Keene, Lynch, McMahan, Motley, Murphy, Murray, Ruhy, Ward—15.

3. Report on order (referred today) that chapter 233 of Acts of 1928 entitled "An Act Equalizing the Salaries of the Clerks and Assistant Clerks of Municipal Court of City of Boston" be accepted—that same ought to pass.

Report accepted; said order passed.

4. Report on orders (referred April 9) making an appropriation and transfers for North End Park, Piers and Buildings—that same ought to pass.

Coun. BUSH—Mr. President, after listening to the reading of that order in the executive sitting, I find that it is an order for the transfer of \$18,000 which was originally appropriated for a Mothers' Rest on Wellington Hill. That same order was introduced some time ago and the councilor from Ward 14, Dorchester [Coun. Ruhy], objected to its passage on the ground that the appropriation should be used for the purpose for which it was originally intended. I now find that the councilor has no objection to the passage of the order to transfer that \$18,000. Before we make fools of ourselves, myself as well as other councilors here who may vote for the passage of the order and may find after we have so voted that we have made fools of ourselves, I feel that we ought to have some explanation from the councilor.

Coun. RUBY—Mr. President, I had intended to ask for the floor at the same time that Coun. Bush addressed the Chair. Of course, I am at all times opposed to transferring money that has been appropriated to one ward to be used in another ward; and I feel the same in that respect today as when this matter came before the Council a month ago. I have since, however, made an investigation of this proposed transfer and have been informed with regard to the amount appropriated for a Mothers' Rest on Wellington Hill, that since the appropriation was passed in 1924, the City of Boston has taken that specific piece of land for school purposes; that there will be erected in that vicinity an elementary high school to cost over one million dollars, and that this money, if

it remains there under the original appropriation—and this is a statement made by Park Commissioner Long—could not be available in that particular section because of there being no land available to purchase for a Mothers' Rest. Not being satisfied with that, I have had Commissioner Long promise me that an amount equal to this amount will be spent for a general improvement on Franklin Field—constructing additional tennis courts, additional facilities for children in the form of swings, and so forth, general improvement of baseball diamonds at Franklin Field, the erection of a fence around the space allotted for the bowling teams, and such other improvements as can possibly be made on Franklin Field. Therefore, believing the appropriation of \$18,000, that has already been made and to the transfer of which I earlier objected, cannot be used as originally appropriated with any material benefit to Ward 14, and understanding that this money can be used with advantage in another ward in Boston that is in urgent need of an appropriation of this size, in a section whose representatives have gratefully stood by me while there seemed to be an opportunity for the building of a Mothers' Rest on Wellington Hill, and also understanding that things involving an equivalent amount will be done in that district, also believing that Commissioner Long has given me the correct information,—while I repeat that on general principles I am opposed to the transfer of this amount from that district, under the circumstances I have no objection to the transfer, which will mean that something of which they are in urgent need can be constructed in another ward.

Coun. WILSON—Mr. President, having been referred to, I suppose, as one of those who gratefully aided the councilor from Dorchester, a part of which district I also represent, I have been glad to hear from the councilor his explanation of his change in attitude on this \$18,000. As one who voted against the proposed transfer when it came up before, I would have been glad at that time to hear the explanation of the new situation which seems to have arisen. I am glad to hear about the proposed Franklin Field improvements, although I am afraid that we are getting pretty far away from the original purpose when we see a part of the \$18,000 which was proposed to be spent for the Mothers' Rest, spent on the bowling green. I don't know whether it was proposed to have the Mothers' Rest on the howling green. It might be well to know on what ground that gentleman from Dorchester takes his present stand, other than the statement he has referred to by the Park Commissioner. May I ask, through the Chair, if in order, if the gentleman has received any communication or word from the School Department to the effect that the land taken for the school is the same land originally contemplated for the Mothers' Rest, and that that has therefore taken the Mothers' Rest out of the picture?

Coun. RUBY—Mr. President, in answer to the gentleman from Ward 17, I will say that some time ago in this Council we discussed the purchase of land for school purposes, and there was then raised the question of four-cent land being bought by the City of Boston for 40 cents a foot. That, I understand, is the very area on which this elementary high school is to be, for which I understand \$800,000 is being set aside under the new school construction program for the current year. It is in that immediate vicinity.

Coun. WILSON—Mr. President, I don't want to prolong the discussion. Perhaps I have not understood very clearly, but do I understand that the School Department has actually bought the land that was talked about as four-cent land for 40 cents? I don't care to go into all the horrifying details, but do I understand that, despite those details, the land was so bought by the School Department?

Coun. RUBY—I am so informed, Mr. President, that the School Department has purchased that land. I wish I could answer with the same amount of feeling that the gentleman from Ward 17 puts into his question, so that we could all have as much fun out of the answer as from the question. I want to say, further, that I made no mention of a Mothers' Rest being put on the howling green. I thought I spoke plainly. I repeat for the information of the councilor from Ward 17 that there is a fence being now erected on that area now being used for the howling green, and that it is not near the swings nor the Mothers' Rest. I would be glad to take the gentleman through that field, used by women and children

of his district as well as my own, and show him the particular spot where those improvements are contemplated.

Coun. BUSH—Mr. President, I may be a little bit arbitrary in the information I seek, but I am not quite satisfied with the councilor's explanation. He uses the words that the schoolhouse is being constructed in the immediate vicinity of the land it was proposed to purchase for a Mother's Rest. I would like a little more definite and specific information as to whether the land that was to be purchased for a Mothers' Rest is the exact and specific land now taken by the Schoolhouse Commission for the purpose of a school?

Coun. RUBY—Mr. President, all I can say is that there is an area at the corner of Ormond street and Outlook road, in the so-called Wellington Hill section, where this Mothers' Rest was proposed to have been constructed. Since then the School Department have considered the advisability of making an elementary high school in that vicinity, and that was the only place in the section where land was available, and they have purchased that land. Under the original \$18,000 appropriation of 1924 no land was purchased. It was simply an appropriation for the construction of a Mothers' Rest in the Wellington Hill section of Boston, but nothing else was ever done. I am now informed that they could not purchase land there if they wanted to do so, and for that reason could not construct the Mothers' Rest. If there is no objection, however, I move that the order lay on the table for one week, so that I may gather specific and positive information for these councilors who are so kind and so willing to help me.

Coun. WARD—Mr. President, I move the previous question.

The motion to lay on the table was lost.

The order was passed, yeas 16, nays 0.

Yeas—Coun. Arnold, Bush, Deveney, Donovan, Dowling, Fish, Fitzgerald, Greene, Keene, McMahon, Motley, Murphy, Murray, Ruby, Ward, Wilson—16.

Nays—0.

SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in the City of Boston for month of April, 1928.

Passed under suspension of the rule.

APPROPRIATIONS FOR PUBLIC WELFARE AND SOLDIERS' RELIEF DEPARTMENTS.

Coun. FITZGERALD, for the Committee on Appropriations, submitted the following:

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1928, 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 thereupon apply to the taxes herein provided for.

Public Welfare Department:

Central Office.....	\$1,990,293 79
Temporary Home.....	10,755 00
Wayfarers' Lodge.....	18,190 47
Soldiers' Relief Department.....	314,638 93

The report was accepted.

President GREEN—The question is on the passage of the orders, and the Clerk will call the roll.

Coun. FITZGERALD—Mr. President, I would like to make a short explanation of this report of the Committee on Appropriations. It is a partial report, covering the Department of Public Welfare and the Soldiers' Relief Department.

"Under the provisions of chapter 320 of the Acts of 1889, departments may expend, prior to the passage of the budget, one-third the entire amount appropriated for the department for the previous year. Due to the heavy demands for aid and relief resulting from the present economic depression the expenditure requirements of the two relief departments of the city, namely, the Public Welfare and Soldiers' Relief Departments, will exceed one-third of their appropriations for last year before the end of this week. In 1927 the total appropriation for the Public Welfare Department was \$2,017,198.03. One-third of this amount would be approximately \$672,000 and up to the close of last week the department had expended approximately \$645,000. The total appropriation for the Soldiers' Relief Department in 1927 was \$342,316.96. One-third of this amount would be approximately \$114,000 and up to the end of last week the department had drawn approximately \$110,000. In order that the budget recommendations submitted by the Mayor may be properly scrutinized it will be necessary to devote at least two more weeks to public hearings. In other words, the earliest possible date on which the budget could be reported back to the Council would appear, at the present time, to be the thirtieth day of this month. To wait until this date for the passage of the entire budget would mean that the relief disbursements of the city would, under existing law, be necessarily suspended for at least two weeks. Such a happening should not be permitted and for this reason the Committee on Appropriations have voted to report back at this time the appropriations recommended by the Mayor for the Public Welfare and Soldiers' Relief Departments. No reductions have been made in the total of these appropriations for the reason that at the present rate of expenditures it would appear that the appropriations recommended will not be sufficient to meet the heavy demands resulting from the present commercial and industrial depression."

Mr. President, there is very little we can possibly do. I hope other members of the committee will explain their feelings in this matter. I want to have it understood that it is not my appropriation, that I am not any more concerned than any other member of the Council. There has been a good deal of criticism of the way the appropriations have been handled recently. The Good Government Association saw fit to express its opinion, but, as usual, did not tell the truth, and went through all sorts of blind alleys. In the morning papers we find an attack by the Good Government Association. They say that the county budget of this year is \$27,000 larger than it was last year, but they failed to tell the citizens of this city that we passed a supplementary budget here last year amounting to nearly \$36,000, to meet various fixed charges and additional items that had to be met before the close of the year. Still, they say that the county budget of this year is \$27,000 larger than the one of last year. So far as this \$27,000 is concerned, as the members of the Council well know, it practically all meant increases in salary. The bills,—the Legislature passed the bills last year, for which we had to make the additional appropriation. I might state that the South Boston Court was one of the courts that the Council was thus called upon to provide for in the supplementary budget. The Legislature this year no doubt has had bills before it, and as a result of which other requirements will have to be met by the City Council. For example, there may be an additional amount appropriated for a courthouse in Roxbury. That was not in the budget we passed because the act must be accepted by the Council and the money provided. We heard nothing about the nearly \$36,000 that was passed in the supplementary budget last year, going to increase salaries of county employes and one thing and another. Then, there is a question of an appropriation for boilers in the courthouse. Do they want us to fail to provide for the boilers? Well, unless these things are properly attended to, you may have a fire in the courthouse. They once bombed the courthouse. I think the gentleman on my left [Coun. Donovan] knows all about that, because there were citizens of his district who lost their lives on that occasion. Well, those boilers are put in, provided for in the \$27,000. And the items in the budget generally were cut down by the Mayor and by the Budget Commissioner, so that, even with the new boilers and the increase in salaries, the additional amount for this year

over last year, as the appropriation was originally passed last year, is only \$27,000—and, as I say, there was the supplementary appropriation last year. I don't know what we could have done, Mr. President. Of course, we could have cut out the boilers demanded by the county authorities. But that is not the way, of course, as we all recognize, to run a city or a county like this. In these two departments for which the orders have been presented today, we could not cut the amounts down. It would be impossible. You cannot cut down the Soldiers' Relief Department. If you did, you would have the veterans storming City Hall and every member of the Council. Are you going to deny proper care to the poor of this city by cutting down the Public Welfare Department? I don't think anybody here will take that position. If we fail to pass the budget, they will simply be without funds, that is all, in this terrible time, when we have so much unemployment. I, for one, certainly don't want to take the responsibility of cutting such departments in times like these. Mr. President, we went over the thing as carefully as we possibly could. We could account for every item in the county budget. We could have sat for weeks, accomplishing nothing in the end. Of course, the size of it is that some of these people want to do reform work, so called. But the work of the city and county has to go on, and the appropriations have been carefully scrutinized and cut down. When you get right down to it, what is the situation? There is over \$23,000,000 over which the city has no voice whatever, spent for the schools. So, when you consider the conditions under which we have had to work, and our limitations, while these people may criticize members of the Council, I think that we did a pretty fair job. Of course, we cannot satisfy some of the eminent reformers. But I am not here to tear down, Mr. President. I have no ambition to become a great crusader. We have seen those men all over the country, these great reformers, these men who seek to tear down and never to build up. We have seen Whitman, Folk and the others, and they only last a short time. You are given to understand that they are going to do wonders, but they all fail in the final analysis. They have the money at their command, they have the resources, but they get nowhere. These people have the right to go into the courts, if they want to do so, Mr. President, getting ten taxpayers, and investigating these departments. The Finance Commission are the creatures of these same men, these "holier than thou" people. We heard about an investigation going on by the Finance Commission some months ago, and suddenly it all stopped and we heard nothing more about it, and nothing was done. I could go into an itemized account of the work of the Committee on Appropriations, go into all the details on the county budget, and show these people that they are entirely wrong, that they know nothing whatsoever about the budget, have not the faintest idea, don't know what they are talking about. But what is the use? They never get the right facts, only get what somebody tells them. I understand that some members of the Council had "the blues" and thought it would be a good idea to occupy their minds for the time being, and so they kidded them along. But they weren't serious about it at all. The fact is that an examination will show that every cent of the county appropriations that we examined into was honest and above board. Personally, I said at the time that if the Council wanted to cut the salaries I was willing that they should do so, but I would not be the one to start the thing, would not be the one to cut salaries down. I have no favors to ask of anybody, I have nobody to protect. As I have said, some of these employes ought to thank God for their good positions when there are 100,000 people walking the streets without employment and many without food in their stomachs. So I have nothing to conceal here or to defend. It is nothing in or out of my pocket. I am simply, as chairman of the committee, trying to perform my duty to the best of my ability, and I have done so, and feel that I have no occasion to apologize to anybody. To these people I simply say that they are wrong, and I know that they are wrong. There are large sums spent for certain departments, about which we can do nothing. Take the Library, for example. We have a vast expenditure there, and under the charter that was put on this city, under acts of the Legislature, and we have no control in the matter. Power has been taken

away from the City Council, and we cannot help many things that are being done today. It is the ones who foisted the charter on us, the ones who foisted some of these legislative acts on the city, who have blundered for the last twenty years or more, and this city has in consequence suffered. These people have their theories and their ideas of government, that they broadcast, and are supposed to know everything, but if you look over the history of the eminent reformers you find that when they have a chance to get their hand in the pie they generally take it all. Mr. President, there is nothing else I have to say. The other members sat in the hearings and know, from the statements that were made, whether the Soldiers' Relief Department and the Public Welfare Department are able to go on without provision being made for them at this time. I think we all know the situation, and I think we all realize the importance of passing these orders today.

Coun. WARD—Mr. President, I would like to ask the chairman of the Committee on Appropriations whether or not there has been an increase in the amount desired for the Soldiers' Relief Department, as compared with last year?

Coun. FITZGERALD—Mr. President, I would rather not answer the question. I don't think I should take the entire responsibility in this matter. I think Coun. Donovan or somebody else on the committee ought to take that up.

Coun. DONOVAN—Mr. President, the total appropriation for the Soldiers' Relief Department in 1927 was \$342,316. If my memory serves me right, the appropriation asked for by the Soldiers' Relief Commission of this year was \$325,000, and it was cut down by the Mayor to \$250,000.

Coun. WARD—And they spent \$342,000 last year?

Coun. DONOVAN—Yes, sir. So, of course, this year they will be short in their appropriation. It does seem, at a time like this, with lack of employment and the difficulties that will be facing us in the summer months, everything possible should be done to relieve the situation.

Coun. WARD—Mr. President, it seems to be the apparent purpose of some not to run the Soldiers' Relief Department as a relief agency but as a charitable institution. I know that we have no power to increase the appropriation for the Soldiers' Relief Department, but it does seem, as Coun. Fitzgerald has said, with 100,000 unemployed walking the streets of Boston, that a department like the Soldiers' Relief Department should be given proper opportunity to do the work that such a department should naturally do. I don't know the cause or the purpose, but it does seem strange to see the head of a department of that kind, a department which spent \$342,000 last year, coming in this year and asking for \$325,000 and being allowed only \$250,000 or \$280,000, with the employment situation worse today than it was a year ago. It would seem that there is a desire on the part of certain men to make the Soldiers' Relief Department a charitable bureau. When Woodrow Wilson called the men to arms, no soldier who went to the war did so with any idea of relief coming to him at the end or with any vision of a bonus in view. When that tramp, tramp, tramp was heard all over the country, it was accompanied with no thought of anything of that sort. But a great many of the boys in the performance of their duty did suffer very seriously as a result of the war, and anything that they may need to have done for them now is not a matter of charity. Let me say that I am not opposed in any way to these budget items going through this afternoon. I feel that the appropriation for the Soldiers' Relief Department should go through, although I do feel that it is strange that the appropriation, where the department spent \$342,000 last year, should be cut to \$250,000 this year, with a much worse unemployment situation facing us than confronted us a year ago.

Coun. BUSH—Mr. President, it is not often that I agree with our genial councilor from Ward 3 (Coun. Fitzgerald), but I do wish to heartily second his statement with reference to the necessity of passing the budget items as submitted for the Public Welfare and Soldiers' Relief Departments, and I also heartily second his indictment of the Good Government Association. As I have pointed out in the past, their facts, submitted in the manner with which we are familiar, are the result of a half-baked, hardly-dried-behind-the-ears study of the situation. This is only another

one of their errors. I listened with a good deal of attention and asked a good many questions of the commissioners with reference to the appropriation for the Public Welfare and Soldiers' Relief Departments, and I am acquainted with the fact that the Finance Commission recommended a much larger sum for the Department of the Overseers of Public Welfare than the Mayor has granted. I am also acquainted with the fact that their feeling is that the Soldiers' Relief should be abolished or greatly curtailed. I certainly do not agree with them on that point. I do not think that veterans who have served in the wars of our republic should be put in the class of paupers. Whatever name you may call it, it comes down to that. When they apply to the Overseers of the Public Welfare they are classed as paupers; when they apply to the Soldiers' Relief Commissioner they are applying for that specific assistance that veterans who are financially unable to meet their obligations have a right to apply for. If they are in need they should be assisted in that way. The sum given them, Mr. President, is a mere pittance, hardly enough to keep body and soul together. But it is of some assistance, although I know from experience with both departments that any aid given is only after a very grueling and humiliating investigation. I do not quarrel with that procedure. I appreciate the fact that unless they do submit such applicants to such an investigation there would not be a sufficient sum in the city treasury to meet the demands of the department, that some limits must be set in order to keep the thing within due bounds, and that, therefore, there ought to be considerable investigation made on the applicants for such aid in order not to waste the city's funds. But they should come in here and ask for an appropriation which is consistent with the legitimate demand of the department and not for one which is inadequate to meet the necessities which the experience of the department in the past shows them must be met. I suppose the Good Government Association will further criticize us for not cutting these appropriations down still further. In any event, this Council need not be run by the Good Government Association any more than by any other body in this city. That association has no right to dictate to us or to any other department of the city. I recommend personally that these appropriations be passed *in toto*.

Coun. RUBY—Mr. President, I think when the Committee on Appropriations first organized it was the intention of the committee to report the city budget in its entirety. Of course, public hearings were to be held for as many days as would be necessary to summon the different department heads and go through the necessary investigation and scrutiny of the budget, as has been done in the past. Last Thursday, when the Soldiers' Relief Department came in here, we were informed of the urgent necessity of today passing the budget for that department, as you have been told by the chairman of the committee, and the same request was made on behalf of the Public Welfare Department. It was shown that for those two departments to be able to function beyond the day would be necessary to take them out and act upon them separately today. That the committee in its judgment has seen fit to do. It is surprising that the Good Government Association should at this time issue a monthly pamphlet as set forth in this morning's press, should be so anxious with reference to the public money which it is proposed to appropriate for these particular budgets. The fact is that they have not sent—and we have been in session on the budget for two weeks—a representative here. A gentleman connected with the Finance Commission has sat in, apart from the proceedings, at the last two meetings we have had, but has taken no active part. The committee has gone so far as to throw the budget meetings open to the public, open to such public-spirited citizens of Boston as might want to come in and see how the Committee on Appropriations were conducting their meeting; and I daresay if any public-spirited citizen of Boston attended the meetings and desired to ask the chairman of the committee any question, the chairman would have been more than willing to see that the question was answered. It was explained to us by the chairman of the Public Welfare Department, that, because of the decrease in soldiers' relief—and this is for the benefit of the councilor from Ward 5—some of the money that would naturally have been paid out by the Soldiers' Relief Department was paid through the

Overseers of the Public Welfare, those desiring relief going down to Chardon street and getting help from that department. And I believe we should not have any criticisms from those public organizations unless they do see fit to come here and take part in our deliberation, as they have been invited to do in the press, not rushing in to the newspapers without having taken advantage of the opportunity to become familiar with what is planned. But they have not done that, and you would think from their attitude that they are the ones in whose hands are the destinies of the City of Boston, and its treasury, that they are the ones who are protecting the citizens of Boston, acting as a check on the Council who have been elected by the citizens of the respective districts. I say now that I think the chairman of the committee and all the members of the committee would be pleased to have representatives of the Good Government Association and representatives of the Finance Commission sit with us. I would like to add right here and now, however, that while last year there was a difference between the Mayor and the Finance Commission in the budget of over \$4,000,000, I am told by the Budget Commissioner that in today's budget the Finance Commission is only \$400,000 apart. There was originally a difference of \$800,000, but because of the 25 cents reduction in the tax rate it has been cut to \$400,000. So that the difference in figures between the budget as submitted and the figures of the Finance Commission is only today \$400,000—a lot of money. If you please, but when you are considering a budget of \$40,000,000 it cannot be said that \$400,000 between the two opposing factions represents a great variance. If the Finance Commission wish to come in and tell us in good faith where this \$400,000 can be safely cut—if not cut from salaries—there is no question but what the Appropriations Committee would give them a fair and proper hearing.

Coun. MURPHY—Mr. President, I do not propose to make any apology to any organization, regardless of what it is or how organized, for my position in recommending the passage today of that part of the budget included in the Soldiers' Relief and Public Welfare Departments. I think the very names of those departments, Mr. President, is proof enough of the need for immediate action. I am, however, very sorry that those who made up the budget did not in their wise judgment allow at least another \$100,000 for the Soldiers' Relief and the Public Welfare Departments. As I understand it, sometime last year, after the appropriation had been made, the department had to come in for additional money in order to continue the public welfare work. But I do not believe the committee need to take up the time on this matter. I am absolutely in accord with the committee. I had all the opportunity I wanted to look over the different items. I asked a gentleman representing the Soldiers' Relief Department, while he was here, if there was sufficient money to run that department if we did not pass the appropriation for it at this time, and he told me there was not. As far as the Good Government Association is concerned, I have no quarrel with them, although I never expect that they will indorse a Murphy. If they feel like saying what they please, I believe we also have a right to say just what we think is right in this matter, however. When it comes to unemployment and to the case of the ex-soldier, I am absolutely in favor of giving the ex-soldiers everything that will keep them alive. I made a speech, Mr. President, on Boston Common in 1917, at the request of Father O'Connor of the Ninth Regiment, when they were trying to get recruits for the Ninth Regiment; and I said in this speech, while everybody was cheering, that I hoped when the boys came back from the front they would find something else besides an index finger pointing to the free employment bureau. I again had the opportunity in Tammany Hall, New York City, to address over 2,000 men in uniform on their return, and I made the same speech there. But we don't find these men who want to make our cities over, the reformers, so called, advocating, agitating the furnishing of proper channels of employment for the men who have returned. You just ask that question, and you will find that the answer, almost unanimously, is No. Mr. President, if the Good Government Association or anybody else wants to do real reform work, let them go out and find the real conditions that are existing in this country today. We have over-production, and the only way we can

meet it and reduce the amount of money we are paying out for soldiers' relief and public welfare is to establish a five-day working week, which will furnish more employment and thereby reduce the amount of money that the City of Boston is paying out for these two reliefs. I hope there will not be a single word said by any member of this Council against furnishing money for these two departments, the necessities of which have been so ably and intelligently covered by the chairman of the committee. What has already been so well said needs no further indorsement from me.

Coun. ARNOLD—Mr. President, I would like to correct the impression the councilor gave—and I hold no brief for the Good Government Association—when he stated that that association had never indorsed a Murphy. I would refer him to the campaign of 1922, when John R. Murphy was indorsed for Mayor by the so-called Good Government Association. [Laughter.]

Coun. MURPHY—I did not say, Mr. President, that they never indorsed a Murphy, but I did not expect that they would ever indorse another Murphy. [Laughter.]

Coun. WARD—Well, I believe there is a distinction between the Murphys they indorse. [Laughter.]

The orders were passed, yeas 17, nays 0.

Yeas—Coun. Arnold, Bush, Devcnev, Donovan, Dowling, Fish, Fitzgerald, Gallagher, Green, Keene, McMahon, Motley, Murphy, Murray, Ruby, Ward, Wilson—17. Nays—0.

PROSPECTIVE ACTION BY FINANCE COMMITTEE.

Coun. BUSH—Mr. President, I wish to report on behalf of the Committee on Finance that the chairman of the committee called a meeting for last Thursday at 2.30 p. m., but, owing to the fact that a quorum was not present, we were unable to hold the meeting. I had intended to take up the matter of the Arlington street widening loan, and, in pursuance of that purpose, sent for Hr. Hurley, the chairman of the Board of Street Commissioners. Mr. Hurley told those members of the committee who were present that he would be unable to furnish any information to the committee at that time, as the matter of the widening was being temporarily held up because certain things had arisen which made it impossible for them to go through with their original plans. In view of the fact that this loan will automatically become operative on May 11, if action is not taken, it would seem to me inadvisable for the Council to adjourn today for more than one week, as the chairman of the committee intends to call a committee meeting this week, with the hope that a report may be made upon which we may be able to act at our meeting next Monday. We expect to get some information upon which the members may be able to act at our committee meeting.

President GREEN—For the information of Coun. Bush, I would state that the President feels it is desirable that we hold our regular meeting next Monday.

FINANCE COMMISSION BUDGET STUDIES.

Coun. ARNOLD for Coun. PARKMAN offered the following:

Ordered, That the Finance Commission be hereby requested to furnish the City Council with a copy of their studies of the 1928 department estimates and budget.

Passed under suspension of the rule.

BRANCH LIBRARY, FOREST HILLS.

Coun. MURRAY offered the following:

Ordered, That the trustees of the Boston Public Library be requested, through his Honor the Mayor, to hire suitable quarters for the establishment of a branch library in the Forest Hills section of Ward 19.

Passed under suspension of the rule.

NAMING OF JOHN B. STEEVES SQUARE.

Coun. MOTLEY offered the following:

Ordered, That the space at the junction of Washington street, Glen road and Green street,

Jamaica Plain, be named John B. Steeves square, in memory of said Steeves, who was killed in action during the World War, and that suitable signs be erected to designate the same.

Passed under suspension of the rule.

RATING OF AMBULANCE DRIVERS.

Coun. DOWLING offered the following:

Ordered, That the City Hospital Trustees be requested, through his Honor the Mayor, to make an effort to have the rating of men employed as ambulance drivers changed from chauffeur to ambulance driver, and to provide for the payment of a salary commensurate with the services which they render the city.

Passed under suspension of the rule.

SIDEWALK ON PARK STREET.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Park street, both sides, from Washington street to Upland avenue, 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 edge-stones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

SALARIES OF CITY COUNCIL OFFICERS.

Coun. WILSON offered the following:

Ordered, That until otherwise ordered the annual salaries of the following officers connected with the City Council shall be established as stated below, beginning with the first day of May, 1928:

Second Assistant Clerk of Committees, \$3,000.
Second Assistant City Messenger, \$2,750.
Referred to the Executive Committee.

RESURFACING OF HAMILTON STREET.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Hamilton street, Ward 18.

Passed under suspension of the rule.

RESURFACING OF HYDE PARK AVENUE.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Hyde Park avenue, from Neponset avenue to Metropolitan avenue, Ward 18.

Passed under suspension of the rule.

SALARY OF ASSISTANT CITY MESSENGER.

Coun. DOWLING offered the following:

Ordered, That until otherwise ordered, the salary of Frederick J. Glenn, employed by the City Council as assistant City Messenger, be fixed at the rate of \$3,500 per annum, the same to be charged to Appropriations for City Council, Incidental Expenses.

Referred to the Executive Committee.

PROPOSED ACCEPTANCE OF PERCIVAL STREET.

Coun. McMAHON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Percival street, from Marie street to Ronan Park, Ward 15, as a public highway.

Passed under suspension of the rule.

Adjourned at 5.20 p. m., on motion of Coun. McMAHON, to meet on Monday, April 23, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 23, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Donovan.

VETO OF VARIOUS ORDERS.

The following was received:

City of Boston,

Office of the Mayor, April 18, 1928.
To the City Council.

Gentlemen,—I return, without my approval, your orders under date of April 9, 1928, as follows:

\$50,000 for the construction of a sanitary and locker building, with necessary equipment, at the John H. Doherty Playground, better known as Dorchester Town Field, Ward 16.

\$30,000 for the construction of concrete bleachers with a seating capacity of 2,500 on McConnell Playground, Savin Hill.

\$60,000 for the construction of concrete bleachers, with a seating capacity of 5,000 on the Sullivan Square Playground, Charlestown.

\$75,000 for the purchase of land in Brighton, in the section bounded by Arlington, Market, Faneuil and Parsons streets, to be used as a playground.

I appreciate the value of playgrounds and realize that much may be said in their favor, but in view of the many applications that have been presented to me for playgrounds in various sections of the city calling for an expenditure of many millions of dollars, I feel constrained to withhold my signature but do so without passing upon the merits of the particular playgrounds embodied in this letter.

I desire to say, however, that since I have been Mayor I have believed it to be wise economy to consider carefully how existing playground facilities could be utilized to the utmost possible advantage, and with this in view I have appointed a special committee of representative citizens to study and compare the entire playground situation and to submit to me appropriate recommendations, and the above playgrounds may well be made a part of the study being conducted by the committee above referred to.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

COLLECTION OF BROKEN MILK BOTTLES.

The following was received:

City of Boston,

Office of the Mayor, April 23, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Health Commissioner, in reply to your order of March 19, 1928, relative to the practice of milk companies in the collection of broken milk bottles and the keeping them on their premises for long periods of time thereby being a menace to the health of the community on account of breeding rats and other vermin.

Very respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Health Department, April 16, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—Concerning City Council order of March 19, 1928, at to whether "Practice of

milk companies of collecting broken milk bottles and keeping the same on premises for long periods is a menace to the health of the community on account of breeding rats and other vermin;" the law gives the Health Commissioner full authority in this matter and no further legislation or regulations are needed.

We require the collection of broken milk bottles to be kept separately and removed from the milk processing plant proper and that the bottles be kept in flow towards the reworking glass plant as rapidly as is practicable.

We have never found any evidence that this collection of bottles aids in the breeding of rats. We have found rarely that this collection of bottles may furnish some food for cockroaches or flies, but only to an extent that is so very small, in relation to other more abundant food supplies in the immediate vicinity, as to be entirely negligible.

I believe that this matter is under satisfactory control and is not a menace.

Respectfully yours,
F. X. MAHONEY, M. D.,
Health Commissioner.

Placed on file.

VETO OF REPEAL OF SHUT-OFF PROVISIONS.

The following was received:

City of Boston,

Office of the Mayor, April 23, 1928.
To the City Council.

Gentlemen,—I return herewith your order of April 9 relative to chapter 27 of the Revised Ordinances of 1925 amending section 22 by inserting after the word "however" in the seventeenth line of said section the following words: "that while a dwelling is occupied by a tenant other than the owner the water shall not be shut off for nonpayment of water rates by the owner, and further provided," without my approval. I feel that it is unwise at this time to repeal the shut-off provisions in the ordinances in such cases as is intended by this ordinance. The Public Works Commissioner under the provisions of section 22 of chapter 27 of the Revised Ordinances of 1925 now has authority to use his judgment and discretion in regard to the shut-off. I have communicated with the commissioner and advised him that more care should be exercised in connection with the shut-off, in cases where the premises are occupied by tenants and not by the owner. A careful exercise of the shut-off power will correct the situation. I do not believe that the city should be deprived of an effective means of enforcing payment against owners who attempt to evade their lawful obligations.

The proposed ordinance it seems to me is the opening wedge to the complete elimination of the shut-off power, which, if done, would result in a large loss of income to the city.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

Placed on file.

Later in the session Coun. WILSON said:

Mr. President, I have just glanced over this message from the Mayor under date of April 23 vetoing the proposed amendment to the ordinances in the matter of water shut-offs. While I do not propose to take any amount of time on the matter, in view of the matter that the committee made a full and complete report, I cannot let the veto pass without a word of comment, because, in reading it over, I notice this statement:

"The Public Works Commissioner under the provisions of section 22 of chapter 27 of the Revised Ordinances of 1925 now has authority to use his judgment and discretion in regard to the shut-offs."

It would appear that whoever typed that message apparently did not read the report of the committee or, in fact, could not have read the water shut-off ordinance with reference to that point. If he had done so he would have realized that there is no judgment

or discretion, no authority of the Public Works Commissioner in the matter, because the ordinance specifically says:

"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."

So I urge the point, despite the wording of this particular veto message, that under the existing ordinance of the City of Boston, once an unpaid water bill is sent from the City Collector of the City of Boston to the Water Division, the Public Works Department has no discretion in the matter unless it is shown that somebody's life is endangered and unless in every case a doctor designated by the City of Boston—not a doctor of the tenant or of the owner, but a city doctor—makes a trip out and comes back and certifies that somebody's life is in danger of being lost. I submit that that is not leaving the matter to the discretion of the Public Works Commissioner. The statement is also made in the veto message that his Honor the Mayor does not "believe that the city should be deprived of an effective means of enforcing payment against owners who attempt to evade their lawful obligations." With that sentiment I agree, but I believe that the enforcement should be carried out against the owner and not against the tenant. The statement is also made that "the proposed ordinance, it seems to me, is the opening wedge to the complete elimination of the shut-off power, which, if done, would result in a large loss of income to the city." Of course, the report of the special committee shows that that is not the fact, and I am surprised that the ordinance should be vetoed on such fallacious reasoning, and in the face of the testimony of Mr. Carven, Mr. McMurray, the head of the Board of Health, and Mr. Lyons of the Law Department, who unanimously agree that the ordinance should be amended.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz:

Claims.

J. J. Coughlin Electric Company, for compensation for damage to property at 728 Dudley street, caused by backing up of sewage.

Margaret Corrigan, for compensation for injuries caused by an alleged defect in Valentine street.

Agnes Darkientiene, for compensation for damage to property at 143 Bolton street, caused by backing up of sewage.

Maurice Galer, for compensation for damage to automobile by city team.

Mrs. Gatha Hale, for compensation for injuries caused by an alleged defect in Washington street.

John E. Hunt, for compensation for injuries received on ferryboat.

G. V. Kavanaugh, for compensation for damage to automobile by fire apparatus.

Alberta A. Kelley, for compensation for damage to cello on Porter Street Bridge.

William F. Knight & Co., for refund on unused refuse tickets.

J. L. Leonard, for compensation for damage to car by city cart.

Yochevet C. Magut, for compensation for injuries caused by an alleged defect in Blue Hill avenue.

E. P. Messer, for compensation for damage to truck by city truck.

Rice Square Truck Company, for compensation for damage to truck caused by an alleged defect in Commonwealth avenue.

John C. Sullivan, for refund on refuse tickets.

Mary E. Sullivan, for compensation for injuries caused by an alleged defect at 143 I street, South Boston.

Armstrong Transfer Express Company, for compensation for damage to car by city truck.

Bridget Clougherty, for compensation for damage to personal property at 36 St. Francis de Sales street, caused by ash team.

Cornelius J. Crowley, for compensation for loss of money from locker at quarters of Engine Company No. 23.

Henry J. McNealy, for compensation for loss of money from locker at quarters of Engine Company No. 23.

William A. Ott, for compensation for loss of money from locker at quarters of Engine Company No. 23.

Mercy A. Shea, for compensation for injuries caused by an alleged defect at 429 Washington street.

Howard Sulis, for compensation for injuries caused by an alleged defect at 157 Milk street.

Executive.

Petition of Jennie M. Trainor for children under fifteen years of age to appear at places of public amusement, viz., Jordan Hill, June 6.

Special Committee on Jitney Licenses.

Petition of Boston Elevated Railway to operate motor vehicles from Fields Corner Station, Dorchester, over Dorchester avenue, Savin Hill avenue, Pleasant street, Stoughton street, Columbia road, Hancock street, Bowdoin street, Washington street, Talbot avenue, Dorchester avenue to Fields Corner Station, and reverse direction.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings on petitions for storage and sale of gasolene on May 7 as follows:

Leoniada Damiani, 254 Old Colony avenue, Ward 7, 1,000 gallons.

Sarah C. Kinnenn, 31 Walnut street, Ward 16, 3,000 gallons.

D. K. Ludwig, 336 Border street, Ward 1, 100,000 gallons petroleum products.

James Palladino, 1405 Centre street, Ward 20, 1,000 gallons.

Referred to the Executive Committee.

APPROVAL OF APPOINTMENT.

Notice was received of approval by the Commissioners of Civil Service of the appointment of Alexander Whiteside, of 233 Beacon street, as Trustee of Boston City Hospital.

Placed on file.

APPEARANCE OF PETER J. McDONALD.

Coun. BUSH offered the following:

Ordered, That Peter J. McDonald, an employee of the Municipal Employment Bureau, be summoned to appear before the Executive Committee of the City Council at 3 p. m. today.

Coun. BUSH—Mr. President and members of this honorable body, a constituent of mine residing in my ward has brought what I consider to be a very serious charge against a member of the Employment Bureau, and has made a sworn statement or affidavit as to what occurred in the Employment Bureau between him and Mr. McDonald. I am refraining from reading the affidavit into our record here, but I will read it to the members of the Council in executive session in the presence of Mr. McDonald.

The order was passed.

STREET SIGNS FOR SOUTH BOSTON.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the

Mayor, to hasten the work of placing street signs on the poles which have been erected in South Boston for the past three or four months.

Passed under suspension of the rule.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President GREEN called up, under unfinished business, No. 2 on the calendar:

2. Action on appointments submitted by the Mayor April 16, 1928, of minor officers paid by fees, as contained in City Document No. 49.

The question came on confirmation. Committee, Coun. Mahoney and Ruby. Whole number of ballots 15, yeas 15, and the appointments were confirmed.

RECESS.

The Council voted at 2.15 p. m., on motion of Coun. BUSH, to take a recess subject to the call of the Chair. The members re-assembled in the Council Chamber and were called to order by President GREEN at 3.15 p. m.

EXECUTIVE COMMITTEE REPORT.

Coun. KEENE, for the Executive Committee, submitted the following:

1. Report on petition (referred today) of Jennie M. Trainor for children under fifteen years of age to appear at places of public amusement, viz., Jordan Hall, June 6—that permit be granted.

Report accepted; said permit granted under usual conditions.

FINANCE COMMITTEE REPORTS.

Coun. BUSH, for the Committee on Finance, submitted a report on message of Mayor and order (referred March 12) appropriating \$500,000 for making of highways, Arlington street, that same ought not to pass, without prejudice.

Coun. BUSH—Mr. President, I think an explanation is due the Council for the attitude of the Committee on Finance with regard to this \$500,000 loan order for the widening of Arlington street. At a prior meeting of the committee, Chairman Hurley of the Street Commission appeared before the committee and said that the original estimate for moving the school back onto a new foundation to allow the street line to be made in accordance with the preceding line would cost about \$50,000, and this estimate was incorporated in the \$500,000. It later appeared from estimates given by engineers that the cost would be \$180,000 to do that particular piece of work. The Board of Street Commissioners are at variance with the estimate of the engineers, but are bound to take cognizance of it and are trying to find some means whereby the street line may be carried out without the necessity of moving the school back. The report of the committee was held back until this meeting in order to give them an opportunity to arrive at some definite conclusion as to what could be done with reference to the matter. At the last meeting of the committee, which was on Friday at 2.30 p. m., no information was available with reference to the matter. It now appears that this loan order will go into effect unless we act upon it today. It is, therefore, with the consent of the Board of Street Commissioners that this order is reported back, "Ought not to pass, without prejudice," and that a new order will be introduced as soon as some definite information is available as to how the matter can be adjusted without going to the extraordinary expense involved in setting the

school back. They are now working on a plan which may enable them to leave the school just where it is, by narrowing the sidewalk at that point, putting the line back to the corner of the building. In that way the thoroughfare may be carried into effect with the same width as the preceding part, without necessitating this expenditure. But no definite conclusion has yet been arrived at as to how the thing will be done, and until they do arrive at such they will not put in a further loan order for the purpose.

The report was accepted and the order rejected, without prejudice.

APPROPRIATION FOR SOLDIERS' RELIEF DEPARTMENT.

Coun. MOTLEY offered the following:

Ordered, That there be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for Soldiers' Relief Department, the sum of five 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 115 of the General Laws and acts in amendment thereof and addition thereto.

Passed, under suspension of the rule.

REPORT OF SPECIAL COMMITTEE ON CONSTABLES.

Coun. RUBY, for the Special Committee on Constables, to whom was referred April 16 the annual list of constables, submitted a report recommending that the list of constables as contained in City Document 52 be confirmed, except the following names:

John S. Avramides, John J. Bavis, Antonio Benvotatz, Aleck Berg, Carl Birger Berg, John H. Brady, Francis E. Brown, John H. Burke, Matthew W. Chait, Paul V. Diccico, Louis L. Dubrow, James S. Duval, Terence F. Feely, Peter C. Foy, Arthur Glass, Alexander Goodman, Harry Greenbaum, Albert T. Homsy, William A. Iannone, Walter Isidor, Abraham Krinsky, Barnett Levenbaum, Allen Libby, Thomas F. Long, Jr., Caetano Lopes, Robert E. Lynch, Jeremiah J. Mahoney, Leslie P. Mann, Isie Martin, Edward Ober, William H. Robinson, Hyman Rossman, Samuel Semiansky, John Sualich, Roman J. Vasil, Karl F. Weinberg, John F. Welch, Karl H. West, David H. Wilkinson, Philip G. Wolf, John A. Wragg, Max Zimmerman.

The report was accepted and the question came on confirmation of the names, with the exceptions noted. Committee, Coun. Fish and Motley. Whole number of ballots 18, yeas 18, and the appointments were confirmed.

REPORT ON STREET TRAFFIC CONTROL.

Coun. DOWLING—Mr. President, I rise to a question of information. We find upon returning from the Executive Committee a rather ambitious, if not elegant, report of the Street Traffic Control Board, gold stamped, with our names printed on it, and a hasty glance at the report does not indicate that it is printed in the municipal printing plant or in a union labor shop. I was wondering if any member of the Council or the Clerk could give us any information as to where the document was prepared or printed?

President GREEN—For the information of the councilor I will say that the clerk has no information with regard to it.

ACCEPTANCE OF CHAPTER 198.

Coun. MOTLEY offered the following:

Ordered, That chapter 198 of the Acts of 1928, entitled "An Act authorizing the ap-

pointment of an additional court officer for the Municipal Court of the Roxbury District of the City of Boston," be, and the same hereby is, accepted.

Passed under suspension of the rule.

IMPROVEMENTS IN DORCHESTER PARK.

Coun. WILSON offered the following:

Ordered, That the Park Commission be hereby respectfully requested, through his Honor the Mayor, forthwith to recondition the present baseball diamond in Dorchester Park, and to provide locker building accommodations with showers, and be it further

Ordered, That the Park Commission, through his Honor the Mayor, be requested to advise the City Council forthwith the approximate expense necessary for properly conditioning Dorchester Park, including a ball field and locker building in any event; also proper walks and benches, and at least two tennis courts.

Coun. WILSON—Mr. President, I will say, briefly, that this Dorchester Park is one of the finest natural parks in the Dorchester district, if not in the City of Boston, and that it has received practically no attention in the past few years. I have talked with Park Commissioner Long recently and am assured of his cooperation. This order is simply introduced at the present time in order that some progress may be made this summer with reference to the baseball diamond.

The order was passed under suspension of the rule.

COST OF MODERN MUNICIPAL BUILDING, CODMAN SQUARE.

Coun. WILSON offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to advise the City Council forthwith the cost and date of construction of the present branch library building and wardroom now located on city land, on Codman square, Dorchester, and be it further

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to advise the City Council forthwith the approximate cost of construction of a modern municipal building and gymnasium on the present so-called "library lot" in Codman square, Dorchester.

Coun. WILSON—Mr. President, in almost the center of the central Dorchester ward, Ward 17, there is located a very valuable parcel of city land, which can properly be utilized as the site for a municipal building. At the present time there is upon it a small one-story or one and one-half-story building used for library and wardroom, erected some thirty years ago at a cost of twenty-odd thousand dollars. That building now stands on that location. The site has a greater value, centrally located as it is across from one of

the largest, if not the largest, high schools in the city, at a good street car transfer point, for some such use as a municipal building. I have in mind a municipal building, for instance, on the general lines of the John J. Williams structure erected on West Brookline street some six years ago and large enough to accommodate the present branch library and a health unit. The line of mothers you will see at times waiting with children for attention from district nurses in the wardroom rivals the ticket office line at a baseball park on Saturday afternoon. The library itself in the course of thirty years has, of course, outgrown its quarters. A very substantial item in the construction of any public building is always the initial cost of the land, but in this particular instance, we have an ideal location which is already owned by the city, this land in Codman square, valuable land already owned by the City of Boston. Certainly the project is worthy of the immediate joint consideration of his Honor the Mayor, the library trustees, the Public Works Commissioner and the Health Department. I feel that a part of the White Fund might well be made available for sharing the expense of the project. The present availability and ownership by the city of the land in Codman square, which meets the very first and sometimes almost insurmountable difficulty in matters of this kind, is already taken care of.

The order was passed under suspension of the rule.

PROPOSED ACCEPTANCE OF MATTAPAN STREET.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to accept and lay out Mattapan street, from Almont street to Blue Hill avenue, Ward 18, as a public highway.

Passed under suspension of the rule.

CONSTRUCTION OF SEWERS IN WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the construction of sewers and surface drains in the following streets in Ward 18 during the present season:

Dyer avenue, Water street, Neponset avenue, Rutledge road, Summit street, Rosemont street, Clifford street, Greenfield road, Caton street, Dale street, Maynard street, Littledale street, Charne avenue and Doncaster street.

Passed under suspension of the rule.

Adjourned, at 3.34 p. m., on motion of Coun. DOWD, to meet on Monday, April 30, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 30, 1928.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Deveney, Fish, Murphy, Ward and Wilson.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments: Constables for the term ending April 30, 1929:

Thomas Cannizzaro, 177 K street, Ward 6; Thomas Joseph Driscoll, 31 Woodville street, Ward 8; Leo A. Lamkin, 58 Allen street, Ward 3; Philip Segal, 79 Fayston street, Ward 14; Louis Woolf, 132 Greenwood street, Ward 14; Harry Chiofsky, 20 Harwood street, Ward 14; Edward J. Keough, 28 Saratoga street, Ward 1; Joseph O'Loughlin, 59 Berkeley street, Ward 5; Leon Steinberg, 39 Broadway, Ward 6; Jacob Silverman, 25 Astoria street, Ward 14; Harry A. Webber, 455 Massachusetts avenue, Ward 9; Morris Rommel, 22 Michigan avenue, Ward 12; Philip P. Davidson, 30 Sharon street, Ward 8; Frank Shaw, 79 West Rutland square, Ward 4; Harry Kahn, 87 Waumbek street, Ward 12; James A. Canton, 175 Glenway street, Ward 14.

Weighers of coal and goods, for the term ending April 30, 1929:

George F. Cannon and Earnest W. Litch, employees of the Boston State Hospital.

Severally laid over a week under the law.

RESANDING STRANDWAY BEACH.

The following was received:

City of Boston,
Office of the Mayor, April 26, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of April 9, 1928, relative to providing for resanding of the Strandway Beach from the breakwater at Columbia road to City Point.

Yours very truly,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, April 24, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of April 18, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to provide for the resanding of the Strandway Beach from the breakwater at Columbia road to City Point.

In reply I desire to say that the department will be pleased to furnish all the sand that is necessary for Columbus Park Bath House, L Street Bath House and Marine Park, as it desires to have the bathers under supervision and provides lifeguards at these points to prevent any loss of life.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

PRINTING OF STREET TRAFFIC REPORT.

The following was received:

City of Boston,
Office of the Mayor, April 30, 1928.
To the City Council.

Gentlemen,—I transmit herewith an order authorizing the printing and binding of an

edition of 900 copies of "A Report on the Street Traffic Control Problem of the City of Boston." The expense of same is to be charged to the Reserve Fund.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That the Superintendent of Printing be authorized to have printed and bound in buckram an edition of 900 copies of "A Report on the Street Traffic Control Problem of the City of Boston;" one hundred copies to be distributed under the direction of the City Council, and the remaining 800 copies to be delivered to the Board of Street Commissioners for sale at the price of \$5 per copy; the proceeds of such sales to be turned over to the City Council and the expense of the printing and distribution to be charged to the Reserve Fund.

Referred to the Executive Committee.

ALMONT STREET PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, April 26, 1928.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department in reply to your order of April 9, 1928, relative to putting Almont Street Playground, Mattapan, in proper condition.

Yours very truly,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, April 24, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of April 18, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to put Almont Street Playground, Mattapan, in proper condition.

In reply I desire to say that the Almont Street Playground has a very good surface at the present time. It is impossible, on account of the condition of the ground, to roll it at the present time, but this work will be done at the earliest possible moment.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

FIRE APPARATUS, MEETING HOUSE HILL.

The following was received:

City of Boston,
Office of the Mayor, April 26, 1928.
To the City Council.

Gentlemen,—I transmit herewith communication from the Fire Commissioner in reply to your order of April 9, 1928, relative to providing for installation of new hose and chemical truck at Meeting House Hill.

Yours truly,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Fire Department, April 25, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council on April 9, 1928:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to provide for the installation of a new hose and chemical truck at Meeting House Hill, to replace the old truck at present assigned to that district.

In Council April 9, 1928. Passed.

Attest:

W. J. Doyle,
Assistant City Clerk.

In reply thereto I would say that it is not possible at the present time to indicate just what motor apparatus is to be purchased this year, as the budget has not yet been passed by the City Council.

I will look into the matter of the hose car now located at Meeting House Hill and find out just what condition it is in at the present time.

Yours very truly,
E. C. HULTMAN,
Fire Commissioner,

Placed on file.

ARC LAMP, NORFOLK STREET.

The following was received:

City of Boston,
Office of the Mayor, April 26, 1928.
To the City Council.

Gentlemen,—I transmit herewith letter from the Public Works Commissioner in reply to your order of October 31, 1927, relative to installation of arc lamp on left-hand side of Norfolk street, Ward 9.

Yours truly,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department, April 24, 1928.
To the Honorable the Mayor.

I return order of the City Council, requesting the installation of an arc lamp on the left-hand side of Norfolk street, Ward 9, opposite numbers 47-51, and report that the matter has been taken care of by the installation of an incandescent lamp.

Yours respectfully,
JAMES H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

BOULEVARD LIGHTS, DORCHESTER AVENUE.

The following was received:

City of Boston,
Office of the Mayor, April 26, 1928.
To the City Council.

Gentlemen,—I transmit herewith communication from the Public Works Commissioner in reply to your order of January 9, 1928, relative to installation of system of boulevard lights on Dorchester avenue, from Fields Corner to Peabody square, Ward 16.

Yours truly,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department, April 24, 1928.
To the Honorable the Mayor.

I return order of the City Council, dated January 9, relative to the installation of a system of boulevard lights on Dorchester avenue, from Fields Corner to Peabody square, Ward 16, and report that we have arranged for the installation of several additional arc lamps.

Yours respectfully,
JAMES H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

MEMORIAL SIGN, WILSON SQUARE.

The following was received:

City of Boston,
Office of the Mayor, April 26, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Commissioner in reply to your order of April 16, 1928, relative to replacing of memorial sign at Wilson square, Ward 9.

Yours very truly,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department, April 24, 1928.
To the Honorable the Mayor.

I return order of the City Council, dated April 16, and report that the memorial sign for Wilson square, at the corner of Hammond street and Shawmut avenue, Ward 9, has been replaced.

Yours respectfully,
JAMES H. SULLIVAN,
Commissioner of Public Works.
Placed on file.

HANDBALL COURT, TENEAN BEACH.

The following was received:

City of Boston,
Office of the Mayor, April 26, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of April 9, 1928, relative to the providing of handball court at Tenean Beach, Ward 16.

Yours very truly,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, April 24, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of April 18, with inclosure, order from the City Council that the Park Commission be requested through his Honor the Mayor, to provide for the erection of a handball court at Tenean Beach, Ward 16.

In reply I regret exceedingly to inform you that the Board of Park Commissioners does not deem it advisable to build any outdoor handball courts, for sanitary reasons.

Very respectfully yours,
WILLIAM P. LONG, Chairman.
Placed on file.

CONDITIONING DORCHESTER PARK.

The following was received:

City of Boston,
Office of the Mayor, April 28, 1928.
To the City Council.

Gentlemen,—I transmit herewith letter from the Park Department in reply to your order of April 23, 1928, relative to reconditioning of diamond at Dorchester Park, providing of locker building and estimated cost of properly conditioning Dorchester Park.

Yours very truly,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, April 27, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I respectfully submit the following information in answer to order from the City Council, that the Park Commission recondition the present baseball diamond in Dorchester Park and provide locker building accommodations with showers.

In reply I desire to say that I will be pleased to roll the present diamond, which is not in bad shape as soon as the condition of the ground permits. I regret exceedingly that we have no funds available for the purpose of building a locker building.

Relative to the request that the Park Commission advise the City Council, through your Honor, the approximate amount necessary to properly condition Dorchester Park, I desire to say it will cost:

\$40,000 for the erection of a building.
8,500 for granolithic walks.
4,000 for building permanent tennis courts.
2,876 for excavation to prepare for tennis courts.

\$55,376

I do not think it advisable to place seats in the park and would not recommend same.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

SOUTH FERRY ENCROACHMENT.

The following was received:

City of Boston,
Office of the Mayor, April 25, 1928.
To the Honorable the City Council.

Gentlemen.—Inclosed find order authorizing his Honor the Mayor, in the name and behalf of the City of Boston, in form satisfactory to the Law Department, to execute mutual agreements, waivers and releases for alleged encroachments by the Dock Company in Lewis street and the City of Boston encroaching on flats or land of the Dock Company near the South Ferry in the East Boston district. The Commissioner of Public Works recommends that the Law Department prepare agreements, to be signed by the Dock Company and also by the city, safeguarding the rights of all concerned.

Respectfully submitted,
MALCOLM E. NICHOLS, Mayor.

Whereas, The National Dock and Storage Warehouse Company alleges that the City of Boston has encroached on lands or flats of said Dock Company near the South Ferry in the East Boston district of said Boston; and

Whereas, The City of Boston alleges that the said Dock Company has encroached on the public way in Lewis street in said East Boston district by having erected and maintaining a building or buildings over and beyond the established northwesterly building line and between the established building lines of said Lewis street; and

Whereas, The Commissioner of Public Works recommends that the Law Department prepare agreements, to be signed by the Dock Company and also by the city, safeguarding the rights of all concerned;

Now, therefore, it is hereby ordered that his Honor the Mayor be, and he hereby is, authorized, in the name and behalf of the City of Boston, to execute, deliver and receive agreements, releases and waivers, satisfactory in form to the Law Department, to and from the National Dock and Storage Warehouse Company, a Massachusetts corporation, releasing, waiving and conveying, each to the other, any and all claims for damages, costs, expenses and compensation growing out of, and all right, title and interest acquired by each in the land or property of the other, and an agreement that neither shall acquire any right, title or interest in the land of the other by any past, present or future encroachment upon the land of the other as set out in the preamble hereto.

Referred to the Committee on Public Lands.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

John T. Bogue, for compensation for damage to automobile by falling tree.

City Building Wrecking Company, to be reimbursed for extra work done in demolishing of building at corner of North street and Dock square.

Joseph E. Coffill, for refund on victualler's license.

Rebecca Cohen, for compensation for injuries caused by an alleged defect at 753 Blue Hill avenue.

Mrs. Lillian M. Costello, for compensation for injuries caused by an alleged defect in Dorchester street.

James F. Flahive, for compensation for damage to automobile by fire apparatus.

Josephine Fuschetti, for compensation for injuries caused by an alleged defect at 130 Webster street, East Boston.

Mark N. Gediman, for compensation for injuries caused by an alleged defect in Huntington avenue.

George Goldman, for compensation for damage to property at 81 Devon street, Dorchester, caused by break in water main.

Oscar Jacobson, for compensation for damage to automobile by city team.

Bridget Leonard, for refund on water taxes paid under protest.

Frank J. Marchia, for compensation for injuries caused by explosion of chemicals while a student at Franklin Union.

John W. McGarrigill, for compensation for damage to property at 17 Peacevale road, caused by defective sewer.

Moulin Rouge Company, Inc., for refund on unused refuse tickets.

Addie R. Murphy, for compensation for injuries caused by an alleged defect at 60 Vernon street, Roxbury.

Mrs. Bridget G. Regan, for compensation for damage to property at 61 East Brookline street, caused by city cart.

Jeanette Richards, for compensation for injuries caused by an alleged defect at 181 Tremont street.

Helena B. Rodman, for compensation for injuries caused by an alleged defect at Washington and Avon streets.

T. G. Williams, for refund on ferry tickets.

Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Mildred C. Sacco, St. Mary's Hall, June 11.

Mrs. June Moody Fox, Jordan Hall, May 4.

Mrs. F. A. Woodhead, Recital Hall, May 4.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings on petitions for storage and sale of gasolene to be held Monday, May 14:

Aetna Petroleum Company, 315 Ruggles street, Ward 4, 2,000 gallons.

Kneeland Street Park Company, Inc., 57 and 59 Merrimac street, Ward 3, 2,000 gallons.

Referred to the Executive Committee.

APPLICATION FOR VENDOR'S LICENSE.

The application for license as a transient vendor of Cecil Gordon was received and placed on file.

APPOINTMENTS BY MAYOR.

The appointments by the Mayor of Philip S. Sears to be an Art Commissioner; Dr. George G. Sears to be a Trustee of the Boston City Hospital; and William P. Long, to be a Park Commissioner, were received and placed on file.

RECOMMENDATION OF FINANCE COMMISSION.

A communication was received from the Finance Commission recommending that the proposed increases of salary to the Second Assistant Clerk of Committees, the Assistant City Messenger and Second Assistant City Messenger be denied; that the creation of the additional positions for constables in the Collecting and Street Laying-Out Departments and Sanitary Division be denied; that the Council refuse appropriations for filling the two Assistant Election Commissioners' positions.

Referred to the Committee on Appropriations.

PRINTING OF REPORT OF STREET
TRAFFIC BOARD.

Coun. DOWLING offered the following:
Ordered, That the Superintendent of Printing be authorized to print an edition of 1,000 copies of Part I, Summary of Recommendations, of the Report of the Street Traffic Advisory Board, for public distribution by the City Messenger; the expense of the same to be charged to the appropriation for City Documents.

Passed under suspension of the rule.

ACCEPTANCE OF CHAPTER 256.

Coun. GALLAGHER offered the following:
Ordered, That chapter 256 of the Acts of 1928 entitled "An Act Establishing the Salaries of the Justice, Clerk and Assistant Clerks of the Municipal Court of the Charlestown District" be, and the same hereby is, accepted.

Referred to the Executive Committee.

SIDEWALK ON MORRIS STREET.

Coun. DONOVAN offered the following:
Ordered, That the Commissioner of Public Works make a sidewalk along Morris street, both sides, from Marion street to Putnam street, Ward 1, 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.

RECESS.

The Council voted, on motion of Coun. LYNCH, at 2.15 p. m., to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President GREEN at 2.50 p. m.

CONSTABLES' BONDS.

The bonds of the following-named constables, having been duly approved by the City Treasurer, were received and approved, viz.:

George A. Borofski, George W. Brooker, Thomas C. Carr, Arthur E. Connor, William K. Coburn, Sherman H. Calderwood, George G. Drew, James W. Gilmore, Samuel Goldmeer, John S. Grady, Sears H. Grant, George W. Green, William C. Gregory, John D. Hayes, Walter H. Holland, John H. Howard, Jacob Isgur, Thomas H. King, Clarence H. Knowlton, Mark H. Krafur, Charles F. Hale, St. Clair E. Hale, Max Jacobs, James Kaplan, Elmer S. Nynan, Phillip S. Phillips, Robert Reid, Robert E. Scott, Sidney J. Sheinfeld, Joseph M. Torr, Richard W. Whipple, Max Wortsman.

PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds from March 19 to April 21 for piece work and from April 16 to April 30, for other employees, amounting to \$9,784.34, was received and approved.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following reports, viz.:

1. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Mildred C. Saccom, St. Mary's Hall, June 11; Mrs. June Moody Fox, Jordan Hall, May 4; Mrs. F. A. Woodhead, Recital Hall, May 4—that said permits be granted.

Report accepted; said permits granted under usual conditions.

2. Report on order (referred today) that chapter 256 of the Acts of 1928 entitled "An Act Establishing the Salaries of the Justice, Clerk and Assistant Clerks of the Municipal Court of the Charlestown District" be accepted—that the same ought to pass.

Report accepted; said order passed.

SPECIAL COMMITTEE ON CONSTABLES.

Coun. RUBY, for the special Committee on Constables, submitted reports as follows:

1. Report on list of constables (referred April 16)—that the following names on No. 2 of calendar be recommended for confirmation: Aleck Berg, Paul V. DiCiccio, Harry Greenbaum, Charles F. Weinberg.

2. Report on list of constables (referred April 16)—that all names listed under No. 1 on the calendar be recommended for approval, except Alexander Goodman and Albert T. Homsey.

The reports were accepted and the question came on confirmation of the names approved by the committee. Committee—Coun. Keene and Fitzgerald. Number of ballots 16, yeas 16, and the appointments of the following were confirmed, viz.:

John S. Avramides, John J. Bavis, Antonio Bentrovatz, Francis E. Brown, John H. Burke, Louis L. Dubrow, James S. Duval, Terence F. Feely, Peter C. Foy, Arthur Glass, William A. Iannone, Allen Libby, Thomas F. Long, Jr., Caetano Lopes, Robert E. Lynch, Jeremiah J. Mahoney, Leslie P. Mann, Isie Martin, Edward Ober, William H. Robinson, Hyman Rossman, Samuel Semiansky, John Sualich, Karl H. West, David H. Wilkinson, Philip G. Wolf, John A. Wragg, Max Zimmerman, Aleck Berg, Paul V. DiCiccio, Harry Greenbaum and Charles F. Weinberg.

TRANSFER TO NORTH END PARK.

President GREEN called up under unfinished business No. 3 on the calendar, viz.:

3. 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, Wellington Hill District, \$18,000; North End Park, Improvements, \$20,532.54, to the appropriation for North End Park, Piers and Buildings, \$38,532.54.

On April 16, 1928, the foregoing order was read once and passed, yeas 16, nays 0.

The order was given its second and final reading and passage, yeas 16, nays 0.

REPAVING OF LIVERPOOL STREET.

Coun. DONOVAN offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Liverpool street, from Sumner street to Kelly square, Ward 1.

Passed under suspension of the rule.

Adjourned, on motion of Coun. RUBY, at 2.58 p. m., to meet on Monday, May 7, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 7, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Keene and Wilson.

JURORS DRAWN.

Jurors were drawn under the law (Coun. McMahon presiding at the box in the absence of the Mayor) as follows:

Eight additional traverse jurors, Superior Civil Court, Fourth Session, April Sitting, to appear May 14, 1928:

Thomas J. Scanlan, Ward 6; Peter F. Hurstak, Ward 9; Henry F. Gill, Ward 10; John H. Wilfert, Ward 10; Frank L. Woldman, Ward 12; Hugh A. O'Connor, Ward 13; Paul D. Finnegan, Ward 22; Calvert C. Cox, Ward 22.

Forty traverse jurors, Superior Criminal Court, First Session, to appear June 4, 1928:

James J. DeCoureay, Ward 1; William J. Bailey, Ward 2; William J. Hurley, Ward 2; Dennis M. Murphy, Ward 3; Hugh Hambro, Ward 4; Carl L. Stucklin, Ward 5; James V. Hartrey, Ward 6; William H. Hurley, Ward 6; Arthur J. Carter, Ward 7; Anton Larsen, Ward 7; John R. McCarthy, Ward 7; Thomas E. Seymour, Ward 9; Harry W. Maloney, Ward 10; John J. Spellman, Ward 10; Oliver S. Collard, Ward 11; Benton J. Johnson, Ward 11; Edwin J. Poole, Ward 11; Eli Rosenberg, Ward 12; Michael S. Wise, Ward 12; Patrick Geoghegan, Ward 13; Martin M. O'Hare, Ward 14; Samuel Salutsky, Ward 14; William L. McSweeney, Ward 15; Walton G. Crocker, Ward 16; Daniel L. Donovan, Ward 16; John A. Holm, Ward 16; James H. Riley, Ward 16; Charles F. Dwyer, Ward 17; Hagob Garobigian, Ward 17; Fletcher P. Osgood, Ward 17; James S. Baird, Ward 13; Edwin F. Pierce, Ward 18; Archie W. Robinson, Ward 18; Frank C. Curran, Ward 19; Alfred E. Yerxa, Ward 19; John L. Olsen, Ward 20; Charles E. Young, Ward 21; Patrick Donnellon, Ward 22; Joseph L. Donsanto, Ward 22; William H. Foster, Ward 22.

Twelve traverse jurors, Superior Criminal Court, Second Session, to appear June 11, 1928:

William W. Paddock, Ward 4; John J. Hayes, Ward 5; Reuben Yates, Ward 5; John F. Dinneen, Ward 6; George F. O'Toole, Ward 7; George A. Burns, Ward 14; Charles B. Eichel, Ward 16; Malachia J. Coullahan, Ward 18; Frank H. Cushing, Ward 18; Benjamin A. Foster, Ward 19; Arthur Hopkins, Ward 19; John J. Driscoll, Ward 22.

Forty traverse jurors, Superior Criminal Court, Fourth Session, to appear June 4, 1928.

Frederick P. Morris, Ward 1; Eugene M. Coughlan, Ward 3; Walter M. Scruton, Ward 3; Carl Lichter, Ward 4; Archie Smith, Ward 5; William V. J. Ford, Ward 6; William J. Horne, Ward 6; Gerald F. O'Neill, Ward 6; Edwin A. Cobban, Ward 8; Hugh B. O'Hare, Ward 9; Neil E. Doherty, Ward 10; William J. Doyle, Ward 10; Owen J. Murray, Ward 10; James F. Reeves, Ward 11; Anson J. Dolbeare, Ward 12; Chester O. Eileron, Ward 12; Louis Goldstein, Ward 12; Solomon Merin, Ward 12; Colin W. Chisholm, Ward 13; John J. Libby, Ward 13; Andrew J. Maloney, Ward 13; Clarence L. Patriquin, Ward 13; Joseph H. Bennet, Ward 14; James E. Hayes, Ward 15; Daniel E. MacGoldrick, Ward 15;

James T. Kane, Ward 16; William J. Buckner, Ward 17; Charles H. Collins, Ward 17; James H. Macauley, Ward 17; William H. McCrackin, Ward 17; George W. McCurdy, Ward 17; Charles C. Ryder, Ward 17; John F. Enos, Ward 18; Herbert C. Gustafson, Ward 18; John L. Keane, Ward 19; Frank Bertram, Ward 20; Stephen McLaughlin, Ward 20; Carl E. Peterson, Ward 20; Davis S. Williams, Ward 20; Michael K. Horan, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, First Session, April Sitting, to appear June 4, 1928:

Carl L. Bonaparte, Ward 8; Daniel Murphy, Ward 8; Karl Anderson, Ward 9; William D. Murphy, Ward 9; Thomas A. Perry, Ward 9; Thomas H. Finneran, Ward 10; Martin F. Downey, Ward 11; John Christensen, Ward 11; Thomas J. Glennon, Ward 11; Michael J. Sullivan, Ward 11; William J. Cargill, Ward 12; Joseph H. Collins, Ward 12; William B. Ridlon, Ward 12; Harry Tobman, Ward 12; Dennis J. Driscoll, Ward 13; Edward F. Messinger, Ward 13; George H. Rosen, Ward 14; Otis W. Storer, Ward 15; Charles J. A. Mulder, Ward 16; George B. Pierce, Ward 16; John S. Donnelly, Ward 18; John Gabriel, Ward 18; Cornelius Shea, Ward 18; Ernest H. Parker, Ward 19; James A. Ham, Ward 21; Warren W. Scott, Ward 21; Albert J. McMurtry, Ward 22.

Twenty-five traverse jurors, Superior Civil Court, Second Session, April Sitting, to appear June 4, 1928:

William T. Boudreau, Ward 1; John C. Scaramella, Ward 1; Edward A. Bonelli, Ward 4; Richard A. McDonald, Ward 4; William F. Thompson, Ward 4; William E. Toppin, Ward 5; Charles McCarthy, Ward 6; Maurice I. Daniels, Ward 8; William J. Killian, Ward 8; Joseph F. Downey, Ward 9; Peter McIntyre, Ward 11; Henry F. Horgan, Ward 13; Morris Cutler, Ward 14; Thomas F. Finn, Ward 14; Harry Levine, Ward 14; Arthur Weil, Ward 14; Patrick Joseph O'Hare, Ward 15; Thomas P. E. Reilly, Ward 15; Harrison P. Bourie, Ward 17; Ralph W. Brown, Ward 17; Walter A. Godfrey, Ward 17; John F. Malone, Ward 17; James E. O'Brien, Ward 20; H. Chester Stevens, Ward 20; Frank A. Mooney, Ward 21.

Twenty-four traverse jurors, Superior Civil Court, Third Session, April Sitting, to appear June 4, 1928:

William Curran, Ward 1; Patrick Falvey, Ward 2; Frank B. McGowan, Ward 2; Francis A. Strout, Ward 2; Ernest H. Greening, Ward 4; Daniel J. O'Neil, Ward 4; Valmore Perrault, Ward 4; John F. Shea, Ward 4; James V. Donnaruma, Ward 5; Edward A. Gorman, Jr., Ward 7; John J. Collins, Ward 8; Patrick F. Reynolds, Ward 8; Raymond J. Connolly, Ward 10; George W. Carnes, Ward 13; Joseph L. Siney, Ward 13; Martin F. McDonough, Ward 15; Frank Edward Reynolds, Ward 15; Albert E. Godfrey, Ward 17; George E. Leason, Ward 18; John D. Scott, Ward 18; Paul M. Kulkmann, Ward 19; Edward G. Adams, Ward 20; Harold M. Rand, Ward 20; Paul J. Whalen, Ward 21.

Twenty-nine traverse jurors, Superior Civil Court, Fourth Session, April Sitting, to appear June 4, 1928:

James J. Dooley, Ward 2; Robert L. Lee, Ward 2; Philip D. Lenigan, Ward 3; Henry R. Dudley, Ward 4; Patrick C. Graham, Ward 4; Robert S. Chase, Ward 5; George S. Weld, Ward 5; Charles F. Mahoney, Ward 6; Thomas E. O'Sullivan, Ward 6; Stanley A. Borkowski, Ward 7; John J. Moriarty, Ward 7; James F. Burke, Ward 9; Solomon Moss, Ward 12; Timothy A. Doherty, Ward 13; John Joseph Madden, Ward 13; John Nagle, Ward 13; Charles A. Follansbee, Ward 14; Samuel J. Sigel, Ward 14; Edward L. Donohoe, Ward 15; Gustav C. Hauk, Ward 15; Thomas E. Kelley, Ward 15; William H. Lewis, Ward 15; Matthew F. Pendergast, Ward 15; Alexander H. Lindsay, Ward 18; William Henry

Maher, Ward 18; Daniel P. O'Neill, Ward 18; Oscar C. Muenz, Ward 20; Bernard C. Chase, Ward 22; Edward Owen, Ward 22.

Twenty-four traverse jurors, Superior Civil Court, Fifth Session, April Sitting, to appear June 4, 1928:

James J. Joy, Ward 1; Henry D. Lane, Ward 1; Michael J. Lawson, Ward 1; George Rosen, Ward 5; Michael P. Ahern, Ward 6; Michael A. Conley, Ward 6; Austin F. Mulkerin, Ward 6; Thomas F. O'Neill, Ward 6; Timothy J. McAuliffe, Ward 7; William F. Curley, Ward 8; Edward P. Kenney, Ward 9; Richard A. Gilson, Ward 11; Wolf Davis, Ward 12; Patrick J. Grant, Ward 12; Frederick T. Calbag, Ward 13; Joseph A. Grace, Ward 14; Fred L. Goodman, Ward 15; William R. Mitchell, Ward 19; Joseph H. Schmidt, Ward 19; James Mulloy, Ward 20; George F. Rauh, Ward 20; William T. Mann, Ward 21; Charles H. Schofield, Ward 21; Gustav H. Yancke, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Sixth Session, April Sitting, to appear June 4, 1928:

John J. Jollimore, Ward 1; Edward J. Murray, Ward 1; Joseph A. Kelly, Ward 2; John P. Marry, Ward 3; Michael F. Taylor, Ward 3; Charles Hanhan, Ward 4; Louis T. Hovey, Ward 4; Walter J. Smith, Ward 5; Jeremiah M. Kelliher, Ward 8; Frank V. McDermott, Ward 8; Patrick J. Sullivan, Ward 8; Parker E. Pievoway, Ward 11; James C. Rae, Ward 11; Siefried Schoefer, Ward 11; Albert P. Poole, Ward 12; George B. Fox, Ward 13; William F. Sullivan, Ward 14; Edward L. Crosby, Ward 16; George J. Marrah, Ward 16; Thomas F. McIntire, Ward 16; Franklin Hale Eaton, Ward 18; John F. Durham, Ward 18; Ferdinand R. Maier, Ward 18; George M. Pike, Ward 19; Fred M. Churchill, Ward 20; John A. Collins, Ward 20; Milton Kahn, Ward 21; Elmer M. Sproul, Ward 21.

Twenty-five traverse jurors, Superior Civil Court, Seventh Session, April Sitting, to appear June 4, 1928:

Ernest W. Evans, Ward 2; Joseph Wakeham, Ward 3; Walter C. Giles, Ward 4; George F. Proctor, Ward 4; Charles E. Bacon, Ward 5; Luke Leahy, Ward 6; James E. McNally, Ward 6; Thomas J. Dwyer, Ward 7; John J. Hanrahan, Ward 7; John Maloney, Ward 8; Frank J. Mullen, Ward 8; James L. Walsh, Ward 8; Robert H. Josselyn, Ward 12; William Lichtenstein, Ward 12; William J. Sullivan, Ward 16; Michael F. Curran, Ward 17; Michael J. Lydon, Ward 17; James A. Mullare, Ward 17; Walter E. Bowic, Ward 18; Chester D. Cross, Ward 18; Martin J. Devine, Ward 19; Philip Langan, Ward 19; William F. Law, Ward 20; Robert C. Peterson, Ward 20; William B. Jackson, Ward 21.

Twenty-five traverse jurors, Superior Civil Court, Eighth Session, April Sitting, to appear June 4, 1928:

William F. Cummings, Ward 2; Thomas J. Crowley, Ward 2; John Dwyer, Ward 2; William E. Cannon, Ward 4; James H. Dunphy, Ward 4; James Kelly, Ward 4; Harry Orkin, Ward 5; Samuel M. Plummer, Ward 5; Charles G. Winslow, Ward 5; Patrick F. Costello, Ward 7; Henry M. Quinlan, Ward 7; Frederick C. Nazer, Ward 8; Newton L. Ball, Ward 9; John J. Kelley, Ward 11; Isaac Glaser, Ward 14; Paul C. Murray, Ward 16; Jeremiah Reardon, Ward 16; James A. Stuart, Ward 16; Henry G. Comperts, Ward 17; Howard F. Cluff, Ward 18; Alfred G. Tarrant, Ward 16; Lewis H. Adams, Ward 19; Francis H. Dodge, Ward 20; Frederick J. Fowler, Ward 20; Francis J. Connors, Ward 22.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Mayor the following appointments were received, viz.:

Constables: Ambrose J. Purcell, 66 Stockton street, Boston; Abraham M. Hecht, 200 Woodrow avenue, Dorchester.

Weighers of Goods: John J. Barry, 210 L street, South Boston; James H. O'Brien, 800 First street, South Boston; Walter H. Chick, 103 Medford street, Charlestown.

Weighers of Coal: Horace D. Powers, 151 Allston street, Cambridge; Donald J. Nicholson, 279 Broadway, Cambridge; Bessie L. Garrick, 55 Hall street, Jamaica Plain.

Severally laid over a week under the law.

MATTAPAN STREET, WARD 18.

The following was received:

City of Boston,

Office of the Mayor, May 5, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of April 23, 1928, relative to the acceptance and laying out of Mattapan street, from Almont street, to Blue Hill avenue, Ward 18.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, May 2, 1928.

To the Honorable the Mayor.

I return order of the City Council, dated April 23, 1928, relating to the acceptance of Mattapan street, Ward 18, from Almont street to Blue Hill avenue, and recommend reference to the Board of Street Commissioners, as that Board will have to take the first steps in the matter of a layout, etc.

Yours respectfully,

J. H. SULLIVAN,

Commissioner of Public Works.

Placed on file.

MUNICIPAL BUILDING, CODMAN SQUARE.

The following was received:

City of Boston,

Office of the Mayor, May 5, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Superintendent of Public Buildings, in reply to your order of April 23, 1928, relative to the cost of the present branch library building in Codman square, Dorchester, and the approximate cost of construction of a modern municipal building and gymnasium in Codman square, Dorchester.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Buildings Department, May 1, 1928.

Hon. Malcolm E. Nichols,

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 advise the City Council forthwith the cost and date of construction of the present branch library building and wardrobe now located on city land in Codman square, Dorchester; and be it further

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to advise the City Council forthwith the approximate cost of construction of a modern municipal building and gymnasium on the present so-called 'library lot' in Codman square, Dorchester." I respectfully report that the present branch library building located in Codman square was erected in 1904, at a cost of \$35,000.

So much of the order as pertains to the erection of a new building is very indefinite, owing to the fact that it depends wholly on the size of the building contemplated and also on the activities that are to hold forth therein.

I would suggest the sum of at least \$300,000 to build such a building as might be desired in this location.

Respectfully yours,
JOHN P. ENGLERT,

Superintendent of Public Buildings.

Placed on file.

ENTERTAINMENT OF FLYERS.

The following was received:

City of Boston,
Office of the Mayor, May 7, 1928.

To the City Council.

Gentlemen,—I transmit herewith to you an order, in the sum of \$25,000, to defray the expenses in connection with the reception and entertainment of the distinguished German and Irish flyers who will soon be the guests of the City of Boston and recommend the adoption of the same.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$25,000 be, and the same is hereby, appropriated, to be expended under the direction of the Mayor, for expenses in connection with the reception and entertainment of the distinguished German and Irish aviators, said sum to be charged to the Reserve Fund, when made.

Referred to the Executive Committee.

APPROPRIATION FROM PARKMAN FUND.

The following was received:

City of Boston,
Office of the Mayor, May 7, 1928.

To the City Council.

Gentlemen,—I am in receipt of a request from the Board of Park Commissioners that the sum of \$39,000, which is now available from the income of the George F. Parkman Fund, be appropriated for improvements in the Fens, Franklin Park, Madison Park and Worcester square. I accordingly submit herewith an order providing for this appropriation and respectfully recommend its approval by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, May 4, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—At a meeting of the Board of Park Commissioners held May 4, 1928, it was voted that you be respectfully requested to ask the City Council to appropriate from the income of the George F. Parkman Fund the sum of \$39,000, which is now available, for these purposes:

Fens Improvements:

Continuation of the development of the Fens, including extension of bleachers, concrete walks, grading, planting, etc., \$24,000.

Franklin Park Improvements:

General repairs to buildings in the Zoological Garden, grading and extension of walks, \$10,000.

Madison Park Improvements:

For concrete walks, grading and drainage, \$8,000.

Worcester Square:

For ornamental iron fence, \$2,000.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$39,000 be, and hereby is, appropriated from the income of the George F. 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.....	\$24,000
Franklin Park, Improvements.....	10,000
Madison Park, Improvements.....	3,000
Worcester Square, Improvements.....	2,000

Referred to Committee on Parkman Fund.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

William H. Breen, for compensation for damage to property at 47 Miller street, Charlestown, caused by stoppage of drain.

Mary Caruso, for compensation for injuries due to an alleged defect at or near 187 Salem street.

Mary Dilyock, for compensation for injuries due to an alleged defect at 609 Morton street.

Mrs. Catherine Ford, for compensation for injuries due to an alleged defect at Chelsea, Bunker Hill and Ferrin streets, Charlestown.

Frank Joyce, for compensation for injuries due to an alleged defect at 4464 and 4466 Washington street, Roslindale.

George Luciano, for compensation for injuries due to an alleged defect at or near 142 Blackstone street.

Antonio Maffeo, for refund on victualer's license.

Mary Murphy, for compensation for injuries due to an alleged defect at corner of Commonwealth and Harvard avenues.

Mystic Steamship Company, to be reimbursed for delay of tug "Vesta," caused by breaking down of Malden Bridge.

Donald G. McDonald, for compensation for injuries caused while playing at park (Charlestown Heights).

New England Fuel and Transportation Company, for compensation for damage to dock on Border street, East Boston, caused by Fire Department.

Palmer Memorial Hospital, for refund on unused refuse tickets.

L. J. Rafferty, for compensation for damage to automobile caused by an alleged defect at corner of Tremont and Ruggles streets.

Shirley Rosenfield, for compensation for injuries due to improper operation of drawbridge just beyond Chelsea Naval Hospital.

Hyman Sibett, for compensation for personal injuries due to an alleged defect in front of 18 and 20 Ormond street.

Jeremiah E. Sweeney, for compensation for damage to property 2090 Dorchester avenue, by broken water main.

Mary Terracino, for compensation for injuries due to an alleged defect at Maverick square.

Charles Zecchim, for compensation for damage to automobile by Fire Department.

Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Orin F. Gallagher, Mechanics Building, May 23.

Margaret J. Butler, Mechanics Building, May 12.

M. Gertrude Murphy, Gate of Heaven Hall, June 1.

Amelia Burnham, Jordan Hall, May 29.

Special Committee on Jitney Licenses.

Petition of Eastern Massachusetts Street Railway Company to operate six or more motor vehicles between Park square and the Cambridge line.

CONSTABLES' BONDS.

The bonds of the following-named constables, having been duly approved by the City Treasurer, were received and approved, viz.:

Daniel J. Barry, Aleck Berg, David Belson,

Ernest M. Bellows, Thomas F. Brett, Charles R. Broad, Francis E. Brown, Warren A. Brown, John H. Burke, Henry P. Burns, Louis Cohen, William S. Cooper, Charles W. Duran, James S. Duval, Louis Ebb, Terence F. Feely, Harris G. Friedberg, Peter C. Foy, Paul R. Gast, Maurice J. Glick, Louis Goldberg, Joseph Granara, Salvatore Grassa, Harry Greenbaum, Joseph Guttentag, John F. Halligan, William A. Iannone, David Kaplan, William H. Kenney, Martin J. Leggett, Antonio Longarini, Joseph G. Luke, Bernard H. Magee, Leslie P. Mann, Isie Martin, William P. Miles, Andrew W. Murphy, Michael W. Ober, Daniel W. O'Brien, James E. O'Brien, James A. Quinn, George A. Ramacorti, Bartholomew F. Roach, Samuel Shain, Abraham Singer, Henry J. D. Small, John Sualich, Jerome Sualle, Joseph Todisco, Jeremiah A. Twomey, Sidney A. Vinton, John J. Walsh, Abraham I. Weiss, Joseph Weiner, John A. Wragg, Maurice Zeeman, Max Zimmerman.

APPOINTMENT TO BOARD OF APPEAL.

Notice was received of the appointment by the Mayor of Joseph A. Tomasello of 230 Pond street, Jamaica Plain, to be a member of Board of Appeal.

Placed on file.

APPOINTMENT OF GEORGE H. FOSS.

Notice was received from the Commissioner of Public Works of appointment of George H. Foss as Division Engineer of Sanitary Division, Public Works Department, with salary at rate of \$5,000 per year, to take effect May 1, 1928.

Placed on file.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings on petitions for storage and sale of gasolene to be held on Monday, May 21, viz.:

Boston Nickel Plating Company, Inc., 146 Portland street, Ward 3, 2,000 gallons.

P. A. Crocker, 1596 Blue Hill avenue, Ward 21, 1,000 gallons.

Mt. Hope Motor Sales, Inc., 409-415 Hyde Park avenue, Ward 24, 1,000 gallons.

H. K. Noyes & Son, Inc., 25 St. Paul street, Ward 7, 1,500 gallons.

Referred to the Executive Committee.

MINORS' LICENSES.

President GREEN presented petitions for licenses of forty-four newsboys and twenty vendors, and same were approved by the Council, on usual conditions.

PAYMENT TO MARY A. MURPHY.

President GREEN submitted the following:

Ordered, That under the provisions of chapter 276 of the Acts of 1928, the sum of \$4,000 be allowed and paid to Mary A. Murphy on account of the death of her husband, Walter E. Murphy, in consequence of injuries caused by the falling of a limb of tree upon him while he was seated on a bench on Boston Common on October 4, 1927; said sum to be charged to the Reserve Fund.

Ordered, That chapter 276 of the Acts of 1928, entitled "An Act Authorizing the City of Boston to Pay a Sum of Money to the Widow of Walter E. Murphy," be, and the same hereby is, accepted.

Severally referred to the Executive Committee.

ANNUITY TO WIDOW OF JOHN J. KENNEDY.

Coun. FISH offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of John J. Kennedy, late member of the Fire Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said widow remains unmarried, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

CONVENIENCE STATION, FRANKLIN PARK.

Coun. RUBY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for a convenience station at Franklin Park.

Passed under suspension of the rule.

SIREN FOR FIELDS CORNER.

Coun. McMAHON offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to replace the present fire gong at Fields Corner with a siren, because of confusion of the sound of the fire gong with similarly toned burglar alarm gongs in that vicinity.

Passed under suspension of the rule.

APPOINTMENT OF JOHN H. BRADY REJECTED.

On motion of Coun. LYNCH, the Council voted to take from No. 1 on the calendar, under unfinished business, the name of John H. Brady, appointed constable by the Mayor on April 16, 1928.

The question came on confirmation of the appointment. Committee, Coun. Ruby and Mahoney. Whole number of ballots 17, yeas 2, nays 15, and the appointment was rejected.

RECESS.

On motion of Coun. SULLIVAN, the Council voted at 2.50 p. m. to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by President GREEN at 4.24 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. DOWLING, for the Executive Committee, submitted reports, as follows:

1. Reports on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Orin F. Gallagher, Mechanics Building, May 23; Margaret J. Butler, Mechanics Building, May 12; M. Gertrude Murphy, Gate of Heaven Hall, June 1; Amelia Burnham, Jordan Hall, May 29—that permits be granted.

Said permits granted under usual conditions.

2. Report on order (referred October 17) that an annuity of \$600 be paid widow of John J. Condon—that same ought to pass.

Report accepted; said order passed.

3. Report on order (referred May 7) that chapter 276 of Acts of 1928, authorizing city to pay sum of money to widow of Walter E. Murphy be accepted—that same ought to pass.

Report accepted; said order passed.

4. Report on order (referred May 7) that \$4,000 be paid Mary A. Murphy on account of death of her husband—that same ought to pass.

Report accepted; said order passed.

5. Report on message of Mayor and order (referred today) appropriating \$25,000 for entertainment of German-Irish flyers—that same ought to pass.

Report accepted; said order passed, yeas 20, nays 0.

FINANCE COMMITTEE REPORTS.

Coun. BUSH, for the Committee on Finance, submitted the following:

1. Report on message of Mayor and order (referred March 26) for loan of \$1,400,000 for new buildings and additions to Sanatorium—that same ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. BUSH—Mr. President, I would like to present these few facts to the Council. The chairman of the committee was not present at the time of the meeting, being busy before another department in City Hall, and when he arrived the committee had already met and passed the orders. The chairman does not dissent in regard to any of these orders about to be passed, but would like to say that, in his opinion, the committee should have sent for the proper authority to find out just where this \$1,400,000 was to be spent, something that the committee failed to do. I shall vote for the \$1,400,000, but will reserve my right to vote against the order when I receive further information at the next meeting.

The order was passed, yeas 20, nays 0.

2. Report on message of Mayor and orders (filed April 16) appropriating \$18,000 to be expended by trustees of City Hospital for Power Plant, additions and alterations—that same ought to pass.

Report accepted; said orders passed, yeas 20, nays 0.

3. Report on order (referred April 2) appropriating \$40,000 for William Healey Playground, Ward 19—that same ought to pass.

Report accepted; said order passed, yeas 19, nays—Coun. Parkman—1.

4. Report on message of Mayor and orders (referred April 16) for loan and transfers of \$38,000 for surgical building, City Hospital—that same ought to pass.

Report accepted; said order passed, yeas 20, nays 0.

PARKMAN FUND REPORT.

Coun. PARKMAN, for the Committee on Parkman Fund, submitted report, as follows:

1. Report on message of Mayor and order (referred April 9) appropriating \$2,000 for Aquarium—that same ought to pass.

Report accepted, said order passed, yeas 20,

COMMITTEE ON INVESTIGATION OF CONSTABLES.

Coun. RUBY, for the Special Committee on Investigation of Constables, to whom was referred April 30, list of constables submitted by Mayor, recommended all names on No. 2 on the calendar for confirmation, except Thomas Cannizzaro, Harry Chiofsky, Morris Rommel, Philip P. Davidson, and Frank Shaw, No. 2 on the calendar being as follows:

2. Action on appointments submitted by the Mayor April 30, 1928, of the following-named persons to be constables: Thomas Cannizzaro, Thomas Joseph Driscoll, Leo A. Larkin, Louis P. Spiegall, Louis Woolf, Harry Chiofsky, Edward J. Keough, Joseph O'Loughlin, Leon Steinberg, Jacob Silverman, Harry A. Webber, Morris Rommel, Philip P. Davidson, Frank Shaw, Harry Kahn, James A. Canton.

The report was accepted, and the question came on confirmation of the names recommended by the committee. Committee, Coun. Lynch and Fish. Whole number of ballots 18; yeas 18, nays 0, and the appointments were confirmed.

Coun. RUBY also submitted report on list of constables submitted by Mayor (referred April 16) recommending for confirmation on No. 1 on calendar the names of Matthew W. Chait and Abram Krinsky.

The report was accepted, and the question came on confirmation of the names recommended by the committee. Committee, Coun. Lynch and Fish. Whole number of ballots 18; yeas 18, nays 0, and the appointments were confirmed.

CONFIRMATION OF WEIGHERS.

President GREEN called up under unfinished business No. 3 on the calendar, viz.:

3. Action on appointments submitted by the Mayor April 30, 1928, of George F. Cannon and Ernest W. Litch, to be weighers of coal and weighers of goods.

The question came on confirmation. Committee, Coun. Gallagher, and Donovan. Whole number of ballots 18; yeas 18, nays 0, and the appointments were confirmed.

THE ANNUAL BUDGET.

Coun. FITZGERALD, for the Committee on Appropriations, submitted the following:

REPORT OF COMMITTEE ON APPROPRIATIONS, SUBMITTING THE APPROPRIATION BILL FOR THE CITY OF BOSTON FOR THE YEAR 1928.

In City Council, May 7, 1928.

The Committee on Appropriations, to which was referred April 9, 1928, the appropriations and tax orders for the City of Boston, having considered the subject, respectfully recommends the passage of the accompanying orders.

For the Committee,

JOHN I. FITZGERALD, Chairman.

AMOUNTS ALLOWED FOR 1928.

Art Department.....	\$710 00
Assessing Department.....	308,348.41
Auditing Department.....	78,686 50
Boston Retirement Board.....	25,864 55
Budget Department.....	11,878 16
Building Department.....	260,078 84
Board of Appeal.....	9,729 33
Board of Examiners.....	5,190 83
City Clerk Department.....	52,936 74
City Council.....	67,530 14
City Council Proceedings.....	12,250 00
City Documents.....	42,000 00
City Planning Board.....	26,260 79
Collecting Department.....	174,485 91
Election Department.....	273,009 60
Finance Commission.....	50,000 00
Fire Department.....	4,377,319 10
Wire Division.....	106,603 78
Health Department.....	889,558 92
Hospital Department.....	2,102,460 07
Sanatorium Division.....	419,370 49
Institutions Department:	
Central Office.....	53,895 82
Child Welfare Division.....	192,235 14
Long Island Hospital.....	594,830 31
Steamer "George A. Hibbard" and launch "James J. Minot".....	39,602 03
Rainsford Island, care of.....	2,800 00
Law Department.....	95,757 77
Library Department.....	1,138,004 00
Licensing Board.....	33,794 24
Market Department.....	17,816 69
Mayor, Office Expenses.....	83,104 20
Public Celebrations.....	65,000 00
Park Department.....	1,649,818 46
Cemetery Division.....	172,053 88
Police Department.....	5,695,145 34
Public Buildings Department....	572,718 56
Public Works Department:	
Central Office.....	90,047 20
Bridge Service.....	480,040 92
Ferry Service.....	560,008 76
Lighting Service.....	977,308 74
Paving Service.....	1,681,190 42
Sanitary Service.....	3,168,974 02
Sewer Service.....	717,607 39

Registry Department.....	53,221 02	City Debt Requirements.....	\$7,444,208 79
Reserve Fund.....	475,000 00		
Sinking Funds Department.....	3,300 00	Printing Department.....	\$479,410 24
Statistics Department.....	14,915 03		
Street Laying-Out Department..	187,683 17	<i>City Record</i> , Publication of.....	\$32,008 22
Supply Department.....	47,563 27		
Treasury Department.....	64,075 62	Public Works Department,	
Weights and Measures Depart- ment	43,591 15	Water Service.....	\$1,574,699 88
Bridges, Repairs, etc.....	100,000 00	Collecting Department, Water Division	58,096 23
Ferry Improvements, etc.....		Water Service, Debt Require- ments	276,460 80
Granolithic Sidewalks.....	50,000 00		
Reconstructing and Repairing Streets by Contract.....	750,000 00		
Reconstructing and Repairing Parkways by Contract.....	45,000 00		
Street Signs.....	25,000 00		
	<u>\$29,235,375 31*</u>		<u>\$1,909,256 91</u>

RECAPITULATION OF AMOUNTS ALLOWED FOR 1928.

From taxes:		
For city purposes within the tax limit.....	\$29,235,375 31*	
City debt requirements.....	7,444,208 79	
City total.....		\$36,679,584 10
From revenue:		
Printing Department.....	\$479,410 24	
<i>City Record</i> , Publication of.....	32,008 22	
Public Works Department, Water Service.....	1,574,669 88	
Collecting Department, Water Division.....	58,096 23	
Water Service, Debt Requirements.....	276,460 80	
		2,420,675 37
Grand total.....		<u>\$39,100,259 47</u>

* Exclusive of orders totaling \$2,333,878.19 voted by City Council April 16, 1928, for Public Welfare and Soldiers' Relief Departments.

BASIS OF ESTIMATES, 1927.

Average valuation, \$1,841,057,566.16.	
\$13 on the thousand brings.....	\$23,933,748 36
Estimated income and cash in treasury.....	6,589,715 62
Amount available for appropriation inside tax limit.....	<u>\$30,523,463 98</u>

BASIS OF ESTIMATES, 1928.

Average valuation, \$1,882,009,566.67.	
\$12.50 on the thousand brings.....	\$23,525,119 58
Estimated income and cash in treasury.....	8,066,724 79
Amount available for appropriation inside tax limit.....	<u>\$31,591,844 37</u>

WAYS AND MEANS OTHER THAN TAXES FOR 1928.

An estimate of the ways and means, other than taxes, of meeting expenditures of the City of Boston and County of Suffolk for the year ending December 31, 1928.

Building Department.....	\$80,000 00
City Clerk Department.....	19,000 00
Collecting Department.....	52,000 00
Fire Department.....	130,000 00
Health Department.....	23,000 00
Hospital Department.....	310,000 00
Institutions Department.....	10,000 00
Interest	525,000 00
Library Department.....	20,000 00
Licensing Board.....	55,000 00
Market Department.....	147,000 00
Mayor	52,000 00
Park Department.....	105,000 00
Peddlers' Licenses.....	8,000 00
Police Department.....	48,000 00
Public Buildings.....	20,000 00
Public Welfare Department.....	375,000 00
Public Works Department.....	315,000 00
Registry Department.....	12,000 00
Soldiers' Relief Department.....	40,000 00
Street Laying-Out Department..	70,000 00
Weights and Measures.....	
Department	14,000 00
County of Suffolk.....	575,000 00
Corporation Tax.....	3,200,000 00
Street Railway Tax.....	160,000 00
	<u>\$6,365,000 00</u>

Available cash in treasury, December 31, 1927.....	1,701,724 79
	<u>\$8,066,724 79</u>

APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1928.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1928, for 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 County of Suffolk, or the departments or officers thereof, and to meet their 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 or 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; and the appropriation for *City Record* be met by the income of said 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 December 31, 1927, 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 January 1, 1928, and taxes to the amount of \$28,612,859.31, 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 county and all taxes assessed for meeting the city's proportion of the state tax for the year 1928 be due and payable on the fifteenth day of September, 1928; that interest shall be charged on all taxes remaining unpaid after the second day of October, 1928, in accordance with the provisions of chapter 59, section 57, of the General Laws, 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 September, 1928, 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 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.

Ordered, That, except where salaries are fixed by statute or ordinance, compensation of employees who receive annual salaries in weekly installments be computed on the basis of 365 days to the year.

The report was accepted and the question came on the passage of the orders.

Coun. FITZGERALD—Mr. President, it is understood, of course, that the report is submitted as amended. It is not the original bill

submitted by his Honor the Mayor and referred to the committee.

Under the provisions of the city charter the Mayor is required to submit to the City Council within thirty days after the beginning of the financial year a budget covering the estimated current expenses of the city. The purpose of this provision is to afford the Council ample time in its consideration and determination of the amounts to be appropriated for the maintenance of city departments. Unfortunately, in the last few years delay in the enactment by the Legislature of the tax limit bill, under which the appropriating power of the city is determined, has prevented the Mayor from submitting his budget to the Council in accordance with charter provisions. This year the budget was received by the Council on April 9, 1928, approximately ten weeks after the date when the Council was lawfully entitled to commence the important work of budget review. Faced with the knowledge that, at the time of the receipt of the budget, departmental expenditures were close to the one-third limit fixed by statute and that in order to avoid a suspension of pay rolls and cessation of services prompt action was necessary, the Committee on Appropriations has made a hurried but nevertheless thorough review of the departmental appropriations recommended by the Mayor. Three weeks have been spent in interviewing and interrogating department heads and one week has been devoted to executive sessions. In all its deliberations the committee has been limited by the charter provision that the Council may reduce and reject any item in the budget, but that without the approval of the Mayor cannot increase or add any item thereto. While in certain instances the committee has felt that additional appropriations were merited it has been stopped from making these additions available. The budget as submitted by the Mayor totaled \$41,456,728.53. Since its submission the appropriations of the Public Welfare and Soldiers' Relief Departments have been separated from the budget and an appropriation order authorizing the expenditure of \$2,333,878.19 for the activities of these two departments has been recommended by the committee and approved by the Council and Mayor. Of the balance of the appropriations recommended by the Mayor, the committee suggests that they be approved with the exception of the following items:

Assessing Department.....	B-28. Expert.....	\$800 00	
	B-29. Stenographic, Copying and Indexing.....	1,000 00	
			\$1,800 00
City Council.....	B- 3. Advertising and Posting.....		50 00
City Planning Board.....	G- 2. Special Investigations.....		2,500 00
Collecting Department.....	A- 1. Permanent Employees, Constables 6 (1) at \$1,500 per year.....	\$4,397 70	
	B-35. Fees, Service of Venires, etc.....	500 00	
			4,897 70
Election Department.....	A- 1. Permanent Employees, Assistants, 3 (2) at \$2,700 per year.....		1,350 00
Fire Department.....	A- 1. Permanent Employees, Chief of Department, 1 at \$5,500-\$7,000 (6,500) per year, \$293 17		
	B-18. Cleaning.....	1,000 00	
	B-28. Expert.....	500 00	
	D- 3. Fuel.....	5,000 00	
	D- 4. Forage and Animal.....	200 00	
			6,993 17
Library Department.....	B-39. General Plant.....		5,000 00
			<u>\$22,590 87</u>

In the Assessing Department no good reason was advanced to the committee for an appropriation under Item B-28, Expert, greatly in excess of the amount expended under this item in 1927. Under Item B-29, Stenographic, Copying and Indexing, the committee found that an allowance of \$1,000 for the mailing of 80,000 personal returns would not in all probability be used, hence it has been eliminated. In the City Council prior year expenditure records do not warrant the allowance recommended under Item B-3, Advertising and Posting. Because of this fact, the

committee suggests a slight reduction in the item. Under Item G-2, Special Investigations, in the budget of the City Planning Board, the committee disapproves of the large amount which it is contemplated to pay to experts outside of the regular city service. The chairman of the Planning Board testified before the committee that the salaries paid to the regular employees of the Board were inadequate when compared with salaries paid in other cities. The committee feels that the work of the Planning Board could be much better advanced by the payment of larger

salaries to the regular members of its staff and dispensing, in the main, with the services of experts from the outside. It therefore recommends a reduction of \$2,500 in this item. In the Collecting Department, the committee recommends that no increase in the number of constables to be employed be allowed. The reduction recommended under Item B-35, Fees, Service of Venires, etc., will not handicap the department since there will still remain in the item an allowance \$500 in excess of the actual expenditure for 1927. In the Election Department, the committee suggests that the Mayor's recommendation concerning the establishment of two new positions as assistants at \$2,700 per year be cut in half. In the Fire Department, the Mayor's recommendation that the salary of the chief of the department be increased by \$1,500 has been amended so as to provide an increase of \$1,000 for the chief. The purpose of the Mayor's recommendation was to place the salary of the chief of the Fire Department on a par with the salary of the Superintendent of Police. Since, at the present time, the salary of the Police Commissioner is \$500 in excess of the Fire Commissioner, the committee feels that this same differential should prevail in the salaries of the uniformed heads of the two departments. In the recommendations made for reductions in four other items in this department the expenditures of prior years warrant the action recommended by the committee. In the budget of the Library Department \$125,000 was allowed by the Mayor under Item B-39, General Plant Repairs. This same allowance was granted last year but the Library Department was unable to expend in excess of \$85,000. For this reason, the committee feels that a reduction of \$5,000 in this item will work no great hardship on the department. The reductions recommended by the committee total \$22,590.87. The committee realizes that in a budget totaling over forty million dollars the reductions recommended represent rather an insignificant amount. The Council in its consideration of these recommendations should not forget, however, that the budget of the City of Boston is without question the most highly scrutinized budget of its kind to be found in this country. In addition to the scrutiny given it by the Mayor and Budget Commissioner, it also has run the gauntlet of the Finance Commission, the Committee on Municipal Finance of the Legislature, the Boston Real Estate Exchange, the Chamber of Commerce, and the Massachusetts Real Estate Exchange. Is it any wonder after so many agencies have examined and scrutinized it that the reductions open to your Committee on Appropriations should prove small in number and amount? I would be remiss if I did not say a word concerning the budget studies of the Finance Commission, which have been available not only for your committee but also to every member of the Council. The budget recommendations of the Finance Commission are \$585,708.47 less than the recommendations of the Mayor. Of this difference, \$355,813.48, or over 60 per cent of the total, is found in the appropriations recommended for one department, namely, the Public Works Department. The criticisms of the Finance Commission with reference to this department are directed largely against the item of Personal Service, that is to say, against the appropriations recommended for permanent and temporary employees and for overtime. The Finance Commission contends that the department is overmanned, and that payments for overtime and temporary employees are not justified. From its examination of the officials of the Public Works Department, your committee is of the opinion that this contention is not justified. A comparison with 1913 shows that the total number of employees, both permanent and temporary, in this department today is less than the total number employed fifteen years ago. In addition, payments for temporary employees and overtime are occasioned largely by snow removal activities, winter collections of garbage and ashes,

and Sunday and holiday services. If these important emergency activities of the department are to be administered adequately and efficiently your committee feels that the recommendations of the Mayor as regard these items should be approved without change. Other recommendations of the Finance Commission with which your committee has been unable to agree are as follows: Elimination of increases proposed for deputy collectors and assistant registrars. Reduction of personnel in the City Planning Board. Elimination of additional inspectors and nurses in the Health Department. Reduced allowance for general plant repairs in the Fire, Hospital, Park, and Public Buildings Departments, for food at the Boston Sanatorium, and for furniture and fittings and wearing apparel at the Long Island Hospital. The Mayor's recommendations concerning these items are based on the thought that the city is a going and growing concern and that increases and expansions in certain items are absolutely necessary. Your committee agrees with this latter thought and has, therefore, not accepted the recommendations of the Finance Commission. While it has failed to support the commission in its recommendations, it nevertheless acknowledges with thanks the courtesy displayed by the commission in submitting to the Council its budget studies. In conclusion, I desire to thank the members of the committee for the manner in which they have co-operated with me in the consideration of the budget for 1928. I desire, Mr. President, to say one word further, expressing a thought that came to me in reference to the budget, and that is in regard to one item, the reduction of \$500 which was proposed for the chief of the Fire Department. The committee worked long and hard. I do not desire to enter into any controversy with any member of the Council on this budget. It has to stand on its own feet. I am chairman of the committee, but I am only a human being. We compromised in order to get this budget in today. If we had not compromised we would not be able to report it in today. Last week seven departments in City Hall went without their pay. If the budget is not passed today, it being reported as the result of compromise among members of the committee, other departments will be without funds and laborers and others will have to go without their pay. Had they paid the election officers last week in the Election Department, they would have been unable to pay the registrars who worked in the office, in the hall here. After all, it is a question of compromise. I have sympathy with every one. I am interested in the draftsmen, in the meter readers, in the engineers, in employees of the City Hospital, employees all along the line. But we waited on the Mayor and tried to convince him last Friday that he should submit certain changes in his budget. He refused, however, to alter it. He said if he should begin making changes there would be no end, that there were people he was vitally interested in and who felt that they should have increases, but he said No. And so, as in the matter of the constables in the Collecting Department, it was a matter of compromise. I feel now that the Council can do nothing but pass this budget as amended and submitted by the committee.

Coun. BUSH—Mr. President, as a member of the Committee on Appropriations, and one who is thus vitally interested this year for the first time, this being the first year I have been on that committee, and as a member of the committee trying to have a fair cut made in the budget, I wish to make what might perhaps be called a minority report, in the sense that there have been certain items upon which I have endeavored to obtain a reduction, but upon which the committee did not see fit to sustain me. I further want to say that from the start the chairman of the Committee on Appropriations discouraged every attempt to cut the

budget at all, and it was only with considerable difficulty and on account of the stand made by some of the members of the committee, that the cuts as now reported were finally passed by the committee, and as I understand with the approval of the Mayor. There are several other items that I would like to bring to the attention of the members of the Council, and which I think would stand elimination from the budget, without any undue hardship on any department, in addition to the cuts that have already been recommended. The total reduction I suggest here amounts to \$148,250, which is approximately \$120,000 more than that recommended by the committee. Before I go on to the department I want to say this, that the report of the Finance Commission was used by the committee, not with the intention of accepting the recommendations of the Finance Commission as they were made, but purely as a guide and a source of information to us, resulting from their investigation. It would be obviously impossible for members of the committee sitting for a period of three weeks, or even six months, to be able to give the amount of care and study which is required to properly consider and cut items out of this budget. The Budget Commissioner lives with the budget year in and year out, and has done so for many years, and even he has difficulty in properly eliminating unnecessary items. But the committee used this report of the Finance Commission as a guide, and it is only as such a guide that I use it now. They made a report on the item in the Assessing Department appropriation, which the committee refused to sustain, concerning the second assistant assessors in A-1, of whom there are seventeen at \$5 a day. I quote from their report as follows:

"Last year the Finance Commission recommended the abolition of these positions, basing this recommendation upon the action of the Board, which stated in January, 1926, that the positions were unnecessary. Despite this statement of the chairman of the assessors, these positions were reestablished by the administration a short time after they were abolished. These assistants are being used largely on the clerical job of sending out letters ascertaining the whereabouts of owners of automobiles. They have done very little field work. A few of them have been doing some investigation on abatement of property taxes. Since the Compulsory Insurance Law has gone into effect, the addresses to the Motor Registration Department are more nearly correct and the number of false addresses is reduced to a minimum. This ought to make the work of the Assessing Department in checking up the location of Boston owned automobiles upon the information obtained from a list furnished by the registrar comparatively simple and do away with the necessity of hiring a large clerical force. The commission fails to see the necessity for employing such a large number. Allowance is made in the item for six at \$5 per day from April 1 and for the entire seventeen until that time."

I recommend that ten of those second assistant assessors be allowed and that seven be eliminated. That, according to the Budget Commissioner, would eliminate approximately \$5,000. The balance of the items—B-28 and B-29 in the Assessing Department—have already been referred to by the chairman of the Committee on Appropriations. In that reduction which I recommended the committee refused to sustain me. In Item A of the Building Department I recommended a cut of \$3,500, with reference to the increases granted to the building inspector, which, from personal knowledge of their activities, I felt was entirely unnecessary and uncalled for. But the committee refused to sustain me in that. On the item of city documents, for which the Mayor allowed \$42,000, I recommended a cut of \$1,000. My reason for recommending that cut was that he had in the past been printing far too many of these city documents, and I believe that some money can be saved along that line, and that \$41,000 would be sufficient

for the item. I know that in the past I have had my office filled up with various kinds of city documents, which I have not found any call for, which nobody has requested, and which eventually will be thrown away, and those documents thus wasted. So I believe that \$1,000 can be cut from that item without any damage at all, since it would simply reduce to a smaller number the documents given each councilor. But that, I am sure, would not entail any hardship on any of the councilors or on people who desire the documents. In the City Planning Board there was an item allowed of \$11,000, by the Mayor, for consulting services and experts, under the title of "Expert" in G-2. The amount requested was \$15,000, the amount granted by the Mayor \$11,000, and the amount suggested by the Finance Commission \$5,000. I recommend a \$2,500 cut from the \$11,000. The report of the Finance Commission says:

"Last year the expenditures under this item were as follows, \$8,950 for consulting services to Robert Whitten, Edward M. Bassett, and Arthur C. Conway; \$8,200 having been paid to Robert W. Whitten of New York for consulting work on thoroughfare investigations and to assistants on the thoroughfare investigation, \$2,803.79. Printing and mounting of the Boston maps cost \$2,207.50, and an airplane map of Boston, \$1,500. This year the department plans to spend the amount requested in continuing its thoroughfare work under Mr. Whitten's direction, his charge for services being \$75 per day. Mr. Whitten makes no reports, but directs the work of the Planning Board employees. He is also employed by the Metropolitan Planning District Commission. Mr. Whitten was paid by the Metropolitan Planning Commission \$956.25. In one case, that of June 23, he was paid by both the city and the state, when he worked, according to his bill, half a day for the state and a whole day for the city. The thoroughfare investigation, which the Planning Board is now working upon, may not be of any practical use to the city. The Finance Commission again recommends that the expenses of the Planning Board be kept down to a legitimate maximum. The cost of the department has increased from \$2,790.87 in 1914 to \$33,396.05 for 1928. The commission recommends that not more than \$5,000 be appropriated on this item."

My cut does not go so far as that. It allows them \$8,500 for that item which I think is sufficient. In the Collecting Department there are two vacancies of deputy collectors which have not been filled, and without which the department has been functioning just as well as if they had been there. It was recommended at first, and the committee did sustain me in the recommendation at first, to eliminate the two deputy collectors from the budget. Later on that action was reconsidered and they were placed back in the budget again. On the item of B-3 for the Collecting Department there was spent in 1927 \$9,062.27. This year there was requested \$15,000, and \$12,000 has been allowed by the Mayor. I recommended a cut of \$1,000 in that item on this ground, that last year, according to the Finance Commission, "The Department was allowed \$32,000 on this item, but the Collector inaugurated the policy of having only one instead of two tax sales. The tax sales take place late in the year. This obviates the necessity of a large printing job. The City Collector states that he does not know whether he will continue the same policy this year. Inasmuch as he terms the policy a successful one, his commendation should be taken at its face value."

I feel that that item could be cut at least \$1,000 without doing any injury to the department. In Item B-35, which is an item for posting and advertising on these tax sales, the item was cut \$500 by the committee from an allowance of \$2,500 by the Mayor, following a request by the department for \$2,500, although in 1927 there was spent only \$1,498.10. In the Election Department, the committee voted that the Mayor's recommenda-

tion concerning the establishment of new positions as assistant election commissioners be cut in half. The department has been going along for the past two years without any assistant election commissioners. These assistants were originally appointed by Mayor Curley as a reward for political work done for him in his campaign. Upon the election of the present Mayor, these two assistant election commissioners were fired out, and no appointments were made in the entire two succeeding years. It seems to me that, having got along for those two years without the additional election commissioners, the department can very well do without them for the balance of the four-year term. The committee voted to sustain me in the rejection of one of those officers, and I feel that both of them can be dispensed with. In the Fire Department, the committee sustained me in both the cut of \$5,000 of fuel item, and also in the reduction of the increase to the Fire Commissioner from \$1,500 to \$1,000. I want to go on record, while I am talking on this item now, as saying that it is not my desire to destroy any of the increases that the Mayor has granted to various employees of the city. I feel that it is difficult enough for the employees of the city at any time to obtain increases, and to obtain the approval of the Mayor and City Council on those increases. However, in order to be consistent, I have always maintained that an increase of \$1,500 in one year to individuals already receiving a very fair salary is a little too large a chunk to bite out of the money of the city's taxpayers, to give to individuals. I have no objection to placing the Fire Chief on the same basis as the Superintendent of Police, at a salary of \$7,000 a year. But I say it ought to be done in steps. It ought not to be done at one time, and I do not approve of that increase of \$1,500 at any one time to any individual. I thought \$500 was sufficient in all these cases. The committee would not sustain me in that attitude, but they finally did sustain me in the matter of allowing a \$1,000 increase in this case, cutting \$500 out of it. The total of the items that I proposed to cut from the Fire Department budget is \$7,200. In the Health Department, there are two items totaling \$1,500 which I recommended be cut, coming out of salary increases. In this connection, the Finance Commission says:

"Due to the death of Doctor Jordan, the position of chemist, \$3,000 to \$3,200, and the Chief of Bureau of Milk Inspection have been abolished and new positions have been created as follows,—One chemist and milk inspector, \$4,500; one assistant chemist, \$1,800. Mr. Mott, Doctor Jordan's assistant, has already been promoted to Doctor Jordan's place at \$3,500 and will go to \$4,500 on June 1."

Doctor Jordan served in that department for a great many years and never received more than \$3,500, although he had the reputation of being a very excellent milk inspector. Mr. Mott has been placed in the position and is now to be increased to \$4,500 from the \$3,000 job. I move that that be decreased to \$3,500, which will give him a \$500 increase over the previous salary and will place the position on a par with that held by Doctor Jordan. Doctor Watts was one of the medical inspectors at \$2,000, and has now been assigned to the X-ray service under the title of physician, X-ray service, and has been increased to \$3,500. I move that that be decreased to \$3,000, saving \$500 on that item. That totals \$1,500 to be saved in the Health Department. It will give Doctor Watts an increase of \$1,000, which to my mind seems a pretty healthy increase—meaning, if the members of the Council stop to realize, two-thirds of the year's salary of each of us. I have no fault to find with the cut of \$5,000 in the Library budget, although personally I think that the Library can use every dollar it receives, and that it gives adequate service for every dollar it spends. In the Boston Sanatorium I recommend a cut of \$500 in D-1. There was \$1,834.22 spent under that item in 1927, \$2,500 was requested in 1928, and \$1,900 has been

recommended by the Finance Commission. I recommend that that amount be made \$2,000, instead of \$2,500 allowed by the Mayor, thereby cutting \$500 from that item. In Item B-28 of the Law Department budget I recommend a cut of \$2,000. That is an item which permits the payment of a sum of money for more extensive employment of a representative at Washington, a Mr. Charles Redmond. In 1927 he received \$840. In 1928, \$1,900 was requested for him. The Finance Commission recommended \$1,000, and the Mayor allowed \$3,500—purely, to my mind, a gratuitous gift. I recommend that \$2,500 be cut from that. \$65,000 has been allowed by the Mayor for Public Celebrations. It seems that we are now also requested to grant \$25,000 to entertain the German and Irish flyers, which means that that item will not be taken from the item for Public Celebrations, but that that item of \$65,000 will be left intact. It seems to me, in view of this fact, that \$15,000 can be cut out of that item without any difficulty and that \$50,000 is sufficient for the item of Public Celebrations. I would move that that reduction be made. In the Park Department, under B-39, General Plans, Mr. Emerson, who has held several responsible positions in this city, responsible executive positions, and who is now the engineer for the Finance Commission, has reviewed the contemplated work of the Park Department with reference to B-39 and recommends the sum of \$84,359. \$239,500 was requested by the department, and the Mayor has allowed \$125,000 for that item. There was spent in 1927 under this item \$117,674.12. I recommend that a cut of \$5,000 be made in this item, and it can be done without injuring the department in the slightest. In the Public Buildings Department, I recommend that \$8,500 be cut from that department as can be done easily without entailing any hardship on the department. It is proposed that a deputy superintendent be appointed, for whom a salary of \$3,500 has been placed in the budget. The department has been able to function very well without this position of deputy superintendent of Public Buildings, and the position is apparently created, as the Finance Commission says, "For the purpose of finding a job for a political supporter." The balance of the item is to be cut from B-39, in connection with which Mr. Duff, the expert of the Finance Commission, who "has gone over the items of B-39, with the exception of the supplementary request of \$5,850, which includes \$5,000 for remodeling electric system in City Hall and the Annex and \$650 for concrete floors in two cellars in the Quincy Market Building," recommends that the original request of \$204,000 be reduced to \$147,563. The Finance Commission, however, believes that the customary annual allowance of approximately \$115,000 should be granted. And the Mayor has allowed \$115,000 on this item, although only \$121,795.46 was spent in 1927. It seems to me, with a compromise, that \$5,000 can be cut out of that item, giving the department \$5,000 more than the Finance Commission recommends and eliminating \$5,000 from the present allowance. In the Public Works Department I recommend the elimination of \$5,000 from the item of lighting service, in which there is a great deal of slack. Upon Items A-2, Temporary Employees, and A-3, Unassigned, of the Paving Service of the Public Works Department, the Finance Commission has something to say. Under A-2, we find the following:

"Approximately \$34,000 of this expenditure is due to the appointment of political supporters of the administration in the latter part of the fall and the early winter of 1927. These appointments were not requested by the foreman in charge of the division nor by the division engineer. The commissioner admitted to the commission that they were dictated by the administration. Appointments were made when the work of the department was at a minimum; they should be disallowed."

And \$5,000, instead of the \$50,000 requested, recommended by the Finance Commission for that item. There has been allowed by the

Mayor \$30,000 for the item. I feel that, in view of the recommendation of the Finance Commission, \$10,000 could certainly be easily eliminated from the item, leaving in it \$15,000 more than the Finance Commission recommends. On Item A-3, Unassigned, in the same division, there is also a recommendation of \$5,000 by the Finance Commission, as against a request by the department of \$60,000 and an allowance by the Mayor of \$40,000. I feel that \$10,000 could easily be cut from this item, thus giving the department \$25,000 more than the Finance Commission recommends. Under the item on Snow Removal, B-21, there has been allowed \$68,000. In view of the fact that we have had what we call an open winter this year, and there was practically no money spent for the removal of snow, and all that we will have left is one month in which there is a possibility that we may have a snowstorm, I recommend that \$18,000 be cut from that item, leaving \$60,000 for the emergency. In the Item C-14, Live Stock, Sanitary Department, I recommend the elimination of \$3,500, in view of the fact, as set forth in the Finance Commission's report, that

"The commissioner of the department agrees that on account of the excessive number of idle horses in the department it will not be necessary to purchase ten new horses." for which this sum, \$3,500, was appropriated. In the item of A-3, Sewer Service, there was spent in 1927 \$19,972.90. \$22,000 was requested this year, \$10,000 is recommended by the Finance Commission, and \$18,500 was allowed by the Mayor. In 1926 the sum of \$19,370 was spent, and it seems to me that this item could easily be cut \$8,500, leaving \$10,000. The Finance Commission recommends \$10,000. In the Supply Department, B-28 and 29, I recommend a cut of \$4,000. This item is for the services of a chemist. The request was for \$10,000, the recommendation of the Finance Commission was \$4,000, and \$8,890 was allowed by the Mayor. Quoting the Finance Commissioner's report:

"The Public Works Department, of which the Supply Department is the official purchasing agent, has a chemist on its staff, who is qualified to make extensive chemical examinations of articles purchased by the Supply Department. This matter was discussed with the representatives of the Supply Department, and it was agreed that the item could be cut \$6,000 if the official chemist of the Public Works Department was used to full capacity."

I don't go as far as that. I recommend that there be a cut of \$4,000, leaving \$4,890, which is \$90 more than the Finance Commission recommends. In the Street Laying-Out Department I recommend that \$2,500 be cut from the item allowed for constables. In view of the fact that the item for constables has been disallowed in some of the other departments, it seems to me inconsistent that it be allowed in the Street Laying-Out Department. This is not for the regular constables, but for the addition of three new constables, adding to those now serving the department. These proposed cuts I suggest, Mr. Chairman, total \$148,250, which I feel can be taken from the budget without injury to any department and with very slight injury to a few individuals who are receiving extraordinary increases in salary. I move, Mr. President, that the budget be passed after the elimination of this \$148,250, and I move to amend the motion of the chairman of the Committee on Appropriations to that effect.

Coun. Bush's amendment was lost.

Coun. DONOVAN—Mr. Chairman, your committee spent considerable time on this budget, and, while the cuts recommended by the Committee on Appropriations are small in an aggregate of \$41,000,000, nevertheless it is fair to assume that this budget, having been scrutinized and having been subjected to suggestions by the Boston Real Estate Exchange, the Massachusetts Real Estate Exchange, the Budget Commissioner, the Chamber of Commerce, and representatives of different organizations who took an interest in it, was pretty well pruned before it went

to the Committee on Appropriations. It is true that the committee could have saved considerable money if the budget had been submitted to it in its crude form, before such scrutiny and pruning as it has received from the Budget Commissioner and the Mayor, and at the hands of the Committee on Municipal Finance at the State House, and also that scrutiny and suggestions by representatives of the organizations I have referred to. Taking the statements made by the previous speaker, it would seem that he takes practically all the credit for the cuts recommended by the committee in the budget. Your committee recommended a cut of \$7,000 in the Fire Department, of \$4,900 in the Collecting Department, of \$1,350 in the Election Department, of \$5,000 in the Library Department, of \$2,500 in the budget of the City Planning Board, and \$1,800 in the Assessing Department. As a matter of fact, in the case of the Election Commissioners, the Mayor asked for three assistants. We were informed by the chairman of that department and the Budget Commissioner that one man was already acting in that capacity, and in that department where they appoint a Republican they also appoint a Democrat. So your committee, in its wisdom, allowed the Mayor to appoint one more. We did not agree with the Mayor in several of his recommendations relative to proposed increase in different departments. Nevertheless, Mr. President, we felt, and we know, that we are powerless, that we cannot insert anything in the budget; and, while there are many deserving cases which merit increase in pay, and while there are some who perhaps are getting an increase in pay who do not merit it, nevertheless your Committee on Appropriations felt that it was the duty of the department recommending proposed increases, presumably understood the personnel of such a department were merited, and that it was unfair for the members of your Committee on Appropriations to take the position that they understood the personnel of such a department better than those in charge of it. Consequently, while we did not agree with the Mayor in several of his recommendations of proposed increases, nevertheless we took the attitude that the burden rests on the department heads, because I believe the Mayor followed the recommendations of the department heads. We spent considerable time on the matter and pruned this budget as carefully as perhaps any committee you have had here has done although a year ago one of the members of this body gave the budget one of the most careful examinations it ever received in this city. Therefore, while the sum we have taken out is small in an aggregate of \$41,000,000, it is the result we arrived at after three weeks of careful work on the budget, and I hope the recommendation of your Committee on Appropriations will be sustained.

Coun. PARKMAN—Mr. President, I have not had either the time or the facilities I should have liked to make a study of the budget this year, not being a member of the Committee on Appropriations. I wish to say, however, that the chairman of the committee and Coun. Bush, in presenting his minority report, have shown that the committee performed its function conscientiously and thoroughly. I should like to have the Council, however, bear with me a few minutes in a discussion of the Appropriation Bill, after which I will offer some suggestions. Mr. President, the Appropriation Bill has again come to the Council very late in the year. A number of departments have already exceeded the limit of expenditure allowed under the status and we have been forced to pass those appropriations separately some weeks ago. A number of other departments are now approaching that limit and we are as usual faced with the necessity for urgency. This state of affairs is due wholly to the situation under the statutes in connection with the necessity of the City of Boston to go to the Legislature for the establishment of its tax

limit. The need for a change in the tax limit law is obvious. As matters now stand the Mayor is not able to comply with the requirements and intent of the City Charter by furnishing the City Council with an itemized budget within thirty days after the beginning of the fiscal year. The City Council is limited in the time which it should take to consider thoroughly an appropriation bill involving over \$40,000,000 of the taxpayer's money. The department heads are hampered in the planning and commencement of necessary public works as early in the year as they should be begun. The public is confused by the annual discussion of the tax limit bill before a committee of the Legislature and by the injection of elements involving different points of view on financial policy and means of financing which have no place in or bearing upon the amount of money required to be raised to enable the city to perform its functions. The report of the expert retained by the Boston Real Estate Exchange and the Chamber of Commerce recommends, "That the Legislature be urged to abolish the present tax limit." His recommendation is supported by the position of the Boston Real Estate Exchange and by the opinion of the Committee on Municipal Finance of the Boston Chamber of Commerce. It is a logical recommendation and I hope will be followed by action next year. An analysis of the changes in this year's budget compared with the budget of last year is contained in the tax limit brief of the Mayor filed with the Legislature and in more summary form in the message of the Mayor transmitting the bill to the Council. No useful purpose will be served by a reiteration and explanation of the changes at this time. Suffice it to say that the twenty-five cent reduction in the tax limit by the Legislature did not prevent the inclusion in the Appropriation Bill of deserved increases to the lower grades in the Police and Fire Departments and did not compel a resort to unwise methods of financing in providing for necessary amount for the reconstruction and repair of streets by contract. The twenty-five cent cut amounted to approximately \$470,000, of which \$170,000 was found in increased revenue and \$300,000 was found by a reduction of a large number of items in the budget. After the reduction was made the appropriations recommended by the Mayor differ in their total—my figures are rough, and don't entirely coincide with the figures of the chairman of the committee—by only \$557,000 (a very much smaller difference than last year) from the suggested appropriations recommended by the Finance Commission, the administration's severest critic. I should say, that in my opinion the report of the Finance Commission is a much fairer document and their suggestions more possible of accomplishment than they were last year. In fact, it would appear that a number of their recommendations have been put into effect after their report was submitted to the Legislature and a number of changes made after the budget sheets were originally submitted to them. These two facts resulted in substantially narrowing the original margin between the two recommendations. A number of last year's recommendations of the Finance Commission have apparently been abandoned; for example, the proposed substitution of taxicab service for city owned automobiles and alleged possible savings in the operation of city buildings under the Public Buildings Department. On the other hand, the administration has itself adopted one of the recommendations of last year's committee, namely, that the city put its own flushers to work and discontinue to that extent the hire of flushers from contractors. Last year \$90,000 was appropriated for this item and this year that amount is reduced to \$45,000. I have studied carefully the report of the Finance Commission and it seems to me the budget may well be discussed by considering in detail some of their major recommendations and some of the larger differences in figures. Of the \$557,000 difference there is a net difference of \$357,000 in the Public

Works Department, and of this amount \$263,000 is in the Sanitary Service alone. In all the other city departments, therefore, there is only a difference of \$200,000, which may be considered largely to be due to honest differences of opinion. In the Assessing Department a difference of \$21,000 is represented by the following items: \$2,000 represents increases in salary to the Board which were not in effect at the time of the Finance Commission's survey; \$13,000 represents the old story of the second assistant assessors. In last year's survey by the Committee on Appropriations the chairman of the Board stated that their employment after April 1 was largely in the nature of an experiment and he promised to make a particular study of results. He now states that these men are necessary; that they are continuously employed and that if not provided for under this item they must be provided for elsewhere. In my opinion his judgment should be taken. \$4,300 represents an item for experts in which this year's committee is recommending a reduction. In the City Planning Board, a difference of \$12,000 is attributable to the recommendation of the Finance Commission that the work of this Board be heavily curtailed. The chairman of the Board last year made a very complete statement as to the work of this body, which to my mind justifies a continuation of its work as in the past. It is just completing a thoroughgoing and complete survey of streets which should be extremely valuable in connection with the report of the Mayor's Street Traffic Survey. That survey did not purport to make recommendations as to street widenings. The work of the Planning Board has been devoted to this feature. It should be completed or else the work it has done to date will be lost. For this reason I am opposed to the proposed committee reduction of \$2,500 in Item G-2. Mr. Whitten, the expert employed under this item, is a recognized authority in the country. He has just completed a survey for the city of Providence and I believe the City of Boston should make the necessary appropriation for the completion of his studies here. In the Collecting Department, a difference of \$12,000 is composed of the following items: \$8,000 in A-1, \$2,400 of which is for increases to deputy collectors and approximately \$4,500 is for four new constables which the present committee recommends be not allowed; \$2,000 is to provide some leeway in the appropriation for tax sales in which the collector has already made a large reduction by his policy of holding only one tax sale in the year. The balance is made up by allowances for the collector's automobile and chauffeur, a subject which was under discussion last year and on which the policy may have been said to be determined by last year's vote. In the Election Department, a difference of only \$8,000 is largely attributable to the item for personal service. Of this amount the present committee recommends that \$1,350 be not allowed to provide a half year's salary for an assistant commissioner. My only objection to this is that it does not go far enough. There is nothing in the hearing given to the Election Commissioner which shows the necessity for the two proposed assistants. Their positions were established in a prior administration and the incumbents dismissed by the present. The Election Commissioner stated to the Finance Commission, as appears in a report to the Council, that he was not asking for an appropriation for these officers. The appropriation was not apparently asked by the commissioner when the sheets were submitted to the Mayor, as they show an increase by the Mayor over the allowance asked for. This discrepancy was noted by the Committee on Appropriations, but the subject was apparently not developed at the hearing. No good reason has been given why either of these positions should be allowed and in my opinion the committee should go further and refuse the allowance for both of them. In the Fire Department, in an appropriation of almost \$4,500,000, there is a

difference between the Finance Commission figures and those in the present budget of only \$22,000, and this difference is still further reduced by the recommended reduction of the committee of \$7,000 on various items. The principal differences are about \$10,000 in the appropriation for putting in new concrete floors in the fire houses, which the Finance Commission admits are necessary but recommends completing in three years, whereas the Fire Commissioner wants to complete the program in two. His judgment should be followed. The other difference is in the item for new equipment, about \$10,000, in which in my opinion the commissioner's judgment should also be followed. A difference of \$21,800 in the Health Department is made up almost entirely in the personal service schedule. The commissioner proposes four additional inspectors and the creation of new positions for three supervising nurses and fourteen new nurses. Neither of these represents an actual increase so far as the former work of the Health Department is concerned. At the time the United States Department withdrew from inspection of the Brighton Abattoir the department had to cover the situation by appointing four veterinarians in existing vacancies. Those were legitimate vacancies in the sanitary inspection service which is none too strong in any event to take care adequately of the inspection of tenements, et cetera, in accordance with the law. The nurses are required by the extension of the tuberculosis service of the Health Department under the new tuberculosis supervisor and in accordance with the tuberculosis survey made two years ago, which has so much improved the treatment of the disease in Boston. The Finance Commission suggests that the District Nurses Association is taking care of a certain number of cases and thus relieving the work of the department. They fail to realize, however, that the District Nurses Association does not do bedside work while the work of the Health Department is preventive. A difference of \$20,000 in the Hospital Department represents less than one per cent of the total appropriations. Of this difference about one half is in the personal service schedule. This department is most efficiently run; the appropriations are pared to the bone; and in my opinion all slack has been removed. The balance is made up in B-39, the General Repair item, and turns on a question of judgment as to whether certain repairs should be made this year or next. It seems to me wiser to accept the decision of the Trustees, who are business men and who are responsible for a most important department. A difference of \$13,500 in Institutions, Long Island Hospital, is represented by provision in this year's budget under Items C-7, C-16 and D-2, for increased requirements in furniture and fixtures, wearing apparel and food for a larger population. The Finance Commission recommended postponing these provisions until it was known more definitely what was required. The information is now at hand and postponement should not be permitted. The figures of the Finance Commission and the budget before us on the Library Department differ by only about one per cent or \$13,000. In the personal service schedule the Finance Commission recommends allowing \$725,000, but on their own statement the pay roll at its present rate would amount to \$744,000. The budget as proposed allows \$745,000, which would seem to be required. In the Park Department, there is a net difference of only \$6,000. The budget figures on the personal service schedule are under \$18,000 of the Finance Commission's allowance. Under the Item B-39 the budget allows \$125,000 while the Finance Commission recommends only \$85,000. Last year the expenditure was \$118,000 for General Plant Repairs. No schedule is submitted of the repairs contemplated. The parks and playgrounds must be kept up and an appropriation on the basis of last year's expenditure seems to be reasonable. The Finance Commission suggests that there is considerable slack in

schedule A-1, in the Cemetery Division. Since their report was made, however, there has been an opportunity to compute the yearly figures on the weekly pay roll basis to date. On that basis the yearly pay roll would amount to \$63,000 for the laborers' item. The allowance of the Budget Commissioner of \$55,000 does not seem any too much. The other difference is in the general repair item, B-39, where the Finance Commission's estimate is \$4,000 less. In the Public Buildings Department provision was made for a deputy superintendent. This provision was made on the basis of a proposed consolidation of the operation of buildings in which the Park Department employees were employed as well as those of the Public Buildings Department and the position of deputy superintendent was proposed to take care of the handling of the increased number of employees. The consolidation, however, did not go through and there seems to be no need for the position. In the recommendations which are submitted herewith to the Council is included the elimination of \$2,225.35 for this position. In the Item B-39, General Plant Repairs, the budget carries an appropriation for \$125,000. Last year \$122,000 was actually expended. Mr. Duff, the expert employed by the Finance Commission, recommended an allowance of \$147,563. The Finance Commission recommends an allowance of only \$115,000, but makes no constructive suggestions as to what repairs can be eliminated. On the basis of these figures it would seem that the budget figures should stand. The Paving Division of the Public Works Department is one division in which there is a substantial difference between the recommended allowance by the Mayor and the recommendation of the Finance Commission, namely, \$74,500. Of this amount the largest proportion is in the personal service schedule. The Finance Commission allows only \$5,000 in Item A-2, whereas \$14,000 has already been expended. The allowance of \$25,000 is no more than enough to take care of the requirements for the balance of the year, and should be retained. The same remark is applicable to Item A-3, in which the Finance Commission recommends allowance of \$5,000 as against \$40,000 in the budget. \$24,000 has already been spent, and the balance is no more than enough to take care of the requirements of the year. In Item B-21, Removal of Snow, there is opportunity for a substantial cut. The Budget Commissioner allowed \$68,000 in this item on the understanding that \$55,000 had already been spent. As a matter of fact, when it came to actual computation, the actual expenditure has only been \$40,000. An allowance of \$50,000 will leave \$10,000 in the item to take care of a rare December snowstorm requiring the hire of outside teams and labor. If the city should be faced with an emergency the necessary money can be obtained from the Reserve Fund. Other disputed figures in this department are due to a conflict in opinions as to the savings which can be effected by the increased use of motor trucks as against the use of horses. This subject is now an annual matter of dispute. Mr. Cummin recommends in the report made to the Mayor that an analytical study be made of this entire question to determine whether or not economies are possible. Pending such study the City Council is not in a position to decide the question itself. A difference in the Sanitary Service of \$263,000 or one-half of the total difference between the Finance Commission's recommendations and the budget figures, occurs in this department. Of this amount \$165,000 is in the personal service schedules. The Finance Commission makes blanket recommendations regarding the elimination of superfluous employees, but at the same time makes no suggestions as to how the employees may be eliminated and the service continued without a loss of efficiency. The report of the Boston Real Estate Exchange contains two recommendations that studies be made of the relative costs of the collection and disposal of garbage, rubbish, etc., by contract as against day labor. Pend-

ing such study the City Council certainly cannot attempt to determine this question without serious risk of damage to the performance of a necessary function. In Item A-3 there is no opportunity for a reduction below the \$100,000 allowed. \$72,000 has already been spent and the balance of \$28,000 will be required to take care of the Sundays and holidays on the basis allowed by the Finance Commission. In this department also occurs the problem as to the economies possible by the increased use of motor trucks. Reductions will have to be postponed until such a study is made. Another large difference is in Item C-4, where the budget contains provision for large replacement of obsolescent motor equipment. In Item B-8, Lighting Service, Light, Heat and Power, the budget provides \$965,000, on the basis of last year's expenditures, supposedly of \$950,000 and allowing \$15,000 for increased lighting. In fact, last year's expenditures were less than \$938,000. Allowing a similar increase with a little additional leeway an appropriation of \$955,000 will be admittedly adequate and will permit the Council to reduce this item \$10,000. The committee has recommended the elimination of new positions for constables in the Collecting Department. In my judgment they should have gone further and recommended the elimination of similar positions in the Street Laying-Out Department where two additional constables are provided for half the year and in the Sanitary Service of the Public Works Department where three new positions are proposed. The elimination of these positions are included in the recommendations for reductions that I shall submit. I realize that the sums of money involved in the discussion this afternoon are not large. There is no question in my mind that the budget has been very thoroughly combed. I should like to present, however, for the consideration of the Council, the following suggestions, which I believe will stand on their merits and are justified by every consideration of common sense. In the Election Department, A-1, the committee refused to allow the sum of \$1,350 for additional position of an assistant. I would go further and recommend that there be a reduction of \$2,700 in that item. In the Public Buildings Department, under A-1, refused to allow the creation of the position of deputy superintendent, in view of the fact that the proposed consolidation did not go through, and therefore there is no need for the position. In that way the amount of \$2,225.35 may be eliminated. In the Public Works Department, reduced the amount for B-21, in the Paving Division, for removal of snow, from \$68,000 to \$50,000, a reduction of \$18,000, in view of the fact that the expenditure to date, on which the proposed budget figure of \$68,000 was based, was taken to be \$55,000 and actually turned out to be only \$40,000. In other words, an allowance of \$50,000 will leave \$10,000 in the item, just as was proposed by the Budget Commissioner in submitting the budget when he figured the proposed expenditure on the basis of \$55,000 to date. In the Public Works Department, Lighting Service, the same sort of argument would seem to support a reduction of \$10,000. The figure in the budget is \$965,000. That was based on a \$15,000 increase over last year's expenditure, supposedly, of \$950,000. The expenditure actually was only \$938,000. Allowing the same amount of increase as was proposed in the budget would make a total appropriation of \$953,000; but in round numbers call it a reduction of \$10,000, and allow \$18,000 instead of \$15,000 for increased lighting facilities this year. In the Sanitary Division of the Public Works Department eliminate the constables, two positions for half a year, \$1,750; and in the Street Laying-Out Department, three constables, or \$2,479.45. Those reductions, Mr. President, total \$77,154.80 in addition to the committee's proposed reductions. I move, Mr. President, that the committee's report be amended by the addition of these changes.

Coun. Parkman's motion to amend the committee's report was lost.

Coun. GALLAGHER—Mr. President and members of the Council, I intend to vote for the adoption of the budget as amended by the Committee on Appropriations. I do not believe it is perfect, but I believe it is the best that we can get. If the Council had the authority to increase certain items I should be glad to vote for those increases. I would like to see certain city employees, whose compensation I now consider inadequate, placed under salaries commensurate with the services rendered. I have the greatest respect for my colleagues in this body, some of whom differ from me with reference to the budget, but my respect for their individual or collective judgment cannot release me from my obligation to my own conscience or my duty to the people whose servant I am. The budget is based on estimates furnished by competent and responsible department heads. These estimates have been substantially reduced in the aggregate by his Honor the Mayor. They have been scrutinized by the Finance Commission, the Real Estate Exchange, and the Chamber of Commerce by various experts on municipal administration and have been the object of intensive study of the members of this committee. An exhaustive and illuminating report of the Finance Commission's study of the budget was before your committee and was of substantial assistance. While I do not agree with all its conclusions I have a sincere respect for the capacity and zeal of the members of that body and am glad of this opportunity to acknowledge my personal obligation to that body for its assistance. I am satisfied that the budget should not be further reduced. It should be accepted today. At a conference of his Honor the Mayor, the City Auditor and the members of this committee, the City Auditor advised your committee that further delay would result in suspending payments to city employees. Are you gentlemen willing to assume responsibility for the hardship that that will entail? Frankly, I am not. I cannot support any program calculated to cripple any municipal department. I feel that those who bear the burden of responsibility should not be hampered in the performance of their duties. I feel that your committee, which has considered the budget, has done its work well and that its report is entitled to your support. Let us settle this question, adopt the budget today and enable our municipal departments to discharge the duties for which they were created.

Coun. RUBY—Mr. President, I know that the hour is late, and I know that most of the councilors are anxious to get away; but, as a member of the committee, Mr. President, I feel that the Appropriations Committee this year has given as much consideration to the budget as has been given by any previous committee, with all due respect to last year's committee, which gave unstinting time and effort to the discharge of its duties. Prior to our receiving the budget this year the Mayor invited representatives of different bodies in Boston to sit in with him with a view to discussing the so-called items in the budget, and they scrutinized the budget with the assistance of the Budget Commissioner and the Mayor. The Finance Commission made a study of the budget this year, as in the past, and we received from them, I feel personally, a very valuable book in so far as it enabled us to consider the present budget more intelligently and to follow the recommendations of the Finance Commission with a view to forming an opinion. Lest there be no misunderstanding, however, let me say that there was no item in the Finance Commission's report that would greatly reduce the amount finally recommended by his Honor the Mayor, and there are items in the budget from \$10,000 to \$20,000 less, as submitted by the Mayor, than as recommended by the Finance Commission. It is true that the budget before us, like other budgets, can be cut, but you will notice that in this budget, totaling about \$41,000,000, there is a difference of only about \$500,000 between the budget

figures as recommended by his Honor the Mayor and the figures recommended by the Finance Commission; whereas last year, if I am not mistaken, the difference was over \$3,000,000. Coun. Bush, who spoke with reference to further proposed cuts in the budget, could only find about \$140,000 which he felt could be cut out of the \$41,000,000, even taking away some of the contemplated increases, which I know a majority of the members of the City Council are opposed to doing. Coun. Parkman, who was chairman of the Committee on Appropriations last year, and who made an intensive study of the budget at that time, judging from his remarks this afternoon, must have scrutinized the budget as carefully as he did last year, and be finds himself able to only suggest a possible reduction in the Mayor's budget of this year of approximately \$60,000, or about \$30,000 more than that recommended by your Committee on Appropriations. When it comes to decreasing items which would mean the impairment of salaries, taking away from contemplated and just increases of salaries, I am sure that the committee, because of its feeling in regard to that matter, was opposed to such decreases. Over 70 per cent of the difference between the Finance Commission's figures of the budget and the Mayor's figures is composed of items that have to do with personal service, salaries of employees, either the increase of present salaries or the elimination of present employees, leaving only a very small item in the way of other cuts in the budget that we might have considered. I am surprised that the councilor from Ward 12 (Coun. Bush) has suggested a cut in Public Celebrations. He has recommended a cut to \$50,000. The Finance Commission has recommended \$35,000 and the Mayor has approved \$65,000 for Public Celebrations, \$11,000 less than was spent last year. When we take into consideration February 22, March 17 in South Boston, April 19, the decoration of graves on May 30, Dorchester Day in Dorchester, June 17 in Charlestown, July 4, celebrated throughout the city, Labor Day, Columbus Day, Thanksgiving Day, which will be celebrated this year as last, and when we also consider the new holiday established this year, Armistice Day, a day to which a city such as Boston will want to give fitting celebration, we can see that the item of \$65,000, is not an excessive one, and I believe the committee acted properly and wisely in not interfering with that appropriation. With all due respect to the councilor from the ward adjoining mine (Coun. Bush), it was not he who finally forced the reduction of \$22,500 on the committee. Due credit should be given to him as to every man on the committee, of course. Coun. Fish, Gallagher, Murphy, Donovan, Fitzgerald and Ruby had as much to do with this cut of about \$23,000 as the councilor from Ward 12 (Coun. Bush). If I may be a little bit personal, it was I who suggested the cut of \$5,000 in the Fire Department, in the item of fuel, because I believed where the Fire Department had spent \$84,000 last year and asked for \$99,000 this year, and the Mayor had approved \$95,000 because of the fact that two other fire stations were to be taken care of, an increase of \$6,000 would properly take care of that. The entire committee opposed the appointment of the new constables. There was no particular member of the committee who was opposed to the original action take by the committee except the chairman himself, who finally compromised with the rest of the committee and voted with them on the reduction. In the matter of reduction in the Election Department, the majority of the committee were in favor of decreasing the number of assistants by one, and the entire committee had as much to do with that case as did the councilor from ward 12. I believe, Mr. President, on the question of deputy collectors a word should be said. We all opposed the two additional deputy collectors because of the fact that, as we understood it, a civil service examination was to be held, and the men who had been

working in the Collecting Department might not have the advantage of preparation of the young man who might have just graduated from school and would be better able to take the examination. The committee, therefore, feeling that the employees of the department would not have such a chance, voted to make the elimination; and when Mr. Johnson, the City Collector, informed us that an opportunity would be given to the old employees, and when we were told that the Civil Service Department were going to permit only those who had worked in the Tax Sales Department of the Collecting Department a certain number of years to be eligible, we agreed to put that item back. Otherwise, it would have stayed cut out of the budget. The reconsideration was not for any ulterior purpose or motive, because the committee felt that those two deputies should be there, but simply because they had doubt whether the present employees would be so regarded in making the selection. For myself personally, if I am not expressing the sentiment of the committee, I do desire to express this personal view of another matter that we considered in connection with the budget. I still believe that the members of the Police Department of Boston are underpaid. I still believe that \$1,600 is not a proper minimum for men whom we expect to perform their duty honestly, faithfully and impartially. Other cities outside of Boston are paying larger salaries than we are paying to the men in the Police and Fire Departments. I believe the minimum in the Police and Fire Departments should be \$1,800 and the maximum \$2,500, such as is paid in some cities of a smaller size than Boston; and I am glad that both Commissioner Hultman of the Fire Department and Commissioner Wilson of the Police Department went on record before the committee as not opposed to increase of pay even above the maximum allowed this year. I believe the proposed \$100 increase is only an increase to men who have worked five years and are going on their sixth year. I do not believe personally that that is a proper increase. I believe every man in that department should have an increase of at least \$100 or more; I believe the maximum should have been increased at least \$300, as suggested by Coun. Lynch and others two years ago when the commissioner was before us in executive session. At that time, when he wanted an increase of 300 men, we thought it advisable that the regular pay should be increased \$300, and there was a sort of compromise effected at that time, whereby the commissioner was to be given 300 additional men, and I certainly was led to believe that a request would be made to increase the amount of the pay by \$300. I say that with all due respect to the Police Commissioner, who went on record in this room before the committee recently, in favor of a greater increase for the men than has been suggested. I want to say that we have given great consideration to the budget. Every item has been scrutinized. The chairman of the committee and the other members sat here day after day; and I believe, although the committee has cut the budget only \$23,000, that, with all due deference to the Finance Commission, the committee could not have cut any more than it did. The Finance Commission suggested cuts that we could not make. They estimated on the basis of their own statement of expenditures of last year. That was nothing on which we could base our opinion,—and our opinion, as far as that is concerned, is equally good with that of the Finance Commission, because we had the Budget Commissioner here to explain the items, and we had department heads here who explained the items. Possibly if the Finance Commission in connection with their suggested cuts had given to us reasons for the cuts, it might have been easier for us to pass on the contemplated cuts and possibly cut the budget more than we have done. In one item I have before me, Schedule A of the Bridge Service of the

Public Works Department, they asked for \$368,000 and some odd, and the Finance Commission allowed that same amount, whereas the Mayor cut that item \$10,000, allowing only \$357,000. That is the way the items run through the budget. If we had known the reasons actuating the various cuts proposed by the Finance Commission, we might have followed the reasons they advanced in connection with constables and otherwise and have acted accordingly. But I believe the committee have done as faithful and honest a job as they possibly could, under the circumstances, and I shall vote for the budget as amended by the committee.

Coun. FISH—Mr. President, I happen to be a member of the Committee on Appropriations, and I sat in at every hearing of the department heads and went over every item. Furthermore, the budget was examined by the Finance Commission, the Boston Real Estate Exchange, the Boston Chamber of Commerce, the Budget Commissioner and his Honor the Mayor, and it was cut right down to the bone. We could not cut any more than \$23,000 from that budget, and I am going to vote for the budget as amended by the committee and reported here today.

Coun. WARD—Mr. President, I was not a member of the Committee on Appropriations, but I tried to follow up the meetings of the committee and was present at the committee hearings a good deal of the time. In the budget there are two items in which I am a good deal interested. One is Item A-1 in the Sewer Division. I want to ask the chairman of the Committee on Appropriations if he can advise me in regard to that item? If not, I would like permission to ask a question of the Budget Commissioner,—that is, whether or not there is a new position to be created under that item, A-1 in the Sewer Division? If it meets with the approval of the body, I would like to ask that question?

President GREEN—The President would request the chairman of the Committee on Appropriations to get that information from the Budget Commissioner, and then give it to you, Mr. Councilor.

Coun. FITZGERALD—Mr. President, I did not get the question. I was out of the room at the moment.

Coun. WARD—Whether under Item A-1, Chief Inspector of the Sewer Department, there is to be a new position created or not?

Coun. FITZGERALD—Mr. President, it is my understanding that it is not a new position, but some man who has been there for a period of thirty-odd years, who has been acting at different times in different capacities, and it is desired to give him the salary that should properly go with his duties.

Coun. WARD—That satisfies me, Mr. President. Another question in regard to what I have heard discussed here this afternoon. I would like to ask, not the chairman of the committee, but one of the members, Coun. Bush from Roxbury, in regard to the two assistant officers in the Election Department. At the present time I am of the opinion that there are no vacancies in assistant election commissioners in the Election Department; that the resignation of the two former assistants had never been accepted by the Mayor. I heard Coun. Bush and Coun. Donovan, this afternoon say something relative to that, and I would like some information in regard to it, because I am not aware of the facts, and am not informed. I would like to be informed before I speak. Are there two vacancies in the Election Department, now?

Coun. DONOVAN—I am of the opinion, Mr. President, that there is one vacancy; that one is being filled by some employee there, I think by the name of Doyle, who is performing that work. I understand that he is doing that work at the present time and that there is one existing vacancy. That is the present situation, so far as the positions occupied by the two men who were there prior to the incoming of this administration are concerned.

Coun. WARD—Mr. President, I believe,—have reason to believe,—that the resignations of those two persons formerly employed in the Election Department have never been accepted. Therefore, I cannot see why there should be a discussion this afternoon in regard to the two vacancies. I have reason to believe from parties concerned that acknowledgment has never been made, or that there has never been acceptance, of resignations in those cases. Therefore, I believe at the present time that there are not two vacancies in the Election Department.

President GREEN—The Chair will state that it seems immaterial to the President what the gentleman thinks about vacancies in the Election Department. It has nothing to do with the budget.

Coun. WARD—Well, Mr. President, I am interested in the passage of the budget. I am interested in every employee working for the city. I am interested in the ambulance drivers at the City Hospital. I understand that there is a sufficient amount appropriated to increase their salaries, at the will of the trustees. I am likewise interested in the porters at the City Hospital, the workers at the City Hospital generally; and I might say, for the benefit of some members of the Council, that I am not in harmony in any way with a decrease in items in the budget, whether those decreases are made by the chairman of the Committee on Appropriations or by other members of that committee or other members of the Council. We have in our different parts of the city today, Mr. President, thousands of unemployed, and if we are going to follow up the policy of the administration in Washington, if we are going to send out the cry of economy, economy, we are not going to relieve the unemployment situation, and are not going to help our country or our city. I know that everybody has talked the budget over and that every item has been gone over. I am familiar with the different items, have carefully perused and scrutinized them, and I certainly trust that the original budget as presented by the Mayor, without any decreases, will be passed here this afternoon.

Coun. BUSH—Mr. President, one of the previous speakers mentioned the fact that I was perhaps claiming too much credit for the cut of \$22,500. May I apologize to the members of the Council if I have seemed to give that impression? I recommended a great many more cuts, which were not accepted by the committee. I do not claim the credit for the entire \$22,500 which has been cut by the committee from the budget. I would say, however, Mr. President, that the action taken at the last meeting of the committee on the budget, last Friday, was, it seems to me, somewhat significant. The committee were supposed to meet at two o'clock. They still had several large departments to go through—Law Department, Library Department, Park Department, Public Works Department, which has about seven subdivisions in it, and so on. I happened to be busy that day at about two o'clock at a hearing in the Hall before a certain Board and could not be present at the time for which the hearing was called. But I arrived here at about quarter to three, and when I arrived the committee had already adjourned and had apparently passed the entire remaining departments without a single cut.

Coun. MURPHY—Mr. President, I believe, as a member of the Committee on Appropriations, it would be well for me to say a few words at this time, and I want to start by reading from Document 45, the message of the Mayor recommending appropriations and tax orders for the financial year, 1928:

“Office of the Mayor,
Boston, April 9, 1928.

To the City Council:

Gentlemen,—I submit herewith my budget recommendations for the City of Boston for

the fiscal year 1928 in full segregated form, in substitution for the lump sum recommendations submitted on January 30, 1928.

The allowances as recommended total \$41,456,728.53. This total represents a reduc-

Increase in city maintenance total.....	\$1,068,380 39
Decrease in city debt requirements.....	226,566 42
Decrease in income department appropriations.....	30,982 27
	257,548 69
	<u>\$810,831 70</u>

The increase in the city budget total from that of last year may be directly attributed to two causes, first, the restoration of certain items which were eliminated from last year's budget owing to the legislative reduction of the tax limit, and, second, personal service adjustments and increases included in this year's budget. The items restored to the budget total \$570,000, the major item on the list being that of Reconstruction and Repair of Streets by Contract. The 1927 budget carried an appropriation of \$250,000 for this item, whereas the budget herewith submitted contains an appropriation of \$750,000.

Salary increases and personal service adjustments included in this year's budget total \$475,000. The major portion of this amount has been allotted for the purpose of increasing by \$100 existing maxima of patrolmen and privates and the two grades of superior officers immediately above the rank and file of the uniformed forces in the Police and Fire Departments. Approximately 2,700 employees of these two departments will benefit by this increase. The increase will be effective on June 1, 1928, for the officers and for those privates and patrolmen who reached the existing maximum of \$2,000 on or before June 1, 1927. In the cases of those privates and patrolmen reaching the maximum after this date the increases will be effective on the anniversary of their joining the department.

Aside from these two major items additional allowances are present in the budget because of additional election functions, revision of Fire Department running schedules, installation of the Teletype system of communication in the Police Department, cleaning of Stony brook, additional health clinics, additional motor equipment in the Fire and Public Works Departments, additional food, fuel, medical, surgical and laboratory allowances at our hospitals and institutions, and additional relief allowances in the Public Welfare Department. In the main, these increases have been offset by reductions in appropriations for snow removal work made possible because of the open winter, together with savings which have been effected in the Collecting Department in the matter of conducting the annual tax sale.

It is pleasing to note that the debt requirements of the city for the current year are approximately a quarter of a million dollars less than similar requirements in 1927. This reduction may be attributed in part to my policy of limiting the authorization of loans to essential and necessary projects, and to an estimated reduction in the amount of temporary loans to be issued during the current year.

The reduction in appropriations for income departments may be attributed wholly to reduced appropriations in the Water Division. Commencing with this year, the city will be called upon to finance a large increase in the metropolitan water assessment due to the contemplated enlargement of the metropolitan water supply. With this additional burden facing the city, I have deemed it necessary to keep the appropriations of the Water Division at the lowest possible point commensurable with efficient service.

Under the provisions of chapter 320 of the Acts of 1889, departments may spend, prior to the passage of the budget, 'one-third the entire amount appropriated for the department for the previous year.' While none of the departments of the city have as yet

reached this statutory limit of expenditures, nevertheless, the time is rapidly approaching when such a condition will occur. It is therefore desirable that the budget receive early consideration by your honorable body, and I respectfully recommend its adoption.

Respectfully,
MALCOLM E. NICHOLS,
Mayor."

Mr. President, I believe that in the message of the Mayor, the increases that have been talked about this afternoon at this session are very clearly defined. I believe one of the previous speakers made the remark that the Budget Commissioner had to live with the budget, and that then, even after he had lived with the budget, there were certain things that puzzled him. And so I leave it to any fair-minded man, if the Budget Commissioner himself is at times puzzled—and we believe he is honest; every man is honest until proven guilty—and when he admits that himself—and he certainly has sufficient brains, we will all allow that, if he had time to give proper consideration to the budget, to give thorough and fair consideration to every part of it,—if he himself is puzzled, with the amount of time he can give to it, and when we also have the testimony of the heads of the various departments that they have cut the thing to the very bone,—then, I say, that any councilor who wants to stand up and say that because of his knowledge of any particular department he can show where a reduction can be made beyond what has been made, such statements must be taken with a great deal of caution. It has been very amusing to listen to some of the speeches that have been made in this Council since I become a member of it. Fingers have been pointed to the gallery—not this year alone, but last year, during your discussions of the budget; the unemployed were talked about, how they were suffering, not alone in every part of Boston but throughout the country; and yet we find men who are sitting here and plugging day in and day out for their livelihood raising their voices and saying, "We believe that this cut ought to be made and that that cut ought to be made." What does it mean, Mr. President? It means simply cutting out the employment of some poor devil who is struggling along for a livelihood, trying to support his home, his children. After all, Mr. President, when we reflect,—when you speak of reductions,—who is responsible for the great creation of wealth? Why, the very men that they would cut from the budget today, and men who would benefit by the very increases that they would vote to disallow. After attending the hearings on the budget and listening to the various heads of departments, I asked questions, and practically every one whom I asked, "Is there any possible way you can cut beyond what has already been cut?" answered "No." There is an increase of \$100 given to the fire fighters in the Fire Department this year. If I had my way, instead of that being \$100 it would be at least \$200, and the minimum wage would be \$2,000. The same thing would apply to the Police Department. But nothing has been said to any extent of the great mass of employees in this great city—the laborers, the mechanics, the scrubwomen and the cleaners, every one of whom is receiving less than a minimum living wage. Mr. President, before you start talking about making your

schedules and compensating people for a particular class of work that they are doing, you have first got to bring your people up to what is known as the American standard of living,—and the laborers' wages today are far below that. Unemployment? I understand, Mr. President, that in your section of Boston, after we had read of the efficiency and the reductions that were achieved in Washington, in a very small portion of the paper we read that there was a soup line in Charlestown. Does anybody believe that the people of the section where I saw the first light of Boston, South Boston, are receiving in the main a living wage? No, Mr. President, and the same situation prevails in the North End, where I once shined shoes on Hanover street,—earning an honest living, nevertheless, and it would be well for some men if they had come, even from the very gutter, and had worked at shining shoes and had plugged along and worked up, earning a livelihood by the sweat of their brows. It would be well for some people to understand what it means to earn a living wage, an employee in this great city. And I wanted to be recorded in this matter, Mr. President, as hoping that, although it is now too late to make any provision for the laborers, mechanics, scrubwomen, cleaners, and so forth, special consideration will be given to them in the 1929 budget. Mr. President, I had some notes, but I feel this way, that when a man is satisfied with what he has in mind that he should do as a matter of duty, as a rule he can talk extemporaneously and get along all right. I have the greatest respect for the Finance Commission, who sent out an elaborate report. Although I was sick for the past week, about the only thing I did was to study that report. The more I studied it, the more I investigated different conditions in the City of Boston, the clearer it became that one of the most glaring increases that has taken place is in the department of the Finance Commission themselves, who have doubled the amount that they originally started out with. So it is necessary now, Mr. President, to pay \$50,000 to the Finance Commission—good luck to them!—I don't begrudge them the amount they get, if they are doing work that necessitates the payment I wish them to get it; but they ought to bear in mind that there are not many of them who have had to go out and fight for a livelihood the same as some of us have had to fight. Some of them could well afford to give their time for a dollar a year, the same as other men did during the war. But they are not doing it, Mr. President. We find out in the case of the constables that a reduction has been asked for by the committee. I am opposed to making any reduction in the budget. I believe it ought to pass just as it was submitted to us by the Mayor. But, being in a minority of the committee, I have always respected the majority and have been willing to come in here today and fight along the lines that my committee has by majority recommended. I believe, however, that we would be better off if we were to say to ourselves,—which I know we say in our hearts,—that even with the small reduction the committee has asked for, it is going to mean the bread and butter of some poor devil who cannot afford it. They say that we ought to cut \$100,000 at least, to make a showing. I don't know who I want to make a showing for. I come in here with my honest convictions; I am going to go along with my own convictions, but I am not going to attempt to set myself up as a master. When the Commissioner of Public Works, or the head of the Park Department, or any other department, tells me that he has absolutely cut to the bone, and then the committee turns around and asks that a reduction be made beyond that point, I say it should not be done. I believe those men are honest men. There are a few of them, by the way, that I intend to have a fight with, but it is going to be a fight between Murphy and the one who I do not believe has treated me right. But I believe, when this budget has

stood the scrutiny of the various real estate exchanges, chambers of commerce, and everybody else, and when these heads of departments tell us that they are cut to the bone, they are telling the truth. That has been one of my main guides, Mr. President and gentlemen. The proposed increase in the salary of the Chief of the Fire Department is an outstanding item, Mr. President. I want to dwell on that. I believe that the \$1,500 increase recommended by his Honor the Mayor should prevail, and that the Chief of the Fire Department should be put on the same footing as the Superintendent of the Police Department. I believe that, due to the fact that this man has given the best part of his life—as I understand over forty years—and is now about on the eve of a pension, in the sunset of his life, those of us who appreciate the fact that he has performed such great work for the citizens of Boston should see to it, as far as we can do so, that he obtains recognition at the end of his days which will make him feel happy and make him realize that the work he has done is appreciated. Oh, Mr. President, I have listened to arguments for decreases in wages, God knows, often enough. I saw the time, in 1921, when the organization of which I am a member was told, for the sake of saving Boston, that they ought to take a reduction in wages. Believing that the reconstruction period was on us and that we ought to do something to fall in line and bring down the cost of living, the organization took a decrease in wages. And so I say, Mr. President, after you work around as I and others have done, after you go into conferences, after you hear this talk in the Legislature and other places about these questions, after you have studied into this question of a living wage and have found the conditions that arise where people do not get such a wage, it makes you hesitate when it comes to cutting anything from a budget like this, which can accomplish only one thing, and that is to hurt the man down at the foot of the list, who needs the employment and who will be sadly in want, and his family also, if such cuts are made. I only hope some attention will be paid to some of the big construction work that we are hearing about. Instead of talking about reductions, let them turn around and spend a few million dollars putting the streets in condition and carrying through other public work. I believe the Public Works Department should have been allowed at least another million dollars to do the work which they should do. I am absolutely opposed to any reduction in the budget, and I hope that it will pass here this afternoon as it is submitted to us.

Coun. DOWD offered the following:

Ordered, That the Appropriation Bill be amended by restoring the reduction recommended in Item A-1, Personal Service of Fire Department, relative to the salary of the Chief of the Department.

Coun. DOWD—Mr. President, on January 30 of this year, Coun. Dowd introduced an order calling upon his Honor the Mayor to consider the advisability of recommending an increase in salary to the Chief of the Boston Fire Department, to put him on a salary basis like that of the Superintendent of Police of the City of Boston. I conferred with his Honor the Mayor at that time in reference to that matter, and after a lengthy discussion and after showing his Honor the salaries received by the chief of the Fire Department in such cities as New York, Chicago, Cleveland, St. Louis, Indianapolis, and other cities of Boston's rating, that the salary paid in those cities was anywhere from \$8,000 to \$12,000 per year, his Honor then agreed that the position of the Chief of the Fire Department should be on a par with that of the Superintendent of Police and, after consulting with the Budget Commissioner, saw fit to recommend to this honorable body that the position of the Chief of the Boston Fire Department be paid a salary the same as that prevailing with the Superintendent of Police

in the City of Boston. For, after all, the position of fire chief in Boston is really not a political appointment, because a man must spend from thirty to fifty years in the Fire Department in order to obtain the office of Chief of the Fire Department. I am not talking for the present gentleman who is chief of the department, I am talking for the office itself, and we see in City Hall that 80 per cent of those men appointed by his Honor the Mayor in various departments receive anywhere from \$6,000 to \$9,000 a year, who have no training in city affairs, and who are merely considered rubber stamps and heads of departments; but in this case of the Chief of the Boston Fire Department we have a man who has served for forty-six long years before he has been able to attain the position of Chief of the Fire Department, and there isn't a question in the mind of any Boston councillor that it is only a very, very short period when the present Chief of the Boston Department will, possibly, be placed on a pension. His Honor the Mayor recommends to this body an increase to \$7,000 a year. They say they are against a large increase. I say, if that is so, why give five or six other gentlemen \$1,500 increases in this same budget, that we say nothing at all about, and they pick upon the one man who has served honestly and faithfully for forty-six years, they single him out to cut him down \$500. What does that mean this year? It means a reduction in the budget of \$293. Is there any individual councillor, whether he be on that committee or not, who feels he is justified in asking this council to cut down an appropriation of that kind? I don't believe there is, for we all are aware of the fact that the duties of the fire chief are perhaps the most important in the entire City of Boston. Don't get confused with the salary of the Fire Commissioner, because he is a political appointment, and all commissioners, with the possible exception of two, in the last twenty-five years knew nothing about the Boston Fire Department and depended solely upon the chief to run the affairs of the Fire Department of the City of Boston. The Mayor of Boston is desirous that the chief's office call for \$7,000 a year, and there is not any real, logical reason why he should not receive that increase. Coun. Bush, of Roxbury, stated his belief that the office called for that, but he objected to giving it to him in one lump sum. My reply to that is that the fire chief of the Boston Department has been underpaid for the last twenty years, and if you don't act today and allow the increase that the Mayor has seen fit to place in the department, then we all know that the Chief of the Fire Department will not receive an additional increase within the next five or six months, and if he is retired on pension he will be retired on \$6,500. I am not going against the committee's wishes. I believe they have done a wonderful job in this budget; they have spent a lot of time; but I believe, at least, that the committee should take into consideration the wishes of some members of the Council when we take the floor and ask for a correction in the budget. I am of the opinion that the committee themselves agree with me that he is entitled to it, but because of the fact they come in here today and vote an amended budget because they feel it ought to pass as amended, other items may come up. This is the only item where personal services have been cut. I say, if they were going to cut one man, why take a man of forty-six years' experience? Why not take any one of the other five men who receive increases in this very budget of \$1,500 per man, who have not seen near the service that the Chief of the Fire Department has seen? It is the wish of his Honor the Mayor that he receive that salary. The order was introduced by myself in this Council. There was not a dissenting vote when I introduced that order. The Superintendent of Police receives \$7,000, and I am of the belief and opinion that the position of the Chief of the Boston Fire Department is just as important,

if not more so, as the position of the chief or the superintendent of the Boston Police, over which we have no jurisdiction, that being covered by statute, and the Legislature sees fit to give him \$7,000. Don't we think well enough of our chief to give him the same salary as the Legislature allows to the Superintendent of Police? So, Mr. President, I am going to ask not only the committee but the members of the body to view this matter in a fair and logical manner, with justice to the man who has given the service that he has to the city, and who, in my opinion and perhaps in the opinion of most of us here, will be retired within the next six or eight months. Give him the benefit, and don't let it be said that this Council of twenty-two men has got so small and petty that we would deprive an old veteran of \$500 because he leaves the service of the city.

Coun. FITZGERALD—Mr. President, evidently the Council has been lobbied on this matter and it will pass, but I want to make my position clear. We all understood that this thing was to pass as amended, and I for one would never have submitted it had I known that this underhand work was going to take place, because there are other people in this budget, to whom justice has not been done. It is all very well to plead here with tears in your eyes for the old, gray-haired veteran, but there are other fellows, too, in the Fire Department who should be given consideration. There is many a man that has been thrown off a ladder and many a man who suffered and never obtained his just rights. There were many of them in the Fire Department who gave their lives, who did what they were told to do when the Commissioner said they must be turned out; many of them who cannot live, hardly, on the salary they are now getting, who are forced to raise large families, who have had sickness at home and children to take care of and to educate, who have sick daughters and sick wives. Oh, many a deputy and many a district chief has gone out in the dead of night and suffered, too, and we did not have faith in the Council to go forward! But now you start to break down this thing, and I won't fight it at this late hour. Go ahead! But I have always kept my word, and I come from a section where they never broke their word, and if I am the only man here I want my position understood. The Mayor of the city is entitled to some consideration. He was elected by the people. To the few positions that he has at his command he has the privilege and right to name his friends if he sees fit. No, they cut out the constables. They have no regard for the men in the Election Department who are now going in to pensions, who might have been appointed assistant election commissioners. Nobody says a word in their behalf now; no effort is made to take care of them. I don't blame Coun. Dowd. He has done his duty. But, at least, if it wasn't satisfactory, we could have changed it before we went far with it, and we cannot change it now in justice to ourselves. But, of course, with men who have no word, who desire to break their word, whose promises are like piecrust, made to be broken,—all well and good; but, in speaking of the other people for whom things could have been done, as Coun. Murphy from Hyde Park well says, many a poor fellow, perhaps with hope in his heart that he might get one of these places, whose wife may be waiting at home for the final communication, will be told tomorrow, "Yes, if the Council had passed it, it would have taken care of you." I want my conscience clear on that thing, and I hope every member will stand firm with every other member and decide to do justice to all. We could all help them. Here is a man, Tom Roe, who has given thirty-seven years' service as cashier and clerk in the Public Works Department. When these men went into the departments in the old days \$1,500 was a large salary, but if they went out in private employment they would have gotten considerably more. They are old now and will be replaced. None of

us know what we are coming to; none of us know the circumstances of many of these men who have worked the days they have and who left the department with broken hearts. Here we have a young man in the prime of life, Peter Walsh, at forty-five, who helped me out. I could go on and name every man in the Fire Department, and I could name chiefs and deputy chiefs who I know worked themselves out. Cheswell, one of the greatest men we ever had, I heard the story of when he stood there alone, when there was smallpox around, and when every other man deserted his post, and when he died Martin Lomasney had to go to the Legislature and fight to get his widow \$300. Those men gave great service. They were not present at banquets—they had no time. They did their duty as they saw it, and there was nobody to speak for them. And now we hear all these cries about one individual. I told you that the committee compromised. They would not agree to \$1,500. There were hard feelings over this thing, which led me to think if I had my career to lead over again I would not take the position, but I took it out of a sense of duty rather than to have hard feelings, and, having served this body, we find hard feelings on this committee because your man is not included. One member of this committee, when an item was cut out of the budget, did not complain, and you don't hear him crying and saying, "Put it back." There are a lot of injustices done. A man who has served the city faithfully should have the same consideration. Cut this out or increase it if you want to, but I say there is injustice to the other people who don't get what they should have. With the committee I went to the Mayor last Friday to appeal to him for the drawtenders, to appeal to him for this one and that one, and he said, "Nothing doing." He said, "The budget is all done." How can we open it? Many of us have pleaded for our friends. Coun. Ward spoke of the men who are working in minor positions in the City Hospital. I saw one man leave that gallery with his head down. A few dollars means a lot to him. It is all right to plead for those men that have friends to do something. We all came to an understanding, and if you want to overturn the committee now, after you agreed to go through with it, all well and good. The Mayor said he would stand on the budget. I saw the Mayor this morning, and he told me that he would not stand for these changes. He gave an argument to the committee which I think no man could get around. He said he had left out his own friends. But now if he opened the budget they would come in. And I think if you open the door now to place him in the \$1,500 class, at least a suggestion made by the Mayor of the town, who was elected by the people with their eyes open, then it is your duty to put back the assistant election commissioner and the five constables; and I ask you to bear in mind the words that Coun. Murphy said. He has toiled early and late, as he tells you, came over as an immigrant and shined shoes in the ward I have the honor to represent. Let us be fair with him and put this back if you put back the \$500. It is no more than fair. We should have done that in the beginning. If you do it for one it should be done for the rest, and I propose to make a motion, if you pass that and those constables go back, that the assistant election commissioner go back. They are outside the civil service, too, but they will be appointed by the Mayor—he has to take care of his friends. He has only eleven or twelve positions outside his office force that he can give to his friends. Many a fellow who has assisted a man to become mayor of the town expected to get some political office, and I believe the Mayor ought to have some consideration; and, if you give Chief Sennott \$500, it is your duty to put back those constables and the assistant election commissioner.

Coun. McMAHON—Mr. President, I think the Committee on Appropriations did a very

good job, and the chairman has just explained the feeling that I have for the budget. In the first place, as Coun. Dowd gave us the knowledge of the \$1,500 raise for the Chief of the Boston Fire Department, I agree with the councilor, and I hope that my vote will help the Chief of the Fire Department to get his \$1,500 raise. I also believe, as I said in the beginning, that the Committee on Appropriations did a very good job, but, like all committees, I not being on that committee and being one of the councilors. I have been placed on committees and the committees came out here with all the honest and best intentions that what they did was right, and when the chairman of my committee did everything he could and has taken it on the chin, and I happen to go down with my committee chairman, the same as this Appropriations Committee here this afternoon, I feel, will have to take it right on the button, or on the chin, as I say it, and I feel now, Mr. President and members of the City Council, the committee were honest in everything they did, but I believe as the chairman believes in his own heart. By what right should we stop the Mayor of the City of Boston in appointing men to positions when he has that right, and the only right he has unless he goes to civil service—who, today, won't take an ordinary laborer, if you go up to them, and change his rating for you. You show them where he does work of a high-priced man, and they won't allow him to change his rating. And I say that the Mayor of Boston—and I am not making any speeches for the present Mayor, only Boston is not going to die in the next two years, and if there is a different Mayor coming in here he wants the privilege of appointing to positions those who are his friends. He is entitled to that; and I say here this afternoon, Mr. President and members of the Council, with the amendment that they put in to cut a salary from \$1,500 to \$1,000, I can't see it, and I think there is not an item in that budget, after the way it has been cut before we got it, that I would not wish or think to vote for the budget as it was sent to us. It is not a budget like we had before here, that we went through and never cut, but this budget has been scrutinized and cut in every possible way, and when I hear from others in this Council suggesting cutting the Celebrations appropriation from \$65,000 to \$50,000, I can't reason with them for the simple reason we don't have enough now in that particular item, and I hope this Council, this afternoon, will vote the budget as it originally came to us, without any amendments.

Coun. BUSH—Mr. President, I listened with a good deal of attention and interest to the remarks of Coun. Dowd with reference to the cut in the increase allowed to Fire Chief Sennott. It was a very touching spectacle that he gave there—Coun. Murphy, also—of a man who had reached the glowing sunset of his life, and was about to leave the city's employ, and, therefore, we ought to be charitable and give him the entire increase suggested so that he would thereby be enabled to leave the city's employ on a pension which would be correspondingly larger than it would be on his previous salary. There is some justice to that statement, and I think it is fairly carried out when he is allowed \$1,000. As I understand it, he is now getting \$5,500 a year. That may not be a very enormous sum, but it is a sum considerably in excess of that on which the majority of people are getting along, and to give him an increase of \$1,000 more adds a good deal more, or perhaps a little more, luxury to what he already has. When he speaks of the service which the fire chief has rendered, I have no quarrel with him at all. The fire chief renders a great deal of service and has rendered it in the past; but even that does not seem to me to justify an increase of \$1,500 at one time, if you will only contrast the service that is rendered by others, which perhaps is equally entitled to credit

and justice. Take the service of the men who fought in the World War and who came back here maimed, disfigured, disabled, and handicapped for the rest of their lives, for their entire future. Their entire future is ruined, in fact, and they are given a pension of \$1,200 a year if they are totally and permanently disabled and are pronounced so by the board. Yet, you will see a man going out with \$6,500 a year, if he is retired this year, and he may not be retired this year, and next year he can be increased another \$500. He will go out on half-pay at \$6,500 a year, in the declining years of his life, which certainly ought to be sufficient to meet the needs of a man of that age, with no family to support. His family must have grown up by this time, and it merely means the support of himself and his wife and, certainly, that is sufficient for that purpose. I can't see any need for changing the recommendations of the committee at this time, and I thoroughly agree with the chairman of the committee, that as long as the committee has seen fit to cut the infinitesimal sum of \$22,000 from a budget of over \$40,000,000, the Council ought to be willing to accept the report of the committee on that amount and pass the budget as it was amended without this further discussion, which is only taking up a considerable amount of our time, and I am sure that most of us want to get away to our homes and our suppers. We have already been delayed a considerable length of time now.

Coun. GALLAGHER—Mr. President, as a member of the Committee on Appropriations I would like to state my position. I am very much in favor of paying men what they are worth, but if a man is employed by any private corporation and he was to receive at the end of the year \$1,000 increase in salary, I honestly believe he would be pretty well satisfied. If we were handling the affairs of a corporation, I rather think that we would flatter ourselves to the extent of thinking that we were rewarding that man pretty well, and if the money was coming out of our pockets I think it would be another tune. I think we would rather hesitate advancing a man's salary \$1,000 or \$1,500. We have one fire chief. He gets at the present time \$5,500 a year. The assistant chief of the department gets \$4,000. He is the assistant chief, and in the absence of the chief performs the work and duties of the chief. I cannot see the difference of \$2,500 in the salary. Nothing is said about an increase for him. We have six deputy chiefs, and nothing is said about an increase for them. We have thirty district chiefs, and nothing is said about an increase for district chiefs. And the men who actually put out the fires are getting \$100 increase, the men who have to go into the buildings and put the fires out, while the chief stands outside and directs the work. That amounts to \$1.50 a week for each man. I voted for the reduction of \$500. If you remember, to go back a few years, it took some time to bring the Superintendent of Police up to his present salary, \$7,000. We would not jump it by \$1,000 or \$1,500 at one time. I cannot, for the life of me, see why there should be an 18 to 1 shot in the Fire Department, or a 15 to 1 shot, at least, with the chief getting \$1,500 and the privates \$1.90, the thirty district chiefs nothing, and the six deputy chiefs and assistant chief nothing. I feel that the committee was wise in the action it took in

reducing it \$500, and I sincerely hope that the members of the Council will so vote.

The question came on the adoption of the amendment. Coun. DOWD asked for a roll call. The amendment was rejected, yeas 9, nays 11:

Yeas—Coun. Deveney, Dowd, Lynch, Mahoney, McMahan, Motley, Murray, Murphy, Ward—9.

Nays—Coun. Arnold, Bush, Donovan, Dowling, Fish, Fitzgerald, Gallagher, Green, Parkman, Ruby, Sullivan—11.

Coun. WARD—Mr. President, I move substitution of the original budget of the Mayor for the budget presented by the Committee on Appropriations.

President GREEN—The question is on Coun. Ward's motion. Those in favor will say "Aye," opposed "No," and the motion is defeated.

The Clerk will call the roll on the passage of the budget as reported by the committee.

The roll was called and the budget orders as reported were passed, yeas 20, nays 0:

Yeas—Coun. Arnold, Bush, Deveney, Donovan, Dowd, Dowling, Fitzgerald, Gallagher, Green, Lynch, Mahoney, McMahan, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Ward—20.

Nays—0.

IMPROVEMENTS OF PLEASANT STREET.

Coun. SULLIVAN offered the following:

Ordered, that the Park Commission be requested, through his Honor the Mayor, to place additional loam in the spaces between the sidewalk and curbstone on Pleasant street, Dorchester, from East Cottage to Stoughton streets; also to seed the same.

Passed under suspension of the rule.

ARC LIGHT, PLEASANT STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of an arc light on Pleasant street, Dorchester, between Howes and East Cottage streets.

Passed under suspension of the rule.

ACCEPTANCE OF PLEASANTVIEW STREET.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Pleasantview street, Ward 18, as a public highway.

Passed under suspension of the rule.

ACCEPTANCE OF TAMPA STREET.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Tampa street, Ward 18, as a public highway.

Passed under suspension of the rule.

Adjourned, on motion of Coun. PARKMAN, at 7.13 p. m., to meet on Monday, May 14, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Boston, May 14, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Deveney and Dowd.

APPOINTMENT BY THE MAYOR.

Subject to confirmation by the Council, the following appointment for term ending April 30, 1929, was received, viz.:

Constable: John Milgroom of 46 Quincy street, Ward 12.

Laid over for a week under the law.

SEWERS AND DRAINS, WARD 18.

The following was received:

City of Boston,
Office of the Mayor, May 9, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of April 23, 1928, relative to the construction of sewers and surface drains in the following streets in Ward 18, during the present season:

Dyer avenue, Water street, Neponset avenue, Rutledge road, Summit street, Rosemont street, Clifford street, Greenfield road, Caton street, Dale street, Maynard street, Littledale street, Charme avenue, Doncaster street.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, May 7, 1928.

To the Honorable the Mayor.

I return order of the City Council, dated April 23, relative to sewer construction in certain streets in Ward 18.

Proposals have been invited for Dyer avenue, Summit street, Greenfield road, Caton street, Doncaster street, and the outlet for Charme avenue. The Charme avenue sewer is to be built by the abutting property owners.

The department is now at work on plans, specifications, etc., for the following streets: Water street, Neponset avenue, Rutledge road, Rosemont street, Clifford street, Dale street, Maynard street and Littledale street. These contracts will be advertised as soon as the preliminaries are taken care of.

Yours respectfully,

J. H. SULLIVAN,

Commissioner of Public Works.

Placed on file.

STREET SIGNS IN SOUTH BOSTON.

The following was received:

City of Boston,
Office of the Mayor, May 9, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of April 23, 1928, relative to the hastening of the work of placing street signs on poles already erected in South Boston.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, May 7, 1928.

To the Honorable the Mayor.

I return order of the City Council, dated April 22, 1928, requesting this department to hasten the work of placing signs on the posts in South Boston.

Owing to a manufacturing mishap, the work on the plates was delayed. Deliveries are now under way, and the signs will soon be in place.

Yours respectfully,

J. H. SULLIVAN,

Commissioner of Public Works.

Placed on file.

AMBULANCE DRIVERS' RATING.

The following was received:

City of Boston,
Office of the Mayor, May 12, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the trustees of the Boston City Hospital, in reply to your order of April 16, 1928, relative to change in rating of men employed as ambulance drivers from chauffeurs, to ambulance drivers, and the payment of a salary commensurate with the services which they render the city.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Hospital Department, May 7, 1928.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—At a meeting of the Board of Trustees held today, the inclosed order of the City Council in regard to change of rating and increase in pay for men employed as ambulance drivers at the Boston City Hospital, was presented.

Inasmuch as the budget has been passed, it was deemed inadvisable to make any change in rating or increase in salary at the present time, but the trustees will gladly consider the matter if the request is made when the budget is made up for next year.

Yours respectfully,

JOSEPH P. MANNING,

President, Board of Trustees.

Placed on file.

Coun. GALLAGHER in the chair.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

American Book Company, for refund on unused refuse tickets.

Forrest M. Barker, for compensation for damage to automobile caused by an alleged defect at 29 Neponset avenue.

Barnet Berg and Harry Tepper, for refund on building permit.

A. Centori, for refund on soft drink license.

Hyman Cohen, for compensation for injuries caused by an alleged defect in Beacon street.

Sydney Cutter, for loss of property at City Hospital.

Ethel Farley, for compensation for injuries caused by an alleged defect at 41 Telegraph street.

A. Finkovitch, for compensation for damage to automobile by city cart.

John Gahn, for compensation for damage to property at 675½ Harrison avenue, caused by stone from street.

Francis Gallagher, for compensation for injuries caused by an alleged defect at 11 Moultrie street.

Edmund A. Graves, for compensation for injuries caused by an alleged defect in Northern Avenue Bridge.

James J. Jordan, for compensation for damage to clothing caused by water hydrant.

Loose-Wiles Biscuit Company, for compensation for damage to truck by city employee.

Albert Manardi, for refund on victualer's license.

Minnie Peltz, for compensation for injuries caused by an alleged defect at Washington and Winter streets.

Anthony Poto, for compensation for damage to automobile caused by an alleged defect in Pleasant street.

Samuel Richman, for compensation for damage to automobile by fire apparatus.

Marshall W. Stevens, for compensation for damage to automobile caused by an alleged defect in La Grange street.

Myer Sugarman, for compensation for damage to automobile caused by an alleged defect in Summer street.

Mary Weeks, for compensation for injuries caused by an alleged defect at 417 Washington street.

Ralph L. Whitcomb, for compensation for damage to automobile caused by city truck.

Olga Zizza, for compensation for injuries caused by an alleged defect in Salem and Cross streets.

Lester C. Phinney, for compensation for damage to automobile by fire truck.

Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Cecilie A. Mara, Jordan Hall, June 8.
 A. Marie Govone, Repertory Hall, June 1.
 Helen Merrill, Jordan Hall, May 15.
 Ethel Y. Dwyer, Jordan Hall, May 28.
 Lucille P. Hall, Jordan Hall, May 19.
 Isabelle B. Bond, Jordan Hall, May 12.
 William P. McNamara, Washington Irving Hall, May 11.
 Catherine M. O'Hea, Current Events Hall, June 2.
 Lillian E. Brown, Municipal Building, South Boston, June 2.
 Edna Stertz, Jordan Hall, May 14.
 Gertrude A. Goodman, Whiton Hall, May 12.
 Harold B. Simpson, Jordan Hall, June 5.

Special Committee on Jitneys.

Petition of Boston & Maine Transportation Company to operate motor vehicles from Cambridge-Boston line to the Consolidated Coach Terminal at 3 Providence street.

CONSTABLES' BONDS.

The bonds of the following-named constables, having been approved by the City Treasurer, were received and approved, viz.:

Daniel B. Carmody, Matthew W. Chait, James B. Cushing, Charles H. Jackson, Harry Kahn, Bronis Kontrim, Salvatore Maffei, John J. Miller, Edward Ober, Francis J. O'Loughlin, George C. Souther, Leon Steinberg, Benjamin J. Tackeff, Harry A. Webber, Karl West, David H. Wilkinson.

PAY ROLL REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds from May 1 to May 15, amounting to \$4,235.83, was received and approved.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearing to be held on May 28 on following petition for storage and sale of gasolene, viz.: Packard Motor Car Company, 1089 Commonwealth avenue, Ward 21, 2,000 gallons.

Referred to the Executive Committee.

ORGANIZATION OF HOSPITAL TRUSTEES.

Notice was received from the trustees of the Boston City Hospital of organization by re-election of Joseph P. Manning as president and Henry S. Rowen as secretary.

Placed on file.

HEARINGS ON PETITIONS OF BOSTON ELEVATED RAILWAY.

Notice was received from the Department of Public Utilities of hearings to be held on May 17 on petitions of Boston Elevated Railway *in re* changes in structure on Nashua and Causeway streets.

Placed on file.

APPOINTMENT OF RAILROAD POLICE OFFICER.

Notice was received from the Boston, Revere Beach & Lynn Railroad of appointment of railroad police officer.

Placed on file.

RESURFACING OF JULIAN STREET.

Coun. SULLIVAN offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Julian street, from Howard avenue to Blue Hill avenue, Ward 13, during the present season.
 Passed under suspension of the rule.

LAYING OUT OF FRANCONIA STREET.

Coun. FISH offered the following:
 Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Franconia street, from Adams to Charlemont streets, Ward 16, as a public highway.
 Passed under suspension of the rule.

RESURFACING RUTHVEN STREET, WARD 12.

Coun. BUSH offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Ruthven street, Ward 12, with a smooth pavement, during the present season.
 Passed under suspension of the rule.

REPAVING OF PROVIDENCE STREET.

Coun. PARKMAN offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with granite block paving Providence street, from Park square to Berkeley street, Ward 5.
 Passed under suspension of the rule.

Coun. ARNOLD offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with granite block paving Providence street, from Berkeley street to Clarendon street, Ward 4.
 Passed under suspension of the rule.

LAYING OUT OF FESSENDEN STREET.

Coun. MURRAY offered the following:
 Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Fessenden street as a public highway and to provide for the extension of same from Chestnut avenue to Rockview street, Ward 19.
 Passed under suspension of the rule.

PRINTING OF "BOSTON'S STREETS," ETC.

Coun. MURRAY offered the following:
 Ordered, That the Superintendent of Printing be, and he hereby is, authorized to print

an edition of two hundred copies, bound in cloth, of "Boston's Streets, also its Avenues, Courts, Places, etc.," and that the expense of the same be charged to the appropriation for city documents.

Referred to the Committee on Printing.

WIDENING OF SUMMER STREET.

Coun. WARD offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to widen Summer street, from the Army Base to the Strandway, South Boston, to a width of eighty feet from curb to curb, with a new bridge to replace the present structure, at an estimated cost of \$1,500,000. Passed under suspension of the rule.

PERMIT TO BOSTON CELTIC FOOTBALL CLUB.

Coun. WARD offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to grant a permit to the Boston Celtic Football Club, allowing them the use of the Sullivan Square Playground for their soccer football games.

Coun. WARD—Mr. President, the Boston Celtic Football Club has had for the past year the use of the Sullivan Square Playground. There was a question that came up between the club and Captain Goff of Division 15, he charging that the Boston Celtic Football Club collected money at the games. Whether or not that is true I am not prepared to say. But the case went to court and the team was found not guilty of acting in violation of the ordinance or law. Captain Goff forwarded to me a letter today stating that different organizations had asked that the permit be revoked, and I believe, on the petition of the Sabbath Day League, that the Park Commissioner has revoked the permit. It is a question of one passing the huck to the other. The Park Department in a communication have put the thing up to Captain Goff, and Captain Goff has put it up to the Park Department. I don't think it is right for the Park Commissioner to say that the issuing of the permit is directly up to the Police Department or for them to put it up to the Park Commissioner. We don't know where we are at where requests are made of both. I move a suspension of the rule, and the passage of the order, with the understanding that the Park Commissioner will take immediate action to renew the permit.

The order was passed under a suspension of the rule.

SOLOMON LEWENBERG SCHOOL.

Coun. RUBY offered the following:

Ordered, That the School Committee be requested, through his Honor the Mayor, to name the proposed junior high school in the Wellington Hill district, "Solomon Lewenberg School," in honor of the distinguished citizen of that name who gave splendid and unselfish service to the city and the Commonwealth, and whose untimely death occurred just as he was appointed Registrar of Probate.

Coun. RUBY—Mr. President, I understand that a new junior high school is going to be erected in the Wellington Hill district in Ward 14, and I believe, if the School Committee is looking for a name suitable to commemorate a man who gave his time and energy to the city and state, it can do no better than to select the name of Solomon Lewenberg, who lived in Ward 14 for a number of years, who served the state on the Gas and Electric Light Commission, and who was always known as the friend of the people,

always fighting their battles when any attempt was made to increase gas or electric light rates. Sometime later, just previous to his death, the Governor honored him with appointment as Register of Probate. Unfortunately, he died two days before assuming the office. I believe the School Committee will do the proper thing in commemorating the name of a man who gave so much of his time and energy to the city and Commonwealth, and I ask that the order be passed under suspension of the rule.

The order was passed under suspension of the rule.

RECESS.

The Council voted, on motion of Coun. RUBY, to take a recess subject to the call of the Chair, at 2.25 p. m.

The members reassembled in the Council Chamber at 3.03 p. m., and were called to order by Coun. GALLAGHER.

FURTHER HEARING ON PROPOSED TRAFFIC REGULATIONS.

Coun. DOWLING offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to give a further public hearing before passing on the proposed traffic regulations as recommended by the Mayor's Traffic Advisory Board.

Passed under suspension of the rules.

MADISON PARK, ROXBURY.

Coun. WARD offered the following:

Ordered, That the Park Commission be advised, through his Honor the Mayor, of the deplorable condition of Madison Park, Roxbury, and that immediate steps be taken to remedy this apparent negligence.

Passed under suspension of the rule.

WILLIAM J. BARRY PLAYGROUND.

Coun. WARD, for Coun. GREEN, offered the following:

Ordered, That the sum of \$50,000 be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission, for the purpose of erecting a field house on the William J. Barry Playground, Charlestown, and that to meet such expense 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.

HEALTH UNIT, WARD 14.

Coun. RUBY offered the following:

Ordered, That the trustees of the George Robert White Fund be requested, through his Honor the Mayor, to consider the establishment and maintenance of a health unit in the Dorchester-Mattapan district of Ward 14.

Passed under suspension of the rule.

REPAVING OF DORCHESTER AVENUE.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Dorchester avenue, from Savin Hill avenue to Fields Corner, during the present season.

Passed under suspension of the rule.

HEALTH UNIT, FIELDS CORNER.

Coun. McMAHON offered the following:

Ordered, That the trustees of the George Robert White Fund be requested, through his Honor the Mayor, to consider the establishment and maintenance of a health unit in the Fields Corner section of Dorchester.

Passed under suspension of the rule.

HENRY HINES SQUARE.

Coun. FITZGERALD, for Coun. Donovan, offered the following:

Ordered, That the space at the junction of Byron and Bennington streets, East Boston, be named Henry Hines square, in honor of the distinguished soldier of that name who died April 16, 1928, and that said space be suitably marked with signs.

Passed under suspension of the rule.

BRANCH LIBRARY, MATTAPAN.

Coun. MURPHY offered the following:

Ordered, That the trustees of the Boston Public Library be requested, through his Honor the Mayor, to establish a branch library in the Rugby section of Mattapan.

Passed under suspension of the rule.

BOULEVARD LAMPS, HYDE PARK AVENUE.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install boulevard lamps on Hyde Park avenue, Ward 18, from Neponset avenue to Cleary square.

Passed under suspension of the rule.

ACCEPTANCE OF PERKINS STREET.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Perkins street, Ward 18, as a public highway.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON INVESTIGATION OF CONSTABLES.

Coun. RUBY, for the Special Committee on Investigation of Constables, submitted reports as follows:

On No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor April 16, 1928, of the following named persons to be constables: Alexander Goodman, Albert T. Homsy, Carl Birger-Berg, Walter Isidor, Barnett Levenbaum, Roman J. Vasil, John F. Welch.

That the names of Alexander Goodman, and Walter Isidor be confirmed.

On No. 2 on the calendar, viz.:

2. Action on appointments submitted by the Mayor April 30, 1928, of the following named persons to be constables: Thomas Cannizzaro, Harry Chiofsky, Morris Rommell, Philip P. Davidson, Frank Shaw.

That the name of Frank Shaw be confirmed.

On No. 3 on the calendar, viz.:

3. Action on appointments submitted by the Mayor May 7, 1928, of Ambrose J. Purcell and Abraham M. Hecht, to be constables.

That the names of Ambrose J. Purcell and Abraham M. Hecht be confirmed.

The reports were accepted, and the question came on confirmation of the names submitted by the committee. Committee, Coun. Fitzgerald and Ruby. Whole number of ballots 12; years 12, and the appointments were confirmed.

EXECUTIVE COMMITTEE REPORT.

Coun. KEENE, for the Executive Committee, submitted the following:

1. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Cecilie A. Mara, Jordan Hall, June 8; A. Marie Govone, Repertory Hall, June 1; Helen Merrill, Jordan Hall, May 15; Ethel Y. Dwyer, Jordan Hall, May 28; Lucille P. Hall, Jordan Hall, May 19; Isabella B. Bond, Jordan Hall, May 12; William P. McNamara, Washington Irving Hall, May 11; Catherine M. O'Shea, Current Events Hall, June 2; Lillian E. Brown, Municipal Building, South Boston, June 2; Edna Stertz, Jordan Hall, May 14; Gertrude A. Goodman, Whiton Hall, May 12; Harold B. Simpson, Jordan Hall, June 5, that leave be granted under the usual conditions.

Report accepted; leave granted under the usual conditions.

SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in City of Boston for the month of May, 1928.

Passed under suspension of the rule.

ARC LAMPS, WARD 11.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an electric arc lamp at the junction of Williams and Meehan streets, Ward 11.

Passed under suspension of the rule.

Adjourned, at 3.12 p. m., on motion of Coun. RUBY, to meet on Monday, May 21, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 21, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Fitzgerald and Ward.

PETITIONS REFERRED.

The following petitions were received and respectively referred to the committees named, viz.:

Claims.

Francis J. Burns, for compensation for injuries caused by an alleged defect in Massachusetts avenue and St. Stephen street.

Anthony Cinslerulo, for compensation for injuries caused by an alleged defect at 132 Bremen street.

Sadie Earle, for compensation for injuries caused by an alleged defect in Washington street.

George L. Kelley, for compensation for property stolen from locker at Franklin Field.

Thomas F. McManaman, to be reimbursed for vacation which was due him as employee of city in South End paving yard.

Hyman Mofechum, for compensation for damage to automobile caused by city truck.

Mary L. O'Connell, for refund on soft drinks license.

Mrs. Annie F. Palladino, for compensation for injuries received on ferryboat.

Sparsa Pellegrino, for compensation for injuries caused by an alleged defect at 139 Salem street.

Jennie Rosen, for compensation for injuries caused by defect in sidewalk at 1156 Blue Hill avenue.

John M. Sullivan, for refund of fee paid in suit against city.

Mary E. Sullivan, for compensation for injuries caused by an alleged defect in I street.

Annie Van Vloten, for compensation for injuries caused by fire apparatus.

Jacob Van Vloten, for compensation for injuries caused by fire apparatus.

George C. Webber, for compensation for damage to taxi by fire apparatus.

William J. Ahearn, for compensation for damage to automobile caused by an alleged defect in Lewis street, East Boston.

— Christie, for refund on ash tickets.

Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Marion J. Hennessey, Washington-Irving Hall, May 25.

Ruth M. McShane, Municipal Building, South Boston, May 25.

M. Theresa Connell, Jordan Hall, June 4.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held on Monday, June 4, on petitions for storage and sale of gasolene, viz.:

Ralph A. Cote, 125 Stoughton street, Ward 13, 2,000 gallons.

Alice J. Powers, 662 Huntington avenue, Ward 10, 2,000 gallons.

William H. Thornton, 912 Saratoga street, Ward 1, 1,000 gallons.

Martin H. Walsh, 5210 Washington street, Ward 20, 1,000 gallons.

Referred to the Executive Committee.

APPROVAL OF APPOINTMENTS.

Notice was received of the approval by the Commissioners of Civil Service of appointments by the Mayor, as follows:

Dr. George G. Sears, 426 Beacon street, to be a trustee of the Boston City Hospital.

Philip S. Sears, 53 State street, to be a commissioner of the Art Department.

William P. Long, 44 Tower street, Jamaica Plain, to be Park Commissioner.

Placed on file.

CHAIRMAN OF PARK COMMISSIONERS.

Notice was received of the designation by the Mayor of William P. Long of 44 Tower street, Jamaica Plain, as chairman of the Board of Park Commissioners.

Placed on file.

Coun. WILSON in the chair.

ELECTION TO FILL CONGRESSIONAL VACANCY.

Notice was received from the Secretary of State of precept from the Governor calling for election on November 6, 1928, to fill vacancy in office of Representative in Congress for twelfth Congressional District.

Placed on file.

NOTICE OF DEATH OF POLICE OFFICER.

Notice was received from the Police Commissioner of death of Patrolman Herbert D. Allen, killed in performance of his duty on December 25, 1927.

Placed on file.

INTEREST IN CONTRACT.

Notice was received from Albert J. Carpenter of the Board of Examiners of authorization by Schoolhouse Commission to prepare plans for addition to William Lloyd Garrison School building on Hutchings street, Roxbury.

Placed on file.

LICENSE AS TRANSIENT VENDOR.

Notice was received that Johnetta A. Moore, having complied with provisions of law in regard to transient vendors, had been granted a license as transient vendor.

BOND OF TRANSIENT VENDOR.

The bond of Johnetta A. Moore as transient vendor in City of Boston was received and placed on file.

CONSTABLES' BONDS.

The bonds of the following named constables having been duly approved by the City Treasurer, were received and approved, viz.:

John S. Avramides, John J. Bavis, William F. Cogan, Albert A. Cosby, Paul V. DiCiccio, Walter Isidor, Leo A. Lamkin, Allen Libby, Anthony D. McMann, Patrick J. Monahan, Frank Shaw.

SIDEWALK ASSESSMENTS.

Communications were received from the Commissioner of Public Works, together with orders, assessing half cost of expense of constructing sidewalks in front of estates bordering thereon, viz.:

	Half Cost.
A street, Ward 6.....	\$388 95
Sunset street, Ward 10.....	1,297 43
Marcella street, Ward 11.....	836 21
Pratt street, Ward 21.....	1,587 97

St. John street, Ward 19.....	1,258 88
Chickatawbut street, Ward 16.....	2,106 92
Williams street, Ward 11.....	253 08
Crawford street, Ward 12.....	151 90
Brookline avenue, Ward 4.....	3,410 98
Huntington avenue, Ward 4.....	1,299 09
Holbrook street, Ward 19.....	430 01
Harrison avenue, Ward 8.....	1,406 27
Quincy street, Ward 15.....	1,962 77
Medford street, Ward 2.....	738 89
Rockland street, Ward 12.....	61 00
Schuyler street, Ward 12.....	228 60
Chadwick street, Ward 8.....	736 35
Savin Hill avenue, Ward 13.....	90 05
Park street, Ward 17.....	514 55
Washington street, Ward 16.....	506 71
Dane street, Ward 19.....	144 40
Sunnyside street, Ward 10.....	638 73
Louis Prang street, Ward 4.....	500 89
Sedgwick street, Ward 19.....	2,274 19

Severally passed under suspension of the rule.

SIDEWALK ON PERKINS STREET.

Coun. MURRAY offered the following:
 Ordered, That the Commissioner of Public Works make a sidewalk along both sides of Perkins street, from Jamaicaaway and Centre street, 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, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

SALARIES AT SUFFOLK COUNTY JAIL.

Coun. McMAHON offered the following:
 Ordered, That until otherwise ordered the salaries of officers and employees at the Suffolk County Jail be established in accordance with the rates listed below, the same to be effective June 1, 1928:

	Per Year.
Chief officer.....	\$3,500
Chief clerk.....	2,300
Assistant clerk.....	1,800
Hospital supervisor.....	2,100
Matron.....	1,500
First assistant matron.....	1,100
Assistant matrons.....	900
First inside officer.....	2,300
Second inside officer.....	2,100
Third inside officer.....	2,100
Fourth inside officer.....	2,100
Officers.....	2,000
Pharmacist.....	2,000
Steward.....	2,100

Coun. McMAHON—Mr. President, in relation to this order I have just offered, let me say that the county budget, which was passed by the City Council March 26, 1928, contains provision for the salary increases enumerated in the order. Ordinarily the budget provision would be sufficient to enable the employees involved to draw the proposed increases; but section 6 of chapter 3 of the Revised Ordinances requires the City Council in addition to voting the necessary budget provisions to also formally establish the salaries. In other words, in the case of salaries connected with the County Jail, it is necessary for the Council to take two distinct steps,— first, to provide the increases in the county budget, and, second, to order that the increases so provided be formally established. Since we have already taken the first step, it would seem logical to take the second; and I respectfully ask, therefore, suspension of the rule for the passage of the order.

Chairman WILSON—The Chair would suggest that the order go to the Executive Committee, in order that the figures may be checked up.

Coun. McMAHON—All right, Mr. President. The order was referred to the Executive Committee.

RECESS.

The Council voted at 2.29 p. m., on motion of Coun. RUBY, to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber, and were called to order by Coun. WILSON at 3.42 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted reports as follows:

1. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.: Marion J. Hennessey, Washington Irving Hall, May 25; Ruth M. McShane, Municipal Building, South Boston, May 25; M. Theresa Connell, Jordan Hall, June 4,—that leave be granted.

Report accepted; permits granted on the usual conditions.

2. Report on order (referred today) that salaries of officers and employees of Suffolk County Jail be established in accordance with rates listed in accompanying schedule, effective June 1, 1928—that same ought to pass.

Report accepted; said order passed.

3. Report on message of Mayor and order (referred April 30) that Superintendent of Printing be authorized to print edition of 900 copies of Report on Street Traffic Control Problem—recommending passage of order in following new draft:

Ordered, That the Superintendent of Printing be authorized to have printed and bound in buckram an edition of 900 copies of "A Report on the Street Traffic Control Problem of the City of Boston"; 110 copies to be distributed under the direction of the City Council, and the remaining copies to be delivered to the Board of Street Commissioners for sale at the price of \$5 per copy; the proceeds of such sales to be turned over to the City Collector; and the expense of the printing and distribution to be charged to the Reserve Fund.

Coun. DOWLING—Mr. President, this order involves expense of approximately \$5,000, some of which the late director of the Traffic Survey thinks will be returned to the city through the sale of the books. I cannot here express myself any more forcibly than I did in the committee, and I merely express myself now to place myself on record. I believe the order calls for a roll call anyway, but if such is not the case I shall ask that the vote be taken by roll call. I am old-fashioned enough to still believe that \$5,000 is a lot of money. The Street Commissioners, under the provisions relating to the Traffic Survey, are compelled to look over the work of the Traffic Survey and then devise a traffic code. Professor McClintock, who has been in charge of the Traffic Survey, submitted with the report of the survey a proposed traffic code, which, in my opinion, and the opinion of many other people, is not exactly what it should be. It has been emphasized in the committee and elsewhere that the business people of Boston appeared before the Board of Street Commissioners some two or three weeks ago and gave their hearty indorsement to the report of the Traffic Survey Board and also to the traffic code which was recommended by Professor McClintock. In that connection I would like to say here a word, which I said in the committee, in regard to positions sometimes taken by business men in this city. I am not so much interested in what big business says in matters connected with government. I am interested in and willing to accept their wise judgment in business affairs. I am not much interested in their opinion of political conditions, political candidates, nor their theories of

government. I admit their wisdom and judgment in dealing with business problems, because they there touch upon matters of their everyday business experience and concern. But when they undertake to deal with traffic regulations or the enactment of laws concerning the people of this city generally, I do not feel under any obligation to accept their views; and I am persuaded to that feeling by the action of a large number of reputable business people in this city, who on April 30, 1894, petitioned the Massachusetts Legislature against the building of more subways and in favor of the erection of more elevated structures. Today that sounds like an absurd proposition, and many people might think that I have my facts all twisted. But the fact remains that in 1894 the reputable and substantial business men of this city petitioned the State Legislature for the construction of more elevated structures and against the building of subways. That is a view that business men had of a problem which so seriously concerned the public at that time and since, and signed to that petition are the names of many business houses still doing business in this city. Among the signers were: C. H. McKenney & Co.; A. P. Martin; Jasper H. M. Stone, William S. Butler & Co.—one of the big concerns of this city which still exists; Noyes Brothers; G. S. and George L. Damon; Jesse Gould & Sons; Laughlin Brothers; Dame, Stoddard & Kendall; C. F. Lord & Co.; Coleman, Cook & Co.; Henry M. Burr & Co. Those are business names pretty familiar to every man in this community who is fifty years of age. Twenty and thirty years ago they were the leaders in their line, as some of them are today. And so it seems to me absurd today for the City Council to pass an appropriation for the printing of a traffic code which is as bad as this is, merely on the ground that business people in Boston approve the traffic regulations proposed by Professor McClintock. The fact of the matter is that two weeks ago, when the Street Commissioners gave their first hearing on the McClintock report, the large hearing-room in the Street Commissioners' office was filled with business men. They were called in, were called to that meeting. They did not come voluntarily, and I made that statement the following day in the Street Commissioners' office, and there was no denial of it by Professor McClintock. The business men who attended the first hearing, at which the McClintock traffic code was made public, came there because they were urged to come there and state their position in favor of those traffic regulations without even having read them. It is a perfectly absurd proposition for this city to finance a book of this kind while the Street Commissioners are still holding hearings on the recommendation of Professor McClintock, and send so much misinformation out to the general public. The answer to that statement will be, of course, that it will not be misinformation, because the Street Commissioners later on will make the necessary amendments and arrive at a reasonable set of traffic regulations. But what the Mayor asks for and what Professor McClintock asks for at this time is the publication of an expensive book, which cannot cost less than \$5,000 and which is to be sold for \$5 a copy, but which contains regulations that never will be adopted by the City of Boston. While I know the order will pass, I wish it might not pass; and I want to say in conclusion that I am not influenced by an elaborate dinner that the Mayor gave to the members of the City Council on Saturday afternoon. I suppose everybody who attended that lunch was expected to vote with the Mayor. I accepted the invitation because I am a member of the City Council. I did not accept it as being contingent on my voting for this or any other measure. If the Council wants to exercise good judgment, it will postpone action upon this matter for two weeks, or some future time, in order that the Street Commissioners may have an opportunity to arrive at a feasible set of traffic regulations. So I

hope the Mayor's request at this time will not be complied with, but that we will wait until we can send to the outside world the set of traffic regulations agreed to by the Street Commissioners. I ask for a roll call.

Coun. RUBY—Mr. President, I am surprised—although perhaps I might say I am not so much surprised—at the last statement made by the councilor who has just taken his seat. It is rather unfair, in my opinion, and I think in the opinion of the other twenty members of the Council, when it comes to a question of voting on a certain measure that has come before the Council and that has been pending here for some weeks, to have a promiscuous statement made by a member opposed to the passage of such an order as this that his Honor the Mayor fed the Council so that they might vote for the publication of this document prepared by the Board of Traffic Survey appointed by his Honor the Mayor, and under the direction of Professor McClintock, through an order presented to this body. I attended the dinner at the Ritz-Carlton Saturday, and I am apologizing to no one, not even the councilor from Ward 21, who sat directly opposite me, for so doing. We went there not because his Honor the Mayor had arranged a special dinner for the members of the Council, because the member knows, as well as every other member of the Council knows, that we were there through the intervention of our President, and that after we met the wonderful guests of the city, whom we had the privilege of honoring last Saturday, one of the attaches of the Mayor's office arranged for a luncheon to the members of the Council who were waiting to join in the parade. Very possibly his Honor the Mayor knew nothing of the arrangement, and for him now to be accused unscrupulously by a member of this Board with having thus afforded bait to induce members to vote for this measure which is before us today is certainly unfair, to say the least, to all of us. I am just big and proud enough to resent a statement of the kind made by the councilor who has just taken his seat. I wish to say, Mr. President, that I will not be bulldozed, and I know no other member of the Council will be bulldozed by any statement made in the manner in which this statement has just been made by the councilor from Ward 21. No one has interviewed me in reference to voting for this measure. I have been influenced, yes, by the councilor from Ward 5 (Coun. Parkman) who spoke about the matter this afternoon in executive session, and by others who have told us that there was an immediate demand for the book. I certainly believe if it was worth while for the City of Boston to spend \$25,000 on such a traffic survey, it is worth while for us to spend \$5,000 in placing the document before the public, so that they may know just what the recommendations of the Board of Traffic Survey are. But it certainly is unfair, and it is taking an undue advantage, not only of his Honor the Mayor but of every member of this body who will vote on the order, to make the accusation that the Mayor would attempt to influence us, or that we would be influenced by a luncheon that probably cost the city \$2.50 or \$3 apiece, to vote in favor of this measure. The councilor may frown, but it is statements of that sort that do this body a great deal of harm in the minds of the public.

Coun. DOWLING—Mr. President, may I interrupt just long enough to suggest that instead of frowning I was smiling?

Coun. RUBY—Mr. President, I am not surprised at the councilor smiling, but let me merely say that when the vote is taken I think he will be no longer smiling, because, if I can judge the sentiments of the body, there is no question about the passage of the order. I cannot, however, sit in my chair and listen to such remarks without expressing my personal contempt for them; and I don't think any member of this body is going to

take such remarks any more seriously than they take other remarks that have been made by this same councilor in the past.

Coun. BUSH—Mr. President, I am very sorry that the councilor who spoke against this order made the uncalled-for remark he did make in reference to the dinner on Saturday. It must certainly be understood by this body that I, for one, would not be influenced by any such method as paying for a dinner. But let me remind the councilor, in that connection, in the first place, that the lunch given to the members of the Council at the Ritz-Carlton, as a part of the celebration in honor of the flyers, was paid for out of city funds, and is perhaps one of the perquisites that go with the holding of public office and the participation in celebrations of the kind. I am rather surprised that the councilor, who usually uses very good judgment in his remarks on the floor of this Council, should at this time have made the mistake of speaking in the way he has in reference to this particular order. The city spent some \$25,000 in order to collect the data that went into this report. The services of the man who made the report and who supervised the work were given gratis, through the courtesy of the Erskine Bureau of Traffic Research of Harvard University. But when the city has expended something like \$25,000 for the collection of data of this kind it certainly should not be merely laid away in the archives of the city and allowed to rot there. The information obtained is of considerable importance and should be disseminated as much as possible. It may be of considerable value not only to citizens of this city but other cities as well; and should we say that, simply because we have gone to the trouble and expense of collecting this data, we should keep it to ourselves and not allow other cities to have the benefit of the information we have received? I say, "No." I say if there are other cities which desire that information, if it can be given to them through the publication of the report at the small expense suggested, much of which will be reimbursed through purchase of these volumes, I think it should be done. I think we should not now hesitate to pay the nominal cost of publication of the volume. So I trust, in spite of the remarks that have been made, that this order will be passed, and that the book will be published and disseminated, as called for.

Coun. GREEN—Mr. President, I move the previous question.

The main question was ordered.

The report of the Executive Committee was accepted, and the order was passed, the roll being called, yeas 19, nays 1:

Yeas—Coun. Arnold, Bush, Deveney, Donovan, Dowd, Fish, Gallagher, Green, Keene, Lynch, Mahoney, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Wilson—19.

Nays—Coun. Dowling—1.

\$1,400,000 SANATORIUM LOAN.

Chairman WILSON called up under unfinished business, No. 4 on the calendar, viz.:

4. Ordered, That the sum of \$1,400,000 be, and the same hereby is, appropriated, to be expended under the direction of the trustees of the Boston City Hospital, for new buildings and additions to existing buildings at the Sanatorium Division, Mattapan, as well as for equipment and furniture for such new buildings and additions, and that to meet said appropriation the City Treasurer be, and hereby is, authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On May 7, 1928, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second and final reading and passage, yeas 20, nays 0.

LOAN FOR POWER PLANT, ETC., CITY HOSPITAL.

Chairman WILSON, under unfinished business, called up No. 5 on the calendar, viz.:

5. Ordered, That under authority of chapter 352 of the Acts of 1924 the sum of \$6,000 be, and hereby is, appropriated, to be expended by the trustees of the Boston City Hospital for power plant, additions and alterations, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Ordered, That under authority of chapter 352 of the Acts of 1924 the sum of \$12,000 be, and hereby is, appropriated, to be expended by the trustees of the Boston City Hospital for power plant, additions and alterations, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, bonds or certificates of indebtedness of the city to said amount, the same to be issued outside the limit of indebtedness.

On May 7, 1928, the foregoing orders were read once and passed, yeas 20, nays 0.

The orders were given their second and final reading and passage, yeas 20, nays 0.

LOAN FOR SURGICAL BUILDING, CITY HOSPITAL.

Chairman WILSON called up, under unfinished business, No. 6 on the calendar, viz.:

6. Ordered, That the sum of \$38,000 be, and hereby is, appropriated, to be expended by the trustees of the Boston City Hospital for Surgical Building, Furnishing and Equipping, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city 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 Thorndike Memorial Building, Furnishing and Equipping, \$1,018.29, to the appropriation for Surgical Building, Furnishing and Equipping, \$1,018.29.

From the appropriation for Out-Patient Building, Furnishing and Equipping, \$11,609.29, to the appropriation for Surgical Building, Furnishing and Equipping, \$11,609.29.

From the appropriation for Maternity Building, Furnishing and Equipping, \$10,891.92, to the appropriation for Surgical Building, Furnishing and Equipping, \$10,891.92.

From the appropriation for Nurses' Home, Furnishing and Equipping, \$10,583.44, to the appropriation for Surgical Building, Furnishing and Equipping, \$10,583.44.

On May 7, 1928, the foregoing orders were read once and passed, yeas 20, nays 0.

The order was given its second reading and passage, yeas 20, nays 0.

LOAN FOR WILLIAM HEALEY PLAYGROUND IMPROVEMENTS.

Chairman WILSON called up, under unfinished business, No. 7 on the calendar, viz.:

7. Ordered, That the sum of \$40,000 be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission for the erection of bleachers, grading, new baseball diamond, new tennis courts, etc., on the William Healey Playground, Ward 19, 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 May 7, 1928, the foregoing order was read once and passed, yeas 19, nays 0.

The order was given its final and second reading and passage, yeas 18; nays—Coun. Dowling, Parkman—2.

REPORT OF COMMITTEE ON PRINTING.

Coun. MURRAY, for the Committee on Printing, submitted report on order (referred May 14) authorizing printing of edition of 200 copies of "Boston's Streets, Also its Avenues, Courts, Places, etc."—recommending passage of same in following new draft:

Ordered, That the Superintendent of Printing be, and he hereby is, authorized to print an edition of 3,000 copies, bound in cloth, of "Boston's Streets, Also its Avenues, Courts, Places, etc.", and that the expense of the same be charged to the appropriation for city documents.

Report accepted; said order passed.

FINANCE COMMITTEE REPORTS.

Coun. BUSH, for the Committee on Finance, submitted reports as follows:

1. Report on message of Mayor and four orders for loans (referred April 9) to meet executions of court *in re* widening of Cambridge, Court, Tremont, Kneeland streets, Dock square and Faneuil Hall square—that the orders submitted by the Mayor be rejected, without prejudice, and recommending the passage of the following:

Ordered, That the sum of \$250,000 be, and hereby is, authorized to be expended by the Board of Street Commissioners for Dock square and Faneuil Hall square improvement and that to meet said appropriation the City Treasurer be 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.

Ordered, That the sum of \$300,000 be, and hereby is, authorized to be expended by the Board of Street Commissioners for Kneeland street improvement, and that to meet said appropriation the City Treasurer be 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.

Ordered, That the sum of \$300,000 be, and hereby is, authorized to be expended by the Board of Street Commissioners for Cambridge street and Court street and that to meet said appropriation the City Treasurer be 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.

Ordered, That the sum of \$40,000 be, and hereby is, authorized to be expended by the Board of Street Commissioners for Tremont street improvement and that to meet said appropriation the City Treasurer be 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 report of the committee was accepted. Coun. BUSH—Mr. President and members of the Council, in elaboration of the report just read by the Clerk, let me say that these four loan orders, as requested by the Mayor, total \$1,340,000, and represent requests for funds to pay damage claims and contract expenditures and so forth, for paving on the Dock square and Faneuil Hall square improvement, on the Kneeland street improvement and widening, Cambridge and Court streets widening and on the Tremont street improvement. The amounts requested represent the actual land damage awards, which have not been accepted by the parties to whom they were awarded, these land damage awards being made by the Board of Street Commissioners after a hearing, and *pro tanto* payments which have been made but on which a further settlement may be expected, amounts due on contracts and amounts due for the services of real estate experts. I will take these street improvements up in detail so that the Council may understand why the committee recommended that these loan orders be reduced from \$1,340,000 to the total sum of \$940,000. On the Dock square and Faneuil Hall square

improvement, land damages on which no payments have been made—because the parties refused to accept the amount awarded—total \$606,300, in the following amounts: Herbert M. Sears *et al.*, \$263,200; Charles F. Adams, 2d, *et al.*, trustees of the Boston Real Estate Trust, \$126,900; heirs of J. D. Casey, \$122,200; John F. Cronin, \$89,300; Pauline S. Fenno *et al.*, trustees, \$4,700. The land damages on which *pro tanto* payments have been made, and on which a further settlement may be expected, must also be considered. *Pro tanto* payments have been made as follows: Bentley W. Warren, trustee, \$141,000; William J. Stober, \$98,700; Mr. Stober, \$79,900; Massachusetts General Hospital, \$56,400. Due on contracts: Martin A. Ryan, \$179.25. There was a cash balance in the treasury on February 29, 1928, of \$487,002.84. The unpaid land damage awards and the amount due on contracts total \$606,479.25. Allowing for cash balance of \$487,002.84 leaves an estimated deficit of \$119,406.41. The amount requested to satisfy the land damage amounts here is \$450,000; the actual amount necessary is \$119,476.41. The committee felt that it was unnecessary to give the amount requested, on the information which the committee received, which was that none of these suits which are pending have been settled. The only way in which the amounts have been arrived at was that the Law Department had knowledge that the attorneys for these claimants requested certain amounts of money. No definite information was presented to the committee upon which the amounts were requested, and in effect it meant the authorizing of a blank check for the difference between the \$119,407.41 and the \$450,000. The committee felt, in justice to the city and taxpayers, that the amount of \$250,000 would adequately cover all amounts necessary for immediate settlement, in case claimants should desire to accept the land damage awards as granted, and also allowing a certain amount of leeway for settlement or compromise of the claims. I have gone through this first one in great detail in order to show the Council how the committee arrived at its estimate. In the other cases I will confine myself to the totals. On the Kneeland street improvement the land damages, on which payments have been made, are \$213,226. This amount represents land damages which have been awarded but which have not been accepted by the parties involved. There is due on contracts for paving the sum of \$23,404.97, making a total of \$236,630.97, and the estimated deficit as of March 21, 1928, is \$234,190. The amount requested was \$460,000. The committee felt that \$300,000 allowed a sufficient leeway for compromise and settlement on the Kneeland street widening. On the Cambridge street and Court street widening there is a sum of \$323,167, which represents the land damage awards on which no payments have been made, and on which at the present time there are three suits pending, out of a total of eight. There is a considerable sum of money in *pro tanto* payments which have already been made, but on one of which a suit has been brought, which is pending. There is an estimated cost of paving and changes in the subway station, and an estimate for Law Department experts totaling \$31,500. There is a cash balance here of \$61,891.45, leaving an estimated deficit of \$292,775.55. The amount requested on this loan order was \$400,000. The committee felt that \$350,000 provided a sufficient amount to allow for the deficit and also for the leeway compromising claims. On the Tremont street widening there was an estimated deficit of \$24,657.05, as against a request for \$40,000. The committee felt that the \$40,000 should be allowed in its entirety, as the difference was so small. The committee tried to obtain definite information as to how the Law Department arrived at the figures requested in these loan orders, but was unable to obtain anything which was in any way, shape or manner definite enough for the committee to act upon. It seems that the amounts re-

quested were largely a guess as to the amounts that might be necessary to compromise these claims. The total amount of the actual estimate of the deficit on all four loan orders is \$671,009.91. The amount requested in the loan orders was \$1,340,000. It was felt by the committee that to allow an amount of about \$350,000 less was allowing sufficient for the settlement or compromising of claims against the city on these street widenings, and that if it became necessary to have an additional amount to settle suits after executions had been issued by the court or verdicts had been awarded by juries in these cases, it would then be ample time for the Council to grant such additional amounts as were necessary.

The orders recommended by the Mayor were rejected, and the four orders reported by the committee were passed, yeas 17, nays 0.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. DONOVAN, for the Committee on Public Lands, submitted reports as follows:
1. Report on message of Mayor and orders (referred April 16) that the city be authorized to sell to W. F. Schrafft & Sons Corporation for sum of \$1,656.90 certain land in Charlestown—that same ought to pass.

Coun. DONOVAN—Mr. President, I might say for the benefit of the members of the Council that this is a proposition that was in here last year and was reported on by the Committee on Public Lands at that time, but, due to the fact that in the drafting of the agreement there was some mistake made, the Mayor had to submit this order for further consideration. As was explained to the members of the Council last year, in Charlestown they have in the Sullivan Square Playground a tremendous playground. The owners of the property referred to in this order, William F. Schrafft & Sons Corporation, are desirous of straightening out a party wall. In order to do so they wish to buy this small piece of land, which they will buy from the City of Boston for \$1,656.90, which represents the upset value of the land. The project is favored by the councilor from that district, and the committee have extended to him the courtesy that would be extended to any other member. Consequently, we have reported that the order ought to pass.

The report was accepted and the order was passed, yeas 17, nays 0.

CONFIRMATION OF APPOINTMENTS.

Coun. RUBY, for the Special Committee on Constables, to which was referred No. 1, on the calendar, viz.: Action on appointments submitted by the Mayor April 16, 1928, of the following named persons to be constables: Albert T. Homsy, Carl Birger-Berg, Barnet Levenbaum, Roman J. Vasil, John F. Welch, submitted report recommending the confirmation of the names of Carl Birger-Berg and Barnet Levenbaum.

The committee recommends in regard to No. 3 on the calendar, viz.: Action on appointment submitted by the Mayor May 14, 1928, of John Milgroom to be a constable, that the name of John Milgroom be confirmed.

The report of the committee was accepted, and the question came on confirmation of the appointments of Carl Birger-Berg, Barnet Levenbaum and John Milgroom. Committee, Coun. Ruby and Arnold. Whole number of ballots 16; yeas 16, and the appointments were confirmed.

ACCEPTANCE OF CHARLONT STREET.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Charlont street, Ward 16, as a public highway.

Passed under suspension of the rule.

ACCEPTANCE OF FRANCONIA STREET.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Franconia street, Ward 16, as a public highway.

Passed under suspension of the rule.

CELEBRATION FOR BREMEN FLYERS.

Coun. FISH offered the following:

Resolved, That the thanks of the City Council be extended to the members of the Police Department for the very efficient and capable manner in which they handled the celebration in honor of the Bremen flyers.

Coun. MURPHY—Mr. President, I wish to amend the order by including all who had anything to do with the celebration.

Chairman WILSON—The Chair will rule that the amendment should be in writing.

The resolve was passed.

Coun. SULLIVAN offered the following:

Resolved, That the thanks of the City Council be extended to his Honor the Mayor, the Director of Public Celebrations and the various public officers for the efficient and satisfactory manner in which the arrangements were made and carried out for the reception in honor of the Bremen flyers.

Coun. SULLIVAN—Mr. President and members of the Council, I do not think half the people of the city realize the difficult task that the Public Celebrations Committee and his Honor the Mayor had in getting these flyers to come here on Saturday instead of postponing the celebration until Monday. The affair was, however, carried out satisfactorily, and a great many comments of appreciation have been made in regard to the way the whole affair was conducted. The celebration was one of the best the City of Boston has had in welcoming heroes or men who in past years have accomplished tasks which were considered impossible of accomplishment. I merely wish to say in regard to Saturday's celebration that everything was carried out in a wonderful manner, and I think the Council as a body should extend thanks to his Honor the Mayor, to the Public Celebrations Committee, of which Mr. Johnson is the head, and to all others who participated and who did work which helped in the final result, for the splendid performance of their task.

Chairman WILSON—The question comes on the passage of the resolution as submitted by Coun. Sullivan.

Coun. MURPHY—Mr. President, I simply wish to say that the order presented by Coun. Sullivan is, in my opinion, a more fitting order than the one originally offered. I think we all wish to give credit to those who did such wonderful work in carrying through the celebration. I merely wish to add that the American Legion and the German and Irish organizations played a very prominent part, without any assistance from anybody, and should receive a great deal of credit for what they did. For that reason I simply wish to have appear in our records a word of appreciation of and congratulation to the American Legion and the German and Irish organizations for their wonderful demonstration and for the important part they played in entertaining these great aviators.

The resolution was adopted.

SIDEWALK ON CAROLINA AVENUE.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Carolina avenue, southerly side, from Verona street to Call street, Ward 11, 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 edgestone only, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

ARC LIGHT, SOUTH BOSTON.

Coun MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of an arc light at the corner of F and Athens streets, South Boston.

Passed under suspension of the rule.

FOURTH STREET, SOUTH BOSTON.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Fourth street, from K street to Dorchester street, Ward 6.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repair the sidewalks on Fourth street, from K street to Dorchester street, Ward 6.

Severally passed under suspension of the rule.

SIDEWALK, D STREET.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along D street, east side, from West First street, 121 feet south-erly; D street, east side, from No. 193 to 17 feet north of Bowen street (artificial stone sidewalk only), Ward 6, 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 suspension of the rule.

ACCEPTANCE OF NORMANDY STREET.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Normandy street, Ward 14, from Devon to Stanwood streets, as a public highway.

Passed under suspension of the rule.

REPAVING OF INTERVALE STREET.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the

Mayor, to provide for the repaving of Intervale street, Ward 14, from Blue Hill avenue to Columbia road, with smooth pavement.

Passed under suspension of the rule.

REPAVING OF BRUNSWICK STREET.

Coun RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the repaving of Brunswick street, Ward 14, from Blue Hill avenue to Columbia road, with smooth pavement.

Passed under suspension of the rule.

SIDEWALK ON MORELAND STREET.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Moreland street, at No. 61 (artificial stone sidewalks only); Moreland street, at 64-66 (artificial stone sidewalks and edgestone), Ward 12, 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 suspension of the rule.

ACCEPTANCE OF MOSGRAVE AVENUE.

Coun. MURRAY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Mosgrave avenue, Ward 19, as a public highway.

Passed under suspension of the rule.

HEALTH UNIT IN HYDE PARK.

Coun. MURRAY offered the following:

Ordered, That the trustees of the George Robert White Fund be requested, through his Honor the Mayor, to consider the establishment and maintenance of a Health Unit in Hyde Park.

Passed under suspension of the rule.

THE NEXT MEETING.

On motion of Coun. KEENE, it was voted that when the Council adjourn it be to meet on Monday, June 4, at 2 p. m.

Adjourned, on motion of Coun. KEENE, at 4.32 p. m., to meet on Monday, June 4, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 4, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Chairman GREEN presiding. Absent, Coun. Dowd, McMahon, Motley, Murphy, Ruhy.

JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, the Mayor absent, as follows:

Twenty-two grand jurors, Superior Criminal Court, to appear July 2, 1928:

William A. James, Jr., Ward 1; William H. Riordan, Ward 2; Harry C. Demeter, Ward 4; John Herron, Ward 4; Fred R. Wells, Ward 4; Harry M. Hodge, Ward 5; Arthur C. Raymond, Ward 5; Gurdon S. Worcester, Ward 5; Michael Landers, Ward 9; John Tekel, Ward 11; Abraham Ehrlich, Ward 12; Elbridge W. Gordan, Ward 12; Joseph M. Morris, Ward 12; James P. Donlan, Ward 13; William J. Ronan, Ward 13; John J. Sweeney, Ward 13; John W. Feeney, Ward 16; Thomas F. Walsh, Ward 17; Earle B. Harvey, Ward 18; Horace L. Palmer, Ward 21; Charles A. Kent, Jr., Ward 22; John T. Halpin, Ward 22.

Forty traverse jurors, Superior Criminal Court, Second Session, to appear July 2, 1928:

William J. Cadigan, Ward 1; Charles F. Coyle, Ward 1; Walter F. Lang, Ward 2; Thomas F. Garrity, Ward 3; Anthony Leverone, Ward 3; Fred S. Wilson, Ward 4; Joseph M. Weinberg, Ward 5; Cornelius I. Garrity, Ward 6; James F. Ryan, Ward 6; John J. Manion, Ward 7; Albert W. Meyers, Ward 7; Peter Varnerin, Ward 7; Arthur M. Swenson, Ward 8; Thomas J. Barrett, Ward 9; John A. Rohan, Ward 9; Elmer W. Peterson, Ward 10; John T. Chambers, Ward 11; Mark H. King, Ward 11; David Wolff, Ward 12; James F. Sheehan, Ward 14; George A. Chapman, Ward 16; John H. Wiley, Ward 16; John F. Cooney, Jr., Ward 17; Joseph A. Driscoll, Ward 17; Michael Hoban, Ward 17; William D. Lane, Ward 17; William T. Tappen, Ward 17; Michael D. Twohey, Ward 17; George F. Hittinger, Ward 18; George W. Russell, Ward 18; Alexander A. Ferguson, Ward 19; John C. Roth, Ward 19; Sidney Dow, Ward 21; Nelson Guilder, Ward 21; William E. Harris, Ward 21; Wendell H. Small, Ward 21; William E. Boyle, Ward 22; Stanley T. Fillion, Ward 22; Lawrence Kennedy, Ward 22; John F. Crowne, Ward 22.

Thirty-four traverse jurors, Superior Civil Court, Sixth Session, July Sitting, to appear July 2, 1928:

Henry M. Russell, Ward 1; David Doody, Ward 2; Edward N. Lynch, Ward 2; William C. Mehegan, Ward 2; Frederick H. Crosby, Ward 4; James F. Davine, Ward 5; Robert F. Downey, Ward 7; Cornelius F. Holland, Ward 7; Albert P. McCulloch, Ward 7; James Plunkett, Ward 8; Patrick Grace, Ward 9; Cornelius E. Haley, Ward 9; Edward M. Hartford, Ward 9; John T. Noone, Ward 10; Michael O'Connor, Ward 10; Frank K. Cutts, Ward 12; Robert H. Elrick, Ward 14; Solomon Grover, Ward 14; Charles F. Hersey, Ward 14; George A. Wetmore, Ward 14; John E. Gill, Ward 15; Gustav A. W. Kahnert, Ward 15; John F. Kelley, Ward 15; Michael McBrien, Ward 15; Nicholas J. Tangney, Ward 15; Francis X. Kersey, Ward 16; James P. McShane, Ward 16; Elmer V. Smith, Ward 16; R. Boak Williams, Ward 16; Joseph J. Landers, Ward 17; Hosea E. Bowen, Ward 21; John F. Linton, Ward 21; Ulysses T. Sullivan, Ward 21; John E. McElaney, Ward 22.

EXECUTIVE APPOINTMENTS.

Communications were received from the Mayor, making the following appointments, subject to the approval of the Council, viz.:

Weigher of Coal: Eva Beggelman, 153 Paris street, East Boston.

Weigher of Goods: Frank Slattery, 18 Gertrude street, West Roxbury.

Superintendent of the North City Scales: Louis Gilbert.

Constables: John F. Farrell, 580 Harvard street, Mattapan; Raphael Hersey, 56 Lexington street, East Boston; Robert C. Wilson, 78 Glenville avenue, Allston; William P. Maginnis, 338 E street, South Boston; Moses F. Kaish, 28 Dearing road, Dorchester; Clinton French Smith, 17 Montrose street, Roxbury; Robert Lewis Polack, 9 Iola street, Dorchester. Severally laid over a week under the law.

FIRE SIGNAL AT FIELDS CORNER.

The following was received:

City of Boston,

Office of the Mayor, May 31, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Fire Commissioner, in reply to your order of May 7, 1928, relative to the replacing of the present fire gong at Fields Corner with a siren.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Fire Department, May 25, 1928.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I return herewith the following order of the City Council:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to replace the present fire gong at Fields Corner with a siren, because of confusion of the sound of the fire gong with similarly toned burglar alarm gongs in that vicinity.

I have made a thorough investigation of this request and find that the bell which was at Fields Corner was operated from the quarters of Engine 17 when apparatus is responding to alarms at Fields Corner or beyond. The purpose of the bell is to notify traffic officers that the fire apparatus is coming in that direction. I am informed that there is a traffic officer on duty at Fields Corner practically all day long and until late at night. The police officers stated that they would find no difficulty in distinguishing from the traffic alarm signal and the burglar alarms, of which there are two in the square. Nevertheless, we have made arrangements to have the bell rung intermittently.

To replace the bell at this time would cost approximately two hundred dollars (\$200) and this expense was not provided in this year's budget.

Yours very truly,

E. C. HULTMAN,

Fire Commissioner.

Placed on file.

CONVENIENCE STATION AT FRANKLIN PARK.

The following was received:

City of Boston,

Office of the Mayor, May 18, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Commission, in reply to your order of May 7, 1928, relative to the providing of a convenience station at Franklin Park.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, May 16, 1928.
Hon. Malcolm E. Nichols.

Mayor of Boston.

Dear Sir,—I have your memorandum of May 14, with inclosure, order from the City Council that the Park Commission be requested, through your Honor, to provide for a convenience station at Franklin Park.

In reply I desire to say that at the present time we have four convenience stations at various points. There is no doubt but what additional convenience stations would be made use of, but I regret exceedingly to inform you that we have no funds available for the erection of same.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

VETO OF NAMING OF HENRY HINES SQUARE.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1928.
To the City Council.

Gentlemen,—I return without my approval your order of May 14, 1928, "that the space at the junction of Byron and Bennington streets, East Boston, be named Henry Hines square, in honor of the distinguished soldier of that name who died April 16, 1928, and that said space be suitably marked with signs."

It is my understanding that it has been the general policy of the city to confine the naming of squares and other intersections to honor those only who died in the performance of their duty during the period of the war. The number of such squares and intersections is so limited that it does not seem desirable to me to change this policy under the circumstances.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Placed on file.

REPAIR OF RIVER STREET.

The following was received:

City of Boston,
Office of the Mayor, May 25, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of April 2, 1928, relative to compelling the contractor who recently relaid drainage pipes on River street, Hyde Park, between Cleveland and Barry streets, to restore the street to its former condition, thereby removing a municipal disgrace.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department, May 21, 1928.
To the Honorable the Mayor.

I return order of the City Council, dated April 2, and wish to say that the contractors who have been laying drain pipes and other sub-surface structures in River street have completed their work and have given the street over to the contractor for construction, J. C. Coleman & Sons Company. This firm is now at work setting edgestone and preparing the roadway for concrete base. The work is moving along rapidly, and within a few weeks the residents will be satisfied with the progress of the work.

Yours respectfully,
JAMES H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

ICE FOR DRINKING FOUNTAINS.

The following was received:

City of Boston,
Office of the Mayor, June 4, 1928.
To the City Council.

Gentlemen,—It is the custom each year to provide money for the purchase of ice for the public drinking fountains from the Reserve Fund. The accompanying order provides for the necessary authorization and I respectfully recommend its approval by your honorable body.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Ordered, That the Commissioner of Public Works be authorized to expend a sum not exceeding \$5,500 for the purpose of furnishing ice for the public drinking fountains during the present season, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

CABLE ACROSS CITY LAND AT SQUANTUM.

The following was received:

City of Boston,
Office of the Mayor, May 24, 1928.
To the Honorable the City Council.

Gentlemen,—Inclosed find order authorizing his Honor the Mayor, in the name and behalf of the City of Boston, to execute and deliver to the Farm and Trades School located at Thompson's Island, Boston Harbor, an instrument authorizing the said Farm and Trades School to lay and maintain a power and light conduit and cable across land owned by the City of Boston at Squantum, for the purpose of connecting with Thompson's Island. The land at Squantum herein referred to was taken for constructing a main sewer, discharging at Boston Harbor, and for other purposes, by an order of the Board of Aldermen of the City of Boston, August 18, 1879, approved by the Mayor of said city September 19, 1879. The Commissioner of Public Works of the City of Boston in a letter dated May 9, 1928, states that the Public Works Department is agreeable to the permission being granted, with the understanding that there will be no interference with the rights of the City of Boston, that the cable, etc., will not constitute a permanent encumbrance on the land, and that it shall be removed or relocated at any time on suitable notice. The said Commissioner of Public Works has stated that in his opinion the sum of \$1 would be of adequate consideration.

I therefore recommend the passage of the accompanying order.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Ordered, That his Honor the Mayor be, and he hereby is, authorized in the name and behalf of the City of Boston, for the consideration of the sum of \$1 and in form satisfactory to the Law Department, to execute and deliver to the Farm and Trades School, located at Thompson's Island, Boston Harbor, an instrument authorizing the said Farm and Trades School to lay and maintain a power and light conduit and cable across land owned by the City of Boston at Squantum, for the purpose of connecting with Thompson's Island. The laying and maintaining of the said power and light conduit and cable shall not interfere with the rights of the City of Boston and shall not constitute a permanent encumbrance upon the land and shall be removed or relocated by and at the expense of the said Farm and Trades School at any time, upon suitable notice being given by the City of Boston to the said Farm and Trades School.

Referred to the Committee on Public Lands.

TRAFFIC CONTROL.

The following were received:

City of Boston,

Office of the Mayor, May 31, 1928.

To the City Council.

Gentlemen,—I transmit herewith loan order in the sum of \$125,000 for the installation of an automatic co-ordinated traffic signal system in Washington street, from Broadway to Haymarket square, inclusive; in Tremont street, from Broadway to Scollay square, inclusive; in Cambridge street, from Scollay square to Bowdoin square, inclusive; in all streets connecting the above streets in Summer street, from Chauncy street to Washington street, inclusive; in Park street, from Beacon street to Tremont street, inclusive; in Boylston street, from Tremont street to Arlington street, inclusive.

The installation proposed is designed for the purpose of increasing the capacity of the streets in the central congested district through the accurate co-ordination of control at adjacent intersections; for the purpose of giving more frequent opportunities for pedestrian movements under specific protection of traffic control; for the expediting of the movement of individual vehicles through the application of progressive timing to co-ordinated signals along given street lengths; for the purpose of relieving police traffic officers from the more mechanical part of their present duty in starting and stopping traffic, thus making them available for more important enforcement services.

This recommendation is based on the result of extensive studies of the traffic and physical characteristics of the area included, and of the results of similar installations in other cities. A summary of the more important of these studies is set forth in pages 251-259 of the report of the Mayor's Street Traffic Survey. These engineering analyses indicate that on the basis of the conservative timing schedules set forth in Figures 262, 268, and 269 of said report, the volume and convenience of traffic flow will be greatly increased by the proposed installation.

The system will be composed of traffic lights giving standard color indications at all necessary control points within the area described, and so designed and placed as to give specific assistance to pedestrians as well as to drivers. The units will be mounted at the curb line instead of within the roadway in order that interference with vehicular traffic may be eliminated. The signals at each control point will be inter-related through connection with a central timing device in order that there may be an accurate co-ordination of control throughout the area.

I recommend the passage of the accompanying order.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$125,000 be, and hereby is, appropriated to be expended under the direction of the Board of Street Commissioners, for automatic traffic signal system, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to Committee on Finance.

City of Boston,

Office of the Mayor, May, 28, 1928.

To the City Council.

Gentlemen,—One of the principal recommendations in the report of the Traffic Survey Committee is that a specific traffic engineering division be established in the Street Laying-Out Department. The purpose of such an organization would be to conduct continuing investigations of street traffic conditions as they affect safety and congestion and to supply the Board of Street Commissioners, the Police Department and other city departments with specific and accurate information regarding street traffic conditions. The proposed division will also be charged with the

responsibility of preparing specifications and supervising the installation and operations of traffic signals and other control devices.

The need for centralizing the control of the important work of regulating street traffic within our city must be apparent when it is considered that at the present time such control is divided among several departments.

I submit herewith an appropriation order providing the necessary funds to man and equip such a division. This order entails the appropriation of \$13,790.66, which sum, I am advised, will be necessary in order to permit the proposed division to function for the balance of the year. I respectfully recommend adoption of this order by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

APPROPRIATION ORDER FOR THE STREET LAYING-OUT DEPARTMENT.

In City Council, May 28, 1928.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1928, 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 department 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 thereupon apply to the taxes herein provided for.

STREET LAYING-OUT DEPARTMENT.

A. Personal Service as per Schedule	
A.....	\$9,390.66
1. Permanent employees, \$6,390.66	
2. Temporary employees, 3,000.00	
B. Services Other Than Personal.....	4,000.00
28. Expert.....	4,000.00
D. Supplies.....	400.00
1. Office.....	400.00
	<u>\$13,790.66</u>

Schedule A.

Engineer, traffic, 1 at \$3,600 per year.....	\$2,110.65
Engineer, junior, 1 at \$2,400 per year.....	1,407.20
Stenographer, 1 at \$1,600 per year.....	937.93
Investigator, 1 at \$1,500 per year.....	879.55
Draughtsman, 1 at \$1,800 per year.....	1,055.33
	<u>\$6,390.66</u>
Temporary.....	<u>\$3,000.00</u>

Referred to Committee on Appropriations.

Later in the session Coun. WILSON said:

Mr. President, I rise to a point of inquiry, with regard to the orders transmitted by the Mayor relative to the traffic report. One was sent to the Committee on Appropriations, I understand. Why was that?

President GREEN—Under the rules that was the proper committee to refer it to.

Coun. WILSON—Well, I am simply inquiring. Were they loan or appropriation orders?

President GREEN—One was a loan order, which was referred to the Committee on Finance, and the other one was an appropriation order, which was referred to the Committee on Appropriations.

Coun. WILSON—I wondered whether both of those orders might not be sent to the Executive Committee, so that we may be able to find out what they are about.

President GREEN—If the councilor moves a suspension of the rules both orders may be sent to the Executive Committee.

On motion of Coun. WILSON, the rules were suspended and both orders were referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Abraham Alter, for compensation for damage to automobile by city truck.

Josephine Ambrose, for compensation for injuries caused by an alleged defect in Gladstone street, East Boston.

Margaret Beers, for compensation for injuries caused by an alleged defect at 234 Washington street.

Josephine Blonda, for compensation for injuries caused by an alleged defect at 7 Chauncy street.

Richard A. Byrne, for compensation for refund on refuse tickets.

Edward A. Capillon, for compensation for damage to automobile caused by an alleged defect in Boston Post road, Roslindale.

Jennie Carucci, for compensation for injuries received on ferryboat.

James D. Conboy, for compensation for damage to car by city truck.

Alfred and Caroline Cunnington, for compensation for collapse of boiler at 207 Savannah avenue.

Joseph Donatelli, for compensation for damage to coat caused by an alleged defect in Gove street footbridge.

David Frank, for compensation for damage to property at 87 Florida street, caused by backing up of sewage.

Leila M. Garrett, for refund on lodging house license.

Mrs. Santa Giunta, for compensation for injuries received on East Boston Ferry.

Mrs. Ella F. Heedy, for compensation for damage to automobile by city cart.

Daniel P. Hoar, for compensation for eyeglasses broken at Fort Hill Wharf dump.

Rose C. Hopkins, for compensation for damage to automobile by city cart.

J. A. Landberg, for compensation for damage to automobile by city team.

John A. McGregor, to be reimbursed for expenses incurred on account of his acts as a police officer.

W. A. Murfieldt Company, for compensation for damage to automobile caused by ambulance of Public Buildings Department.

Mrs. Emilia Pontuso, for compensation for collapse of boiler at 42 Richfield street, caused by shutting off water.

Maurice Rosenfield, for compensation for damage to automobile by city cart.

Morris Siegel, for compensation for damage to property at 254 Columbus avenue, caused by bursting of water main.

Obillard P. Whittemore, for reimbursement for loss of hens killed by dogs.

Jessie M. Wilson, for compensation for damage to automobile by city cart.

Albertie V. M. Ingham, for refund on lodging house license.

Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.:

Mrs. Thomas Conway, Howard Temple Hall, June 7.

Lillian F. Brown, Municipal Building, South Boston, June 8.

Margaret G. Ronan, Whiton Hall, June 1.

Gertrude Dolan DePetro, Jordan Hall, June 7-9.

Ruth G. Brown, Huntington Chambers, June 12.

PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds for the month of May, 1928, amounting to \$8,781.27, was received and approved.

APPROVAL OF APPOINTMENT OF JOSEPH A. TOMASELLO.

Notice was received of approval by the Commissioners of Civil Service of the appointment of Joseph A. Tomasello, 230 Pond street, Jamaica Plain, as member of the Board of Appeal.

Placed on file.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held on petitions for storage and sale of gasolene as follows:

June 11.

Abraham Palder, 1237 Columbus avenue, Ward 11, 5,000 gallons.

Abraham Smith, 4 Washington street, Ward 14, 1,000 gallons.

June 19.

Garrett H. O'Reardon, 23 Gray street, Ward 2, 1,000 gallons.

Referred to the Executive Committee.

SIDEWALK ASSESSMENTS.

A communication was received from the Commissioner of Public Works submitting cost of constructing artificial stone sidewalks, with order and accompanying schedule showing amount to be assessed against owners of estates bordering thereon, viz.:

Massachusetts avenue, Ward 8, half cost, \$668.50.

The order was passed under suspension of the rule.

CONSTABLES' BONDS.

The following constables' bonds, approved by the City Treasurer, were approved by the Council, viz.:

Carl Birger Berg, Louis Budd, William T. Culpin, William Davis, Samuel Goldsmith, Edmund C. Grady, David Kellar, Francis E. Kelly, Abraham Krinsky, John Milgroom, William H. Robinson, Hyman Rossman, Samuel Semiansky, Francis J. Tobin, Philip G. Wolff.

PAYMENT TO LOUISE H. YOUNG.

Coun. ARNOLD offered the following:

Ordered, That chapter 346 of the Acts of 1928, entitled "An Act Authorizing the City of Boston to Pay a Sum of Money to Louise H. Young," be, and the same hereby is, accepted.

Ordered, That under the provisions of chapter 346 of the Acts of 1928, the sum of \$1,500 be allowed and paid to Louise H. Young in compensation for injuries caused by shots fired by police officers in making an arrest; said sum to be charged to the Reserve Fund.

Severally referred to the Executive Committee.

PLANTING TREES IN ASHLAND STREET.

Coun. MURRAY offered the following:

Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to provide for the planting of new trees in Ashland street, Ward 19, between Washington street and Hyde Park avenue, to replace those removed in connection with the widening of said street.

Passed under suspension of the rule.

POLICE STATION, DORCHESTER AND SAVIN HILL AVENUES.

Coun. SULLIVAN offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to

establish a police station in the vicinity of Dorchester and Savin Hill avenues, Ward 13.

Coun. SULLIVAN—Mr. President and members of the City Council, I have been requested by prominent citizens of Ward 13, in the vicinity of Dorchester and Savin Hill avenues, to assist in securing more police protection for this particular section. In order to get it, I feel that a new police station should be established there. We have had no improvements in this direction for the past fifty years, and as the population is increasing and more crimes are being committed, I think that the residents of the district are justly entitled to more police protection. A new station house in that vicinity would afford the proper protection. We have a great many schools and churches in the district and the pastors of these churches and heads of the schools are in sympathy with this request. I have no criticism to make of the performance of the men in that district, because they have done their duty, have done the best they can under the circumstances; but we do feel very strongly in our district that we need another police station, between the Fields Corner station, Station 9 at Mt. Pleasant and Dudley streets, and the station at the foot of Fourth and Fifth streets, South Boston. There have been a great many churches broken into and robberies committed in that section, and something should be done. If it has been found necessary to increase and improve the facilities for school children because of the increased population, why not also increase the police protection, which could best be accomplished by establishing a new station in that section?

The order was passed.

POLICE AMBULANCE FOR SOUTH BOSTON.

Coun. MAHONEY offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to have a police ambulance assigned permanently to the South Boston district.

Coun. MAHONEY—Mr. President, I might say that this is a duplicate of an order which I introduced on November 15, 1926, looking to a police ambulance in South Boston. Shortly after the introduction of the order, on November 19, 1926, the following communication, sent to his Honor the Mayor in regard to the matter by the Police Commissioner, was transmitted to us:

"Dear Mr. Mayor,—I am in receipt of your communication of the 17th instant, together with the inclosure of an order of the City Council that the Police Commissioner be requested, through his Honor the Mayor, to have a police ambulance assigned permanently to Division 6, South Boston.

I wish to state that this department is in need of six or seven ambulances and I took the matter up with the Mayor's Emergency Committee, and I hope that next year some of these ambulances may be available, and if so, I shall be glad to assign one to Division 6, South Boston, as I appreciate the need not only in this but in other localities in the city.

Yours respectfully,
HERBERT A. WILSON,
Police Commissioner."

I understand that since that time, last year, the Police Commissioner asked for an ambulance for the South Boston district, but for some reason or other it was taken out of the budget. Some seven or eight years ago Division 6 had a horse-drawn ambulance, which was discontinued. If we needed an ambulance at that time we need one much more now, with the Army Base, the Commonwealth Pier, and the bathing beach, all of which have added to the possibility of people being injured and needing hospital attention. Only yesterday we had a two-alarm fire on First street. There was a man who was seriously

injured there, and no ambulance was available to get him to the Carney Hospital. He was carried from First street to Second street, the distance of a block, on a wooden board, and finally gotten into the back seat of a taxicab. A good deal of time was lost in doing this; and finally his almost lifeless form was carried to the Carney Hospital, where he died three-quarters of an hour later. The situation there is very grave, and requires immediate and serious consideration. I certainly trust that the Police Commissioner will recommend and that his Honor the Mayor will see fit to approve an appropriation for this purpose. I move a suspension of the rule, Mr. President, and the passage of the order.

The order was passed under suspension of the rule.

ACCEPTANCE OF CHAPTER 334.

Coun. KEENE offered the following:

Ordered, That chapter 334 of the Acts of 1928, entitled "An Act Providing for Additional Special Justices of the Municipal Court of the City of Boston and Additional Assistant Clerks for Civil Business in Said Court, and Establishing the Salary of the Messenger of Said Court" be, and the same hereby is, accepted.

The order was referred, on motion of Coun. KEENE, to the Executive Committee.

SIDEWALKS IN WARD 12.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 39, 41, 43, 45 Cheney 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.

Ordered, That the Commissioner of Public Works make a sidewalk along 9, 11, 15, 17, 19, 21 Hartwell 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.

Severally passed under suspension of the rule.

SIDEWALK ON TRAIN STREET.

Coun. FISH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Train street at Daly Industrial School, 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 suspension of the rule.

CURBING AT TREMLETT PARK.

Coun. WILSON offered the following:

Ordered, That the Park Commissioners, through his Honor the Mayor, be, and they hereby are, respectfully requested to install around the border of the present grass plot at Tremlett Park, Ward 17, Dorchester, a substantial and ornamental curbing of suitable construction.

Passed under suspension of the rule.

RECESS.

The Council voted, on motion of Coun. BUSH, at 2.36 p. m., to take a recess, subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by President GREEN at 3.42 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted reports as follows:

1. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Mrs. Thomas Conway, Howard Temple Hall, June 7; Lillian F. Brown, Municipal Building, South Boston, June 8; Margaret G. Ronan, Whiton Hall, June 1; Gertrude Dolan DePetro, Jordan Hall, June 7-9; Ruth G. Brown, Huntington Chambers, June 12—that leave be granted.

Report accepted; said permits granted under usual conditions.

2. Report on message from Mayor and order (referred today) appropriating \$13,790.66 for establishment of traffic engineering division in Street Laying-Out Department—that same be referred to the Committee on Appropriations.

Report accepted; said order referred to Committee on Appropriations.

3. Report on message from Mayor and order (referred today) for loan of \$125,000 for installation of automatic co-ordinated traffic signal system—that same be referred to Committee on Finance.

Report accepted; said order referred to Committee on Finance.

4. Report on order (referred May 7) that annuity of \$600 be paid to widow of John J. Kennedy, late member of Fire Department—that same ought to pass.

Report accepted; said order passed.

5. Report on message of Mayor and order (referred today) authorizing appropriation of \$5,500 from Reserve Fund for ice for drinking fountains—that same ought to pass.

Report accepted, said order passed, yeas 15, nays 0.

6. Report on order (referred today) accepting chapter 346, allowing payment to Louise H. Young—that same ought to pass.

Report accepted, said order passed.

7. Report on order (referred today) allowing payment of \$1,500 to Louise H. Young—that same ought to pass.

Report accepted; said order passed.

8. Report on order (referred today) accepting chapter 334 of Acts of 1928 providing for additional special justices of the Municipal Court, etc.—that same ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. DONOVAN—Mr. President, it must be evident and apparent to the members of this body that the county budget is increasing year after year. No later than this last year we allowed in the past budget a \$3,000 item for clerk hire. As I understand it, the act now before us is one that was introduced into the Legislature and that requires ratification by this body. While I personally have no objection to the increase suggested for the Chief Justice of the Municipal Court, and have no strenuous objection to the appointment of the two associate justices, because I understand that they are only paid when they sit, and that the state bears the expense of these two associate justices, still I object to two permanent additions, under clerk hire, making an added expense to this city of \$5,600 annually. If the Legislature and the Governor of the Commonwealth have the welfare of this city at heart, let them remove the gag now placed upon the city through some constructive legislation which will lead to a proper allocation, so far as our community is concerned, of the cost of the courts of

this Commonwealth. I cannot see my way clear to vote for this order at this time. I would like to have the matter laid over for a week, so that we may consider it further. I have not had ample time to study it. It has been just introduced at this session, a short time ago. I don't know how many members of the body know the contents of it or understand the situation. But the fact is that we are continually adding expenses which have to be borne by the electorate and taxpayers of this city. I cannot see my way clear to vote for this today.

Coun. WILSON—Mr. President, usually in matters that come before the body I have to take the word of somebody else. On matters concerning appropriations, for example, I ask for information from the Budget Commissioner; on matters of finance, I ask others who may be intimately connected with the particular questions we have to consider; on department matters I ask for enlightenment from the heads of the departments. But this is one matter in particular upon which, I think, in all due modesty, I can qualify as an expert and justify my own position and my own vote. From bitter personal experience as a practising attorney in the City of Boston for the last ten or twelve years, I know that more clerks are needed in the Boston Municipal Court, on the civil side. This past week I waited four entire days in the Boston Municipal Court to be reached in a trial, with witnesses hanging around. If there is one court in the Commonwealth that really needs two more justices, it is the Boston Municipal Court. If there is one clerk's office in the whole Commonwealth of Massachusetts that is run in a workmanlike efficient manner, it is the clerk's office of the Municipal Court on the civil side. It is unlike the offices of some clerks of other courts. The clerk is no particular friend of mine, but I see him morning after morning on the firing line, from the calling of the list in the morning until the end of the day, running his session, and running it right. I know that the appointments made in that office are made without fear or favor. If there is a man in Mr. Donovan's office who does not really do a day's work, if he is a drone in the hive, he is thrown out. But I know that the office is undermanned, efficiently as it is being run. I know that on Saturday, when cases are entered, the men have to work along into the afternoon, and that on Mondays and Tuesdays, when the answers come in, people are standing there in the clerk's office of the Municipal Court in several rows, ten or fifteen deep. I agree with much that the councilor from East Boston (Coun. Donovan) has said. I agree with him that the City of Boston, which pays the bills, does not have the complete and entire say it should have as to appointments and salaries. I say that there is injustice in the way that we have the county expenses rammed down our throats each year. But, while I agree with him in that respect, I do hate to see this particular bill held up, because this court presents one glaring example where we should agree with what the Legislature has done. I think those of us who know the facts will all agree that there should be more help in the office of Mr. Donovan, the Clerk of the Municipal Court, on the civil side. I admit that I wish we had more power in this matter, that perhaps some pressure might be brought to bear, in which we might assist, to raise the salary of the present Chief Justice of the Boston Municipal Court, who is as underpaid as any man in Suffolk County at the present time. I am convinced that if he so wished he might at the present time be on the Superior Court bench, with a much higher salary, but he stays where he is, occupying the particular field he does, because of the chance it gives him to serve the public. I feel that this particular order should go through.

Coun. DEVENEY—Mr. President, I move that we lay this matter on the table for a week.

Coun. FITZGERALD—Mr. President, I think we would make a mistake in laying this on the table. We have passed other orders here which have come to us from the past session of the Legislature, without question, and we are now striking at the only office really represented by a Suffolk County employee, a man who is really a resident of the county, who was born in the county and who has lived in the county all his life; who has served in the City Council, the Board of Aldermen and the Legislature. I think it would come with very poor grace from us to strike at that particular office, the head of which is a product of our own community. I think what Coun. Donovan said, if I understood him correctly, in executive session, was in relation to the probation officers, and I think he is absolutely right. I think it is a terrible indictment of this city of ours that no one born and reared here, a product of our public, private or parochial schools, is competent to hold these positions, at the hands of the judges. It is only a few years ago that a tirade was made in regard to the jury system, and I heard men say before committees of the Legislature that no man living in Suffolk County was competent to serve on a jury to try criminal or civil cases in this county. Mr. President, the councilor was absolutely right in his protest. But, so far as this one office is concerned, I think it would be decidedly unfair to single it out for criticism at this particular time. These clerks, of course, are appointed and confirmed through the judges. I believe a four-fifths vote of the judges is required to confirm the appointments. I do think that that office, as has been stated by Coun. Wilson, is undermanned at the present time. The work is increasing. You have only to pick up the newspapers at six months' periods to see the army of men and women admitted to the bar, at least 500 a year in this Commonwealth, and certainly those 500 are finding plenty of business. They go on holding their jobs in city and state employ and practising law, even using the offices paid for by the city, county and state, for their telephone calls, thereby avoiding the payment of telephone bills. They are continually going on in that way, doing business on the side, and their business is increasing as against the man who has to hire an office and fight his own battles. We have to have a sufficient number of judges and clerks to meet the demand. So I think this is a bad place to single out. If you were to pick out certain other offices, well and good. But I think, in view of the fact that

this clerk is a product of our own city, and is running his office in a decidedly efficient and commendable manner, we should at least give him some consideration, should at least give him a fair show.

The motion to assign the matter to the next meeting was lost by a rising vote.

Coun. WILSON—Mr. President, one reason why I have voted this way (against assignment) is that I don't know for how long we will adjourn. We had difficulty last week in drawing jurors, and I don't know whether we will have a quorum next week. With summer coming on, and with some of our members away from town, there will be difficulty at times in getting a quorum. So it occurs to me that if this should go over, it may go over indefinitely. Therefore I opposed assignment.

The order was passed.

REPORT OF COMMITTEE ON PARKMAN FUND.

Coun. PARKMAN, for the Committee on Parkman Fund, submitted report as follows:

1. Report on message of Mayor and order (referred May 7) appropriating sum of \$39,000 from income of George F. Parkman Fund to be expended under direction of Park Commissioners for improvements in Fens, Franklin Park, Madison Park and Worcester square—that same ought to pass.

Report accepted; said order passed, yeas 15, nays 0.

RESURFACING OF WARD 12 STREETS.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Savin street, Ward 12, with smooth pavement.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Cheney street, Ward 12, with smooth pavement.

Severally passed under suspension of the rule.

Adjourned on motion of Coun. MAHONEY, at 3.58 p. m., to meet on Monday, June 11, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 11, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., COUN-
DOWLING in the chair, in the absence of President
Green. Absent, Coun. Bush, Green, Motley and
Parkman.

VETO OF \$40,000 FOR WILLIAM HEALEY
PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, June 6, 1928.

To the City Council.

Gentlemen,—I return herewith, without my
approval, your order in the sum of \$40,000 for the
erection of bleachers, grading, new baseball
diamond, et cetera, on the William Healey Play-
ground, Ward 19.

Inasmuch as this order deals with the work of
the special committee on playgrounds, I have
referred this question without prejudice to that
committee to consider with other projects relating
to playgrounds.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and
severally referred to the committees named, viz.:

Claims.

Bertha Carpenter, for compensation for damage
to clothing by city truck.

Madeline DeSalvo, for compensation for injuries
caused by an alleged defect at 175 Chambers street.

Margaret L. Duffy, for compensation for injuries
caused by an alleged defect at 174 Tremont street.

Maude A. Dwyer, for compensation for injuries
caused by an alleged defect in Boylston street.

Frances Eskovitz, for compensation for injuries
caused by an alleged defect at 12 North Anderson
street.

Edward L. Eustis, for compensation for damage
to automobile caused by an alleged defect in
Pleasant street.

Edward Lowe, for compensation for damage to
truck by city wagon.

Maria Papa, for compensation for injuries re-
ceived in the Sarah J. Baker School.

Tony Rich, for compensation for ash barrel
taken from premises at 626 Massachusetts avenue.

Mrs. Barbara Rodevitch, for refund on redemp-
tion of tax title at 265 East Eighth street, South
Boston.

Margaret L. Wall, for compensation for injuries
caused by an alleged defect at 467 Geneva avenue.

F. W. Woolworth Company, for refund on refuse
tickets.

Augusta Zappey, for compensation for injuries
caused by an alleged defect at 40 Roscliff street.

Executive.

Petitions for children under fifteen years of age
to appear at places of public amusement, viz.:

Margaret L. McDonald, Brighthelmstone Hall,
June 7.

SALE OF UNCLAIMED BAGGAGE.

A petition was received from the Boston
Maine Railroad for permission to sell unclaimed
baggage at North Station at some time in July,
1928.

Referred to Committee on Unclaimed Baggage.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out
Department of hearing to be held on petition for
storage and sale of gasolene, as follows:

June 25.

Edgar J. Arcaud, 217 Brighton avenue, Ward 21,
2,000 gallons.

Referred to the Executive Committee.

STREET LOCATIONS.

Notice was received from the Board of Street
Commissioners of orders in regard to granting of
locations, as follows:

Boston Elevated Railway.

Extension of time for completion of work in
forty-fourth location, single track, Harrison
avenue, from Dover street to north of Rollins
street.

Extension of time, for completion of work in
twenty-second location, double track, Cambridge
street, Charlestown.

Sixty-sixth location, Bartlett and Washington
streets.

Sixty-seventh location, double track curves at
Sullivan square, Charlestown.

Eastern Massachusetts Street Railway Company.

Sixteenth location, tracks in Ashland and Oak-
land streets, West Roxbury.

Boston, Revere Beach and Lynn Railroad.

Overhead single trolley electric system across
Marginal and Maverick streets, East Boston.

Severally placed on file.

CONSTABLES' BONDS.

The following constables' bonds, having been
approved by the City Treasurer, were received
and approved by the Council, viz.:

Alexander Goodman, Jeremiah J. Mahoney,
Jacob Silverman.

PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds for the
period from June 1 to June 15, inclusive, to the
amount of \$4,292.86, was received and approved.

CLOSING OF REGISTRY OF DEEDS

AT 4 P. M.

Coun. RUBY offered the following:

Ordered, That the office of the Registry of
Deeds be closed on week days, except Saturdays,
at four o'clock p. m., from July 2 to September 3,
1928, inclusive.

Passed under suspension of the rule.

RESURFACING OF OAKDALE STREET.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public
Works be requested, through his Honor the
Mayor, to provide for the resurfacing of Oakdale
street, Ward 19, from Green to Lamartine streets,
and the construction of granolithic sidewalks
thereon.

Passed under suspension of the rule.

LOAN ORDERS AND SALE OF LAND IN
CHARLESTOWN.

Chairman DOWLING called up, under un-
finished business, Nos. 5 to 9, inclusive, on the
calendar, viz.:

5. Ordered, That the sum of \$350,000 be, and
hereby is, authorized to be expended by the Board
of Street Commissioners for Cambridge street and
Court street and that to meet said appropriation
the City Treasurer be 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.

On May 21, 1928, the foregoing order was read once and passed, yeas 17, nays 0.

6. Ordered, That the sum of \$300,000 be, and hereby is, authorized to be expended by the Board of Street Commissioners for Kneeland street improvement and that to meet said appropriation the City Treasurer be 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.

On May 21, 1928, the foregoing order was read once and passed, yeas 17, nays 0.

7. Ordered, That the sum of \$250,000 be, and hereby is, authorized to be expended by the Board of Street Commissioners for Doek square and Faneuil Hall square improvement and that to meet said appropriation the City Treasurer be 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.

On May 21, 1928, the foregoing order was read once and passed, yeas 17, nays 0.

8. Ordered, That the sum of \$40,000 be, and hereby is, authorized to be expended by the Board of Street Commissioners for Tremont street improvement and that to meet said appropriation the City Treasurer be 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.

On May 21, 1928, the foregoing order was read once and passed, yeas 17, nays 0.

9. Ordered, That his Honor the Mayor be, and hereby is, authorized in the name and on behalf of the City of Boston, to sell to W. F. Schrafft & Sons Corporation, for the sum of \$1,656.90, all right, title and interest of the City of Boston in and to a parcel of land situated on the northeasterly side of Main street, in the Charlestown district of said Boston, and containing 2,367 square feet of land, more or less, and to execute and deliver a deed of the same to said W. F. Schrafft & Sons Corporation in form satisfactory to the Law Department. Said land is bounded and described as follows:

Southwesterly by the northeasterly line of Main street, 32.71 feet; northwesterly by land of the City of Boston, 144.75 feet; and southeasterly by land supposed to belong to W. F. Schrafft & Sons Corporation, 144.76 feet; containing 2,367 square feet of land, more or less.

Ordered, That the order passed by the City Council December 12, 1927, and approved by the Mayor on December 15, 1927, authorizing the sale at public auction of a parcel of land on the northeasterly side of Main street be, and the same is, hereby rescinded.

On May 21, 1928, the foregoing order was read once and passed, yeas 17, nays 0.

The orders were severally given their second and final reading and passage, yeas 17, nays 0.

EARLY OPENING OF GOLF COURSE, FRANKLIN PARK.

Coun. WARD offered the following:

Ordered, That the Park Commissioners, through his Honor the Mayor, be authorized to open the golf course at Franklin Park on Sundays at 6 a. m.

Coun. WARD—Mr. President, as there seems to be some snickering on the Republican side of the room, let me say that my purpose in introducing that order is that every private golf course is open early Sunday morning. The golf course at Franklin Park opens at 2 p. m. This is merely in order to afford golf enthusiasts an opportunity to play in the morning.

The order was passed under suspension of the rule.

APPROACH TO STONY BROOK RESERVATION.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to devise ways and means to make the

approach at the foot of Gordon avenue to the Stony Brook Reservation, more practical, safe and beautiful.

Passed under suspension of the rule.

RESURFACING OF OSCEOLA STREET, WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Osceola street, Ward 18.

Passed under suspension of the rule.

MATTAPAN STREET A PUBLIC HIGHWAY.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Mattapan street, Ward 18, as a public highway.

Passed under suspension of the rule.

SIDEWALK ON JERSEY STREET.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Jersey street, west side, at corner of 107 Audubon road, Ward 5, 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.

ANNUITY TO WIDOW OF DANIEL F. KELLEY.

Coun. WILSON offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of Daniel F. Kelley, late member of the Boston Fire Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said widow remains unmarried, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

CONDITION OF CITY HALL ELEVATORS.

Coun. WILSON offered the following:

Whereas, As recently as May 7, 1928, the City of Boston completed the expenditure of \$32,135 for the installation of two brand new elevators in the main building of the City Hall; and

Whereas, It may, of course, be assumed that there must have been some reasonable guarantee contained in the contract; and

Whereas, For a substantial part of the time since said installation one or both of said new elevators has repeatedly been out of order and not available for service; now therefore be it

Ordered, That the Superintendent of Public Buildings, through his Honor the Mayor, be, and hereby is, respectfully requested to take such suitable steps against the contractor as will insure the regular running of both elevators for at least three consecutive working days.

Passed under suspension of the rule.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Coun. RUBY—Mr. President, for the Committee on Constables I would like to call up, under No. 2 on the calendar, the appointments of Raphael Hersey, Moses F. Kalish and Robert Q. Pollack, as constables, and also the appointment under No. 3 on the calendar of John F. Welch and under No. 4 the appointment of Morris Rommel. The committee recommends the confirmation of those names as constables.

The Council voted to take up the names referred to from Nos. 2, 3 and 4 on the calendar, under unfinished business, and the question came on confirmation of appointments as constables of Raphael Hersey, Moses F. Kalish, Robert Q. Polack, John F. Welch and Morris Rommell. Committee, Coun. Donovan and Gallagher. Whole number of ballots 17, yeas 17, and the appointments were confirmed.

RECESS.

On motion of Coun. RUBY, the Council voted at 2.28 p. m. to take a recess, subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by Coun. SULLIVAN, at 2.47 p. m.

EXECUTIVE COMMITTEE REPORT.

Coun. KEENE, for the Executive Committee, submitted the following:

1. Report on petition (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Margaret L. McDonald, Brighthelmstone Hall, June 7, that permit be granted.

Report accepted; said permit granted under usual conditions.

RESURFACING OF THORNLEY STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Thornley street, Ward 13, with a smooth pavement.

Passed under suspension of the rule.

HEALTH UNIT, WARD 13.

Coun. SULLIVAN offered the following:

Ordered, That the trustees of the George Robert White Fund be requested, through his Honor the Mayor, to consider the establishment and maintenance of a health unit in Ward 13.

Passed under suspension of the rule.

CURBING AT TREMLETT PARK.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be, and he hereby is, respectfully requested to install around the border of the present grass plot at Tremlett Park, Ward 17, a substantial and ornamental curbing of suitable construction.

Coun. WILSON—Mr. President, in explanation of that order I will simply say that it is practically a duplication of an order introduced last week, which was erroneously directed to the Park Commissioner, I acting under the misconception that probably the Park Commissioner had something to do with the park. It appears that it should have gone to the Public Works Commissioner.

The order was passed under suspension of the rule.

APPROPRIATION FOR GRANOLITHIC SIDEWALKS.

Coun. WILSON offered the following:

Ordered, That the sum of \$50,000 be, and hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, for the construction of granolithic sidewalks, and that to meet such expense 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.

Coun. WILSON—Mr. President, I want to say in reference to that particular order that the taxpayers of the city are entitled to certain minimum conveniences, and one of the most important concerns sidewalks on the side streets. At the present time the annual appropriation, \$50,000,

is just one small bite, so far as the requirements are concerned. There is not a meeting of the City Council at which there are not from one to half a dozen sidewalk orders presented. I understand that the Public Works Commissioner has already allotted practically all of this year's \$50,000. I accordingly urge a favorable report upon this by the Finance Committee, and I certainly hope the Mayor of the City of Boston will consult with the Public Works Commissioner and ascertain from him the great number of sidewalks that have been requested and for which there is no money provided at the present time. There is also the side thought in connection with these sidewalks, of course, that the city goes only half way with the taxpayers and that the taxpayer of an adjoining piece of property pays half the cost himself. It seems to me this order should not only receive the consideration of the Council, but that his Honor the Mayor should give it some consideration, and I certainly trust that we will make some real progress during the current year.

The order was referred to the Committee on Finance.

HENRY J. HINES SQUARE.

Coun. DONOVAN offered the following:

Ordered, That the space at the junction of Byron and Bennington streets, East Boston, be named Henry J. Hines square, in honor of said Hines, who died from injuries received in the World War, and that said space be suitably marked with signs.

Passed under suspension of the rule.

GARAGE ADJACENT TO STATION 12.

Coun. MAHONEY offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of constructing a garage adjacent to Station 12, South Boston, for the purpose of housing their patrol wagon and other vehicles connected with said station.

Passed under suspension of the rule.

FINANCE COMMITTEE REPORTS.

Coun. MURRAY, for the Committee on Finance, submitted reports as follows:

1. Report on order (referred September 12, 1927) for loan of \$50,000 for repaving of Blue Hill avenue, from Seaver street to Talbot avenue—that same caught to pass.

Coun. RUBY—Mr. President, that is an order that I put in some time ago, because of the fact that I was told at the time that there was not enough money to spend to repave that section of Blue Hill avenue, running from Seaver street to Talbot avenue, which is in urgent need of repair. That was suggested not only by myself but by Mr. Atwood, the division engineer in charge, as well as by Mr. Sullivan, the Public Works Commissioner. I hope that the work will be commenced immediately, because of the dangerous condition of that particular thoroughfare. It is considered today the most heavily traveled automobile area in the City of Boston. I trust, therefore, that the members will vote in favor of the order, so that it may be passed this afternoon.

Report accepted; order passed, yeas 15, nays, 0.

2. Report on order (referred March 26) for loan of \$335,000 for construction of modern incineration plant—that same ought to pass.

Coun. WILSON—Mr. President, I will not speak at length on this particular order, simply calling the attention of the members of the Council to the minutes of March 26, 1928, at which time the order was offered, and I would refer back to an earlier order requesting the Public Works Commissioner to estimate the cost of incineration in the City of Boston. He estimated it at \$4,000,000, divided into seven districts of the city. The present cost of incineration, not including three districts, is \$3,500,000 every these years. My point in having this loan passed at this particular time is that the City of Boston could try incineration in one of the districts, so that by 1932, when

the Coleman contract ends, we will know whether we want to join the rest of the progressive cities of the country or stay in the rut.

The report was accepted and the order passed, yeas 15, nays 0.

3. Report on message of Mayor and order (referred June 4) for appropriation of \$125,000 for automatic traffic signal system,—that same ought to pass.

Coun. WILSON—Mr. Chairman, my remarks this time will be very short, but in the absence of the chairman of the committee I do want to say this, that one of the outstanding achievements of our city administration during the past three years has been the Street Traffic Survey first organized by his Honor the Mayor in December, 1926, because of the generally recognized growth in the number of accidents on our streets and the unbearable increase in traffic congestion. We talk about a greater Boston,—and a bigger, better, busier Boston, but Boston at the present time shows every symptom of hardening of the arteries! Business can't increase if traffic is plugged, and the whole purpose of the recent traffic survey was to open the lines of communication to the business district of the city. As the report we have all received well says, "the problem of expediting general traffic along the primary arteries of travel is not a matter for guess work; traffic control, in a great city such as Boston, is a complicated engineering problem." We put a specialist to work on the stifled patient,—and taking the patient as he found him, I feel that the report shows how to give him air. We don't need any specialist to tell us that Washington and Tremont streets are the two worst sore spots in the city, but he has picked the two teeth that we know are aching the worst and said, pull those, and at least you'll have strength to get down to business. The report says install this progressive co-ordinated system of automatic traffic signals and you'll accomplish at least three immediate results. You'll increase the average through speed along Washington street from six to fifteen miles an hour. With but two lanes of one-way traffic you'll greatly add to the safe area available for pedestrians. Finally, you'll release traffic officers from hutton pushing to an active place on the streets where they can be something besides one end of a machine. We are told that installation of this system on Washington street, for example, from a traffic point of view, will be the equivalent of widening the whole of Washington street to twice its present width. If that were done literally we can only imagine the terrific cost. Obviously something must be done. A specialist has made his recommendation. I believe we should follow the advice, and if the patient improves we can then follow the further suggestions made by the doctor. I naturally assume, of course, that every member of the Council has carefully read the 232 pages of the Traffic Report at least once. I, for one, after reading it am inclined to feel that Mr. McClintock, and the Mayor's Street Traffic Advisory Board, after long months of specialized study and experience know slightly more about this complicated engineering problem than I do. We may or may not agree with every item in the Street Traffic Report,—but let's give at least a little "first aid" treatment lest the patient die while the young doctors argue. Mr. President, I urge the passage of this particular loan order as not merely advisable, but imperative.

The report was accepted and the order passed, yeas 16, nays 0.

APPROPRIATION FOR ATHLETIC FIELD, DORCHESTER HIGH SCHOOL.

Coun. WILSON offered the following:

Ordered, That the sum of \$75,000 be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission, for the acquisition of land for a public playground adjacent to the present limited athletic field of the Dorchester High School for Boys, and that to meet said expenditure 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.

Chairman SULLIVAN—The order will be referred to the Finance Committee.

Coun. WILSON—Mr. President, in connection with the reference of this order to the Finance Committee, I would simply like to say that

Ward 17 is, I believe, the only ward in the City of Boston which does not at present contain a public playground. The nearest we come to a playground is the present empty vacant lot of land adjacent to the Dorchester High School for Boys, which is being used at present by the boys for drilling and baseball practice. I understand that plans are being made to put nineteen or twenty houses on this last available piece of land in the ward, and I accordingly present this loan order at this time feeling, as I have always felt, that the time to obtain a playground is when you have available land, and not when you have to tear down half the ward in order to get the playground.

The order stood referred to the Finance Committee.

THE NEXT MEETING.

Coun. ARNOLD—Mr. President, I move that when the Council adjourn it be to meet on July 9.

Coun. MURPHY—Mr. President, as I understood it, the councilor made a request that when the Council adjourn it be to that date? He did not move adjournment at this time?

Chairman SULLIVAN—No. The question before the Council is that when the Council adjourn it be to meet on Monday, July 9.

Coun. KEENE—Mr. President, I would suggest, if Coun. Arnold has no objection, that the motion be amended to read that when we adjourn it be to meet two weeks from today. I might add that this loan order of \$125,000 will be up for second reading at that time, and that it is quite necessary that steps be taken to have the surveys and provisions made for the installation of whatever mechanism is necessary to put the system in operation. The committee, and his Honor the Mayor also, are very anxious that, if the order is going to pass, it be passed as quickly as possible. I would move, as an amendment to Coun. Arnold's motion, that when we adjourn it be to meet two weeks from today.

Chairman SULLIVAN—Does Coun. Arnold accept the amendment?

Coun. ARNOLD—I do not, Mr. President. As I understand it, there are several members of the body who will not be here, and I think it very doubtful whether we get a quorum at that time. I merely attempted to set a date when it would be possible to take the matter up with some hope of action. Some of our members are away already, and I understand that within a short time others are going to be away, in Texas, which is a long way off.

Coun. McMAHON—Mr. President, I cannot agree with the idea of the Council at the present time adjourning for a month or even for two weeks. I feel that I have a job here and that I am supposed to come every Monday, regardless of whether the Council meets or not, and just because one or two have to be away is none of my hard luck or that of the other members of the Council. I hope when the question of adjournment comes, we will adjourn to the following week.

Coun. WILSON—Mr. President, I agree with Coun. McMahon. While I do not place my time ahead of the time given by anybody else, I do feel that we have a duty to perform and that if we have business to attend to we should be here and attend to it. There have been times in the past when certain members have had to be away, and at the present time one of our members is absent and in attendance at the Kansas City Convention. But we are able to stagger along with a meeting now, and I think we will be able to continue to do so. We are paid a moderate stipend to meet once in so often, and it does seem that those who are able to do so and who are drawing that stipend ought to be here. If the members want to expedite the work by short meetings, that is one thing. But I don't think they ought to go on record as laying off for the summer or half the summer.

Chairman SULLIVAN—The question first comes on Coun. Arnold's motion that when we adjourn it be to meet on July 9, that being for the longest time.

The motion that when the Council adjourn it be to meet on July 9 was lost.

Chairman SULLIVAN—The question now comes on the motion that when we adjourn it be to meet on June 25, two weeks from today.

Coun. FITZGERALD—Mr. Chairman, if it is in order, I would move that when we adjourn it be to meet next Tuesday.

Chairman SULLIVAN—The Chair would state that the loan orders cannot come up until the 25th of June, which is fourteen days from the time of their first reading and passage, today. The question comes on adjourning, when we do adjourn, to June 25.

Coun. McMAHON—Mr. President, I did not realize that next Monday is a holiday. So I will agree to the two weeks' adjournment.

The Council voted that when the body adjourned it be to meet on Monday, June 25, at 2 p. m.

REPORT OF COMMITTEE ON APPROPRIATIONS.

Coun. FITZGERALD, for the Committee on Appropriations, submitted the following:

Report on message of Mayor and order (referred June 4) appropriating \$13,790.66 for establishment of Traffic Engineering Division in Street Laying-Out Department—that same ought to pass.

Coun. DONOVAN—Mr. President, I move that this matter lie over for two weeks, until June 25.

Coun. WILSON—What is the purpose of laying it over?

Coun. DONOVAN—Mr. President, with all due respect to the Mayor's opinion and to the opinions as rendered by Professor McClintock and the gentleman from Dorchester, it seems that this calls for an appointment. It proposes the creation of a permanent Board, and it calls for the creation of a position in the City of Boston to be filled by a man coming from Pittsburgh. I don't know the qualifications of the gentleman from Pittsburgh, but I think if this body in the future is going to create positions or boards, the first consideration at least should be given to citizens of Boston. Therefore, with all due respect for the previous order passed here, calling for an outlay of \$125,000 for traffic signal lights, and so forth, I believe that at the present time the police cannot get a conviction unless they have a police officer there or somebody in attendance operating those lights. I do not see any earthly need at any time of immediately passing orders for the appropriation of money upon their introduction. I think we owe it to ourselves to observe good faith with ourselves, also, and I believe nobody here today can have any valid objection to having this thing go over for two weeks.

Coun. WILSON—Mr. President, I very often agree with the able councilor from East Boston in the points he makes, but I do think there is a certain degree of urgency in this matter. If we are going to accept the recommendation of the traffic advisory committee and clean up the heart of the city, letting traffic get through and making it possible to remedy the present difficult situation, it seems to me action should begin as soon as possible. I agree absolutely with Coun. Donovan's point that employees of the City of Boston should be residents of the city; but I don't care to het either way as to what the appointment in this case will be. I do believe that this new department should be a subdepartment of the Street Commissioners' office, and I assume that the appointee would be selected by them and would be their servant. I assume that the appointment is one that would naturally be considered as similar, perhaps, to that of an engineer at the head of the Paving Division or the Sanitary Division, in the Department of Public Works, that the appointee would be naturally in that sense a subordinate of the Board. What is proposed is in line with what is being done, as I understand, in nine other great cities. As I understand it from reading the report the duty of this small department, for which \$20,000 odd is requested, is to pass on such questions as these—the issuing of permits for minor street openings; the prevention of storage of any building materials on sidewalks; the location of taxicabs; the location and marking of loading zones; the location and placing of suitable parking signs; the issuing of permits for vehicles to unload by backing into the curb; a continued study of provisions for off-street loading, with possible changes in the building laws; the study of arcing and the possible construction of bridges and tunnels for traffic; the location and marking of all cross-walks and zone and line markings, as on Washington street, and safety zones; the making of one-way rules for streets, and the question of through

streets; the entire question of traffic loading, and most especially the ascertainment whether the introduction of the progressive system of automatic traffic signals on Washington street should be extended and utilized in the other three units recommended in the traffic survey. It seems to me we should not quibble over who receives the appointment. I hope the appointment will be received by a man who lives in Boston, because if he does not live here he should; but I do think that this appropriation should go through, if we really mean business.

Coun. KEENE—Mr. President, I might say, for the information of Coun. Donovan, that the man who will undoubtedly hold the position temporarily is Mr. Halsey, a man who has worked here for eighteen months with the committee. He has worked under the jurisdiction of Professor McClintock for the last six or seven years, has been acting commissioner in the city of Pittsburgh, and undoubtedly has had more experience in this particular line than any other man in the country. I am in doubt as to what my attitude will be in the matter of a division which will be permanent in nature. It would seem quite necessary at the outset that some money should be appropriated so that the system may be properly installed and to see that the situation is sufficiently studied to assure its performing functions which the committee say it will perform. I don't want to object to Coun. Donovan's motion. Inasmuch as some of our members are absent, and some of the members present have asked pertinent questions which I am sure I am not able to answer, I believe it would be proper to assign this to the calendar for two weeks from today.

Coun. FITZGERALD—Mr. President, I want to state for the benefit of the Council that the report was submitted with the understanding among the members of the Committee on Appropriations that the thing should be put over to the next meeting. We endeavored to wait on his Honor the Mayor, but found that he was not in his office. In view of the fact that many of the members have left and are leaving, and that a number of our members will be away for a short time, in order that there might not be any unnecessary holdup of the matter it was agreed that the report be presented here today, to be then laid over to the next meeting of the Council. Had we known that there would be any objections, we would not have reported it in here today, but would have held it in committee until a later date.

The matter was assigned to the next meeting of the Council.

CUMMINS BOULEVARD.

Coun. MURPHY offered the following:

Ordered, That the Street Commissioners be requested, through his Honor the Mayor, to rename Oakland and Ashland streets, from Mattapan square, Ward 18, to Washington street, Ward 19, Cummins Boulevard.

Coun. MURPHY—Mr. President, the reason for presenting this order is because of an almost unanimous petition of people residing between Mattapan square and Washington street, which takes in parts of Ward 18 and Ward 19, that some such action as this should be taken. I don't suppose there is anybody who has lived in Boston for any length of time who has not heard of Father Cummins of West Roxbury. For over fifty years he has struggled along in that section of West Roxbury near Mount Hope, at all times helping the people not alone of his own church but of every church in the district. The organizations functioning in the district have always sought his assistance, and, to his everlasting credit, we have in that section of Boston today one of the finest sections in the entire city. Now that this old man has arrived at the sunset of his life, after all the work he has done both for the city and for civic organizations, I believe some recognition should be given of his wonderful work. Some say, Mr. President, that you have got to die before you become great or before the services which you have rendered are appreciated; but I believe the time to appreciate service, especially the type of service rendered by Father Cummins, is while the man is still alive, in the very sunset of his life, when it would make him realize that the people of the district feel, and wish to show

while he is still living, that he has done something worth while and that the people wish to recognize that fact by action showing that he has endeared himself to the hearts of the people of Hyde Park, Mattapan and West Roxbury. So I hope, Mr. President, that his Honor the Mayor, in conjunction with the Street Commissioners, will see the wisdom of renaming this famous street, an

80-foot boulevard from Mattapan square to Washington street, West Roxbury, "Cummins Boulevard."

The order was passed under suspension of the rule.

Adjourned, at 3.20 p. m., on motion of Coun. RUBY, to meet on Monday, June 25, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 25, 1928.

Regular meeting of the City Council held in the City Council Chamber, City Hall, at 2 p. m., Councillor DOWLING, senior member, presiding in the absence of President Green. Absent, Coun. Dowd, Green and Ward.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the following appointments were received from the Mayor:

Weighers of Goods: Patrick D. Kane, care of Hallowell, Jones & Donald, 252 Summer street; Thomas F. Lalor, care of Adams, Blake & Bonney, Inc., 316 Board of Trade Building; Albert M. Finnegan, 49 Bennett street, Brighton; James J. Colorusso, 24 Prince street, Boston; John F. Norton for Public Works Department, City of Boston; Lawrence L. Horton, New England Rendering Company.

Weighers of Coal and Measnrer of Wood: Robert Cody, 40 Fairbanks road, Milton; John K. Holland, 41 Fulton street, Medford.

Weigher of Coal: M. Prudenti for United Ice and Coal Company, South Boston.

Constables: William C. Griffin, 63 Myrtle street, Ward 5; Joseph Solomon Goldberg, 11 Floyd street, Ward 14; Frank J. Thomas, 9 Adams terrace, Ward 16; Henry D. Stetson, 12 Redfield street, Ward 16; Charles Rosario Mennella, 286 Chelsea street, Ward 11; Morris Joseph Mandel, 73 Hazleton street, Ward 14. Severally laid over a week under the law.

BRANCH LIBRARY, MATTAPAN.

The following was received:

City of Boston,

Office of the Mayor, June 23, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the trustees of the Boston Public Library, in reply to your order of May 14, 1928, relative to the establishing of a branch library in the Rugby section of Mattapan.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Library Department, June 5, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Sir,—In reply to the order of the City Council that the trustees of the Boston Public Library establish a branch library in the Rugby section of Mattapan, I have been directed to state that no provision exists in the Library budget for the current year for either the establishment or maintenance of any additional branch libraries.

The Board of Trustees has voted that it would be most happy at any time to take up with the Library Committee of the City Council not only the whole question of the need of new branches, but the necessity of additional annual appropriations for their operation as well.

Respectfully yours,
CHARLES BELDEN, Director.

Placed on file.

EARLY OPENING OF GOLF COURSE.

The following was received:

City of Boston,

Office of the Mayor, June 23, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park

Department, in reply to your order of June 11, 1928, relative to opening of the Golf Course at Franklin Park on Sunday at 6 a. m.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, June 15, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of June 13 with inclosure, order from the City Council that the Park Commission be authorized to open the Golf Course at Franklin Park on Sunday at 6 a. m., and in reply I desire to say that this would require an act of Legislature.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

REPORTS FROM EMPLOYMENT DEPARTMENT.

The following was received:

City of Boston,

Office of the Mayor, June 23, 1928.

To the City Council.

Gentlemen,—I transmit herewith, in accordance with your request, reports from the assistant secretary in charge of the Employment Bureau, for the weeks as follows:

May 14 to 19, inclusive; May 21 to 26, inclusive; May 25 to June 2, inclusive; June 4 to June 9, inclusive; June 11 to June 16, inclusive.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

May 14, 1928, to May 19, 1928.

Registrations, 89; positions filled, 51.

May 21 1928, to May 26, 1928.

Registrations, 83; positions filled, 70.

May 28, 1928, to June 2, 1928.

Registrations, 83; positions filled, 39.

June 4 to June 9, Inclusive.

Registrations, 114; positions filled, 59.

June 11 to June 16, Inclusive.

Registrations, 127; positions filled, 53.

AUGUSTUS SEAVER,

Assistant Secretary in Charge.

Placed on file.

TREMLETT PARK, WARD 17.

The following was received:

City of Boston,

Office of the Mayor, June 23, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of June 4, 1928, relative to the installing around the border of the present grass plot at Tremlett Park, Ward 17, a substantial and ornamental curbing of suitable construction.

Very truly yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, June 15, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of June 12, with inclosure, order from the City Council to install around the border of the present grass plot at Tremlett Park a curbing of suitable construction.

In reply I desire to say that this grass plot is situated in the middle of the street. Any curbing that would be put there would necessarily have to be placed there by the Public Works Department, as only the inside area comes under the jurisdiction of this department.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

TREE PLANTING IN ASHLAND STREET.

The following was received:

City of Boston,
Office of the Mayor, June 23, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of June 4, 1928, relative to the planting of new trees in Ashland street, Ward 19, between Washington street and Hyde Park avenue, to replace those removed in connection with the widening of said street.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, June 15, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of June 12, with inclosure, order from the City Council to provide for the planting of new trees in Ashland street, Ward 19, between Washington street and Hyde Park avenue, replacing those removed in connection with the widening of the street.

In reply I desire to say that provisions should be made during the widening to prepare tree pits and a sufficient amount of money appropriated for the planting of these trees. As this department has no plans available and has no idea of the widening, it cannot furnish an estimate.

Very respectfully yours,
WILLIAM P. LONG, Chairman.
Placed on file.

MADISON PARK, ROXBURY.

The following was received:

City of Boston,
Office of the Mayor, June 12, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of May 14, relative to the condition of Madison Park, Roxbury.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, May 31, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of May 19, with inclosure, order from the City Council, requesting the Park Commission to remedy conditions at Madison Park.

In reply I desire to say that a request is in the hands of the Parkman Fund Committee at the present time for a sufficient amount of money to comply with this order.

Very respectfully yours,
WILLIAM P. LONG, Chairman.
Placed on file.

ENTERTAINMENT OF AMELIA EARHART.

The following was received:

City of Boston,
Office of the Mayor, June 25, 1928.
To the City Council.

Gentlemen,—I transmit herewith to you an order, providing for the appropriation of the sum of \$20,000 out of the Reserve Fund, to defray the expenses in connection with the reception and entertainment of Miss Amelia Earhart and the distinguished crew of the airplane Friendship, who will soon be the guests of the city, and respectfully recommend adoption of the same.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$20,000 be, and the same is hereby, appropriated to be ex-

pended under the direction of the Mayor for expenscs in connection with the reception and entertainment of Miss Amelia Earhart and the distinguished crew of the airplane Friendship, said sum to be charged to the Reserve Fund, when made.

Referred to the Executive Committee.

SURVEY OF STREET LIGHTING CONDITIONS.

The following was received:

City of Boston,
Office of the Mayor, June 25, 1928.
To the City Council.

Gentlemen,—A survey of street lighting conditions in the City of Boston is recommended by me for the purpose of determining upon a more adequate arrangement of lights and the size, type and character of the same, as well as the more effective distribution of the lights now in use.

While no immediate reduction in the annual lighting costs of the city may be possible, yet, it appears to me that in view of the expenditure by the city of close to one million dollars annually, a greater volume of lighting might be obtained for the same expenditure and provision made for proper facilities on many streets now inadequately provided for.

I respectfully recommend adoption of the accompanying order by your honorable body.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That a sum not exceeding \$6,000 be, and the same hereby is, appropriated to be expended under the direction of the Mayor for a survey of the street lighting system, said sum to be charged to the Reserve Fund.

Chairman DOWLING—The matter will be referred to the Executive Committee.

Coun. WILSON—Mr. Chairman, I would suggest that this matter be referred to the Executive Committee and that some committee such as is suggested might take up the old question of the rental of poles. If we stop paying rentals, we might get that much more service for the amount we pay.

Chairman DOWLING—The matter has already been referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

Mrs. Frances Benjamin, for compensation for injuries caused by an alleged defect at 538 Warren street, Roxbury.

Rosie Biollargero, for compensation for injuries caused by an alleged defect at 31 Tremont street.

Herbert M. Bridley, for compensation for injuries caused by an alleged defect at 79 Gainsborough street.

Mrs. Thomas Burke, for compensation for injuries caused by an alleged defect in Rutherford avenue.

Lena Comerford, for compensation for injuries caused by an alleged defect at 27 Vineland street.

Alexander Craib, for compensation for damage to automobile by city car.

William C. Drouet, for compensation for damage to clothing caused by defective hose at corner of Beacon and Dartmouth streets.

Maurice A. Duffy, for compensation for damage to automobile caused by an alleged defect at 830 River street.

Mrs. W. J. Dwyer, for compensation for injuries caused by an alleged defect in Boylston street.

Mary H. Eisenberg, for compensation for damage to automobile by ash truck.

Alice Y. Fellows, for compensation for damage to property at 14 Franklin terrace, caused by backing up of sewage.

Bertha C. Fogarty, for compensation for injuries caused by an alleged defect in Beacon street.

Mrs. Fox, for compensation for injuries caused by an alleged defect in Endicott School.

H. Friedman, for compensation for damage to automobile by city truck.

Ruth Gold, for compensation for injuries caused by an alleged defect in Franklin Park.

Annie Goldberg, for compensation for injuries caused by an alleged defect at 43 Dover street.

Leo T. Griffin, for compensation for damage to glasses while working in shop of Maintenance Division, Fire Department.

Mrs. Ruth Jacobs, for compensation for injuries caused by an alleged defect in Massachusetts avenue.

Christopher Kells, for compensation for damage to automobile caused by an alleged defect at 37 Woodward street.

Katherine Latmore, for compensation for injuries caused by an alleged defect in L street.

Patrick Livianni, for compensation for injuries received on "Golden Stairs," East Boston.

Joseph C. McKenzie, for compensation for damage to automobile caused by an alleged defect in Huntington avenue.

Tony Marotti, for compensation for injuries caused by an alleged defect at 169 Hanover street.

Estelle McDonald, for compensation for loss of coat at City Hospital.

John McWeeny, for compensation for damage to property at 16 Westview street, Dorchester, caused by ash truck.

John McWeeny, for compensation for damage to property at 16 Westview street, Dorchester, caused by balls from playground.

Harry F. Miller, for compensation for injuries caused by an alleged defect in Columbus avenue.

Angus Murdock, for compensation for damage to automobile by patrol wagon.

National Aniline and Chemical Company, for compensation for damage to property at 27 and 28 Lewis Wharf, caused by defective water service.

Thomas J. Normoyle, for compensation for damage to property at 13 Atlantic street, caused by backing up of sewage.

Wallace J. Polk, for compensation for damage to property at 57 Gainsborough street, caused by ash cart.

Pritzker Realty Trust, for compensation for damage to property at 151 and 153 Milk street, caused by water.

May Rogers, for compensation for injuries caused by an alleged defect at 347 Silver street, South Boston.

Mary Ross, for compensation for injuries caused by an alleged defect at 59 Hull street.

Daniel A. Rossano, for compensation for damage to automobile caused by an alleged defect at 261 Ashland street, East Boston.

Abraham Shuman, for compensation for damage to property at 76 Kingsdale street, Dorchester, caused by installation of water meter.

Mrs. Mary E. Smith, for compensation for injuries caused by an alleged defect in Cornhill.

B. Skolnick, for compensation for damage to property caused by an alleged defect at 63 Goodale road.

Dominicus Sopp, for compensation for damage to property at 46 Wyman street, caused by falling tree.

Mrs. N. B. Terjenian, for compensation for injuries caused by an alleged defect at 18 Huntington avenue.

Mary Tomeo, for compensation for injuries caused by an alleged defect in Bremen street.

Executive.

Petitions of children under fifteen years of age to appear at places of public amusement, viz.:

Elizabeth G. McNamee, Blackstone Hall, June 15.

Lester P. Gould, Mt. Bowdoin Hall, June 26.

Petition of Richard I. Howard to be retired under provisions of Laborers' Pension Act.

SPECIAL COMMITTEE ON JITNEY LICENSES.

Petitions for jitney licenses were received as follows:

Boston Elevated Railway.

Between Ashmont Station and junction of Washington street and Talbot avenue.

Between Ashmont Station and Fields Corner Station.

Between Ashmont Station and junction of Norfolk and Morton streets.

Between Ashmont Station and Granite Bridge Station.

Eastern Massachusetts Street Railway Company.

From Park square to Cambridge line.

From Ashmont Station to Granite avenue.

From Fields Corner to Granite avenue.

From Hilltop street to Granite avenue.

From Angelo.

From Revere and Bennington streets to Orient Heights Station.

NUMBER OF PERSONS LIABLE TO ENROLLMENT IN MILITIA.

Notice was received from the Board of Assessors that the number of persons in City of Boston liable to enrollment in the militia in 1928 is 143,500.

Placed on file.

CONSTABLES' BONDS.

The constables' bonds of Aber Uckerman and Moses F. Kalish, having been duly approved by the City Treasurer, were received and approved.

STORAGE AND SALE OF GASOLENE.

Communications were received from the Street Laying-Out Department of hearings to be held on petitions for storage and sale of gasolene, as follows:

July 2.

Richard T. Artesani, 172 and 174 Cambridge street, Ward 22, 1,500 gallons.

Harry Parad, 262 Centre street, Ward 10, 2,000 gallons.

July 9.

Boston Hupmobile Company, Inc., 278 Babcock street, Ward 21, 1,000 gallons additional.

Donald T. Fenton 20-46 Buckingham street, Ward 4, 3,000 gallons additional.

Metropolitan Filling Stations, Inc., 221 Cambridge street, Ward 3, 1,500 gallons additional.

Puritan Doughnut Company, 741 Old Colony Parkway, Ward 16, 1,000 gallons.

Referred to the Executive Committee.

SALARY OF PROBATION OFFICERS.

A communication was received from the Justice of the Boston Juvenile Court establishing the salaries of the probation officers of said court.

Referred to the Committee on County Accounts.

TRANSIENT VENDOR'S LICENSE.

Notice was received from the City Clerk of granting of transient vendor's license to Jacob Silverberg, as transient vendor of gentlemen's furnishings at 44 Hanover street.

Placed on file.

NOTICE OF HEARING.

Notice was received from the Department of Public Utilities of hearing to be held July 2, 1928, at 2.15 p. m., on petition of Boston Elevated Railway for approval of agreement with Boston, Worcester and New York Street Railway Company to run cars over its tracks. Placed on file.

NOTICE FROM TEACHERS IN RE TEXT-BOOKS.

Communications were received from various school teachers giving notice, under the provisions of section 8 of chapter 486 of the Acts of 1909, of their interest in the preparation and publication of text-books used in the public schools.

Placed on file.

LICENSES FOR NEWSBOYS AND VENDORS.

The application of thirty-one newsboys and twenty-nine vendors for licenses was received and granted by the Council.

PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds to the amount of \$8,906.88, from May 21 to June 16, inclusive, for piece work, and from June 16 to June 30, inclusive, regular employees, was received and approved.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Coun. BUSH—Mr. Chairman, I would call up the name of Clinton F. Smith, in No. 2 on the calendar, appointed constable, for confirmation.

Coun. RUBY—Mr. Chairman, if the gentleman will yield, for the Committee on Constables let me say that we desire to call up for confirmation the names of Clinton F. Smith, under No. 2, Roman J. Vasil, under No. 3, and John F. Farrell, in No. 2, under unfinished business.

The names referred to were taken from Nos. 2 and 3 on the calendar, under unfinished business, and the question came on confirmation as constable of the appointments of Clinton F. Smith, Roman J. Vasil and John F. Farrell. Committee, Coun. Ruby and Donovan. Whole number of ballots, 13; yeas, 13, and the appointments were confirmed.

PROVISIONS OF RETIREMENT SYSTEM.

Coun. MAHONEY offered the following:

Ordered, That the Boston Retirement Board be requested and authorized to have printed 3,000 copies of a pamphlet containing a synopsis and explanation of the provisions of the retirement system; and also to have printed a city document containing the Retirement Act with amendments incorporated; the expense to be charged to the appropriation for city documents.

Passed under suspension of the rule.

SIDEWALK ON EAST FOURTH STREET.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along East Fourth street, both sides, from P street to Farragut road, Ward 6, 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.

LAYING OUT OF LEE STREET.

Coun. MOTLEY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Lee street, Ward 11, as a public highway.

Passed under suspension of the rule.

LEASE OF LAND TO ROBERT W. RAMSDELL.

Coun. MOTLEY submitted the following:

Ordered, That his Honor the Mayor be hereby authorized, in the name and behalf of the city, to execute and deliver to Robert W. Ramsdell a lease satisfactory in form to the Law Department, for a term of fifteen years, with an annual rental of \$200, of a certain parcel of land near Washington street and Morton street, West Roxbury, taken for Stony brook sewerage works, containing approximately 10,700 square feet, and bounded on the north by Morton street 43.15 feet, on the east by land of said Ramsdell and land of Seaver 276.0 feet, on the west by land of Standard Oil Company of New York and said Ramsdell 256.0 feet, and on the south by the southerly side line of said Stony brook, upon conditions that no buildings shall be erected on said land, that the rights of the city to enter on and to maintain its sewerage works in said land shall not be impaired and that any assignment of said lease shall be subject to the approval of the Commissioner of Public Works, and upon the further condition that a passageway fifteen feet wide be kept open to provide access to properties abutting on said Stony brook between Morton and Tower street, and more especially to provide access to the rear of the properties on Washington street abutting on said Stony brook, said properties being numbered 3694 to 3710 Washington street, inclusive.

Referred to the Committee on Public Lands.

RESURFACING OF WABENO STREET.

Coun. BUSH offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to resurface Wabeno street, Ward 12, with smooth paving.

Passed under suspension of the rule.

AUTOMATIC TRAFFIC SIGNAL SYSTEM.

Coun. KEENE called up, under unfinished business, No. 5 on the calendar, viz.:

5. Ordered, that the sum of \$125,000 be, and hereby is, appropriated, to be expended under the direction of the Board of Street Commissioners for automatic traffic signal system, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On June 11, 1928, the foregoing order was read once and passed, yeas 16, nays 0.

Coun. GALLAGHER in the chair.

Coun. DOWLING—Mr. President, I don't want to be a stumbling block at every possible opportunity that arises here, but my attention has been called to the fact and the attention of the public was called to the fact by an exhaustive story that appeared in the Boston *Transcript*, one of the leading newspapers of the city, last Saturday, at great length and in detail, to an act passed by the present Legislature and signed by the Governor, I think, on June 5 of this year. Senate Bill No. 334, which had the approval of the Governor, is described in the first two or three lines as an act pro-

viding for uniform traffic signs, lights, markings, signal systems and regulations. If the purpose of the order now before the Council is to provide \$125,000 worth of traffic signals in the city, and if the work of the Public Works Commissioner of the state is then to make obsolete any lights that we may install under this order, of course, I am against the order. I would call attention to the fact that this new bill, as I have said, was signed by the Governor only on June 5. I am not sure that his Honor the Mayor, who is versatile enough, knows about the provisions of this new law, and if he does not know about its provisions, I certainly am not sure that every member of the Council is aware of them. It is barely possible that the Public Works Department of the state may settle upon a system of lights which may make obsolete anything we may put in here. My personal experience is that Springfield, a large city, has already established traffic lights, and the city of Worcester has an extensive traffic light system also. It would seem to me that this may lead to some complication. Those in Worcester and in Springfield may not conform, for instance, to what we may have, and if we adopt a new and different system, Worcester and Springfield may have to throw their traffic signals into the junk pile. It may also be that we, if we adopt a system under this order, might have to throw ours into the junk pile. I don't think Springfield and Worcester would relish our doing something that might be different from their system, any more than we would relish installing a system and then having them adopt something that was not to our liking; and they may all be contrary to the wish of the Public Works Commissioner of the state. It may be that there are some members of the Council who will be able to speak with more authority for the administration than I could before a vote is taken on the matter. If so, I would like to hear some such expression. I don't want to be led into the dark myself, and I don't want that to happen with my brother councilors. This is a matter involving \$125,000,—almost as much as I make in a week! (laughter)—and I don't want the city to get into a hole. I hope if any representatives of the administration in this body can give the members of the entire body information on the matter, we will hear from them.

Coun. BUSH—Mr. Chairman, I rise to a point of information. I would like to have the previous speaker read the bill, if he has it, in full.

Coun. DOWLING—Mr. Chairman, I might say, as I am somewhat nervous about reading in public, that I will be glad to give it to the City Clerk to be read. I believe it runs into several pages. But if the gentleman would like to have it read, of course, it can be read.

Coun. BUSH—I would suggest that it be submitted and printed in the record, and that we postpone action upon this matter until all of us have had an opportunity to read the bill.

Coun. DOWLING—Mr. President, I thought I still had the floor. I don't want to interfere if the Mayor's proposition is good and if the members of the Council are satisfied that it is good. As I said before, I don't want to be a stumbling block, but I do want some explanation. The way I feel now, if the votes were to come at the present time, I would vote "No," while I would like to vote "Yes" if the order is a desirable one to pass.

Coun. WILSON—Mr. President, while I am not able to speak from the same standpoint as our brother member,—not being able to earn \$125,000 a week without the aid of a needle! (laughter)—I merely want to point out to my brother that this act of the Legislature was passed and signed a week or so before we passed our first vote on the particular loan order here in question. It is a fact, I understand, that the Legislature have at this late day—as we might well wish they had before—passed a statute or resolution calling for some survey of their own,

in order that the lights and the signals throughout the state may all be uniform. I understand, however, that the gentleman who will be in charge of that is the same one whose services we have already had in our survey, Doctor McClintock, and I think perhaps it was his suggestion that there be just such a study and a survey in connection with this other matter. There does seem to me, however, to be too much of the Alphonse and Gaston attitude between the Legislature and the Boston City Council. It certainly seems to me that if we pass this loan order authorizing the installation of the most modern and proper light signalling system, in this city, we will at least have put the City of Boston in the position of starting the thing moving; and I personally believe very strongly, although I am not the administration spokesman, that the City of Boston and the state will get along together very well, particularly if Doctor McClintock is the very man, as I understand is the case, whom the state will use in this survey. So it does not seem to me the argument which has been made for holding up this loan order is a good one. It seems to me that if we do act at this time it will mean progress, greater rapidity in arriving at the desired end. I certainly trust that the order will take its second reading and passage today.

Coun. KEENE—Mr. President, I would say, from the information we have received, that Doctor McClintock had already been retained by the Commissioner of Public Works of the state to take charge of the state survey, and also that Mr. Halsey, Doctor McClintock's assistant, is the man whom the Mayor has had in mind in asking the appropriation for this work of the traffic division of the Street Laying-Out Department. The appropriation itself will provide a certain amount of money for the installation of light. The city knows that such a law has been passed by the Legislature, and it would be the most natural thing in the world for the Street Laying-Out Department, those interested in the carrying through of this important work for the city, to consult with the proper state officials. I think the thing we ought to consider is speed, taking some action so that whoever has the work in charge will have something to work with. I certainly hope, therefore, that the order will be given its second reading and passage today.

Coun. DOWLING—Mr. President, I have not yet got the assurance I expected. I expected to get from the gentlemen speaking for the Mayor an urgent appeal for speed, because that is all we have had. We get plenty of requests for speed from the Mayor's office when it comes to talking appropriations here, and very little action when it comes to performing the actual work. I am not at all satisfied with the explanation offered by either of the two previous speakers, and if it means that we are going to get so much speed that it will result in the putting in of a lighting system which will be obsolete in six months, I am not in favor of it. We can imagine the feeling that will exist in the cities of Springfield and Worcester if they are compelled to abandon and junk systems that they have already established. Somewhere between the State House and City Hall there is going to be a lighting system which is supposed to represent the Massachusetts idea of modern traffic lighting systems. If we are going to have such, that is fine, and if Springfield and Worcester are going to lose their antiquated systems, if they are such—and I don't think they are, because I have driven through both cities recently and they seem to work out well,—that is an unfortunate thing for them. Of course, that is their hunt. I am not particularly interested in Worcester and Springfield, but I am interested in Boston. I don't want to see \$125,000 of junk put on the streets of this city, and I want more assurance from those who have spoken for the Mayor or from the Mayor himself before I can vote to spend \$125,000 of the money of the people who send me here in any such way. It is not my money, sir, not yours,

but it is the money of the people, and I want some kind of assurance that the money is not going to be frittered away. I want some acceptable explanation of what is to be done, and without some explanation I am going to vote "No" although I don't like to be regarded as a man who votes "No" on everything. I am not against the administration, not against the Mayor, but I do have a little regard for propriety, and I do have some common sense, and I was sent here to employ my common sense, using it as best I can. So, without further information, I will have to vote "No."

Coun. BUSH—Mr. President, I would like to ask the gentleman who just spoke if there is anything in that bill to which he has referred that makes it compulsory on the cities and towns to follow the orders of the Public Works Commissioner of the state in establishing these signals?

Coun. DOWLING—I am bound to assume that there is, Mr. President. It is the state law. I have only glanced through it. The gentleman who has just asked the question is, of course, a lawyer, and can read a bill of this sort through intelligently in fifteen or twenty minutes. I am merely a layman, however, and am lucky to read and get some idea of the title of the act in that time. That is the advantage that you men who are lawyers have over the rest of us. We poor laymen are not able to follow you, and when a question is raised are not able to answer.

Coun. BUSH—Mr. President, personally I am in favor of having a proper traffic system in Boston. I think that is a crying need; and such a system as has been outlined in the McClintock recent traffic report seems to me to be an excellent one. On the other hand, if the Legislature has passed an act that may require a uniform system throughout the state, and under which this particular system that may be considered here will possibly not be acceptable, I think it will be best to lay this matter on the table until the next meeting in order that we may be able to read the act and ascertain whether it will be compulsory on the part of the city to put in the kind of system that the Public Works Commissioner of the state demands. I move, therefore, that the matter be laid on the table.

The motion to lay on the table was declared lost.

Coun. WILSON—Mr. President, I understand that the gentleman in the State House who will be in charge of this survey estimates that it may take a year. I assume that we would then be asked, on the theory advanced, that we hold up the McClintock report and all its recommendations for a year. An estimate of a year usually means more than that. It occurs to me that some leverage should be used to hurry the thing along, in order that the City of Boston and other cities may benefit by it. I cannot feel that the City of Boston or any other city, however, is going to suffer, when the same man who has been employed to make the survey here and to suggest a proper lighting system, is the man who will be employed by the state.

Coun. MURRAY—Mr. Chairman, I move the previous question.

The main question was ordered.

The order was passed, yeas 18, nays—Coun. Dowling—1.

Coun. DOWLING—Mr. President, I rise to a question of personal privilege.

Chairman GALLAGHER—The gentleman will state his question of personal privilege.

Coun. DOWLING—Mr. President, a motion to call for the previous question merely suspends debate on that question and I now want to just call your attention to one thing. Coun. Wilson, the gentleman from Ward 17, hit the very essence of the discussion on these lights a moment ago,—I suspect that I am going to be ruled out, Mr. President.

Chairman GALLAGHER—The subject on which the gentleman is speaking is not a question of personal privilege.

INCINERATION PLANT AND BLUE HILL AVENUE REPAVING.

Coun. DEVENEY called up, under unfinished business, Nos. 6 and 7 on the calendar:

6. Ordered, That the sum of \$335,000 be, and the same hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works for the construction of a modern incineration plant in the City of Boston, 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 June 11, 1928, the foregoing order was read once and passed, yeas 15, nays 0.

7. Ordered, That the sum of \$50,000 be, and is hereby, appropriated, to be expended under the direction of the Commissioner of Public Works for the repaving of Blue Hill avenue, from Scaver street to Talbot avenue, 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 for said amount.

On June 11, 1928, the foregoing order was read once and passed, yeas 15, nays 0.

Chairman GALLAGHER—If there are no objections, the two orders will be taken up together.

No. 6 was given its second and final reading and passage, yeas 18, nays—Coun. Lynch—1.

No. 7 was given its second and final reading and passage, yeas 18, nays—Coun. Parkman—1.

STREET LAYING-OUT CURRENT EXPENSES.

Coun. KEENE called up assignment viz.:

8. Ordered, That to meet the current expenses, payable during the financial year beginning with the first day of January, 1928, 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 department 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 thereupon apply to the taxes herein provided for.

Street Laying-Out Department.

A. Personal Service as per Schedule	
A.....	\$9,390 66
1. Permanent Employees, \$6,390 66	
2. Temporary Employees, 3,000 00	
B. Service Other Than Personal.....	4,000 00
28. Expert	\$4,000 00
D. Supplies	400 00
1. Office	\$400 00
	\$13,790 66

Schedule A.

Engineer, traffic, 1 at \$3,600 per year	\$2,110 65
Engineer, junior, 1 at \$2,400 per year	1,407 20
Stenographer, 1 at \$1,600 per year....	937 93
Investigator, 1 at \$1,500 per year....	879 55
Draughtsman, 1 at \$1,800 per year....	1,055 33
	\$6,390 66
Temporary	\$3,000 00

The order was passed, yeas 16, nays 3:
Yeas—Coun. Arnold, Devaney, Donovan,

Fish, Fitzgerald, Gallagher, Keene, Mahoney, McMahon, Motley, Murphy, Murray, Ruby, Sullivan, Wilson—16.
 Nays—Coun. Bush, Dowling, Parkman—3.

SIDEWALK ON CAMBRIDGE STREET.

Coun. DONOVAN, for Coun. Green, offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Cambridge street, southerly side, from Starke street to Somerville line (sidewalks only), Ward 2, 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.

SIDEWALK ON BOYLSTON STREET.

Coun. DOWLING offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Boylston street, both sides, from Ipswich street to Brookline avenue (sidewalks only), Wards 5 and 21, 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.

INQUIRY ABOUT PROPOSED MUNICIPAL BUILDING AT CODMAN SQUARE.

Coun. WILSON—Mr. Chairman, may I inquire of the Clerk if any reply has been had to an order introduced by me in reference to a municipal building at Codman square, on April 23, 1928?

Chairman GALLAGHER—The Clerk is unable to reply to the question, because of the fact that he has had no opportunity to look at the records.

EXPENSE OF PUBLICATION OF TRAFFIC REGULATIONS.

Coun. WILSON offered the following:

Ordered, That the expense of the publication by the City Clerk of the Revision of the Street Traffic Regulations be charged to the Reserve fund.

Passed under suspension of the rule.

UNION STATION, BACK BAY.

Coun. ARNOLD offered the following:

Ordered, That the Corporation Counsel, through his Honor the Mayor, be requested to file a complaint, under the provisions of section 16 of chapter 159 of the General Laws, with the Public Utilities Department of the Commonwealth of Massachusetts against the regulations, practices, equipment, appliances, and service of the New York, New Haven & Hartford Railroad and the Boston & Albany Railroad in maintaining separate stations on contiguous property, called respectively "Back Bay," "Trinity Place" and "Huntington Avenue," without any provision for interchange of passengers and baggage, as being unjust, unreasonable, improper and inadequate; and requesting an order by said Public Utilities Department to said common carriers to furnish just, reasonable, adequate and proper service, appliances and equipment for such interchange of passengers and baggage.

Referred to the Executive Committee.

REPAVING OF ST. JOSEPH STREET.

Coun. MOTLEY offered the following:

Ordered, That the Public Works Commissioner be ordered to repave St. Joseph Street from Woodman street to South street, Ward 11.

Passed under suspension of the rule.

RECESS.

The Council voted, on motion of Coun. FITZGERALD, at 2.42 p. m., to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by Coun. DOWLING.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Chairman DOWLING called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor June 4, 1928, of Louis Gilbert, to be Superintendent of the North City Scales; Eva Beggelman, to be a Weigher of Coal, and Frank Slattery, to be a Weigher of Goods.

The question came on confirmation. Committee, Coun. Parkman and Gallagher. Whole number of ballots, 13: yeas 11, nays 2, and the appointments were confirmed.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted reports as follows, viz.:

1. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.: Elizabeth G. McNamee, Blackstone Hall, June 15, Lester P. Gould, Mt. Bowdoin Hall, June 26,—that leave be granted.

Report accepted; leave granted under usual conditions.

2. Report on petition of Richard I. Howard (referred June 25) for retirement under provisions of Laborers' Pension Act,—recommending passage of following order:

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, Richard I. Howard, employed in the labor service of the City of Boston, in the Public Works Department.

Report accepted; said order passed.

3. Report on message of Mayor and order (referred today) appropriating sum not exceeding \$6,000 for survey of street lighting system—that same ought to pass.

Coun. WILSON—Mr. President, with reference to this particular order I want to be placed on record as stating that I personally am not opposed to scientific surveys of any kind, nor am I afraid to spend money, including other people's money, when a survey such as the recent scientific traffic survey of the City of Boston is required. I was not opposed to spending \$125,000 for the carrying out of the recommendations in which that survey resulted. But it does seem to me that there is no rhyme, reason or need for our rushing through this \$6,000 item for a survey of the street light poles in the City of Boston. It occurs to me, as pointed out by the Chair in the other room, that the various inspectors in the various departments have been doing something for the past few months, and I think we have a right to assume that the inspectors in the Highway Division of the Public Works Department are scientific enough to know where the various lights of the City of Boston are located. It may be an isolated instance, but I have myself seen maps on the wall of the Public Works Department, showing the location of different types of poles and lights in the city at the present time. So

far as I am concerned, I see no reason why this \$6,000 soft snap should be handed over to some tax department of the City of Boston, to tell the Public Works Department of our city whether the lights on the street corners are located properly or not. I think this order is one that may be laid on the table for at least a few moments; and personally I think that the \$6,000 might be better spent in taking up, for instance, the more important question that has been previously considered with reference to the rental of the Edison Electric Light poles in the City of Boston, involving sums compared with which this \$6,000 fades into insignificance. I accordingly renew the motion I made in the other room, that this particular \$6,000 item, to hire a gentleman who knows nothing about the subject to examine into the location of some of the steel and wooden poles in the streets of this city, be laid upon the table.

The motion to lay on the table was declared lost.

Chairman DOWLING—The Chair would remind the members that fifteen votes are necessary to pass the order, and would suggest that it be assigned to the next meeting.

On motion of Coun. FITZGERALD, the order was assigned to the next meeting of the Council.

4. Report on message of Mayor and order (referred today) appropriating \$20,000 for entertainment of Miss Amelia Earhart and crew of "Friendship"—that same ought to pass.

The report was accepted and the question came on passage of the order (fifteen votes being required for passage).

Report accepted, order passed, the vote in the first instance being yeas 15, nays 0.

Chairman DOWLING. The Chair will take this opportunity to remind the gentlemen that, while he was opposed to the order, he did not want to hold it up.

Later in the session Coun. McMAHON, who had been absent from the room for a few minutes, re-entered and asked to be recorded in favor of the order, and his vote made the result 16 to 0.

5. Report on order (referred today) that Corporation Counsel file a complaint with Public Utilities Department *in re* New York, New Haven & Hartford and Boston and Albany railroads in maintaining separate stations called "Back Bay," "Trinity Place" and "Huntington Avenue"—that same ought to pass.

Report accepted; said order passed.

CONFIRMATION OF CONSTABLES.

Coun. RUBY—Mr. Chairman, as chairman of the Committee on Constables, I wish to call up from No. 2 on the calendar, under unfinished business, the names of Robert C. Wilson and William P. Maginnis.

The names were taken up, from No. 2 on the calendar. The question came on confirmation. Committee, Coun. Fish and Arnold. Whole number of ballots 16; yeas 16, and the appointments were confirmed.

SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in the City of Boston for month of June, 1928.

Report accepted; said order passed.

COMMITTEE ON CLAIMS.

Coun. RUBY, for the Committee on Claims, submitted reports as follows:

1. Report on petition of John A. McGregor (referred June 4) for reimbursement of

expenses incurred on account of his acts as a police officer—recommending passage of following order, viz.:

Ordered, That the sum of \$250 be allowed and paid to John A. McGregor for expenses incurred by him in the settlement of an action brought against him on account of his acts as a member of the Police Department, said sum to be charged to the Reserve Fund.

Coun. FITZGERALD—Mr. Chairman, I would like to ask the chairman of the committee what that was for?

Coun. RUBY—Mr. President, this is a police officer who, while in the performance of his duty, pushed violently a young chap who was quite seriously injured, and, there having been an execution and judgment against the officer, the Police Commissioner has recommended the passage of this order, which is also recommended by the Corporation Counsel, for reimbursement of the police officer, who is obliged to pay the amount of the execution.

Coun. FITZGERALD—Mr. Chairman, I simply know that I was on the committee for a long time and never had any of that sort of thing, but this year I notice there have been quite a few of these orders coming in.

The report was accepted and the order passed.

2. Report on petition of Willard P. Whittemore (referred June 4) for compensation for loss of fowls killed by dogs—recommending passage of following order:

Ordered, That there be allowed and paid to Willard P. Whittemore the sum of \$30 in compensation for the loss of twelve hens killed by a dog or dogs April 13, 1928, said sum to be paid from the income for dog licenses.

Report accepted; order passed.

PREPARATION OF JURY LIST.

Coun. DOWLING offered the following:

Ordered, That the City Clerk be hereby directed to cause the names on the jury list, as contained in City Document No. 61, when filed with him by the Election Commissioners, 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.

CONVENIENCE STATION, CLEARY SQUARE.

Coun. MURPHY offered the following:

Ordered, 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 furnishing a site for and the erection of a suitable convenience station in the Cleary square section of Hyde Park.

Passed under suspension of the rule.

SIDEWALK ON CORNELL STREET.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Cornell street, both sides, from Washington street to Poplar 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 suspension of the rule.

THE NEXT MEETING.

On motion of Coun. SULLIVAN, it was voted that when the Council adjourned it be to meet on Monday, July 16, at 2 p. m.

Adjourned at 4.15 p. m., on motion of Coun. WILSON, to meet on Monday, July 16, at 2 p. m.

NOTE.—At the last meeting (June 11) Coun. MURPHY offered the following:

Ordered, That the Street Commissioners be requested, through his Honor the Mayor, to rename Oakland and Ashland streets, from Mattapan square, Ward 18, to Washington street, Ward 19, Cummins Boulevard.

This order was offered by Coun. Murphy for himself and Coun. Murray.

CITY OF BOSTON.

Proceedings of City Council.

Monday, July 16, 1928.

Regular meeting of the City Council held in the City Council Chamber, City Hall, at 2 p. m., President GREEN presiding. Absent, Coun. Dowd and Ward.

JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, the Mayor absent, viz.:

Six additional grand jurors, Superior Criminal Court, to appear August 6, 1928:

Dexter G. Dey, Ward 4; Jesse Goode, Ward 9; David J. Maloney, Ward 8; August Hawkinson, Ward 13; John T. McGivern, Ward 17; Patrick Gray, Ward 19.

Forty traverse jurors, Superior Criminal Court, to appear August 6, 1928:

Howard W. Blaikie, Ward 2; Frank A. Connelly, Ward 2; Michael Sweeney, Ward 2; Otto Contardi, Ward 3; Joseph L. Ecker, Ward 4; Earle B. Thompson, Ward 4; Alexander W. Wood, Ward 4; Richard W. Jones, Ward 5; Wallace G. Lowe, Ward 5; John J. Clancy, Ward 6; James M. Doucette, Ward 7; James A. Healey, Ward 7; Fred H. Crandall, Ward 8; John H. Leach, Ward 10; William J. White, Ward 10; James J. Connell, Ward 12; John C. Redmond, Ward 12; Charles F. Johnson, Ward 13; Harry Kingsbury, Ward 13; George T. Savage, Ward 13; Alphonse G. Sybertz, Ward 13; Leon Chester, Ward 14; Joseph F. Ezrin, Ward 14; John J. Moran, Ward 15; Frederick L. Becker, Ward 17; Carl A. Johnson, Ward 17; George D. Lannon, Ward 17; Arthur A. Brown, Ward 18; William B. Gould, Jr., Ward 18; James Thomson, Ward 18; Robert A. Tibbets, Ward 18; Frank J. Paradise, Ward 19; Frederick J. Shaughnessy, Ward 19; John G. Patterson, Ward 20; Harry M. Spring, Ward 20; Paul H. Foley, Ward 21; Charles M. Sawyer, Ward 21; Walter D. Smith, Ward 21; Stephen Kelly, Ward 22, John J. Killion, Ward 22.

APPOINTMENT OF WEIGHERS.

The following was received, viz.:

City of Boston,
Office of the Mayor, July 9, 1928.

To the City Council.

Gentlemen,—Subject to the approval of your honorable body, I herewith appoint the following as weighers:

Of Coal: John Rule, 10 Hamblen street, Charlestown; Miss Mae Saperstein, 194 Columbia road, Dorchester; Alman A. Simone, 29 Berkeley street, Watertown; Peter DiCarlo, 11 Clark street, Boston; John Smith, 28½ Spencer avenue, Chelsea.

Of Goods: Thomas F. Lalor, 43 and 44 Commercial Wharf.

Of Coal: John A. Wellings, 21 St. Andrew road, East Boston; Albert A. Wellings, 21 St. Andrew road, East Boston; Augustus J. Wellings, 21 St. Andrew road, East Boston.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Laid over one week under the law.

APPOINTMENT OF CONSTABLES.

The following was received, viz.:

City of Boston,
Office of the Mayor, July 9, 1928.

To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body, I hereby appoint the following as constables:

Leonard Meserve Pike, 67 Fairmount street, Ward 17; Isaac Shulman, 40 Orchard road, Ward 21; Fred Barber, 276 Hanover street, Ward 3;

Abraham Block, 28 Harvard avenue, Ward 14; Dwight Edward Cummings, 60 Alexander street, Ward 13; John Graumann, 4 Cotton street, Ward 20.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

Laid over for one week under the law.

VETO, NAMING OF SQUARE.

The following was received, viz.:

City of Boston,
Office of the Mayor, June 26, 1928.
To the City Council.

Gentlemen,—I return, without my approval, your order of June 11, 1928, "that the space at the junction of Byron and Bennington streets, East Boston, be named Henry J. Hines Square, in honor of said Hines, who died from injuries received in the World War, and that said space be suitably marked with signs."

This order is disapproved for the same reasons given in my veto under date of May 23, 1928.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Placed on file.

VETO, BLUE HILL AVENUE LOAN.

The following was received, viz.:

City of Boston,
Office of the Mayor, July 9, 1928.
To the City Council.

Gentlemen,—I return, without my approval, your order of June 25 providing for an appropriation of \$50,000 for the repaving of Blue Hill avenue, from Seaver street to Talbot avenue.

I am advised by the Commissioner of Public Works that this section of Blue Hill avenue is high, has a good crown, and while there are a few orientations and rough spots, they are not such that they cannot be smoothed out and the roadway flush-coated if we had a few weeks of dry weather.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

Placed on file.

VETO, INCINERATION PLANT LOAN.

The following was received, viz.:

City of Boston,
Office of the Mayor, July 9, 1928.
To the City Council.

Gentlemen,—I return, without my approval, your order providing for an appropriation of \$335,000 for the construction of a modern incineration plant in the City of Boston for the reason that the existing contract for the disposal of three quarters of the material collected will not expire for four years.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

Placed on file.

REPORT OF EMPLOYMENT BUREAU.

The following was received, viz.:

City of Boston,
Office of the Mayor, July 9, 1928.
To the City Council.

Gentlemen,—I transmit herewith communication from the Employment Bureau relative to registrations and positions filled during the week of June 18 to 23, inclusive.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

Report for the City Council.

Week of June 25 to June 30, inclusive:

Registrations, 149; positions filled, 71.
AUGUSTUS SAEVER,
Assistant Secretary in Charge.

Week of June 18 to June 23, inclusive:

Registrations, 99; positions filled, 40.
AUGUSTUS SAEVER,
Assistant Secretary in Charge.

Placed on file.

GARAGE AT STATION 12.

The following was received, viz.:

City of Boston,
Office of the Mayor, July 10, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner, in reply to your order of June 11, 1928, relative to an estimate of the cost of constructing a garage adjacent to Station 12, South Boston, for the purpose of housing their patrol wagon and other vehicles connected with said station.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

June 27, 1928.

Ida Hibbard, Chief Clerk, Office of the Mayor,
City Hall, Boston.

Dear Madam,—In reply to your note of the 13th of June, attached to order of the City Council under date of June 11, requesting that the Police Commissioner submit an estimate of the cost of constructing a garage adjacent to Police Station 12, South Boston, to house the patrol wagon and other vehicles connected with the said station, I desire to state that I have had an estimate made of the cost of the work required in building a garage for the above purpose.

I find that it will be necessary to take a strip of land fifteen feet wide from the westerly side of the lot line of Station 12 property and that it will be also necessary to take down the brick wall now bordering said property.

The estimated cost of building a garage twenty-five feet deep by thirty-one feet long will be approximately \$10,000, which ought to include the taking of the land.

I am returning herewith, for your files, the original order of the City Council relative to this matter.

Yours respectfully,
HERBERT A. WILSON,
Police Commissioner.

Placed on file.

SQUANTUM HIGHWAY.

The following was received, viz.:

City of Boston,
Office of the Mayor, July 16, 1928.

To the City Council.

Gentlemen,—Under the provisions of chapter 259 of the Acts of 1928 the cities of Boston and Quincy and the county of Norfolk are designated as contributors to the cost of rebuilding Dorchester street in the Squantum section of the city of Quincy. This street is the only roadway leading to the City of Boston property at Moon Island. The rebuilding of the street will be of benefit to the City of Boston as it will not only provide a proper approach to the city property, but will also result in protecting the water main to Moon Island and other harbor points which is in danger of being uncovered by the action of the tides in stormy weather.

The act authorizes that a sum not in excess of \$51,000 shall be spent for the work and that the contributors shall each pay one third of this amount. In view of the advantage which will accrue to the city through this expenditure, I respectfully recommend adoption of the accompanying order providing for the appropriation of \$17,000 from the Special Fund, Sales of City Property.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$17,000 be, and hereby is, appropriated from Special Fund, Sales of City Property, for Construction of Highway, Squantum.

Referred to Executive Committee.

The following was received, viz.:

City of Boston,
Office of the Mayor, July 16, 1928.

To the City Council.

Gentlemen,—In order to comply with the provisions of chapter 259 of the Acts of 1928, in so far as the contribution of the City of Boston towards the expense is concerned, I respectfully recommend adoption of the accompanying order.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That the City Treasurer be authorized to pay into the state treasury the sum of \$17,000, as required by chapter 259 of the Acts of 1928, for the construction of a highway in Squantum, the same to be charged to the appropriation for Construction of Highway, Squantum.

Referred to Executive Committee.

LOAN FOR RIVER STREET.

The following was received, viz.:

City of Boston,
Office of the Mayor, July 16, 1928.

To the City Council.

Gentlemen,—I am advised by the Commissioner of Public Works and the Street Commissioners that in order to complete the reconstruction of River street in the Hyde Park section of our city an additional appropriation of \$100,000 will be required. Fifty per cent of this amount will be used to meet additional expenses which have developed in the construction of the River Street Bridge, over the tracks of the New York, New Haven & Hartford Railroad, and it is estimated that the balance will be required for property damages resulting from the changes in the grade of the approaches to said bridge.

I respectfully recommend adoption of the accompanying order.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$100,000 be, and the same is hereby, appropriated to be expended under the direction of the Street Commissioners for River street reconstruction, and that 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 Committee on Finance.

LOAN FOR WEST END FIRE STATION.

The following was received, viz.:

City of Boston,
Office of the Mayor, July 13, 1928.

To the City Council.

Gentlemen,—I submit for your consideration an order in the sum of \$300,000, to be applied to the acquisition of land as a site for a Central Fire Station at the corner of Bulfinch and Cambridge streets, and I earnestly recommend the passage of the same.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of three hundred thousand dollars be, and hereby is, appropriated to be expended under the direction of the Fire Commissioner in the purchase of a site for a new fire station in the West End district, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bond or certificates of indebtedness of the city to said amount.

Referred to Committee on Finance.

SUPPLEMENTARY BUDGETS.

The following was received:

City of Boston,
Office of the Mayor, July 16, 1928.

To the City Council.

Gentlemen,—Under the provisions of section 3 of the amended City Charter, supplementary budgets may be submitted "until such time as the tax rate for the year shall have been fixed." Since the declaration of this year's rate will probably occur within the next five or six weeks, it is desirable that all supplementary appropriation needs be provided for before the expiration of this time. I accordingly submit herewith a supplementary budget for the City of Boston and County of Suffolk.

The appropriations recommended in this supplementary budget total \$93,750.33, which amount is subdivided as follows:

City appropriations.....	\$8,800 21
County appropriations.....	84,950 12
	\$93,750 33

The appropriations recommended for city departments equal the amount which is still available for appropriation inside the 1928 tax limit. The major portion of this amount is allocated to the Soldiers' Relief Department. The expenditures of this department for the first six months of the current year show an increase of \$40,381.04 over expenditures for a similar period last year. This increase in expenditure, occasioned largely by existing economic conditions, will undoubtedly result at the end of the year in a deficit. In all probability the amount allocated in this supplementary budget to the Soldiers' Relief Department will not be sufficient to offset such deficit but at least it will tend to relieve conditions as they now exist.

The supplementary appropriations recommended for the County of Suffolk are due in the main to the following causes:

Personal service adjustments made mandatory by legislative action.

Population increase at the House of Correction, Deer Island, and additional requirements for unexpected repairs in county buildings.

During the current year the Legislature has authorized increased compensation for officials and employees of the Municipal Court and the Charlestown District Court and has also approved an increase in the personnel of the Municipal Court and the Roxbury District Court. Because of such action by the Legislature, appropriations approximating \$13,000 are included in this supplementary budget.

Statistics indicate that the population of the House of Correction at Deer Island during the first six months of the current year is approximately 12 per cent larger than during the same period last year. Such a large increase is naturally reflected in increased appropriations for food and medical and surgical supplies, and for payments to dependents. Appropriations for the House of Correction included in this budget total \$25,500, or almost one third of the total recommended for the county.

It is essential that the maintenance of the buildings in which our county courts function should not be neglected. Since the submission of the county budget additional repair requirements have developed at the courthouse in Pemberton square, the district court buildings in Dorchester, Roxbury and Brighton, and the North Mortuary on Grove street. Appropriations totalling approximately \$21,000 are included in this budget to meet these needs.

I respectfully recommend adoption by your honorable body of the accompanying appropriation order.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1928, for 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 County of Suffolk or the departments or officers thereof, and to meet their 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.

GENERAL ITEMS.

Boston Retirement Board.	
C. Equipment.....	\$1,500 00
9. Office.....	\$1,500 00
Licensing Board.	
A. Personal Service as per Schedule	
A.....	\$102 79
2. Temporary employ-	
ees.....	\$102 79

Soldiers' Relief Department.	
F. Special Items.....	\$7,197 42
8. State and military	
aid, soldiers' re-	
lief and burials..	\$7,197 42

County of Suffolk.

Suffolk County Courthouse (County Buildings).	
B. Service Other than Personal.....	\$6,000 00
39. General plant.....	\$6,000 00
C. Equipment.....	1,000 00
3. Electrical.....	\$1,000 00
	\$7,000 00

County Buildings.

A. Personal Service as per Schedule	
A.....	\$1,284 87
1. Permanent employ-	
ees.....	\$1,284 87
B. Service Other than Personal.....	13,000 00
39. General plant.....	\$13,000 00
	\$14,284 87

Jail.

C. Equipment.....	\$1,075 00
4. Motor vehicles....	\$1,075 00

Superior Court, Civil Session, General Expenses.

B. Service Other than Personal.....	\$12,000 00
34. Jurors.....	\$12,000 00

Superior Court, Civil Session, Clerk's Office.

A. Personal Service as per Schedule	
A.....	\$1,000 00
3. Unassigned.....	\$1,000 00
B. Service Other than Personal.....	300 00
39. General plant.....	\$300 00
C. Equipment.....	200 00
9. Office.....	\$200 00
D. Supplies.....	1,000 00
1. Office.....	\$1,000 00
	\$2,500 00

Prohate Court.

A. Personal Service as per Schedule	
A.....	\$60 00
3. Unassigned.....	\$60 00
B. Service Other than Personal.....	2,550 00
5. Cartage and freight	\$50 00
35. Fees, service of	
venires, etc.....	2,500 00
C. Equipment.....	335 00
9. Office.....	\$60 00
10. Library.....	275 00
	\$2,945 00

Municipal Court, City of Boston.

A. Personal Service as per Schedule	
A.....	\$7,822 35
1. Permanent employ-	
ees.....	\$7,822 35
C. Equipment.....	300 00
9. Office.....	\$300 00
D. Supplies.....	2,000 00
1. Office.....	\$2,000 00
	\$10,122 35

Municipal Court, Charlestown District.

A. Personal Service as per Schedule	
A.....	\$1,172 99
1. Permanent employ-	
ees.....	\$925 79
2. Temporary employ-	
ees.....	247 20

East Boston District Court.		
A. Personal Service as per Schedule		
A.	\$470 00	
2. Temporary employ-		
ees.	\$470 00	
B. Service Other than Personal.		325 00
4. Transportation of		
Persons.	\$325 00	
		<u>\$795 00</u>

Municipal Court, South Boston District.		
A. Personal Service as per Schedule		
A.		<u>\$83 33</u>
1. Permanent employ-		
ees.	\$83 33	

Municipal Court, Dorchester District.		
A. Personal Service as per Schedule		
A.		\$44 55
2. Temporary employ-		
ees.	\$44 55	
B. Service Other than Personal.		50 00
13. Communication.	\$50 00	
D. Supplies.		100 00
1. Office.	\$100 00	
		<u>\$194 55</u>

Municipal Court, Roxbury District.		
A. Personal Service as per Schedule		
A.		\$1,432 03
1. Permanent employ-		
ees.	\$1,333 33	
2. Temporary employ-		
ees.	98 70	
B. Service Other than Personal.		5 00
12. Bond and insurance		
premiums.	\$5 00	
C. Equipment.		75 00
16. Wearing apparel.	\$75 00	
		<u>\$1,512 03</u>

Insanity Cases.		
B. Service Other than Personal.		<u>\$5,000 00</u>
35. Fees, service of		
venires, etc.	\$5,000 00	

Granite Avenue Bridge.		
B. Service Other than Personal.		\$750 00
39. General plant.	\$750 00	
D. Supplies.		15 00
3. Fuel.	\$15 00	
		<u>\$765 00</u>

Penal Institutions Department.		
House of Correction.		
B. Service Other than Personal.		\$125 00
13. Communication.	\$125 00	
C. Equipment.		175 00
6. Stable.	\$75 00	
12. Medical, surgical,		
laboratory.	100 00	
D. Supplies.		17,200 00
2. Food and ice.	\$12,000 00	
3. Fuel.	5,000 00	
5. Medical, surgical,		
laboratory.	200 00	
F. Special Items.		8,000 00
9. Care of dependents, \$8,000 00		
		<u>\$25,500 00</u>

SCHEDULE A.		
City of Boston.		
Licensing Board.		
Temporary.		<u>\$102 79</u>

COUNTY OF SUFFOLK.		
County Buildings.		
Superintendent, deputy, 1 at \$3,500 per		
per year.		<u>\$1,284 87</u>

Superior Court, Civil Session, Clerk's Office.	
Unassigned.	<u>\$1,000 00</u>

Probate Court.	
Unassigned.	<u>\$60 00</u>

Municipal Court, City of Boston.	
Justices, special, 4 (6) at \$25 per diem. .	\$1,000 00
Messenger, 1 at \$2,600 (\$2,800) per year,	111 10

Criminal Business.	
Clerk, 1 at \$5,000 (\$5,600) per year. . .	435 00
Clerk, first assistant, 1 at \$3,500 (\$3,920)	
per year.	304 50
Clerk, second assistant, 1 at \$3,000	
(\$3,360) per year.	261 00
Clerk, third assistant, 1 at \$2,900 (\$3,360)	
per year.	333 47
Clerk, fourth assistant, 1 at \$2,900	
(\$3,360) per year.	333 47
Clerk, fifth assistant, 1 at \$2,400 (\$2,800)	
per year.	289 98
Clerk, sixth assistant, 1 at \$2,400	
(\$2,800) per year.	289 98
Clerk, seventh assistant, 1 at \$2,400	
(\$2,800) per year.	289 98
Clerk, eighth assistant, 1 at \$2,400	
(\$2,800) per year.	289 98

Civil Business.	
Clerk, ninth assistant, 1 at \$2,400 per	
year.	1,300 00
Clerk, tenth assistant, 1 at \$2,400 per	
year.	1,280 00

Probation Department.	
Clerk, 1 at \$1,800 (\$1,900) per year. . .	50 00
Clerks, 6 at \$1,700 (\$1,800) per year. . .	50 00
Clerk, 1 at \$1,600 (\$1,700) per year. . .	50 00
Clerks, 2 at \$1,500 (\$1,600) per year. . .	100 00
Clerks, 2 at \$1,400 (\$1,500) per year. . .	50 00
Clerks, 1 at \$1,300 (\$1,400) per year. . .	50 00
Clerks, 4 at \$1,250 (\$1,350) per year. . .	200 00
Clerk, 1 at \$1,100 (\$1,250) per year. . .	75 00
Clerk, 1 at \$1,300 per year.	541 67

Medical Department.	
Medical director, assistant, 1 at \$2,300	
(\$2,500) per year.	137 22
	<u>\$7,822 35</u>

Municipal Court, Charlestown District.	
Justice, 1 at \$4,000 (\$4,500) per year. . .	\$329 17
Clerk, 1 at \$3,000 (\$3,375) per year. . .	246 88
Clerk, first assistant, 1 at \$2,250	
(\$2,531.25) per year.	185 15
Clerk, second assistant, 1 at \$2,000	
(\$2,250) per year.	164 59
	<u>\$925 79</u>
Temporary.	<u>\$247 20</u>

East Boston, District Court.	
Temporary.	<u>\$470 00</u>

Municipal Court, South Boston District.	
Clerk, Probation Department, 1 at	
\$1,300 (\$1,500) per year.	<u>\$83 33</u>

Municipal Court, Dorchester District.	
Temporary.	<u>\$44 55</u>

Municipal Court, Roxbury District.	
Court Officers, 3 (4) at \$2,000 per year, <u>\$1,333 33</u>	
Temporary.	<u>\$98 70</u>

Referred, on motion of Couu. MURRAY, to Committee on Appropriations.

RELEASE OF EASEMENT IN JAMAICA PLAIN.

The following was received, viz.:

July 6, 1928.

To the Honorable the City Council.

Gentlemen,—Enclosed find order authorizing his Honor the Mayor, in the name and behalf of the City of Boston, for the consideration of two hundred dollars, and in form satisfactory to the Law Department, to execute and deliver to Albert W. Engel, executor of the estate of Joseph Engel, an instrument of release of an easement taken for sewerage purposes by the City of Boston through a proposed street to be called Ripley street, situated on the Arborway in the Jamaica Plain district of the City of Boston. The easement herein referred to was taken by the Board of Street Commissioners of the City of Boston, May 28, 1903, for sewerage purposes.

The Commissioner of Public Works, in a letter dated May 17, 1928, states that the surface drain in the above named premises serves two catch-basins on May street, conducting the surface water to a surface drain in the Arborway, and that these basins can very well be connected with the sewer in May street and that the expense of connecting the two basins in May street would be approximately two hundred dollars. The Commissioner of Public Works further states that the City of Boston is interested in this surface drain and taking in the area herein described only as an outlet to the two catch-basins in May street, and if the executor of the estate of Joseph Engel was willing to compensate the city for the expense of connecting the basins with the May street sewer (two hundred dollars), he saw no reason why the release should not be granted.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Ordered, That his Honor the Mayor be, and he hereby is, authorized in the name and behalf of the City of Boston, for the consideration of two hundred dollars (\$200) and in form satisfactory to the Law Department, to execute and deliver to Albert W. Engel, executor of the estate of Joseph Engel, an instrument of release of an easement taken for sewerage purposes by the City of Boston, May 28, 1903, through a proposed street to be called Ripley street, situate on the Arborway in the Jamaica Plain district of the City of Boston.

Referred to Committee on Public Lands.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committee named, viz.:

Claims.

John F. Ahern, for compensation for damage to automobile caused by an alleged defect in Albany street.

Elwood B. Allen, for compensation for damage to automobile by city team.

Mrs. William Allen, for compensation for damage to property at 36 Chickatawbut street, caused by backing up of sewage.

Harlow E. Bainton, for compensation for damage to truck by fire apparatus.

James W. Barco, for compensation for damage to automobile caused by an alleged defect in Rutherford avenue.

Samuel Bloom, to be reimbursed for taxi service rendered police officer at Columbia road and Blue Hill avenue.

Jennie Bognore, for compensation for injuries caused by an alleged defect in Chamber street.

John and Catherine A. Bonner, for compensation for damage to property at 742 East Fourth street, caused by firemen.

John J. Bray, for compensation for injuries caused by being struck by oar by life guard at L Street Bath House.

Alice J. Brennan, for compensation for damage to property at 175 Boston street, caused by backing up of sewage.

Peter J. Burns, for compensation for loss of teeth at House of Correction, Deer Island.

Charles F. Campbell, for compensation for damage to automobile caused by an alleged defect in Centre street, West Roxbury.

Caroline Capodiece, for compensation for damage to property at 247 Harvard street, caused by backing up of sewage.

Kathrine M. Carpenter, for compensation for loss of hens killed by dogs.

Mr. and Mrs. Bernardo Cervizzi, for compensation for damage to property at 282 Sumner street, East Boston, caused by overflow of sewer.

Raymond M. Chevalier, for compensation for damage to automobile caused by an alleged defect in Commonwealth avenue.

R. J. Clark, for compensation for damage to automobile on South Ferry.

G. L. Clift Company, for compensation for broken window at 388 Newbury street, caused by city truck.

Ethel Coben, for compensation for injuries on Johnston road, Dorchester, caused by hose on street.

Irene Cohen, for compensation for injuries caused by an alleged defect at 4 Hunneman street.

Nathan Cohen, for compensation for injuries caused by hose on street on Johnston road.

Mary T. Cusick, for compensation for death of James T. Cusick through carelessness, at City Hospital.

Charles V. Daiger Company, for compensation for damage to automobile by city truck.

Louise D'Amore, for compensation for injuries received in yard of Christopher Columbus School.

Mrs. Marciano DiRienzo, for compensation for damage to property at 114 Gladstone street, caused by backing up of sewage.

Annie G. Doherty, for compensation for damage to property at 104 Howland street, Roxbury, caused by ashmen.

George B. Drew, for compensation for damage to automobile caused by an alleged defect in Freeport street.

A. Fisber, for compensation for injuries received in Mayo School yard.

Mrs. Mary J. Fitzgerald, for compensation for damage to property at 67 Allendale avenue, caused by backing up of sewage.

Mrs. Fox, for compensation for injuries received in Endicott School.

Abraham Goffman, for compensation for damage to automobile by city cart.

Mrs. Mary Gordon, for compensation for injuries caused by an alleged defect in Neponset avenue.

Eunice M. Hall, for compensation for injuries caused by an alleged defect in Audubon road.

Annis M. Hardy, for compensation for damage to property at 20 Middleton street, Dorchester, caused by excessive water pressure.

Mrs. Hegner, for compensation for damage to property at 91 Bennington street, caused by backing up of sewage.

Robert I. Innis, for compensation for damage to automobile by city truck.

Bessie Jacobson, for compensation for injuries received in Vine Street Municipal Building.

Helen E. Jenks, for compensation for damage to automobile caused by an alleged defect in Paris street, East Boston.

Montague Knott, Jr., for compensation for damage to automobile caused by an alleged defect in Perthshire road.

J. R. Landberg, for compensation for damage to automobile by city team.

Harry Leish, for compensation for damage to automobile by city wagon.

William J. Leonard, for compensation for damage to property at 22 Middleton street, caused by bursting of water pipes.

Mrs. L. G. Lewis, for compensation for damage to clothing caused by an alleged defect in Southwood street.

Mr. L. G. Little, for compensation for injuries caused by an alleged defect in Lincoln and Beach streets.

Mrs. J. W. MacDonald, for compensation for loss of coat at City Hospital.

Mary Mandra, for compensation for injuries caused by an alleged defect at 64 North Margin street.

Catherine E. McGrath, for compensation for injuries caused by an alleged defect at 417 Washington street.

Michael J. Mellett, for compensation for damage to property at 125 F street, caused by overflow of sewage.

Mrs. Margaret Morris, for compensation for injuries caused by city wagon.

Ruth G. Myers, for compensation for damage to property at 216 Oakland street, caused by bursting of water boilers.

Vito Mirabile, for compensation for damage to automobile by city cart.

Irving Newhoff, for compensation for damage to automobile caused by balls thrown from Charles-ton Playground.

G. J. Novello, for compensation for damage to property at 59 Snow Hill street, caused by ash truck.

Mrs. T. R. O'Connor, for compensation for injuries caused by an alleged defect in Tremont street.

M. Pearlmuter, for compensation for damage to property at 152A Blue Hill avenue, Roxbury, caused by stone from street.

Camilla Porfito, for compensation for injuries caused by an alleged defect at 17 Washington street.

Betty and Hyman Pritzky, for compensation for injuries caused by city truck.

Paul Puma, for compensation for damage to property at 114 Gladstone street, caused by backing up of sewage.

Mrs. Rose Quint, for compensation for injuries caused by an alleged defect at 294 Blue Hill avenue.

Margaret E. Ruane, for compensation for collapse of boiler at 27 Langley road, caused by shutting off water.

Mrs. William Ryan, for compensation for damage to clothing, caused by an alleged defect at 25 Eliot street.

Louis Shapiro, for compensation for damage to property at 253 Harvard street, caused by overflow of sewage.

Sherwood Spa, for compensation for damage to property at 91 Meridian street, caused by backing up of sewage.

Howard Sieco, for compensation for damage to automobile caused by an alleged defect at 420 Main street, Charlestown.

Peter SiGesimonte, for compensation for damage to property at 118 Gladstone street, caused by backing up of sewage.

Leo Simon, for compensation for damage to automobile by city team.

Louis J. Simpson, for compensation for damage to automobile by city team.

Standard Contracting Company, for compensation for damage to truck caused by an alleged defect at Ritchie street, Roxbury.

Edward F. Sullivan, for compensation for damage to property at 65 Allendale avenue, caused by backing up of sewage.

Joseph H. Trayers, for compensation for injuries caused by an alleged defect at 183 Roxbury street.

Margarete Zellner, for compensation for injuries received in Orchard Park Playground.

Harry Averbuch, for compensation for injuries caused by an alleged defect in sidewalk in front of Memorial High School, Roxbury.

J. H. Morrison, for compensation for damage to automobile by city car.

JURY LIST.

The following was received, viz.:

City of Boston,
Office of City Clerk, June 30, 1928.

To the City Council.

Gentlemen,—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. 61, was this day filed with me in accordance with law.

Respectfully,

JAMES DONOVAN,
City Clerk.

Placed on file.

SALARIES IN THE BOSTON JUVENILE COURT.

A communication was received from the Justice of the Boston Juvenile Court, fixing the salaries of the probation officers of said court.

Referred to the Committee on County Accounts.

NOTICE OF REMOVAL OF CONSTABLE.

The following was received:

City of Boston,
Office of the Mayor, July 9, 1928.
Hon. James Donovan, City Clerk.

Dear Sir,—You are hereby notified that I have this day removed Leon Steinberg from the position of constable of the City of Boston.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Placed on file.

STORAGE AND SALE OF GASOLENE.

Communications were received from the Street Laying-Out Department of hearings to be held on petitions for storage and sale of gasolene, as follows:

July 16.

Rowes Wharf Battery and Tire Company, 315 Atlantic avenue, Ward 3, 2,000 gallons.

July 23.

Harold A. King, 125 Marsh street, Ward 16, 3,000 gallons.

Carrie Stone Murray, 3-27 Weld park, Ward 19, 3,000 gallons.

Whiting Milk Companies, 568 Rutherford avenue, Ward 2, 10,000 gallons.

July 30.

Joseph Berenberg, 245 Norfolk avenue, Ward 8, 2,000 gallons.

Neil E. Doherty *et al.*, 272-278 Washington street, Ward 22, 2,000 gallons.

Edward Mealwitz, 841 Canterbury street, Ward 18, 3,000 gallons.

Mexican Petroleum Corporation, 221 Northern avenue, Ward 6, 1,000 gallons.

Mexican Petroleum Corporation, 1846 Columbia road, Ward 6, 1,000 gallons.

Harry Rafchin, 464-470 West Broadway, Ward 6, 3,000 gallons.

Referred to the Executive Committee.

APPOINTMENT OF RAILROAD POLICE OFFICER.

Notice was received of the appointment of a railroad police officer for the Boston, Revere Beach & Lynn Railroad.

Placed on file.

WARRANT TO KILL UNLICENSED DOGS.

A copy of the warrant issued by the Mayor to certain constables was received, viz.:

Sir,—Under and by virtue of chapter 140 of the General Laws, you are hereby directed to proceed forthwith to kill, or cause to be killed, all dogs within said city not licensed or collared according to the provisions of said chapter 140, and to enter complaint against owners or keepers and to comply with the provisions of said chapter 140 in respect to making returns of your doings under this warrant.

In witness whereof, I have hereto set my hand and affixed the seal of said city this ninth day of July, 1928.

MALCOLM E. NICHOLS, Mayor.

Placed on file.

DEATH OF OFFICER JOHN CONDON.

A certificate was received from the Police Commissioner, as follows:

City of Boston,
Police Department, July 13, 1928.

To whom it may concern:

This is to certify that it appears by the records of this department that John Condon, born in Boston, Mass., September 18, 1886, was appointed a patrolman in this department on October 15, 1919, and died on October 7, 1927, from pistol-shot wounds inflicted upon him while the said officer was in the performance of his duty.

HERBERT A. WILSON,
Police Commissioner.

Placed on file.

CONFIRMATION OF APPOINTMENTS.

The Chair called up No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor June 25, 1925, of Patrick D. Kane, Thomas F. Lalor, Albert M. Finnegan, John F. Norton, Lawrence L. Horton and James J. Colorusso, to be Weighers of Goods; John K. Holland and Robert Cody, to be Weighers of Coal and Measurers of Wood and Bark; M. Prudenti, to be a Weigher of Coal.

The appointments were confirmed, yeas 12, nays 0.

CONSTABLES' BONDS.

The constables' bonds of George W. Bloomberg, William A. Collupy, Joseph P. Cutter, John F. Farrell, George L. Gilbert, Samuel Goldkrand, Raphael Hersey, Barnet Levenbaum, John J. Levy, William P. Maginnis, Robert Hugh Polack, Clinton F. Smith, and Roman J. Vasil, having been duly approved by the City Treasurer were received and approved.

PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds to the amount of \$4,371.52, from July 1 to July 15, inclusive, for regular employees, was received and approved.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Coun. RUBY—Mr. President, for the Special Committee on Constables, I desire to ask that from No. 2 on the calendar the names of Joseph S. Goldberg, Frank J. Thomas, Henry D. Stetson, and Morris J. Mandel be taken and voted.

The names referred to were taken from No. 2 on the calendar, under unfinished business, and the question came on confirmation as constable of the appointments of Joseph S. Goldberg, Frank J. Thomas, Henry D. Stetson and Morris J. Mandel. Committee, Coun. Lynch and Ruby. Whole number of ballots, 12; yeas 12, and the appointments were confirmed.

FAILURE OF CONFIRMATION OF CONSTABLE.

Coun. MAHONEY—Mr. President, may I ask that the name of Thomas Cannizzaro be taken from the table.

The name referred to was taken from No. 4 on the calendar, under unfinished business, and the question came on confirmation as constable of the appointment of Thomas Cannizzaro. Committee, Coun. Keene and Donovan. Whole number of ballots, 11; yeas 0; nays 11, and the appointment was not confirmed.

ESTABLISHMENT OF HEALTH UNIT IN WARD 16.

Coun. FISH offered the following:

Ordered, That the trustees of the George Robert White Fund be requested, through his Honor the Mayor, to consider the establishment and maintenance of a health unit in Ward 16.

Passed under suspension of the rule.

BOARDWALK FROM MARINE PARK TO CASTLE ISLAND.

Coun. MAHONEY offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to advise the City Council the amount of money appropriated for the construction of the boardwalk from Marine Park to Castle Island; the amount of money that has been actually expended in this work, and whether this work has been completed, and, if not, what further improvements are to be made.

Passed under suspension of the rule.

INSPECTION OF BUILDINGS ON FARRAGUT ROAD.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Health be requested, through his Honor the Mayor, to inspect the wooden buildings on Farragut road, near Marine Park, now used by concessionaires, and to report to the City Council whether these buildings are in a proper sanitary condition.

Passed under suspension of the rule.

DRINKING FOUNTAIN AT FATHER BUCKLEY PLAYGROUND.

Coun. MAHONEY offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to install a drinking fountain at the Father Buckley Playground, Ward 6.

Passed under suspension of the rule.

ARC LAMP AT D AND BAXTER STREETS, WARD 6.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an electric arc lamp at the corner of D and Baxter streets, Ward 6.

Passed under suspension of the rule.

ABATEMENT OF DUMP NUISANCE.

Coun. GALLAGHER offered the following:

Ordered, That the Health Commissioner be authorized and requested, on behalf of the City of Boston, to make a formal complaint to the Department of Public Health, and to take such other action as necessary, for the purpose of obtaining an abatement of the nuisance caused by the maintenance of a dump by the Hood Tire & Rubber Company in the town of Watertown.

Coun. GALLAGHER—Mr. President, referring to the order which I have just presented, I would like to say, briefly, that I have no desire in any way to prejudice any industrial activity. You are all undoubtedly acquainted with the fact that the smoke and the fumes from burning rubber have been the cause of complaint by residents of Watertown, Cambridge and Brighton, and for some reason there has been no effort made to abate this nuisance; on the contrary, conditions seem to have become more aggravated. I feel certain that this condition is a menace to the health of the people, and I believe that the action proposed by my order will be a step in the direction of correcting this situation.

Passed under suspension of the rule.

CONSTRUCTION OF DORCHESTER SIDEWALKS.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be, and he hereby is, respectfully requested to advise the City Council what provision, if any, has been made, as part of the 1928 sidewalk program, to partly construct a sidewalk along Evans street, numbers 36 to 60, inclusive, authorized by City Council order, passed October 17, 1927; also sidewalk on Richmond street, numbers 61 to 69, inclusive, authorized by City Council order, passed December 5, 1927; also sidewalk along Park street, as authorized by City Council order passed April 16, 1928, all in Ward 17.

Coun. WILSON—Mr. President, before passing to the next order I ask for suspension of the rule and the passage of this order, having in mind the fact that I introduced a loan order in this body, which has been passed by the Committee on Finance, and when it comes before the members today I trust it will be passed, asking for an additional \$50,000 for sidewalk work during the current year. If we haven't enough money available to do a certain minimum number of sidewalks a year, I think that is one of the expeditures that could well be made, and I, accordingly,

am passing in this inquiry at this time, trusting it will receive attention when we pass the \$50,000 loan order later in the session.

Passed under suspension of the rule.

COST OF BRANCH LIBRARY BUILDING, CODMAN SQUARE.

Coun. WILSON offered the following:

Ordered, That the Superintendent of Public Buildings be, and he hereby is, respectfully requested, through his Honor the Mayor, to advise the City Council forthwith, in response to order of the Council, passed under suspension of the rules on April 23, 1928, with reference to the cost and date of construction of the present branch library building and wardrobe now located on city land in Codman square, Dorchester, and also with reference to the approximate cost of construction of a modern municipal building on said lot.

Passed under suspension of the rule.

LEASE TO DAHLGREN POST NO. 2, G. A. R.

Coun. WILSON offered the following:

Ordered, That his Honor he, and hereby is, authorized, in the name and behalf of the City of Boston, and in form satisfactory to the Law Department, to execute a lease to Dahlgren Post No. 2, Grand Army of the Republic, of the vacant quarters on the top floor of the engine house located at the corner of Fourth and Dorchester streets, South Boston, for a term not exceeding five years, commencing August 1, 1928, at a rental of \$1 per annum, same to be used by said Dahlgren Post and affiliated bodies.

Coun. WILSON—Mr. President, in order that there may be no misunderstanding, and in order that other bodies may not be prejudiced, it will be noticed that this order calls for the use by this particular post "and affiliated bodies." I understand that this particular Grand Army Post, originally consisting of 349 members, now numbers only twelve members, having an average age of eighty-four years; that since that Grand Army Post has been in existence and until recently they have been paying \$35 a month rental for some room, and, as this Grand Army Post has now shrunk, as I say, to a dozen members, they will not be with us for many more years, and it seems to me that it is much to their credit that they have paid their own rental and struggled along and there are so few that this courtesy by the city could be granted to them at this time.

Referred to the Executive Committee.

ANNUITIES TO FAMILIES OF POLICEMEN AND FIREMEN.

Coun. WILSON offered the following:

Ordered, That the Legislative Committee of the City Council be, and such committee hereby is, authorized and directed, in the name and behalf of the Boston City Council, to favor and support the announcement of such legislation as will increase the annuity which may be paid to the widow or minor children of any policeman or fireman who dies from injuries received in the performance of his duties.

Coun. WILSON—Mr. President, with reference to that particular order, I present it again and urge it at this time although a similar order was presented last year following the shooting of a Boston police officer, and, as is always the case, immediately the excitement of the murder of a police officer or the terrible death of some fireman occurs there is a lot of furore and newspaper publicity, and then in two or three weeks the matter dies down until another police officer is shot down and killed. I understand, despite our Governor's urgent message for the passage of some such legislation at this time following the murder of a Medford police officer, there was at least one, and I believe, two bills to increase annuities, one backed by the Police Commissioner of the City of Boston, which apparently died a natural death, or at least made no progress in the present legislature. Now, due to the fact that there has another death come, the Governor has urged the adoption of some act which increases

the annuity to be paid to the widow or family of a fireman or police officer who dies in the performance of his duty. I would like, as a member of the Legislative Committee, to be authorized by this body to back such legislation now, as we did a year ago when the last police officer was killed, in order that practically, before another police officer is killed, some real progress be made by the Governor and the Legislature.

Passed under suspension of the rule.

SUBSTITUTION OF GRANOLITHIC STEPS IN WARD 19.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to substitute granolithic steps for the present wooden steps leading from Johnwood road, Ward 19, to Sherwood street and Brown avenue, which are at present in an unsafe and dangerous condition.

Passed under suspension of the rule.

TAXICAB SITUATION.

Coun. WILSON—Mr. President, I should like to ask the privilege of speaking at this time, not with reference to any order, but to inquire whether any progress has been made by that committee which started off in such a lively manner with reference to an investigation concerning the taxicab situation. It was brought forcibly to my attention, on July 11, 1928, at half past ten in the morning, when I personally counted eleven Checker cabs parked on the Columbus avenue side of the Hotel Statler, five on the Arlington street side, and three on the St. James street side, and again, on July 14, at the South Station, at three o'clock in the afternoon, when I personally counted seventeen taxicabs on the Summer street side of the South Station alone, and again this morning when, as usual, the three lines of traffic coming down School street made their usual mass formation immediately on approaching four or more Town taxicabs that are allowed to park in a one-way street across from City Hall. I wondered whether that investigation is dying a natural death, or whether any progress is really being made?

President GREEN—For the information of the Council I will say that the chairman of that Committee, Councilor Ward, is at home because of the death of a member of his family, a sister, who has died, and in the absence of the chairman I will ask Councilor Dowling, who is a member of that committee, to supply the necessary information.

Coun. DOWLING—Mr. President, I would not dare to presume to answer for the committee. I know the committee is much in sympathy with the information which has just been presented by the gentleman from Ward 17, but I would not want to answer for the committee. There have been no recent committee meetings, but I assume as soon as the matter which causes the absence of Councilor Ward is over the matter will be taken up.

CONSTRUCTION OF GARAGE AT STATION 12.

Coun. MAHONEY offered the following:

Ordered, That his Honor the Mayor be requested to provide the sum of ten thousand dollars for the construction of a garage adjacent to police station 12, South Boston.

Passed under suspension of the rule.

CONFIRMATION OF EXECUTIVE APPOINTMENT.

Coun. GALLAGHER—Mr. President, I request that the name of William C. Griffin be taken from the calendar under No. 2.

The name referred to was taken from No. 2 of the calendar, under unfinished business, and the question came on confirmation as constable of the appointment of William C. Griffin. Con-

mittee, Coun. Mahoney and Sullivan. Whole number of ballots, 12; yeas 12, and the appointment was confirmed.

MODERN INCINERATION PLANT.

Coun. WILSON—Mr. President, having been absent from the room when an illuminating message was read with reference to the proposed loan order for an incinerator, one of the seven eventual incinerators which this city will require, I should like merely to announce at this time it is apparent that the powers that be, due to natural business and the rush of business during the summer season, have probably not gone into the question of incineration. As I read the veto message, it says it is returning, without approval, an order providing for an appropriation of \$335,000 "for the construction of a modern incineration plant in the City of Boston for the reason that the existing contract for the disposal of three quarters of the material collected will not expire for four years." I do not know which side that veto message is supposed to be arguing on, but, of course, it was with that fact in view that I introduced the loan order at that time. It was due to the fact that we should not wait until the expiration of the ten-year Coleman contract but that we should take some steps at this time. Accordingly, I purposely suggested the construction of one of the seven incinerators that we will eventually need in a district which has nothing to do with the Coleman contract. It may not be material at this time to comment on the message, but I cannot resist calling attention to its wording. It seems to me, that with the City of Boston spending over \$10,000,000 with the Coleman people for disposal of rubbish and garbage, and in view of the fact that there are at least three districts in the city that are not under that contract, it certainly is logical to request a loan order and the trial of an incineration plant now before the Coleman contract is at an end, and, for the life of me, I cannot follow the logic of the veto message.

RECESS.

The Council voted, on motion of Coun. RUBY, at 2.40 p. m., to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber at 3.15 p. m., and were called to order by Coun. ARNOLD.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted reports as follows, viz.:

1. Report on order (referred today) that the sum of \$17,000 be appropriated from Special Fund Sales of City Property for Construction of Highway, Squantum—that the same ought to pass.

Report accepted, said order passed, yeas 18, nays 0.

2. Report on order (referred today) authorizing payment into State Treasury by the City Treasurer of the sum of \$17,000 for construction of highways in Squantum—that the same ought to pass.

Report accepted; said order passed.

FINANCE COMMITTEE REPORTS.

Coun. BUSH, for the Committee on Finance, reported on several loan orders, hereinafter enumerated, that the same ought to pass; but, on objection by Coun. PARKMAN, action was taken separately on each said order, viz.:

1. Report on order (referred June 11) appropriating \$50,000 for the construction of granolithic sidewalks, such sum to be raised by issuance of certificates of indebtedness—that the same ought to pass.

The roll was called, and the order was passed, yeas 19; nays, Coun. Parkman, 1.

Coun. DOWLING—Mr. President, before the Clerk starts reading the next one, I am much in the same position as the gentleman from Ward 5. These orders were offered so long ago that I am rather vague on the importance of them, and I

think it would be a fair thing for the chairman of the committee to make a brief reference to each order, explaining what it is, when it is read.

2. Report on order (referred September 26, 1927) appropriating \$200,000 for the purchase of land for park purposes in the West End section of Ward 3—that the same ought to pass.

Coun. BUSH—Mr. Chairman, in answer to the councilor's question, I desire to say that this order appeared once before, I believe about a year ago, and was rejected at that time, and at the time I voted against it myself because there was no site mentioned which was intended to be purchased at the time for that purpose, and it was my personal belief that that was one of the most congested areas in the City of Boston and should have some playground for the children, the Charlesgate Playground not having ample facilities for children from other sections of that district, it being necessary for them to cross a very much traveled highway in Charles street, hardly the kind of highway across which children of very tender age should have to go in order to have a playground. As I said, I opposed it at that time because I thought that there were interests involved in the procuring of the site for this playground which I did not care to countenance. However, Father Smith and several social service workers from the city department approached me, as well as other members of the committee, with reference to the necessity of a playground in this section, and they convinced me that the necessity is so great that I should not like to go on record as being in opposition to the construction of such a playground in such a congested center of the city, and the other members of the committee felt the same way about it and finally passed the order. There is no question about the necessity of the playground, and the only question that arises is as to the probable site which may be picked for it and the adequacy of the amount for an area large enough to constitute the proper kind of playground which will be necessary for the convenience of those children.

Report accepted; said order passed, yeas 19; nays, Coun. Dowling, 1.

3. Report on the order (referred June 11) appropriating \$75,000 for the purchase of land for a public playground adjacent to the present limited athletic field of the Dorchester High School for Boys—that the same ought to pass.

Coun. WILSON—Mr. Chairman, that being in my particular district, perhaps I can explain it even better than the chairman of the committee to the gentleman who made the inquiry. If the Boston *Traveler* of the other evening is correct, there are 112 playgrounds in the City of Boston, not one of which is in this particular ward. It is my personal opinion that it is real economy and real financial wisdom to build playgrounds in the district while the land is available, and I feel strongly that the acquisition of a playground at this time in Dorchester for \$75,000, or less, will prevent the necessity of paying \$200,000 for a playground in five or ten years from now. This particular tract, if it can still be obtained—and I assume that the city can take it—has been used by the boys of the Dorchester High School for purposes of play. It has not been available for anyone, even the school boys, on Saturdays, Sundays, or holidays. I understand that plans are being made to erect nineteen or more three-family houses on the land, and that the land will immediately be broken. So far as I am aware, it is the only vacant piece of land still in the ward to insure for us the one playground out of 112 to which we are certainly entitled.

Report accepted and said order passed, yeas 20, nays 0.

4. Report on order (referred February 6) appropriating \$20,000 for the erection of a locker building in Mary Heinenway Playground, Ward 16—that the same ought to pass.

Coun. FISH—Mr. Chairman, that happens to be in my ward. It lies in a congested section of Ward 16. The playground is used for baseball, football and skating, but at the present time we have no building on the field where the boys can change their clothes. On one side of the field is a baseball diamond, and visiting ballplayers are compelled to change their clothes in the open, and it has been criticized by the neighbors; therefore I hope this order will pass.

Report accepted, yeas 19; nays, Coun. Parkman, 1.

5. Report on order (referred March 26) appropriating \$50,000 for necessary improvements on the Smith's Pond Playground—that the same ought to pass.

Coun. DOWLING—Mr. Chairman, I would like to ask where Smith's Pond Playground is, whether one or two boys play on it or whether there is a large number of people, whether they have any conveniences or whether they have none. Some member of the committee ought to be able to give some information. I would like to ask the councilors on both sides where Smith's Pond Playground is located? I suppose we ought to know that before we vote so much money.

Chairman ARNOLD—Coun. Murphy, do you care to answer the councilor's question? I believe it is in your ward.

Coun. MURPHY—What is the question, Mr. Chairman?

Chairman ARNOLD—In regard to this playground for which a proposed appropriation of \$50,000 is asked.

Coun. MURPHY—Smith's Field Playground in Hyde Park. What is the question about it?

Chairman ARNOLD—Will Coun. Dowling repeat his question?

Coun. DOWLING—I want to know where it is.

Coun. MURPHY—It is in Hyde Park.

Coun. DOWLING—How large is it?

Coun. MURPHY—It is one of the largest playgrounds there are in the district. It is in what we call the Sunnyside district of Hyde Park, and at the present time, if I can give some light on it, in order to play baseball games the teams in Hyde Park have to leave the district altogether and play in Dedham or some other place because the playground is not in proper condition to play the game.

Coun. DOWLING—Well, Mr. Chairman, I do not want to delay proceedings, but I submit that the gentleman from Hyde Park has not said enough to justify the expenditure of very much money for the playground. I do not think that anybody is thoroughly satisfied with the explanation that he has offered. I would like to know something about it, or I would like to have the matter deferred a week in order to learn something. I do not know whether there is a playground there. I do not know whether they have one baseball diamond or two baseball diamonds in Hyde Park. It is quite a lot of money. It seems as though we ought to know something about it before we vote to spend people's money. No one will accuse the gentleman from Hyde Park of being modest or lacking in energy to express himself, but it seems as though it is worth spending about a minute on it any way.

Coun. BUSH—Mr. Chairman, Hyde Park consists of a district which covers considerable area, perhaps one of the largest areas in the city, and it might be perhaps well for the councilor from Hyde Park to tell us how many playgrounds there are there at the present time, and how widely distributed they are.

Chairman ARNOLD—The Clerk will call the roll.

The following councilors answered yea—Coun. Arnold, Bush, Deveney, Donovan—and Coun. Dowling answered No, when the roll call was interrupted.

Coun. MURPHY—Mr. Chairman—

Chairman ARNOLD—For what purpose does the gentleman rise?

Coun. MURPHY—I rise for the purpose of giving accurate information pertaining to the question that was asked, on which I requested that I be allowed a moment to look up. The record is at hand from which I can obtain the information to establish the fact that this is a regular playground in the City of Boston.

Chairman ARNOLD—The Chair will rule that as the roll has been started the councilor is out of order. The Clerk will proceed.

The Clerk resumed calling the roll, and the report was accepted and said order passed, yeas 18; nays, Coun. Dowling, Parkman, 2.

6. Report on order (referred March 26) appropriating \$45,000 for the construction of a locker building on the Barry Playground, Charlestown—that the same ought to pass.

Coun. DOWLING—Mr. Chairman, I am left in the position where I do not know the location of the Barry Playground. This is serious business. The city's business is serious. I do not hear any

explanation of the order. I probably read it months ago. It is a very convenient thing, in my experience of thirty years here, to shove a lot of orders through when people are overcome with the heat or some other cause. It is not a laughing matter, nor even a smiling matter. I think it is a serious thing. I ask for only a word from the chairman of the committee so that I may vote intelligently. I do not want to vote against a playground, I do not want to vote against things that are a necessity, but I do want some information, and no business man—no, God save the mark!—no politician would vote for these things unless he had a little bit of information. I am perfectly satisfied with the inadequate explanation of the gentleman from Hyde Park a moment ago, and if I had the information then I have now I probably would have voted Yes. What is the sense of passing away a lot of money without a word of explanation?

Coun. BUSH—Mr. Chairman, unfortunately for the gentleman who asks the question, the chairman of the committee not having had time nor the inclination to go on the various premises concerning which these orders were passed to ascertain whether the improvements were necessary or convenient or not, the information will have to come from the councilor from the district. The committee took the word of the councilor from the particular district as to the necessity for these improvements and did not investigate the matter any farther than that, and any further information would have to come from the councilors of the respective districts with which these orders have to do.

Coun. MURPHY—Mr. Chairman, I do not quite get the drift of the councilor from the Brighton district in questioning my statement about information. I have always been thought to be decent, whether it was in the Boston City Council or any other place, and I think I said in order to get accurate information, which I believe the question calls for, I wanted an opportunity to look up the records in order to give just the amount—

Coun. DOWLING—Mr. Chairman, I rise to a point of order.

Chairman ARNOLD—Will the gentleman state his point of order?

Coun. DOWLING—I should like to inquire whether the gentleman is talking on the Hyde Park Playground or the Barry Playground in Charlestown?

Coun. MURPHY—Well, Mr. Chairman, the councilor from Brighton took good care to talk about the Hyde Park Playground when the Barry Playground was under discussion.

Coun. DOWLING—Mr. Chairman, I rise to a point of order. I think the gentleman is out of order.

Chairman ARNOLD—The Chair will rule that the point of order is well taken. The gentleman will confine himself to the Barry Playground.

Coun. MURPHY—Well, Mr. Chairman, for the information of the records, the Smith's Pond Playground—

Coun. DOWLING—Mr. Chairman—

Coun. MURPHY—has 14.15 acres.

Chairman ARNOLD—The gentleman is out of order.

Coun. MURPHY—It is in now, Mr. Chairman, so it is all right.

Report accepted; said order passed, yeas 17; nays, Coun. Bush, Dowling, Parkman, 3.

REPORT OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. FITZGERALD, for the Committee on County Accounts, offered the following:

1. Report on communication submitted by the justice of the Chelsea Court, relative to salaries of probation officers—that the same ought to pass.

Coun. FITZGERALD—Mr. Chairman, this is a request of the justice of the Chelsea Court that the salaries of the probation officers there conform with the salaries of other similar officers, and we report accordingly.

Report accepted; said order passed.

REPORT OF COMMITTEE ON SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted the following report, viz.:

1. Report on order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of July, under the provisions of chapter 115 of the General Laws—that the same ought to pass.

Report accepted; said order passed.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. DONOVAN, for the Committee on Public Lands, submitted the following report, viz.:

1. Report on order (referred March 4) authorizing execution of instrument authorizing the Farm and Trades School at Thompson's Island, Boston Harbor, to lay and maintain a power and light conduit and cable across land owned by the City of Boston at Squantum for the purpose of connecting with Thompson's Island—that the same ought to pass.

Coun. DONOVAN—Mr. Chairman, I might say for the benefit of the members of the Council that this constitutes nothing more or less than an easement or the allowing of the laying of a cable from the Farm and Trades School on Thompson's Island to Squantum. It is only a temporary use of that land which could be discontinued at a moment's notice by the City of Boston. The stipulated sum of \$1 is agreed upon.

Report accepted; said order passed, yeas 18, nays 0.

STREET LIGHTING.

Coun. DEVENEY called up No. 5 on the calendar, assigned for today, viz.:

Ordered, That a sum not exceeding \$6,000 be, and the same hereby is, appropriated to be expended under the direction of the Mayor for a survey of the street lighting system, said sum to be charged to the Reserve Fund.

Coun. WILSON—Mr. Chairman, I move to lay on the table.

Chairman ARNOLD—The councilor moves that the same be laid on the table. All in favor will say "aye," opposed "no," and the Chair is in doubt. Those that are in favor of laying on the table will please rise, now those opposed, and it is not a vote.

Coun. WILSON—Mr. Chairman, the reason why I asked that the matter lay on the table at this time was due to the heat of the day and because I did not want to prolong the closing of the meeting by speaking even that mildly long length. I wonder how many of the members of the City Council, particularly some of those who have been most particularly questioning with reference to playground loan orders, know the real purpose of this \$6,000 order, or what it is all about, anyway. The present order, as I understand it, is asking for an expenditure of \$6,000 for a survey of street lighting. The explanation made is, apparently, that some one man should get busy and tell the City of Boston and its proper department and the Mayor and, presumably, the City Council, what lights, I gather, should be removed from the city streets, as though we can stand removing any, and where new lights should be added. I can save all that trouble as far as my own district is concerned by stating that we have no locations in Ward 17 from which the few lights that are now there should be removed, and that plenty more lights are needed. In fact, I believe that the Department of Public Works, or Mr. Atwood's division of that department, unaided by a \$6,000-a-year man, or a \$6,000-a-week man, whichever the survey will take, can go out there and place as many lights as the city will give us in that ward for some years to come without any very scientific survey. Every member of this body knows that when a new street light is requested by a member of the City Council paying a visit to the Public Works Department that he goes up to Mr. Atwood's office, or some other man's office in the Department of Public Works, and that the head of that department can take a book down from the shelf and, I don't care where the street is, or where the public square is, or where the ward

is, or where the light is, he can open that book to the public square or street you are talking about and can show you the location of every light in that street and tell you what kind of light it is. If that is so, without further explanation I, for the life of me, cannot follow out what this street lighting survey is intended to do. In my opinion, if there is to be a street lighting survey, what we really need to do is to reawaken and bring out again the question of the rental of Edison Electric Light poles for the City of Boston, which has been laying dead in this Council waiting for a reply to a communication which I filed as long ago as August in last year. And if they really want to make any street light survey, or if they really want to make any saving to the City of Boston, my suggestion would be that they fight the present electric light rates charged the City of Boston, and that they make a real investigation of the rental of street light poles, which I still say, as I said as long ago as last August, is a disgrace to the City of Boston to allow to continue longer. In March of last year I introduced an order with reference to these boulevard light poles, and failing to have much success in my inquiry to the proper department, a further order was introduced on May 9, 1927, at which time I asked the Commissioner of Public Works, through his Honor the Mayor, for certain information, specifying fourteen separate questions, all with reference to the annual charge of \$93.42 per lamp per year made by the Edison Company, at least one third of which I alleged was, in effect, for a rental of street lights, which is a fairly sizable amount when you consider we have over 6,000 of those lights in the city streets today. I asked the Commissioner of Public Works to obtain information in that regard. I will not read the list of questions—they are set out in the minutes of May 9—except to give a sample question, as follows: I asked, in order to get at the real figures, what the actual present additional cost to the Edison Light Company of installing one additional light either in Massachusetts avenue, Boston, or Talbot avenue, Dorchester, what the additional cost to the city was, and the Public Works Commissioner, answering from the Edison Company, ducked that question and many others. On July 25, 1927, I introduced a further order, and on August 22, I introduced an order in the City Council requesting the Commissioner of Public Works, through his Honor the Mayor, after making the necessary inquiries of the Edison Electric Light Company, the Public Utilities Department, and the Board of Gas and Electric Light Commissioners, to advise the City Council on six questions. I will not read those at length, except to say they are contained in the minutes of August 22, 1927. And while I, unlike, perhaps, some of the members present, do not feel I am particularly vindictive because of the heat today or in any particular ill-humor, I personally cannot bring myself to vote for this \$6,000 item which, on the information we now have, will only duplicate the information already on file in the Department of Public Works. I cannot vote for this \$6,000 item when, apparently, the people who are so interested in lights have not, since August 22, 1927, done this Council or me the courtesy of answering six practical questions to which any taxpayer in the City of Boston is entitled to know the answers. I therefore ask that this matter be laid on the table. I believe there are other councilors who have somewhat the same viewpoint, but I have yet to be shown what the \$6,000 light survey is for. It certainly is not directed at the one point it should be directed, which would mean the saving of hundreds of thousands of dollars, and, so far as I can see, it only duplicates the information already on file and right in Mr. Atwood's office.

Coun. DOWLING—Mr. Chairman, in addition to the objections which have just been stated by the gentleman from Ward 17 I have the further objection that a survey, and an intelligent survey, of the lighting situation was made under the direction of the Commissioner of Public Works during the past winter, which I called to the attention of the members of the Executive Committee at the last meeting. I have seen the books and the plot plans to which the gentleman from Ward 17 has referred, and the members of the Council are aware of the fact—he has not overstated the situation at all—that you can go there at any time and find out where there is an incandescent light, an arc light, a boulevard light, or a bracket light, some of them suspended

from brackets or from poles of the Boston Elevated Railway. But I am not going to burden the Council with a list of the lights that are in the service of the city. My other objection to the passage of the order is that it is nothing more than a gratuity to Mr. Gaylord Cummin, who came into this city a few months ago at the request of one of the business organizations for the express purpose of reviewing the city budget. I am perfectly satisfied in my own mind that Mr. Gaylord Cummin's report on the budget was eminently satisfactory to his Honor the Mayor, and I am perfectly satisfied without impugning the motives of the Mayor, that this is merely a gratuitous \$6,000 to a man who has no exceptional qualifications as a lighting expert, who has not paid a poll tax in the City of Boston, who never lived in Boston, and who has never done anything for Boston, and I object to \$6,000 being paid to cancel political obligations.

Coun. KEENE—Mr. Chairman, my understanding of the purpose of this order was to take care of the very situation which Councilor Wilson has stated. My understanding was that a survey was to be made by an outside party for the purpose of ascertaining the original cost of installation, the cost of power consumed, and the lighting schedule, not only of our electric lighting system but of our gas lighting system. Undoubtedly, as many of the councilors know, we have some sections of the city where lights are burned all night, some until four o'clock in the morning, some until later. Now there seems to be in the minds of many of the councilors, as in the minds of many outside taxpayers, the question of the efficiency of our lighting system. We have, as the councilors have stated, books which show the location of the lights and the size and so on and so forth, but the purpose of the Mayor, I think, as I understand it, was to have a survey made by an independent body to ascertain whether or not the city could not obtain more and better lights at the same or a cheaper price. I would move that the order be laid over and assigned to the calendar for the next meeting of the Council.

Coun. DOWLING—Mr. Chairman, may I suggest that the motion that it be assigned for one week from now, or two weeks from now, is merely an adroit, strategic move to save the order; that, apparently, the votes required for the passage of the order are not here; and that the motion to assign is not made in good faith. I simply want to call that to the attention of the members of the Council.

Chairman ARNOLD—The question is on assigning to the next meeting. Those in favor say "aye," those opposed "no," and it is a vote.

Coun. DOWLING—I ask for roll call, Mr. Chairman.

The roll was called, and the motion was carried, to assign the matter to the next meeting, yeas 9, nays 3.

POLICE AMBULANCE IN CHARLESTOWN DISTRICT.

Coun. GREEN offered the following:
Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to have a police ambulance assigned permanently to the Charlestown District.

Passed under suspension of the rule.

PLAYGROUND IN METROPOLITAN HILL SECTION, WARD 18.

Coun. MURPHY offered the following:
Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of establishing a playground in the Metropolitan Hill section of West Roxbury, Ward 18.

Passed under suspension of the rule.

WIDENING OF BEACH STREET, WARD 18.

Coun. MURPHY offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to provide for the widening of Beach street, from Washington street to Poplar street, Ward 18, to a uniform width of 40 feet.

Coun. MURPHY—Mr. Chairman, the members of the Parent-Teachers Association of the Phineas Bates School, West Roxbury, have requested that I present this order today for the purpose of giving the Park Commissioners an opportunity

to take care of a fast-growing district by the establishment of a playground in that vicinity. The territory comprising the Phineas Bates and Mozart Schools districts has within the past few years grown enormously in population, and at the present rate of growth no land will soon be available for playground purposes. It is the feeling of the people in this district that, before the cost of land becomes prohibitive, steps should be taken by the city to provide adequate facilities for the health and recreation of the children, giving due consideration to the present needs and expected growth. On this particular order, Mr. Chairman, for the widening of Beach street, at the present time this street in one part is 16 feet wide, in another part it is 26 feet 6 inches, and it is one of the main arteries leading to the Phineas Bates School, and for that reason, if sidewalks are constructed in the present street, it would almost make it impassable for automobile traffic. So, in order to have a street laid out for the safety of motor vehicles and for the safety of the children who attend the schools in large numbers, I hope his Honor the Mayor, through the Street Commissioners, will see fit to have this street widened to a 40-foot street.

Passed under suspension of the rule.

SIDEWALK ON ASHLEY STREET, WARD 10.

Coun. DEVENEY offered the following:
Ordered, That the Commissioner of Public Works make a sidewalk along Ashley street, Chestnut avenue to Armstrong street, Ward 10, 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.

SIDEWALK ON CAMBRIDGE STREET, WARDS 21 AND 22.

Coun. GALLAGHER offered the following:
Ordered, That the Commissioner of Public Works make a sidewalk along Cambridge street, both sides, from Charles river to Harvard avenue (sidewalks only), Wards 21 and 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.

DUTIES OF LIGHT INVESTIGATOR.

Coun. WILSON offered an order, upon which he spoke, prior to its being read by the Clerk, as follows:

Coun. WILSON—Mr. Chairman, before the order is read I want to say that I naturally take all suggestions from the councilor from West Roxbury in the best of faith, and, on his assurance that the new light investigator has the sole object, among other things, of going into this question of the Edison Electric Light rental of poles, I am introducing this order so that there shall be no misunderstanding when the new light investigator is authorized and appointed.

The order is as follows:

Ordered, That his Honor the Mayor be, and he hereby is, respectfully requested to instruct the new light investigator, as and when appointed, to advise the City Council in detail with reference to his inquiries contained in orders passed by the City Council May 9, 1927, and August 22, 1927, and to furnish the Mayor and the City Council a detailed report of his findings in answer to the inquiries so propounded.

Passed under suspension of the rule.

THE NEXT MEETING.

On motion of Coun. RUBY, it was voted that when the Council adjourn it be to meet on Monday, July 30, at 2 p. m.

Adjourned at 4.06 p. m., on motion of Coun. RUBY, to meet on Monday, July 30, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, July 30, 1928.

Regular meeting of the City Council held in the City Council Chamber, City Hall, at 2 p. m., President GREEN presiding. Absent, Coun. Dowd, Motley and Sullivan. The President designated Coun. Ward to preside.

JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, the Mayor absent, viz.:

Twenty-nine traverse jurors, Superior Civil Court, Fourth Session, July Sitting, to appear September 4, 1928:

John J. Mitchell, Ward 2; Patrick J. O'Neill, Ward 2; James J. Tolan, Ward 2; John Flavin, Jr., Ward 3; Nathan Matfis, Ward 3; Gordon Allen, Ward 5; James J. McCaffrey, Ward 6; Standish Wylie, Ward 8; William A. O'Keefe, Ward 10; Henry Joseph Reisert, Ward 10; Joseph J. Coveney, Ward 11; Charles Neale, Ward 11; Richard I. Bailey, Ward 12; Hardy J. Knight, Ward 12; Samuel L. Miller, Ward 12; Herman Ralby, Ward 12; Frank A. Gafney, Ward 13; John Hayes, Ward 13; Richard P. Kates, Ward 13; James P. O'Malley, Ward 15; James Stevenson, Ward 15; Charles A. Harkins, Ward 16; Lewis W. Falk, Ward 17; James Brown, Ward 19; William E. Templeton, Ward 19; August Witenauer, Ward 19; Werner E. Klein, Ward 20; Anton D. Rehling, Ward 20; Arthur McArthur, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Sixth Session, July Sitting, to appear September 4, 1928:

John Peter O'Regan, Ward 1; Frank R. Connolly, Ward 4; Alvin M. Allen, Ward 5; John Brereton, Ward 5; Donald A. Ingraham, Ward 5; Timothy Murphy, Ward 5; Edward P. Kavanagh, Ward 10; Jeremiah T. Mahoney, Ward 10; George E. Alexander, Ward 11; James W. Hunter, Ward 11; Frank B. Currie, Ward 12; Louis W. Carroll, Ward 13; Michael J. Noonan, Ward 13; George Harris, Ward 14; William F. VanMalder, Ward 14; Lawrence H. Friend, Ward 17; Ralph L. Mears, Ward 17; Michael T. Ryan, Ward 17; James Williams Campbell, Ward 19; Charles G. Glover, Ward 19; Fred H. Heyn, Ward 20; Everett A. Nichols, Ward 20; Anthony C. Post, Ward 20; Charles E. Spear, Ward 20; James Trippier, Ward 20; James Browne, Ward 22; Daniel J. Daley, Ward 22; William W. Love, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Seventh Session, July Sitting, to appear September 4, 1928:

Augustine W. Barry, Ward 1; Frank A. McIsaac, Ward 1; George E. Brown, Ward 2; Patrick Collins, Ward 2; Joseph Farren, Ward 2; George L. Sullivan, Ward 3; Freeman K. Moore, Ward 4; Benjamin L. Whelpley, Ward 4; Daniel J. Murphy, Ward 7; Michael J. Cusick, Ward 8; John Evju, Ward 9; Joseph H. Newmire, Ward 9; Patrick Hanley, Ward 10; Bartholomew J. Connor, Ward 11; David H. Berman, Ward 12; James J. Kenneally, Ward 12; Robert H. Naylor, Ward 12; James J. Partitor, Ward 12; Simon Goodman, Ward 14; Ralph P. Lane, Ward 14; Patrick E. Leahy, Ward 14; Frederick B. Anthony, Ward 17; William H. Scannell, Ward 18; Thomas F. Spellman, Ward 19; Walter S. Alcorn, Ward 20; George S. Wilbur, Ward 20; Albert I. Salaway, Ward 21; Edward A. McElroy, Ward 22; Chester T. Murphy, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Eighth Session, July Sitting, to appear September 4, 1928:

John J. Goggin, Ward 1; Frank M. Otis, Ward 1; Thomas J. Riordan, Ward 2; Nicholas Ludovici, Ward 3; Creighton Anthony, Ward 4; John Edward Gaughran, Ward 7; John S. Kneeland, Ward 10; Henry Robinson, Ward 10; Ralph M. Fletcher, Ward 11; Howard E. Gill, Ward 11; Walter M. Payson, Ward 12; Lewis B. Snow, Ward 12; Charles L. Devine, Ward 13; Richard W. J. Norton, Ward 13; George F. Donovan, Ward 13; James H. Faour, Ward 14; William J. Gillen, Ward 16; James J. Curry, Ward 15; Thomas F. Dolan, Ward 17; William F. Macdonald, Ward 18; Thomas A. Cotter, Ward 20; Theodore R. Hardy, Ward 20; Arthur G. McKean, Ward 20; George B. Pool, Ward 20; Harry H. Storer, Ward 20; Irving Sloby, Ward 21; Wilbur J. Thayer, Ward 21; Ray A. Willoughby, Ward 21; Benjamin F. Nauer, Ward 22.

APPOINTMENT OF WEIGHERS.

The following was received:

City of Boston,
Office of the Mayor, July 25, 1928.
To the City Council.

Gentlemen,—Subject to the approval of your honorable body I herewith appoint the following as weighers:

Of Goods: Joseph S. Taylor, 37 Brook avenue, Roxbury; D. W. Gerard, 241 A street, South Boston.

Of Coal: Joseph E. Delay, Boston Fish Market Corporation, Esther Rosenthal, 264 Norfolk avenue, Roxbury.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Laid over one week under the law.

APPOINTMENT OF CONSTABLE.

The following was received:

City of Boston,
Office of the Mayor, July 25, 1928.
To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body, I herewith appoint the following as constable of the City of Boston: Leon Small, 142 Walnut avenue, Roxbury.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Laid over one week under the law.

POLICE AMBULANCE IN CHARLESTOWN.

The following was received:

City of Boston,
Office of the Mayor, July 25, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner, in reply to your order of July 16, 1928, relative to a police ambulance being permanently assigned to the Charlestown district.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

July 20, 1928.

Ida Hibbard, Chief Clerk,

Office of the Mayor, Boston.

Dear Madam,—In reply to your note of the 19th of July, together with inclosure of order of the City Council, passed July 16, 1928, ordering that the Police Commissioner be requested, through his Honor the Mayor, to have a police ambulance assigned permanently to the Charlestown district, I wish to state that I have no appropriation in my budget to provide for a police ambulance or a place to house the same.

In my estimate for police ambulances a year ago I figured on putting an ambulance

in Charlestown, but the item was stricken from the budget and nothing has been done relative to the same since.

I am returning herewith original order of the City Council, copy of which has been kept at this office for our files.

Yours respectfully,
HERBERT A. WILSON,
Police Commissioner.

Placed on file.

RELEASE TO BETHLEHEM COMPANY.

The following was received:

City of Boston,
Office of the Mayor, July 12, 1928.
To the Honorable the City Council,
Boston, Mass.

Gentlemen,—I inclose herein an order authorizing the Mayor of the City of Boston to release to the Bethlehem Shipbuilding Corporation, Limited, all right acquired by the city to lay and maintain water pipes as set forth in said order.

By an instrument in writing recorded with Suffolk Deeds, Book 1511, page 229, in the year 1880 the City of Boston acquired the right to lay and maintain water pipes on Maynard's Wharf, East Boston. The Atlantic Works subsequently took over this property and very lately the Bethlehem Shipbuilding Corporation, Limited, took over the property of the Atlantic Works. No other person or corporation are supplied with water through these pipes and the Water Department has no objection to giving up the pipes and giving a release in the matter.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Ordered, That his Honor the Mayor be, and he hereby is, authorized in the name and behalf of the City of Boston, for a nominal consideration, to execute and deliver in the name and behalf of the City of Boston to the Bethlehem Shipbuilding Corporation, Limited, a corporation organized under the laws of the state of Delaware, an instrument in writing, in form satisfactory to the Law Department of the City of Boston, releasing to the said Bethlehem Shipbuilding Corporation, Limited, all rights acquired by the said city to lay and maintain water pipes on Maynard Wharf from New street, East Boston, to the end of the solid filling on said wharf about 400 feet, more or less, which it acquired by an instrument recorded with Suffolk Deeds, Book 1511, Page 229, on condition that the said Bethlehem Shipbuilding Corporation, Limited, execute and deliver to the said City of Boston, in form satisfactory to the Law Department of said City of Boston, an agreement in writing to hold the said city harmless from all claims and demands for damages growing out of the presence of the said water pipes on or in the said premises or the failure of the said City of Boston to remove or maintain the same.

Referred to Committee on Public Lands.

ADDITIONS AT CITY HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, July 30, 1928.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the president of the City Hospital trustees, in which an additional appropriation of \$36,000 is requested for extra work in connection with additions and alterations to the hospital power plant. The principal item involved in this additional appropriation is the installation of a new roof over the north portion of the present power plant. The Hospital Trustees have been advised by the Building Department that an entirely new roof should be erected over this section of the plant.

In accordance with the provisions of chapter 352 of the Acts of 1924, under which the

work at the power plant is now being carried on, I submit and recommend for adoption by your honorable body the accompanying orders, one providing for the appropriation of \$24,000 outside of the debt incurring power and the other for the appropriation of \$12,000 inside the debt incurring power of the city.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 352 of the Acts of 1924 the sum of \$24,000 be, and the same hereby is, appropriated to be expended by the trustees of the Boston City Hospital for Power Plant, Additions and Alterations, and that to meet said appropriation the City Treasurer be 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.

Ordered, That under authority of chapter 352 of the Acts of 1924 the sum of \$12,000 be, and the same hereby is, appropriated to be expended by the trustees of the Boston City Hospital for Power Plant, Additions and Alterations, and that to meet said appropriation the City Treasurer be 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.

Referred to Committee on Finance.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, July 30, 1928.
To the City Council.

Gentlemen,—I am in receipt of the attached requests for transfers within departmental appropriations and respectfully recommend adoption of the accompanying orders.

Respectfully,
MALCOLM E. NICHOLS, 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 Public Welfare Department:

From the appropriation for Central Office, A-1, Permanent Employees, Visitors, 22 at \$1,600 to \$2,200 a year, \$125, to the appropriation for Temporary Home, A-2, Temporary Employees, \$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 transfer in the appropriations for Institutions Department:

From the appropriation for Long Island Hospital, A-1, Permanent Employees, Occupational Therapist, 1 at \$1,200 a year, \$700, to the appropriation for Long Island Hospital, A-1, Permanent Employees, Occupational Therapist, 1 at \$1,500 a year, \$700.

From the appropriation for Rainsford Island, Care of, \$1,000, to the appropriation for Long Island Hospital, A-2, Temporary, \$1,000.

From the appropriation for Central Office, G-3, Incidentals, \$1,038.74, to the appropriation for Central Office, A-1, Permanent Employees, Watchmen, 2 at \$1,200 a year, \$1,038.74.

From the appropriation for Central Office, C-4, Motor Vehicles, \$200, to the appropriation for Central Office, A-3, Unassigned, \$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 Superior Court, Criminal Session:

From the appropriation for A-1, Permanent Employees, Clerks, Assistant, 4 (3) at \$4,080 a year, \$2,844.67, to the appropriation for

A-1. Permanent Employees, Clerk, First Assistant, 1 at \$4,420 a year, \$2,844.67.

From the appropriation for A-1, Permanent Employees, Interpreters (2) 1, at \$2,500 a year, \$2,409.72, to the appropriation for A-1, Permanent Employees, Interpreter, 1 at \$2,750 a year, \$2,409.72.

From the appropriation for A-2, Temporary Employees, \$478.04, to the appropriation for A-1, Permanent Employees, Clerk, First Assistant, 1 at \$4,420 a year, \$237.07; Interpreter, 1 at \$2,750 a year, \$240.97.

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 Suffolk County Courthouse, Custodian:

From the appropriation for A-1, Permanent Employees, Janitors, 23 at \$32 a week, \$85, to the appropriation for A-2, Temporary, \$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 Printing Department:

From the appropriation for A-1, Permanent Employees, Compositors, 29 at \$42.25 a week, \$2,000, to the Appropriation for F-14, Moving Expense, \$2,000.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committee named, viz.:

Claims.

J. B. Ballem, for compensation for damage to automobile on ferryboat.

Joseph L. Barry, for compensation for damage to car by city wagon.

Charles H. Bell, for compensation for damage to automobile caused by an alleged defect in Ohio street.

Susan E. Birmingham, for compensation for injuries caused by an alleged defect at 612 East Broadway.

Margaret Bryan, for compensation for injuries caused by an alleged defect in Merchant's row.

Muriel G. Calow, for compensation for injuries caused by an alleged defect in Boylston and Jersey streets.

Charles F. Campbell, for compensation for damage to property at 31 Oak avenue, caused by blasting.

Ellen Caulfield, for compensation for damage to property at 272 Havre street, caused by backing up of sewage.

Aubrey J. Collins, M. D., to be reimbursed for treatment of school children.

Esther J. Collins, for compensation for injuries caused by an alleged defect at 435 E. Sixth street.

Mrs. Mary A. Collins, for compensation for damage to property at 4 Middleton street, caused by backing up of sewage.

Marshall W. Cox, for refund on refuse tickets.

Annie E. Curley, for compensation for injuries caused by an alleged defect at 459 Hyde Park avenue.

Leo E. Ducey, Jr., for compensation for injuries caused by an alleged defect at 377 Bunker Hill street.

Alexander Freeman, for compensation for damage to automobile by city car.

Fritz-Carlton Hotel, for refund on refuse tickets.

Joy Lock Tea Garden, for refund on victualler's license.

Thomas J. Gilmore, for compensation for damage to property caused by an alleged defect in Massachusetts avenue.

Mrs. Catherine Hickey, for compensation for damage to property at 274 Havre street, caused by backing up of sewage.

Charles Kazarian, for compensation for damage to automobile caused by an alleged defect in Columbus avenue.

John J. Kelleher, for compensation for damage to property at 35 Bickford street, caused by a break in sewer pipe.

Thomas J. Kirwan, for compensation for damage to property at 288 Marginal street, caused by defective catch-basin.

Joseph Labagnara, for compensation for damage to automobile caused by an alleged defect in Merrimac street.

Harrison M. Lerner, for compensation for injuries caused by an alleged defect at 37 Mathew street.

Jeremiah Litkind, for compensation for damage to automobile by city truck.

Massachusetts Democratic Women's Club, for refund on permit for use of Paneuil Hall.

Mrs. C. H. McKee, for compensation for injuries caused by ball thrown from Christopher J. Lee Playground.

Joseph Morano, for compensation for damage to property at 37 Chelsea street, caused by water from street.

Frank Mosetti, for compensation for damage to property at 116 Gladstone street, caused by defective sewer pipes.

Marion C. Nickerson, for compensation for injuries caused by an alleged defect at 284 Main street.

William F. O'Regan, for compensation for damage to automobile caused by an alleged defect at 10 Winter street, Dorchester.

Jesse A. Phinney, for compensation for damage to property at 8 Warren place, caused by backing up of sewage.

Mrs. Mary Reddish, for compensation for injuries caused by an alleged defect in Roxbury street.

Nina L. Rund, for compensation for damage to automobile caused by an alleged defect at 60 Rockdale street.

John J. Ryan, for compensation for damage to automobile caused by city cart.

Jacob Sava, for compensation for injuries caused by city truck.

Samuel Sava, for compensation for injuries and damage to automobile caused by city truck.

Fred M. Seaton, for compensation for damage to automobile caused by an alleged defect at 314 Commercial street.

David Shapiro, for compensation for damage to car by city truck.

Rebecca Silverman, for compensation for injuries caused by an alleged defect at 729 Morton street.

Lorenzo Sindoni, for compensation for damage to property at 284 Havre street, caused by backing up of sewage.

John M. Stevens and James M. Galvin, for compensation for injuries caused by ash truck.

Morris Titlebaum, for compensation for injuries caused by an alleged defect at 243 Washington street.

Mary Wallace, for compensation for injuries caused by an alleged defect at 85 Bernard street, Dorchester.

Marion Walsh, for compensation for damage to property at 422 Fifth street, caused by shutting off water.

Emanuel White, for refund on sidewalk license.

Emanuel White, for refund on awning privilege.

Francis C. White, for compensation for damage to automobile caused by an alleged defect in Linden Park street.

W. A. Wood Company, for compensation for damage to truck by city truck.

Edward Blouin, for compensation for damage to automobile by city truck.

CONSTABLES' BONDS.

The constables' bonds of Frank J. Thomas and Morris J. Mandel, having been duly approved by the City Treasurer, were received and approved.

STORAGE AND SALE OF GASOLENE.

Communications were received from the Street Laying-Out Department of hearings to be held on petitions for storage and sale of gasolene, as follows:

August 6.

Ernest R. Buffinton, 1775 Old Colony Parkway, Ward 16, 3,000 gallons.
Abraham Kepnes, 275 Old Colony avenue, Ward 7, 3,000 gallons.

August 13.

The Morris Garage, 60 Brainerd road, Ward 21, 1,000 gallons.
Nelson P. James, 155-163 Brookline avenue, Ward 21, 15,000 gallons.
Joseph P. Keefe, 20 and 22 Centre street, Ward 9, 2,000 gallons.
Raimonde Fernino, 61 Hyde Park avenue, Ward 18 2,000 gallons.
Charles Upham, 899 Hyde Park avenue, Ward 18, 1,000 gallons.
Mexican Petroleum Corporation, 150 P street, Ward 6, 1,000 gallons.
Morris E. Hatoff, 166 Pleasant street, Ward 15, 2,000 gallons.
Morris E. Hatoff, 3768-3780 Washington street, Ward 19, 2,000 gallons.
Thomas Cheros, 312 Spring street, Ward 20, 1,500 gallons.
Referred to the Executive Committee.

TRACK LOCATION IN CONGRESS STREET.

Notice was received from the Board of Street Commissioners of permission granted to William J. MacDonald *et al.*, trustees, to lay down, maintain and use for the transportation of freight by steam power, tracks at grade, over and across Congress street, first location.

Placed on file.

RESIGNATION OF CONSTABLE.

Notice was received from his Honor the Mayor of the resignation of Abraham S. Singer from the position of constable.

Placed on file.

REMOVAL OF CONSTABLE.

Notice was received from his Honor the Mayor of the removal from the position of constable of the City of Boston, on the recommendation of the Law Department, of Charles F. Weinberg.

Placed on file.

PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds, to the amount of \$10,323.72, from July 18 to July 21, inclusive, for temporary employees, and from July 16 to July 31, inclusive, for regular employees, was received and approved.

RECESS.

The Council voted, on motion of Coun. DOWLING, at 2.26 p. m., to take a recess, subject to the call of the Chair.

The members reassembled in the Council Chamber at 3 p. m., and were called to order by Chairman WARD.

EXECUTIVE COMMITTEE REPORT.

Coun. KEENE, for the Executive Committee, submitted the following reports, viz.:

1. Report on message and several orders (referred today) requesting transfers within departmental appropriations—that the same ought to pass.

Report accepted; said order passed, yeas 17, nays 0.

CLAIMS COMMITTEE REPORT.

Coun. RUBY, for the Committee on Claims, submitted the following report:

1. Report on order (referred July 16) that the sum of \$15 be paid Kathrine M. Carpenter as compensation for loss of fowl killed by dogs.

Report accepted; said order passed.

REPORT OF COMMITTEE ON APPROPRIATIONS.

Coun. FITZGERALD, for the Committee on Appropriations, submitted the following report, viz.:

1. Report on order (referred July 16) that the sum of \$93,750.33 be appropriated for supplementary city and county appropriations—that the same ought to pass.

Report accepted; said order passed, yeas 17, nays 0.

REPORT OF COMMITTEE ON JITNEYS.

Coun. MURPHY, for the Committee on Jitneys, submitted the following report, viz.:

1. Report on petition (referred July 25) of Eastern Massachusetts Street Railway Company for license to operate six or more motor vehicles from Hilltop street to the Boston-Milton line via Granite avenue—that the license be granted.

Coun. MURPHY—Mr. Chairman, I simply want to explain that I am reporting for Coun. Dowd, who is now in the City Hospital as the result of injuries which he received in an automobile accident. The Eastern Massachusetts Street Railway Company have purchased the Massachusetts Coach Company outright and simply want a transfer of their rights over the lines that they are now operating which were granted by this Council to the Massachusetts Coach Company some time ago. It does not mean any further extension. In view of the fact that they have purchased the Massachusetts Coach Company, the Eastern Massachusetts is petitioning for the right to operate the present buses from the Boston-Milton line by way of Granite avenue to Hilltop street, and also on Hilltop street, no local stops to be made in competition with the Boston Elevated Railway, rate of fare to be 10 cents cash with twelve rides for 90 cents—a reduced rate ticket. The Massachusetts Coach Company was granted leave to operate over this line, and there is no change, simply a transfer of the right of the coach company to the Eastern Massachusetts Street Railway.

Coun. WILSON—Mr. Chairman, I cannot let this particular report go by without commenting on the fact that the Eastern Massachusetts Street Railway Company, as is so usual with that company and the Boston Elevated Railway, comes in here today and asks us to vote a bus line which it came in to fight when this particular coach company, if I am correct, came in a matter of some months ago and asked for. In other words, I very much regret to see and want to be on the record as commenting against a street railway company coming in here and opposing an ordinary bus man extending his lines and trying to give service until such time as they can knock him over the head and buy his line at their figure, presumably, and then come in and ask for leave to carry on the very service which they themselves opposed when the original petition came in, and for that reason, although I was in favor of the petition, when presented by the men who were entitled to it, I am now against.

Coun. FISH—Mr. Chairman, do I understand that this is a transfer from one corporation to the other?

Chairman WARD—The Chair understands it is simply that this company had operated this line. There is no extension of the powers which were given to the old bus company which had it, but is simply a transfer, one company having bought the other with the understanding that the same lines would continue to run.

Coun. FISH—I am opposed to any extension going through.

Chairman WARD—The Chair understands there is not any extension; it is simply a transfer.

Coun. MURPHY—Mr. Chairman, I might state again that, as far as this petition is concerned, it simply means a transfer from the Massachusetts Coach Company to the Eastern Massachusetts Street Railway Company, and it does not mean any extension from Hilltop street into Fields Corner, or to any place around Dorchester, which we opposed before in this Council. It simply means that the coach company is willing to sell to the street railway company.

Coun. WILSON—Mr. Chairman, I believe, as far as I am concerned, that that statement is correct, that it is not an extension; but, of course, the net result is that the Eastern Massachusetts Street Railway Company has now said to this original petitioner, "You have got to sell to us at our price, whereupon we will have the line that you have plus our line paralleling which we refused to let you have," and the net result is that the Eastern Massachusetts Street Railway Company get what they were after at their price.

Chairman WARD—The Chair does not know anything about that. The question comes on acceptance of the report.

Coun. WILSON—There are lots of things the Chair does not know about.

Chairman WARD—Those in favor will say "aye," those opposed "no," and it is a vote.

Coun. WILSON—I ask for a roll call, Mr. Chairman.

Report accepted; said license granted, yeas 14, nays, Coun. Bush, Wilson, 2.

REPORTS OF COMMITTEE ON CLAIMS.

Coun. DONOVAN, for the Committee on Public Lands, submitted the following reports, viz.:

1. Report on order (referred December 12, 1927) authorizing sale at public auction, at an upset price of \$4,000, of parcel of land with building thereon on northwesterly side of Washington street and southwesterly side of Metropolitan avenue, West Roxbury, containing 4,898 square feet—that the same ought to pass.

Coun. DONOVAN—Mr. Chairman, I might say that this particular parcel of land is located on Washington street at Metropolitan avenue, and is to be sold at public auction at an upset price of \$4,000, which, in the opinion of the real estate expert of the city, is a fair price. I might say while I am on my feet at this time that the other two parcels are merely sewer easements.

Coun. BUSH—I rise to a point of information, Mr. Chairman. I would like to ask the chairman of the Committee on Public Lands what is the area of that land?

Coun. DONOVAN—I would have to take it from the record there.

Chairman WARD—12,898 square feet, more or less.

Report accepted; said order passed, yeas 17, nays 0.

2. Report on order (referred June 25) leasing to Robert W. Ramsdell, for fifteen years at an annual rental of \$200, certain land near Washington and Morton streets, West Roxbury, taken for Stony brook sewerage work—that the same ought to pass.

Report accepted; said order passed, yeas 17, nays 0.

3. Report on order (referred July 16) granting to Albert W. Engel, executor of the estate of Joseph Engel, a release of easement

taken for sewerage purposes in Ripley street, Jamaica Plain district—that the same ought to pass.

Report accepted; said order passed, yeas 17, nays 0.

CONFIRMATION OF APPOINTMENTS.

The Chair called up No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor July 16, 1928, of John Rule, Mae Saperstein, Alman A. Simone, Peter DiCarlo, John Smith, John A. Wellings, Albert A. Wellings and Augustus J. Wellings, to be Weighers of Coal, and Thomas F. Lalor, to be a Weigher of Goods.

The question came on confirmation. Committee, Coun. Arnold and Parkman. Whole number of ballots 15, yeas 15, and the appointments were confirmed.

APPROPRIATION FOR SIDEWALK CONSTRUCTION.

The Chair called up No. 6 on the calendar, viz.:

6. Ordered, That the sum of \$50,000 be, and hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, for the construction of granolithic sidewalks, and that to meet such expense 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 16, 1928, the foregoing order was read once and passed, yeas 19, nays 1.

The question came on passage of the order. Said order passed, yeas 16, nays, Coun. Parkman, 1.

PLAYGROUND FOR DORCHESTER HIGH SCHOOL FOR BOYS.

The Chair called up No. 7 on the calendar, viz.:

7. Ordered, That the sum of \$75,000 be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission, for the acquisition of land for a public playground adjacent to the present limited athletic field of the Dorchester High School for Boys, and that to meet said expenditure 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 16, 1928, the foregoing order was read once and passed, yeas 20, nays 0.

The question came on passage of the order. Said order passed, yeas 17, nays 0.

LOCKER BUILDING, MARY HEMENWAY PLAYGROUND.

The Chair called up No. 8 on the calendar, viz.:

8. Ordered, That the sum of \$20,000 be, and the same hereby is, appropriated, to be expended under the direction of the Park Commissioners, for the erection of a locker building in Mary Hemenway Playground, Ward 16, and that to meet said appropriation the City Treasurer is authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On July 16, 1928, the foregoing order was read once and passed, yeas 19, nays 1.

The question came on passage of the order. Said order passed, yeas 15, nays, Coun. Dowling, Parkman, 2.

WEST END PARK.

The Chair called up No. 9 on the calendar, viz.:

9. Ordered, That the sum of \$200,000 be, and the same is hereby, appropriated, to be

expended under the direction of the Park Commission, for the purchase of land for park purposes in the West End section of Ward 3, and that to meet said expense the City Treasurer be authorized to meet, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On July 16, 1928, the foregoing order was read once and passed, yeas 19, nays 1.

The question came on passage of the order. Said order passed, yeas 16, nays, Coun. Dowling, 1.

SMITH'S POND PLAYGROUND.

The Chair called up No. 10 on the calendar, viz.:

10. Ordered, That the sum of \$50,000 be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission, for necessary improvements on the Smith's Pond Playground, 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 16, 1928, the foregoing order was read once and passed, yeas 18, nays 2.

The question came on passage of the order. Said order passed, yeas 15, nays, Coun. Dowling, Parkman, 2.

LOCKER BUILDING, BARRY PLAYGROUND.

The Chair called up No. 11 on the calendar, viz.:

11. Ordered, That the sum of \$45,000 be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission, for the construction of a locker building on the Barry Playground, Charlestown, and for the necessary improvements thereon, 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 16, 1928, the foregoing order was read once and passed, yeas 17, nays 3.

The question came on the passage of the order. Said order passed, yeas 15, nays, Coun. Dowling, Parkman, 2.

CONFIRMATION OF APPOINTMENTS.

Coun. RUBY—Mr. Chairman, for the Special Committee on Constables, may I call up at this time, under No. 2 on the calendar, the names of Leonard M. Pike, Fred Barber, Abraham Block, Dwight E. Cummings and John Graumann, and, under No. 3 on the calendar, the name of Charles R. Mennella.

The question came on confirmation. Committee, Coun Wilson and Murphy. Whole number of ballots 16, yeas 16, and the appointments were confirmed.

SURVEY OF STREET LIGHTING SYSTEM.

Coun. FITZGERALD—Mr. Chairman, I move that No. 12 be taken from the calendar.

No. 12 was taken from the calendar, viz.:

12. Ordered, That a sum not exceeding \$6,000 be, and the same hereby is, appropriated, to be expended under the direction of the Mayor for a survey of the street lighting system, said sum to be charged to the Reserve Fund.

The question came on passage of the order. Said order passed, yeas 15, nays, Coun. Bush, Dowling, 2.

REPORT OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. FITZGERALD, for the Committee on County Accounts, submitted the following report, viz.:

1. Report on order (referred June 25) approving salaries of probation officers of the Boston Juvenile Court, as fixed by the justice of said Court—that the same ought to pass.

Coun. FITZGERALD—Mr. Chairman, this is a report of the Committee on Counties on the usual question of the probation officers which we have with us always, and they are always looking for increases. Coun. Mahoney of South Boston has a grievance in this matter, and I think he is justified in his contention; but, as usual, they are all grouped together there, and there is very little that can be done. The committee could not very well single out any one individual, and it is up to the Council to decide what to do. From information we have received it appears that one of the probation officers is not a citizen. Of course, I haven't any proof of that, only what was told to the committee. No proof has been furnished except that from reliable sources we learn that one of these men is not a citizen of this country, has been here only a few years, but he is some authority on this juvenile work and is supposed to understand conditions better than anybody that could be found in this country. However, there is nothing the committee could do. We could not very well single out any one individual, and it would be unfair to the others who are worthy of the increase, and there are one or two clerks there. I will leave Coun. Mahoney to state his case, and I leave it to the decision of the Council.

Coun. MAHONEY—Mr. Chairman, I thought it was fairer that Judge Cabot in his recommendation should state the names and addresses and state whether they were citizens of Boston, as I have been informed, if correct, that one of these gentlemen who is in for the increase is not even a citizen of the United States, and so I thought I would move that the matter be laid on the table, to give myself and the other members who may be interested a chance to check up.

Coun. DOWLING—Mr. Chairman—
Chairman WARD—No debate is in order. The question comes on laying on the table. The order was laid on the table.

SIDEWALK IN WASHINGTON STREET, WARD 20.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk in front of 4236, 4238, 4244 Washington street, 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 (sidewalks only), with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

LIGHTS IN ORCHARDFIELD STREET, WARD 15.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of two additional lights on Orchardfield street, Ward 15, at the Dorchester avenue end.

Passed under suspension of the rule.

SIDEWALK IN GREENWOOD STREET, WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Greenwood

street, full length, both sides, 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 suspension of the rule.

SIDEWALK IN LEXINGTON AVENUE,
WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Lexington avenue, full length, both sides, 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 suspension of the rule.

LAYING OUT ASHCROFT STREET,
WARD 19.

Coun. MURRAY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Ashcroft street, Ward 19, from Perkins to Moraine street, as a public highway.

Passed under suspension of the rule.

SIDEWALK IN TALBOT AVENUE,
WARD 17.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Talbot avenue, northerly side, from (but not including) 442 to and including 450, also in front of 428, 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.

RESURFACING COPELAND STREET,
WARD 12.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Copeland street, Ward 12, with a smooth pavement.

Passed under suspension of the rule.

ANNUITIES TO FAMILIES OF POLICE-
MEN AND FIREMEN.

Coun. WILSON offered the following:

Ordered, That section eighty-nine of chapter thirty-two of the General Laws, as amended by chapter four hundred and two of the Acts of 1908, entitled "An Act Providing for the Payment of Compensation to Widows and Children of Policemen and Firemen who are Killed in the Performance of Duty," be, and the same hereby is, accepted.

Coun. WILSON—Mr. Chairman, despite the fact that nobody in the Council Chamber has heard that particular order read, it is probably as important an order as has been in here today. It concerns the increase in the annuity to be paid to the widow and children under eighteen of any policeman or fireman killed in the performance of his duty. One of the last acts of this Legislature, after

they had stalled the entire year, following the death of a Boston police officer, was to pass an act which this city and every city and town in the state can accept—unfortunately for the family of the Medford police officer, but fortunately for the families of other policemen and other firemen. The more recent death of the Medford police officer again awakened the Legislature, and they have passed this particular act, which is chapter 402 of the Acts of 1928, and it seems to me that it may well be for the City Council that the City of Boston should be the first city in the Commonwealth of Massachusetts to accept this act giving the widow and minor children of an officer or fireman killed in the performance of his duty a little more nearly the remuneration they are entitled to.

Passed under suspension of the rule.

Later in the session the following occurred with respect to this order, viz.:

Coun. GALLAGHER—Mr. Chairman, I ask reconsideration of the bill increasing the annuities to widows and children of deceased firemen and policemen. Several firemen have appeared and asked to be heard on the matter, and I request that reconsideration be granted.

Coun. WILSON—Mr. Chairman, with reference to that motion to reconsider, of course I do not oppose it, coming as it does from another councilor, and I do not oppose it if it is a request by the firemen of the City of Boston. I have no objection to reconsideration except to say that I understand that this particular act is in lieu of an act which allows the payment of something like \$2,500 flat followed by \$600 a year to the widow, no more, without anything to the children, whereas the new act, although it does not present \$2,500 directly, gives the widow while she remains alive, or until she marries again, \$1,000 and \$250 to each child; so that as to the average fireman or policeman who dies in the performance of his duty, his family, his wife and the children, will receive, until they become 18 years of age, approximately three quarters of his pay. I cannot, for the life of me, conceive why it should be opposed, and I had hoped that the city would be the first city in the Commonwealth to accept the benefit of the act. I understand that the Police Department is strongly in favor of it; but, if there is objection, I certainly do not wish to stand in the position of thrusting a benefit upon anybody, except to point out that it is unfortunate that it is not passed today and I would ask the assignment of the order to the next meeting, which, do I understand, is next Monday?

Chairman WARD—I understand so.

The question came on reconsideration, which was adopted, and the order was referred to the Executive Committee.

RESURFACING WASHINGTON PLACE,
WARD 9.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to immediately repair the street surface and the sewer in Washington place, Ward 9, and so remove the menace of accident and disease now threatening that section.

Passed under suspension of the rule.

SIDEWALK REPAIR ON UPTON STREET.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to make the necessary repairs on the sidewalk on Upton street that will remedy the dangerous condition now existing.

Passed under suspension of the rule.

POLICE AMBULANCE, FIELDS CORNER.

Coun. FISH offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to

have a police ambulance assigned permanently to Police Division 11, Fields Corner, Dorchester.

Coun. FISH—Mr. Chairman, I introduce this order at this time because recently in my district there were two accidents, and, unfortunately, when the call for the patrol wagon went in, it was out on another call, which delayed the sick patients, and I believe the councilors from Dorchester—Messrs. Ruby, McMahon and Wilson—are all in favor of that police ambulance.

Passed under suspension of the rule.

ELEVATED STRUCTURE IN CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That the Transit Commission be requested, through his Honor the Mayor, to advise the City Council how long the present Elevated structure in Charlestown has been erected; and if there is any danger of an accident when the Elevated trains are on the curve just before the Sullivan Square terminal is reached; and how long the Elevated structure in Charlestown may be continued to be operated in safety.

Coun. GREEN—Mr. Chairman, I would like to have that order referred to the Committee on Public Safety.

Referred to the Committee on Public Safety.

REPAVING WHITFORD STREET, WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Whitford street, Ward 18.

Passed under suspension of the rule.

NAMING SQUARE AT JAMAICAWAY AND PERKINS STREET.

Coun. MURPHY, at the request of Coun. Deveney, offered the following:

Ordered, That the space at the junction of Jamaica way and Perkins street, Jamaica Plain, be named Roger M. Griffin square, in memory of said Griffin, who died as a result of injuries received while in the service of the United States in the World War, and that suitable signs be erected to designate the same.

Coun. MURPHY—Mr. Chairman, I have been requested by Coun. Deveney to present that order, and I want it to so appear of record.

Passed under suspension of the rule.

REPAVING ALMONT STREET, WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving, Almont street, Ward 18.

Passed under suspension of the rule.

LAYING OUT ASHTON STREET, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway, Ashton street, Ward 14, from Frontenac street to Callender street.

Passed under suspension of the rule.

LAYING OUT DEVON STREET, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners, through his Honor the Mayor, be requested to accept and lay out as a public

highway, Devon street, from Columbia road to Vaughan avenue, Ward 14.

Passed under suspension of the rule.

REPAVING BLUE HILL AVENUE.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with permanent smooth paving, Blue Hill avenue, from Seaver street to Talbot avenue, Ward 14.

Coun. RUBY—Some time ago, Mr. Chairman, I presented a loan order for \$50,000 for the repaving of Blue Hill avenue, from Seaver street to Talbot avenue. That loan order received favorable consideration from the Committee on Finance, to which it was referred, after which it received favorable consideration from the Council, but on July 16 his Honor the Mayor vetoed that order, with this suggestion:

"I am advised by the Commissioner of Public Works that this section of Blue Hill avenue is high, has a good crown, and while there are a few orientations and rough spots, they are not such that they cannot be smoothed out and the roadway flush-coated if we had a few weeks of dry weather."

On the very same day, on July 16, after the Mayor had approved the expenditure of \$5,000 to do some repaving work in this particular section, the men from the South Boston and Dorchester yards, if I am correctly informed, were sent out to the particular area with a view to repaving that particular section through the "penetration method," so called. During the entire week of July 16, while this work was in progress, it was not possible for a storekeeper or a tenant who lived on Blue Hill avenue in this particular area to keep a window or door open. The dust from that job was so intense that it became necessary for several of the department heads to come out to that section to see what they could do to remedy a very bad situation, as they themselves could see. I am not blaming anybody in particular. I am not blaming his Honor because he must have been informed through some source that a penetration job would be what was necessary in that district, and he vetoed the order. I am not blaming the head of that particular department because I am honestly convinced that he tried to do for that section what could possibly be done. I am not blaming Mr. Connell, who had direct charge of the work coming from the Dorchester yard, because he was on the job eight hours a day trying to remedy an unsatisfactory condition. The men charged with this work did everything they humanly and possibly could do to do the work without any hardship to the people of the district; but I invite the Commissioner of Public Works, I invite his Honor the Mayor to take a trip through that section today, less than one week old, and they will find the job as has been done, in my opinion and in the opinion of men in the department who have seen it, the worst job that ever could be done in the City of Boston on a temporary or permanent repaving job. Now, Blue Hill avenue in that section is considered the most automobile-congested traffic section in Boston, and Professor McClintock, in his traffic survey, has recommended that that street be a through street, realizing the importance of that thoroughfare. Today that thoroughfare is practically impossible for any automobile because of the indentations in the street, even though somebody has been paid in the last week to have the work done. And I have presented this order with nothing in view but to have somebody charged with the duty to go out and see that thoroughfare, and then, if the situation is as I represent it and is as you will find it, a permanent repave job may be done there as soon as possible. I ask for the passage of the order.

Passed under suspension of the rule.

Adjourned at 3.40 p. m., on motion of Coun. ARNOLD, to meet on Monday, August 6, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council

Monday, August 6, 1928.

Regular meeting of the City Council held in the City Council Chamber, City Hall, at 2 p. m., President GREEN presiding. Absent, Coun. McMahon and Wilson. The President designated Coun. Ruby to preside.

JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, the Mayor absent, viz.:

Eighty-nine traverse jurors, Superior Criminal Court, First Session, to appear September 4, 1928:

Charles Benson, Ward 1; Isador B. Fernekes, Ward 1; Daniel C. Lane, Ward 2; Henry E. McNeley, Ward 2; John J. O'Connell, Ward 2; John F. Finnigan, Ward 3; Patrick H. McCarthy, Ward 3; Edward W. Egan, Ward 4; Frederick J. Ellis, Ward 4; William W. O'Neil, Ward 4; Frederick C. McLaughlin, Ward 5; Max Stanga, Ward 5; Walter J. F. Gustin, Ward 7; John C. McManus, Ward 7; Frank H. Volmershausen, Ward 7; Charles I. Mullen, Ward 8; Edward Yates, Ward 8; Watt S. Oliver, Ward 9; William H. Sullivan, Ward 9; Michael J. Harney, Ward 10; Owen McGovern, Ward 10; Thomas H. Morgan, Ward 10; John F. O'Malley, Ward 10; Jacob J. Sauer, Ward 10; Charles J. Shea, Ward 10; John A. Breen, Ward 11; William E. Conry, Ward 11; Lawrence F. Moore, Ward 11; Joseph R. Black, Ward 12; Francis J. Carty, Ward 12; George A. Castle, Ward 12; Charles Miller, Ward 12; Frederick W. Watts, Ward 12; William T. Corbett, Ward 13; Edwin B. Hill, Ward 13; James H. Kelly, Ward 13; James McKenna, Ward 13; Eugene F. McNulty, Ward 13; John A. O'Donnell, Ward 13; Charles A. Stewart, Ward 13; Philip Cohen, Ward 14; Abraham Leondar, Ward 14; Carl J. Marion, Ward 14; Thomas J. Brennan, Ward 15; Lewis F. Cardarelli, Ward 15; William P. Breen, Ward 16; Harry O. K. Hanson, Ward 16; Hans M. Larsen, Ward 16; Thomas F. McArdle, Ward 16; Arthur H. Tate, Ward 16; John H. Galvin, Ward 17; John R. Griffin, Ward 17; John M. Moore, Ward 17; Herbert E. Stone, Ward 17; Hugh C. Toland, Ward 17; Horace Beaumont, Ward 18; Harry H. Hall, Ward 18; Charles E. Harfinger, Ward 18; William E. Holtham, Ward 18; Frederic W. Hooper, Ward 18; Arthur L. MacDonald, Ward 18; Watkin Sedgewick, Ward 18; Robert M. Yule, Ward 18; John J. Wakefield, Ward 18; Carl F. Cott, Ward 19; Frederick W. Steele, Ward 19; Charles M. Urlass, Ward 19; Frank Todesca, Ward 19; George W. Bicknell, Ward 20; Joseph H. Dearborn, Ward 20; Harry Fairbanks, Ward 20; Charles Herbert W. Garland, Ward 20; Theodore C. Gates, Ward 20; Albert M. Johnson, Ward 20; Stephen J. Lent, Ward 20; George H. Morton, Ward 20; Ernest W. Perkins, Ward 20; Conrad C. Saxer, Ward 20; Alfred Smart, Ward 20; Frank B. Stiles, Ward 20; John F. Dalton, Ward 21; George A. Kennedy, Ward 21; William H. McLean, Ward 21; Frederick W. Rink, Ward 21; Thurston L. Smith, Ward 21; James A. Bayer, Ward 22; Timothy J. Fallon, Ward 22; Edward V. Lynch, Ward 22; Perry H. Munroe, Ward 22.

Twenty-seven traverse jurors, Superior Criminal Court, Second Session, to appear September 4, 1928:

Cornelius O'Rourke, Ward 1; Pasquale Catino, Ward 3; Frank T. Marston, Ward 4; Jacob Bronkhorse, Ward 7; Martin Feeley, Ward 7; Elmer E. Crockett, Ward 9; Francis

F. Tische, Ward 10; Thomas J. O'Brien, Ward 11; David R. Spicer, Ward 11; Claxton B. Moulton, Ward 12; Harry F. Bourneuf, Ward 13; Arthur E. Wilson, Ward 13; Nathan Davis, Ward 14; William R. McMenimon, Ward 14; Harry W. Lunt, Ward 17; Charles J. Mullin, Ward 17; John A. Norton, Ward 17; Richard J. Doyle, Ward 18; Edward W. Hall, Ward 18; Carl G. Magnuson, Ward 18; Louis H. Mahn, Ward 18; James Dickson, Ward 19; Nelson W. Hart, Ward 20; Charles E. Beckwith, Ward 21; Frederick E. Wayne, Ward 21; Thomas E. Clear, Ward 22; Albert F. Whittemore, Ward 22.

VETO OF SMITH'S POND PLAYGROUND APPROPRIATION.

The following was received:

City of Boston,
Office of the Mayor, August 1, 1928.
To the City Council.

Gentlemen,—I return herewith, without my approval, your order in the sum of \$50,000 for necessary improvements on the Smith's Pond Playground.

Inasmuch as this order deals with the work of the Special Committee on Playgrounds, I have referred this question without prejudice to that committee to consider with other projects relating to playgrounds.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

Placed on file.

VETO OF MARY HEMENWAY PLAYGROUND APPROPRIATION.

The following was received:

City of Boston,
Office of the Mayor, August 1, 1928.
To the City Council.

Gentlemen,—I return herewith, without my approval, your order in the sum of \$20,000 for the erection of a locker building in Mary Hemenway Playground, Ward 16.

Inasmuch as this order deals with the work of the Special Committee on Playgrounds, I have referred this question without prejudice to that committee to consider with other projects relating to playgrounds.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

Placed on file.

VETO OF BARRY PLAYGROUND APPROPRIATION.

The following was received:

City of Boston,
Office of the Mayor, August 1, 1928.
To the City Council.

Gentlemen,—I return herewith, without my approval, your order in the sum of \$45,000 for the construction of a locker building on the Barry Playground, Charlestown, and for the necessary improvements thereon.

Inasmuch as this order deals with the work of the Special Committee on Playgrounds, I have referred this question without prejudice to that committee to consider with other projects relating to playgrounds.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

Placed on file.

VETO OF DORCHESTER PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, August 1, 1928.
To the City Council.

Gentlemen,—I return herewith, without my approval, your order in the sum of \$75,000

for the acquisition of land for a public playground adjacent to the present athletic field of the Dorchester High Schools for Boys.

Inasmuch as this order deals with the work of the Special Committee on Playgrounds, I have referred this question without prejudice to that committee to consider with other projects relating to playgrounds.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

VETO OF WEST END PARK APPROPRIATION.

The following was received:

City of Boston,

Office of the Mayor, August 2, 1928.

To the City Council.

Gentlemen,—I return herewith, without my approval, your order in the sum of \$200,000 for the purchase of land for park purposes in the West End section of Ward 3.

Inasmuch as this order deals with the work of the Special Committee on Playgrounds, I have referred this question without prejudice to that committee to consider with other projects relating to playgrounds.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

MICHAEL F. CAHILL BEQUEST.

The following was received:

City of Boston,

Office of the Mayor, August 3, 1928.

To the City Council.

Gentlemen,—I beg to inform you that Michael Francis Cahill, late of Boston, deceased, by his last will left certain property in trust to the City of Boston. The will makes several small bequests to relatives and friends and leaves the residue of his estate to trustees, to hold and manage the same, and out of the net income to pay certain sums to relatives named in the will and upon the death of the last survivor of the said relatives Mr. Cahill gives the entire trust fund to the City of Boston, in trust, to use the income of the same for some new or special recreation for the people of the City of Boston, which has not been provided for by other funds or trusts now held by said city. The portion of the will to which I particularly call your attention is as follows:

" . . . All the rest, residue and remainder of my estate, both real and personal I give, devise and bequeath to Edward J. O'Neil, now of 43 Kilby Street, Boston, Massachusetts and Margaret M. Berglof, now of 710 Second Street, Boston, Massachusetts, in trust for the following uses and purposes.

To hold and manage the same, and out of the net income thereof to pay to my sister Mrs. John M. Shea, Twenty Dollars (\$20.00) a week, during her natural life, or in the event that said net income should not amount to Twenty Dollars (\$20.00) a week, then to pay all of said net income to my said sister. After making payments as above provided to my said sister, I direct my Trustees, hereinafter named, to pay to my said sister, Mrs. John M. Shea, to my brother John Cahill and to my brother Patrick Cahill in equal shares, the balance of said net income, if any.

In the event of the death of either one of my said sister or my said brothers I direct that the balance of said income shall be paid equally to the survivors, and upon the death of either of said two survivors then I direct that the whole of the balance of said net income shall be paid to the last survivor.

Upon the death of the last survivor of my brothers and sister I hereby give, devise and bequeath the said trust fund to the City of Boston, in trust, nevertheless, to use the income of the same for some new or special recreation for the people of the City of Boston which has not been provided for by

other funds or trusts now held by said City. Said trust fund shall be known as "The Michael Francis Cahill Fund" and shall be managed and controlled by three Trustees, one of whom shall be the Mayor of Boston for the time being, the second shall be named by the Boston Chamber of Commerce and the third shall be selected by the first two"

The inventory of Mr. Cahill's estate shows that Mr. Cahill left at the time of his death personal property to the amount of \$150,396.35. There were also certain patent rights which Mr. Cahill owned at the time of his death. These patent rights, however, I am informed, will soon expire. Mr. Cahill was also possessed at the time of his decease of real estate valued at approximately \$266,175 minus a blanket mortgage of \$45,000 upon all his real estate, which is held by the Union Savings Bank of Boston.

I recommend the passage of the accompanying order.

MALCOLM E. NICHOLS, Mayor.

Whereas, Michael Francis Cahill of Boston died on the fourth day of January, 1928, leaving a will which was allowed by the Probate Court for the County of Suffolk on the first day of March, 1928; and

Whereas, By said will the said Michael Francis Cahill after leaving several small bequests left the residue of his estate to trustees named in the will to pay the income of said Trust Fund to certain persons named in said will and upon the death of the survivor of said last mentioned persons the said Michael Francis Cahill gave, bequeathed and devised the above mentioned Trust Fund to the City of Boston in trust nevertheless to use the income of the same for some new or special recreation for the people of the City of Boston which has not been provided for by other funds or trusts now held by said City; and

Whereas, The said will provided that the said Trust Fund shall be known as "The Michael Francis Cahill Fund" and shall be managed by three trustees, one of which shall be the Mayor of Boston for the time being, the second shall be named by the Chamber of Commerce and the third shall be selected by the first two.

Now, therefore, it is hereby ordered, that the above named bequest and devise be, and the same hereby is, accepted by the said City of Boston according to the terms set forth in said will.

Referred to Executive Committee.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committee named, viz.:

Claims.

Charles A. Cummings, for compensation for damage to automobile by city car.

Nicholas DeFronzo, for compensation for injuries caused by an alleged defect in Paris street, East Boston.

Theresa Dunn, for compensation for injuries caused by an alleged defect in Orchard street.

Edward Goodman, for compensation for damage to property at 39 Wentworth street, caused by ash team.

Reginald D. Hildred, for compensation for damage to automobile caused by an alleged defect in Columbus avenue.

J. F. Kennedy, for compensation for damage to automobile by city car.

Arthur J. Logan, for compensation for injuries caused by an alleged defect in Columbus Park.

Arthur E. Mace Company, Inc., for refund on refuse tickets.

George E. McBarron, for compensation for damage to automobile by fire apparatus.

Mechling Brothers Chemical Company, for compensation for damage to truck by city truck.

Russell H. Webster, for compensation for damage to automobile caused by an alleged defect at 418 Massachusetts avenue.

J. White, for compensation for damage to truck by ash team.

William L. Anderson, for compensation for damage to automobile, due to alleged defect in front of number 639 Morton street.

Mae F. Howard, for compensation for personal injuries due to alleged defect in front of 410 Hyde Park avenue, Roslindale.

Walton Lunch Company, for refund on unused refuse tickets.

Samuel Ficara, for compensation for damage to automobile by city cart.

George McCaine, for compensation for damage to wagon by city cart.

Marie Rabita, for compensation for personal injuries due to an alleged defect in front of 10 Prince street.

Max Rubin, for compensation for damage to property by city truck.

CONSTABLES' BONDS.

*The constables' bonds of John Graumann and Dwight E. Cummings, having been duly approved by the City Treasurer, were received and approved.

STORAGE AND SALE OF GASOLENE.

A communication was received from the Street Laying-Out Department of a hearing to be held on the following petition for storage and sale of gasolene, viz.:

September 4.

E. A. Robbins, 43 Penniman road, Ward 21, 1,000 gallons.

Referred to the Executive Committee.

APPOINTMENT OF SANITARY INSPECTORS.

Notice was received from the Health Commissioner of the appointment as Sanitary Inspectors of Joseph F. Jefferson, Ralph R. Martin, and Frank A. Kelley.

Placed on file.

SALARIES OF POLICE MATRONS.

The following was received:

City of Boston,

Police Department, July 31, 1928.

Honorable City Council, Boston,

Gentlemen,—As provided in section 2, chapter 234, Acts of 1887 (amended by section 10, chapter 291, Acts of 1906), I respectfully request the concurrent action of your body in fixing, as hereinafter set forth, the salaries of the matrons assigned to Police Divisions 7 and 14 of this department, located in the East Boston and Brighton districts, respectively:

Matron at Police Division 7.

Proposed increase one hundred and fifty (150) dollars, from \$250 to \$400 per annum, effective as of August 1, 1928.

Matron at Police Division 14.

Proposed increase one hundred (100) dollars, from \$300 to \$400 per annum, effective as of August 1, 1928.

There are in this department at the present time station-house matrons attached to five police divisions, with annual compensations ranging from one at \$720; two at \$400 each; one at \$300; and one at \$250.

On a recent date the matron at Police Division 7, East Boston district, resigned. Her annual compensation was at the rate of \$250.

As I am informed that a matron at that station is called on at least two or three times a week, I feel that the compensation for the

position should be the same as the matrons at Police Divisions 13 and 19, Jamaica Plain and Mattapan districts, respectively, who each receive \$400 per annum.

The matron at Police Division 14, Brighton district, receives \$300 per annum, and like other station-house matrons, is subject to call at any time.

While fixing the pay of the matron for Police Division 7, I consider it an opportune time to propose an increase in the pay of the matron for Police Division 14 of \$100, or from \$300 per annum, the present rate, to \$400 per annum, a new rate.

The increases I consider are for the good of the service, and will help to retain these women in their positions.

Respectfully,

HERBERT A. WILSON,
Police Commissioner.

Ordered, That in concurrence with the Police Commissioner the salaries of police matrons be established as follows, to take effect as of August 1, 1928, viz.:

Division 7, one matron, \$400 per annum.

Division 14, one matron, \$400 per annum.

Referred to the Executive Committee.

LICENSES FOR NEWSBOYS AND VENDORS.

The applications of forty-six newsboys and twenty-five vendors for licenses were received and granted by the Council.

STUDY OF NEW EAST BOSTON TUNNEL.

Coun. KEENE offered the following:

Ordered, That a Committee of three members of the City Council be appointed by the President for the purpose of making a study of the advantages of the proposed new traffic tunnel to East Boston over the present ferry system.

Coun. KEENE—Mr. Chairman, inasmuch as the Legislature has passed a law making it possible for the city to construct a tunnel to East Boston, and also in view of the fact that, earlier in the year, the Mayor submitted a message to the Council calling the attention of the Council to the cost of the present maintenance of the East Boston Tunnel, accompanying which was a table showing the increase from year to year—and, if my memory serves me correctly, the total deficit today is approximately thirteen millions—I thought it might be wise for the Council at this time, in the first instance, to make a study of the situation so that we might be advised of the details of the present system, and the possible advantage of some future arrangement. I thought it would be wise to introduce an order, and I would ask for a suspension of the rule and the passage of the order.

Passed under a suspension of the rule.

PAYMENT TO WIDOW OF JOHN J. HEFFERNAN.

Coun. DOWLING offered the following:

Ordered, That chapter 329 of the Acts of 1928, entitled "An Act Authorizing the City of Boston to Pay a Certain Sum of Money to the Widow of John J. Heffernan," be, and the same hereby is, accepted.

Ordered, That under the provisions of chapter 329 of the Acts of 1928, there be allowed and paid to the widow of John J. Heffernan the balance of the salary to which he would have been entitled had he lived and continued to serve as a city councilor until the end of the term for which he was elected; the amount so paid to be charged to the Reserve Fund.

Referred to the Executive Committee.

APPOINTMENT OF PROBATION OFFICER, JUVENILE COURT.

Coun. MAHONEY offered the following:

Ordered, That the chairman of the Committee on County Accounts be requested to call a meeting of this committee at the earliest available date, and to invite Judge Cabot of the Boston Juvenile Court to attend such meeting and to explain to the committee the reasons for the appointment as probation officer of Hans Weiss, an alien.

Coun. MAHONEY—Mr. Chairman, my reason for introducing the order is that, last week, when the chairman of the Committee on County Accounts submitted a report, on the recommendation of Judge Cabot, increasing the salaries of five probation officers in the Boston Juvenile Court, I requested that the report be laid on the table as I had information that one of these five probation officers was an alien who had never acquired American citizenship, and I wished to verify the truth of the statement which had been made to me. I have investigated this matter, and find that, in 1921, a man named Hans Weiss, and who now resides at 4 West Cedar street, emigrated from Switzerland to the United States; in 1924 he filed his declaration of intention to become a citizen of the United States, and in this declaration he stated his occupation was probation officer. In July of this year he applied for his second papers in the United States District Court in Boston, but this application will not be considered until after the state election in November. Something over two years and a half ago, Judge Cabot, who under the statute is allowed to appoint deputy probation officers, gave one of these positions to the alien, Weiss, who was also receiving a salary of \$80 a week from the Harvard Crime Investigation Survey. Upon the death of Mr. Bresnahan, probation officer of the Juvenile Court, Judge Cabot, on April 6 last, appointed Hans Weiss, an alien owing allegiance to the Republic of Switzerland, to fill the vacancy, at a salary of \$2,300 a year, this alien's salary being paid by the taxpayers of Suffolk County from money appropriated by this City Council. I am informed that he has since been increased to \$2,400, and now Judge Cabot seeks a further increase for him to \$2,500. I have thought this matter over carefully and am still unable to see why an alien, a citizen of a European nation and owing no allegiance to the United States of America, should have authority over citizens of this country, and deal with the delicate problems of probation, in a land and among a people with whose customs and ideals and habits of living he cannot familiarize himself, in the space of seven years, sufficiently to enable him to deal properly with the American-born children and their parents whose troubles are referred to him to solve. I am therefore asking the Committee on County Accounts to hold a meeting next week and invite Judge Cabot to appear before it to explain why, with his experience and qualification on the Bench of the Commonwealth, he has seen fit to appoint a non-citizen of the United States to this important position.

Passed under suspension of the rule.

REPAVING FOURTH STREET, WARD 6.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Fourth street, Ward 6, and to properly align the edgestone on that street.

Passed under suspension of the rule.

CONFIRMATION OF APPOINTMENTS.

The Chair called up No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor, July 30, 1928, of Joseph S. Taylor,

D. W. Gerard and Joseph E. Delay, to be Weighers of Goods; and Esther Rosenthal, to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Fish and Fitzgerald. Whole number of ballots 17, yeas 17, and the appointments were confirmed.

CONFIRMATION OF CONSTABLE.

The Chair called up No. 2 on the calendar, viz.:

2. Action on appointment submitted by the Mayor, July 30, 1928, of Leon Small, to be a Constable.

The question came on confirmation. Committee, Coun. Mahoney and Sullivan. Whole number of ballots 17, yeas 17, and the appointment was confirmed.

RECESS.

The Council voted, on motion of Coun. ARNOLD at 2.40 p. m., to take recess, subject to the call of the Chair.

The members reassembled in the Council Chamber at 3.10 p. m. and were called to order by President GREEN.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following reports, viz.:

1. Report on order (referred today) that chapter 329 of the Acts of 1928, entitled "An Act Authorizing the City of Boston to Pay a Certain Sum of Money to the Widow of John J. Heffernan," be accepted—that the same ought to pass.

Report accepted; said order passed.

2. Report on order (referred today) that, under the provisions of Acts 1928, chapter 329, there be allowed and paid to the widow of John J. Heffernan the balance of salary to which he would have been entitled had he lived and continued to serve as a City Councilor—that the same ought to pass.

Report accepted; said order passed.

3. Report on order (referred today) in concurrence with the Police Commissioner, increasing the salaries of police matrons at Divisions 7 and 14—that the same ought to pass.

Report accepted; said order passed.

4. Report on message and order (referred today) accepting the bequest and devise under the will of Michael Francis Cahill—that the same ought to pass.

Report accepted; said order passed.

REPORT OF COMMITTEE ON UNCLAIMED BAGGAGE.

Coun. KEENE—Mr. President, as chairman *pro tem* of the Committee on Unclaimed Baggage, I have this report to make, viz.:

1. Report on order (referred July 11) that the Boston & Maine Railroad be authorized to sell at public auction, on or before September 15, 1928, the articles remaining unclaimed in the possession of said railroad in the City of Boston—that the same ought to pass.

Report accepted; said order passed.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. DOWD, for the Special Committee on Jitney Licenses, submitted the following report, viz.:

1. Report on petition of Oakdale Community Garage and Bus Line (referred March

5, 1828) for a license to operate from Charles river at Spring street to the terminus of the Boston Elevated Street Railway—that the same ought to pass.

Coun. DOWD—Mr. President, a word of explanation to the Council is in order. The Oakdale Community Garage and Bus Line is running from Dedham to the Spring street line on the Dedham side, and they now desire to come over to the Boston side on Spring street, traveling a distance of 600 or 700 feet. There is no objection by the Boston Elevated to the granting of this license,—in fact, they welcome the co-operation of the Oakdale Community Garage and Bus Line in bringing this petition. They simply desire to come 600 feet over the bridge at Spring street on the Boston side.

Coun. KEENE—Mr. President, I might add that the order submitted would be a convenience for the people, in particular, in my community, because of the fact that when they get off the bus on the Dedham line they have to walk for a distance of approximately 800 feet.

Report accepted; said license granted.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. DONOVAN, for the Committee on Public Lands, submitted the following report, viz.:

1. Report on message and order (referred July 30) authorizing release to Bethlehem Shipbuilding Corporation, Ltd., of all rights acquired by the City of Boston to lay and maintain water pipes on Maynard Wharf, East Boston—that the same ought to pass.

Report accepted; said order passed, yeas 16.

REPAVING WALNUT PARK, WARD 11.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Walnut Park, Ward 11.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted report recommending order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of August, 1928.

Report accepted; said order passed.

PLAYGROUND IN EAST BOSTON.

Coun. DONOVAN submitted the following:

Ordered, That the sum of one hundred thousand dollars be, and hereby is, appropriated, to be expended under the direction of the Park Department for the purchase of land in what is known as Fourth Section area of East Boston, and the grading, construction, etc., thereof as a playground, and that to meet said 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.

Referred to the Committee on Finance.

SHELTER AT TENEAN BEACH.

Coun. FISH offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to provide a wooden shelter for the bathers at Tenean Beach, Ward 16.

Passed under suspension of the rule.

MOTHERS' REST IN HYDE PARK.

Coun. MURPHY offered the following:

Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to provide for a Mothers' Rest in the Corriganville section of Hyde Park, Ward 18, properly equipped with swings and slides.

Coun. MURPHY—Mr. President, I have introduced this order for the purpose of trying to get some way in the Corriganville section whereby the children can get an opportunity to have some swings and slides; also to have a place where the mothers can sit. In this particular section of Hyde Park we have absolutely no playground facilities of any kind, and I hope that his Honor the Mayor will give it careful consideration and grant the request.

Passed under suspension of the rule.

APPOINTMENT OF EAST BOSTON TUNNEL COMMITTEE.

President GREEN—The Chair will announce that the special committee to study the tunnel and ferry situation at East Boston will consist of Coun. Keene, Fitzgerald and Donovan.

NEXT MEETING.

On motion of Coun. KEENE, it was voted that when the Council adjourned, it be to meet on Monday, August 20, at 2 p. m.

Adjourned at 3.32 p. m., on motion of Coun. SULLIVAN, to meet on Monday, August 20, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, August 20, 1928.

Regular meeting of the City Council, held in the City Council Chamber, City Hall, at 2 p. m., President GREEN presiding. Absent, Coun. Dowling.

APPOINTMENT OF CONSTABLES.

The following was received:

City of Boston,
Office of the Mayor, August 16, 1928.
To the City Council.

Gentlemen,—Subject to the approval of your honorable body, I herewith appoint the following persons as constables of the City of Boston:
Joseph Maurice Weinberg, 27 Warren avenue;
Lewis C. Speare, 10 Mt. Pleasant avenue; Joseph Labagnara, 26 Battery street; Michael M. Plepys, 324 E street.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.
Laid over one week under the law.

VETO—NAMING OF SQUARE.

The following was received:

City of Boston,
Office of the Mayor, August 14, 1928.
To the City Council.

Gentlemen,—I return without my approval your order of July 30, 1928, "That the space at the junction of the Jamaica way and Perkins street, Jamaica Plain, be named Roger M. Griffin square, in memory of said Griffin, who died as a result of injuries received while in the service of the United States in the World War, and that suitable signs be erected to designate the same."

It is my understanding that it has been the general policy of the city to confine the naming of squares and other intersections to honor those only who died in the performance of their duty during the period of the war. The number of such squares and intersections is so limited that it does not seem desirable to me to change this policy under the circumstances.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.
Placed on file.

VETO OF SIDEWALK APPROPRIATION.

The following was received:

City of Boston,
Office of the Mayor, August 14, 1928.
To the City Council.

Gentlemen,—I return herewith without my approval the order passed by the City Council under date of July 30, 1928, for a loan of \$50,000 for the construction of granolithic sidewalks.

I am, however, heartily in accord with the purposes sought to be accomplished by this loan but would suggest the advisability at this time of obtaining the money in another way.

Therefore I transmit herewith for your favorable consideration a transfer in the sum of \$50,000 from the appropriation for reconstructing and repairing streets by contract, thus obviating the necessity of recourse to borrowing.

By the adoption of this order there will be made available this year the sum of \$100,000 for the construction of granolithic sidewalks.

Respectfully yours,
MALCOLM E. NICHOLS, 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 Reconstructing and Repairing Streets by Contract, \$50,000, to the appropriation for Granolithic Sidewalks, \$50,000.

Referred to the Executive Committee.

MUNICIPAL BUILDING, CODMAN SQUARE.

The following was received:

City of Boston,
Office of the Mayor, August 17, 1928.
To the City Council.

Gentlemen,—I transmit herewith a copy of a communication submitted by the Superintendent of Public Buildings in reply to your order of July 16, 1928, relative to an order of the Council passed under suspension of the rules on April 23, 1928, with reference to the cost and date of construction of the present branch library building and wardrobe now located on city land in Codman square, Dorchester, and also the cost of construction of a modern municipal building on said lot.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Buildings Department, May 1, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—Replying to the inclosed order of the City Council "that the Superintendent of Public Buildings he requested, through his Honor the Mayor, to advise the City Council forthwith the cost and date of construction of the present branch library building and wardrobe now located on city land in Codman square, Dorchester; and he it further

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to advise the City Council forthwith the approximate cost of construction of a modern municipal building and gymnasium on the present so-called 'library lot' in Codman square, Dorchester." I respectfully report that the present branch library building located in Codman square was erected in 1904 at a cost of \$35,000.

So much of the order as pertains to the erection of a new building is very indefinite owing to the fact that it depends wholly on the size of the building contemplated and also on the activities that are to hold forth therein.

I would suggest that the sum of at least \$300,000 to building such a building as might be desired in this location.

Respectfully yours,
JOHN P. ENGLERT,
Superintendent of Public Buildings.

Placed on file.

POLICE AMBULANCE AT FIELDS CORNER.

The following was received:

City of Boston,
Office of the Mayor, August 17, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner, in reply to your order of July 30, 1928, relative to a police ambulance being permanently assigned to Police Division 11, Fields Corner, Dorchester.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

August 3, 1928.

Mrs. Ida Hibbard,
Chief Clerk, Mayor's Office.

Dear Madam,—Relative to the order of the Boston City Council, passed July 30, 1928, in the matter of assigning permanently a police ambulance to Police Division 11, Fields Corner, Dorchester, I would say that there is no appropriation in my budget to provide or house a police ambulance in this district. The item in the budget relative to increasing the number of ambulances in this department was stricken therefrom.

In addition the operation of an ambulance in this division would require the services of three police officers and in view of the fact that more police officers are needed in this department for patrol work, such assignment, in my opinion, would not be for the best interests of the public.

I am returning herewith original order of the City Council, copy of which has been kept at this office.

Very truly yours,
HERBERT A. WILSON,
Police Commissioner.

Placed on file.

INSPECTION OF BUILDINGS ON
FARRAGUT ROAD.

The following was received:

City of Boston,
Office of the Mayor, August 17, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Health Commissioner, in reply to your order of July 16, 1928, relative to the inspection of wooden buildings on Farragut road, near Marine park, now used by concessionaires.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Health Department, August 10, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of your memorandum of July 19, 1928, transmitting an order of the City Council, dated July 16, 1928, asking for an inspection and report on the sanitary condition of the wooden buildings on Farragut road, near Marine park, used for the sale of soft drinks and light lunches.

The buildings in question are one-story stores which were erected in accordance with a permit from the Building Department in 1905. They are only occupied during the summer season.

The buildings are in poor repair and are unsightly but were found to be in fairly good sanitary condition.

We have ordered the use of paper cups, spoons and dishes in serving drinks and ice cream and will see that this order is complied with.

Two (2) water-closets are provided for the three (3) women and seventeen (17) men employed on the premises, and these water-closets are properly lighted and ventilated and are in fairly good sanitary condition.

We have asked the Building Department to investigate and report as to the structural and safety conditions of the buildings.

Inasmuch as the season ends September 4, I do not feel that drastic action should be taken at this time, but I have directed that close supervision be maintained for the rest of the season, and will notify all parties in interest that we will not allow the buildings to be again occupied until radical changes, satisfactory to this department, have been made.

Respectfully yours,
F. X. MAHONEY, M. D.,
Health Commissioner.

Placed on file.

APPROPRIATION FOR CONGRESS STREET
BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, August 17, 1928.
To the City Council.

Gentlemen,—Under the provisions of chapter 157 of the Acts of 1926 the city was authorized to borrow outside the statutory limit of indebtedness the sum of \$800,000 for the reconstruction of Congress Street Bridge. This act further provides that a sum equal to ten per cent of the amount to be borrowed must be provided from taxes or other sources of revenue. I am advised by the Commissioner of Public Works that the reconstruction of this bridge should no longer be delayed, hence I submit and recommend for your approval the accompanying orders.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 157 of the Acts of 1926 the sum of \$800,000 be, and hereby is, appropriated, to be expended by the Commissioner of Public Works for Congress Street Bridge, and that to meet said appropriation the City Treasurer be 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.

Ordered, That the sum of \$80,000 be, and hereby is, appropriated, to be expended by the Commissioner of Public Works for Congress Street Bridge, in accordance with chapter 157 of

the Acts of 1926, and the amount so appropriated be raised by taxation on the polls and estates in the City of Boston.

Referred to the Executive Committee.

LOAN FOR BOSTON AIRPORT.

The following was received:

City of Boston,
Office of the Mayor, August 16, 1928.
To the City Council.

Gentlemen,—I transmit herewith a loan order in the sum of \$125,000 for the purposes outlined therein.

The City of Boston, in my opinion, now has the opportunity to provide an airport worthy of its commercial importance, and I sincerely trust that this order may receive favorable action at the earliest possible moment in order that the work of development may proceed without delay.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of one hundred twenty-five thousand dollars be, and hereby is, appropriated, to be expended under the direction of the Board of Park Commissioners for the grading, draining, lighting and general improvement of the airport leased to the city by the Commonwealth of Massachusetts and for such other work and construction as may be necessary to put said airport in proper and serviceable condition, and that to meet said appropriation 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.

Referred to the Committee on Finance.

Later in the session the following occurred:

Coun. PARKMAN—Mr. President, earlier in the session today the Mayor's order with reference to a loan order for \$125,000 for the airport was referred to the Committee on Finance. It seems to me that this is one occasion in which the Council might suspend its usual procedure and refer that order to the Executive Committee. The Council is familiar through the press with the details of the proposed improvements at the airport and is also informed of the need for immediate action towards improving that property, and I therefore move that the Council reconsider its action and refer that matter to the executive committee.

Coun. BUSH—Mr. President, as chairman of the Committee on Finance, if no other member of the committee has objection, the chairman will have no objection to the reconsideration of the motion to refer to the Committee on Finance and have it referred to the Executive Committee instead so that immediate action may be taken upon the matter.

President GREEN—Is there any objection? The Chair hears none, and the matter is so referred. Referred to the Executive Committee.

TRANSFER FOR CHARLESTOWN COURT.

The following was received:

City of Boston,
Office of the Mayor, August 20, 1928.
To the City Council.

Gentlemen,—I am in receipt of a request from the Justice of the Charlestown District Court for an appropriation to cover the retirement of a court officer attached to said court. Since this request was not received in time to be included in the supplementary county budget it is necessary to provide the desired appropriation by transfer from the Reserve Fund. I accordingly submit a transfer order for this purpose and recommend its adoption by your honorable body.

Respectfully yours,
MALCOLM E. NICHOLS, 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, \$447.44, to the appropriation for Municipal Court, Charlestown District, B-12, Bond and Insurance Premiums, \$3; C-16, Wearing Apparel, \$75; F-7, Pensions and Annuities, \$369.44.

Referred to the Executive Committee.

APPROPRIATION FOR SOLDIERS' RELIEF.

The following was received:

City of Boston,
Office of the Mayor, August 20, 1928.
To the City Council.

Gentlemen,—I transmit herewith an order providing for an appropriation in the sum of \$2,000 to be expended by the Soldiers' Relief Department, subject to the approval of the chairman of the City Council Committee on Soldiers' Relief, or, in his absence, by any other member of said committee, to afford immediate relief to persons entitled to aid under the provisions of chapter 115 of the General Laws and acts in amendment thereof and addition thereto.

The proceeds of this order are to be used by the Soldiers' Relief Commissioner in those cases for emergency relief which cannot wait until the action of the City Council.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Ordered, That there be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for Soldiers' Relief Department, the sum of two thousand dollars (\$2,000), said sum to be expended subject to the approval of the chairman of the Committee on Soldiers' Relief, or in his absence by any other member of said committee by said commissioner in affording immediate relief to persons entitled to aid under chapter 115 of the General Laws and acts in amendment thereof and addition thereto.

Coun. MOTLEY—Mr. President, it has been the custom in the past to ask for an emergency order of \$500 to take care of any worthy emergency cases which should come before the Soldiers' Relief Board. Since the first of August, however, a new system of bookkeeping has been inaugurated by order of the City Auditor in regard to the payment of funds to the war veterans by the Soldiers' Relief Board. Owing to the new system it is necessary that the Soldiers' Relief Board have a larger emergency fund to work with in case this body should adjourn for a period of two or three weeks. If this order is approved I do not believe there will be a recurrence of what has happened during the past two weeks when needy war veterans and their families have been forced to go to other agencies for relief. It will give the Soldiers' Relief Commissioner an opportunity to give immediate relief to the unemployed war veterans between regular pay days.

Coun. WARD—Mr. President, may I hear what this order for \$2,000 is about?

President GREEN—The Clerk will read the order.

The order was read by the Clerk.

Coun. WARD—Mr. President, in the past week there has been much hardship because of the lack of money in the Soldiers' Relief Department. I understood that an order was going to be put in for \$5,000, and I felt that no member of the Council would object to any appropriation to the Soldiers' Relief Department, and I hope the Council will take hasty action on this order.

President GREEN—The Chair will state that the amount of \$2,000 was agreed upon by the Soldiers' Relief Commissioner, the City Auditor and the Mayor.

Referred to the Executive Committee.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, August 6, 1928.
To the City Council.

Gentlemen,—I am in receipt of the attached requests for transfers within departmental appropriations and respectfully recommend adoption of the accompanying orders.

Respectfully,
MALCOLM E. NICHOLS, 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 Public Welfare Department, Wayfarers' Lodge:

From the appropriation for B-8, Light, Heat and Power, \$150, to the appropriation for D-8 Laundry, Cleaning and Toilet, \$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 Mayor, Office Expenses:

From the appropriation for G-3, Incidentals, \$600, to the appropriation for B-13, Communication, \$600.

From the appropriation for G-3, Incidentals, \$75, to the appropriation for B-39, General Plant, \$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 transfer in the appropriations for Market Department:

From the appropriation for A-1, Permanent Employees, Watchmen, 2 at \$5 a day, \$150, to the appropriation for A-3, Unassigned, \$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 West Roxbury District Court:

From the appropriation for D-1, Supplies, \$10, to the appropriation for B-22, Medical, \$10.

Referred to the Executive Committee.

ACCEPTANCE OF CITY HOSPITAL LEGISLATION.

The following was received:

City of Boston,
Office of the Mayor, August 20, 1928.
To the City Council.

Gentlemen,—I submit herewith an order providing for the acceptance of chapter 237 of the Acts of 1928. This particular piece of legislation authorizes the city to expend at the City Hospital during the next five years the sum of \$3,000,000 for the erection of additional buildings, the remodeling of existing buildings, and for the extension of the present plant. Under the terms of the act fifty per cent of the amount authorized may be borrowed outside the statutory limit of indebtedness.

I respectfully recommend adoption by your honorable body of the accompanying order.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Ordered, That chapter 237 of the Acts of 1928, entitled "An Act Authorizing the City of Boston to Borrow and to Raise by Taxation Money for Hospital Purposes," be, and the same is hereby, accepted.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committee named, viz.:

Claims.

Ernest G. Abdalah, for compensation for damage to automobile by city cart.

American House, Inc., for refund on refuse tickets.

American Railway Express Company, for compensation for damage to truck by gate on Congress Street drawbridge.

O. H. Ashukian, for compensation for damage to automobile caused by an alleged defect in Dorchester street.

George Athas, for refund on victualer's license.

Fannie Beransky, for compensation for injuries caused by an alleged defect at 113 Chambers street.

Boot and Shoe Recorder Publishing Company, for refund on unused refuse tickets.

Preston E. Bradley, for compensation for damage to automobile by city cart.

Mrs. Eliza Burrell, for compensation for damage to clothing caused by an alleged defect at 434 Harrison avenue.

John H. Carley, for compensation for damage to automobile caused by an alleged defect in North Beacon street.

George E. Curley, for compensation for damage to automobile by city truck.

Josephine Daley, for compensation for injuries caused by city automobile.

John J. Donnelly, for compensation for loss of clothing at Deer Island.

Bryan Duffey, for compensation for injuries caused by truck of Park Department.

Richard S. Evans, for refund on lodging house license.

Samuel Fiscara, for compensation for damage to truck by city cart.

Estelle Foster, for compensation for injuries caused by ball thrown from playground, East Eagle street, East Boston.

Mary Gair, for compensation for injuries caused by an alleged defect at 929 Washington street.

Morris Gilman, for compensation for injuries caused by an alleged defect in Lucerne street.

Albert J. Gutermuth, for compensation for damage to clothing caused by an alleged defect in Rockview street, Jamaica Plain.

Abraham C. Habeeh, for compensation for loss of ash barrel taken by ashmen.

Jacob Hamer, for compensation for damage to car by city truck.

John Hayes and Sidney G. Mann, for compensation for damage to taxand personal injuries caused by an alleged defect in Tremont street.

Morris Kanter, for compensation for injuries caused by an alleged defect at 10 Newbury street.

Helen Keenan, for compensation for injuries caused by an alleged defect in L street.

Paula M. Lawler, for compensation for injuries caused by an alleged defect in Washington and West streets.

Mrs. Daniel McCarthy, for compensation for injuries caused by an alleged defect in Leyland street, Dorchester.

John J. McCarthy, for compensation for damage to property at 88 Baxter street caused by overflow of sewage.

James P. McKenney, for compensation for injuries caused by an alleged defect in Hancock street yard.

Joseph C. Mueller, for compensation for damage to property at 5 Round Hill street caused by ash truck.

Clinton B. Nelson, for compensation for damage to automobile by city truck.

Sarah Siegel, for compensation for injuries caused by an alleged defect at 60 Phillips street.

Sophie Segal, for compensation for damage to property at 57 Chestnut avenue, caused by city truck.

Elizabeth J. Smith, for compensation for damage to clothing caused by an alleged defect in Hastings street, West Roxbury.

Benjamin Snider, for compensation for damage to property at 44 Harrison avenue, caused by defective hydrant.

Patrick P. Spellman, for compensation for damage to clothing while responding to fire alarm, on day off.

Ada Tarsis, for compensation for injuries caused by an alleged defect at 20 Ruthven street.

Esther L. Wingersky, for compensation for damage to property at 85 Devon street, Roxbury, caused by broken water main.

Frank Worthington, for compensation for mattress taken by ashmen.

Schervee Studios, Inc., for compensation for damage to truck caused by city truck.

COTTAGE FARM BRIDGE BUS LINE.

A petition was received from the Boston Elevated Railway for a license to operate motor vehicles between the junction of Commonwealth avenue and Essex street and the Cambridge-Boston line on the Cottage Farm Bridge.

Referred to the Committee on Jitney Licenses.

CONSTABLES' BONDS.

The constables' bonds of John F. Welch, Henry D. Stetson and Leon Small, having been duly approved by the City Treasurer, were received and approved.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held on the following petitions for storage and sale of gasolene, viz.:

September 4.

Mary E. Lennon, 320 Maverick street, Ward 1; 3,000 gallons.

E. A. Rohbins, 43 Penniman road, Ward 2; 1,000 gallons.

Gatti Paper Stock Corporation, 44 Pittsburgh street, Ward 6; 1,000 gallons.

Referred to the Executive Committee.

APPOINTMENT OF HEALTH INSPECTORS.

A notice was received from the Health Commissioner of the following appointments, viz.:

Food Inspectors: Joseph W. Morrill, 74 Brainerd road, Allston; Patrick E. Carr, 9 West Third street, South Boston; William E. Flaherty, 274 Fuller street, Dorchester.

Sanitary Inspectors: Joseph D. Driscoll, 64 Tolman street, Dorchester; George A. Quirk, 31 Robinwood avenue, Jamaica Plain; John J. Harrington, 117 Brown avenue, Roslindale; Adam Krauss, 434 E. Eighth street, South Boston.

Placed on file.

GAS MAIN, WEST ROXBURY PARKWAY.

Notice was received from the Metropolitan District Commission of an order of said commission granting to the Boston Consolidated Gas Company a location for a gas main in West Roxbury Parkway, near Church street.

Placed on file.

APPOINTMENT OF LIBRARY TRUSTEES.

Notice was received of the appointment by the Mayor of Guy W. Currier to the position of trustee of the Boston Public Library.

Notice was received of the appointment by the Mayor of Frank W. Buxton to the position of trustee of the Boston Public Library.

Severally placed on file.

ABSENCE OF COUNCILOR DOWLING.

Coun. PARKMAN—Mr. President, if there is no objection on the part of other members of the Council, I wish to make a short statement in regard to the absence of Coun. Dowling today.

President GREEN—Is there any objection? The Chair hears none. Proceed, Councilor.

Coun. PARKMAN—Coun. Dowling asked me to state that this was the first meeting of the Council at which he has not been able to be present, and only the fact that he is on his back with a dislocated spine prevents him from being present today to vote and take part in the consideration of the various matters coming before the Council this afternoon.

President GREEN—Thank you, Coun. Parkman.

PROTEST INCREASED AUTOMOBILE INSURANCE.

Coun. RUBY offered the following: Resolved, That the Boston City Council places itself on record as indorsing the stand of his Honor the Mayor against the proposed unjustifiable increase in the Boston rates for Compulsory Automobile Insurance.

Coun. RUBY—Mr. President, within the last few days newspapers have notified the general public of a proposed increase in the automobile compulsory insurance rates for the coming year. No doubt the members of this body have read of the proposed increase in rates which will, in some instances, be almost double in Boston, because, as has been alleged, of the tremendous loss paid by the insurance companies in Chelsea, Revere and Winthrop and as a result of which they contemplate making a district, known as 1-A, which will comprise those cities and town, together with Boston, and in that way those automobile owners in Boston will be compelled to pay during the coming year an exorbitant increase in automobile compulsory insurance rates. I was pleased this morning to see in the press that his Excellency the Governor intends to call the Insurance Commissioner before him because of the statement made,

and that he is of the opinion, together with his Honor the Mayor, that these rates would be unjustifiable, exorbitant and beyond all reason. I believe that this body should take cognizance of the fact because it will affect practically 80 or 90 per cent of the people of Boston who own automobiles; and, while the proposed increase in rates is occasioned because of the fact that accidents are prevalent in these areas, there is not taken into consideration the fact that a man might live in Brookline, Winchester, Medford, or anywhere else throughout the state and use the Boston, Revere, Chelsea, or Winthrop area more, even, than the people who live directly in those areas, and in spite of that fact it is proposed to decrease the rates of insurance to those who live in those sections and who might keep their cars there only during the night but use the congested areas during the day more than they are used by the people who live in them. I believe that the proposed increase is absolutely unjustifiable and unfair. We have heard nothing of the tremendous amount of money that has been made by insurance companies throughout the country who use Massachusetts for the placement of insurance, and nothing is said of the tremendous amount of money that is made for fire insurance, for fire and theft insurance on automobiles, and other insurance rates they have charged in Boston and elsewhere. The Insurance Commissioner, in my opinion, has made an arbitrary stand in this matter, has heard just one side of the situation—that of the insurance company, and, without any regard for the people of this state and of Boston, he has intimated that he will side with the insurance companies of Massachusetts in allowing that increase to go forward. I believe that this body ought to take a stand commending his Honor the Mayor as well as his Excellency, in trying to prevent this further increase of rates which on investigation, I am informed, will be found to be wholly unnecessary, and I ask for a suspension of the rule and the passage of this resolve.

Coun. WILSON—Mr. President, I wish to second what Coun. Ruyh has said and to throw out the suggestion that, in view of the fact that the State of Massachusetts has guaranteed the dividends of the Boston Elevated Railway if the state is to follow the suggestions of the Insurance Commissioner, we are now, apparently, to take another step forward—or backward—and guarantee the dividends of various insurance companies.

Passed under suspension of the rule.

BOULEVARD LIGHTS ON DORCHESTER AVENUE.

Coun. FISH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide additional boulevard lights on Dorchester avenue, from Peahody square to Dorchester Park, Ward 16.

Passed under suspension of the rule.

DORCHESTER PARK IMPROVEMENT.

Coun. WILSON offered the following:

Ordered, That the sum of \$34,000 be, and the same hereby is, appropriated, to be expended under the direction of the Park Commissioners, for the proper conditioning of Dorchester Park, with adequate playground and recreational facilities, including the construction of a suitable modern locker building, the construction of tennis courts, and the improvement of the walks and ball field, and that to meet said appropriation the City Treasurer be, and hereby is, authorized to issue from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

Coun. WILSON—Mr. President, with reference to that order, it is put in after the receipt from Park Commissioner Long of certain figures. Some time ago, at a conference between Mr. Long and myself, in Dorchester Park, it was proposed, if possible, to make use of the hospital building, or one of the out buildings of the hospital near this park for possible locker building facilities, but further examination has shown that there might well be a fire hazard, and as a result of that fact it would be necessary, if there are to be facilities both

for lockers and showers, that a new building be erected, and I am putting in this particular order after receiving the Park Commissioner's own estimate that such a building will cost approximately \$25,000, and that an additional item for about \$10,000 will be necessary for the other improvements which this park needs.

Referred to Committee on Finance.

REPORT ON FERRY INCREASES.

Coun. WILSON offered the following:

Ordered, That the East Boston Tunnel Committee of the City Council be instructed to include in an early report recommendations for definite action on the matter of ferry increases recommended to the Council by the Mayor as long ago as November, 1927.

Coun. WILSON—Mr. President, in November, 1927, the Mayor acting on a report by the Division Engineer of the Ferry Service in the Public Works Department, recommended a reasonable increase of tolls for vehicular traffic on the East Boston ferries.

As the Division Engineer well pointed out, the existing rates have been in force for 40 years commencing in 1887, since which time conditions have materially changed. Most important of all, the year 1904 marked the opening of the East Boston Tunnel, at a cost of \$3,383,000, thereafter providing through car service for citizens of East Boston without the old additional 1 cent charges on the ferry. Within 10 years the number of foot passengers on the East Boston ferries dropped to one sixth the 1904 volume, diminishing our annual revenue from that source over \$100,000 a year. The very first year total receipts dropped from \$176,000 to \$108,000; last year the total income was less than \$75,000.

Meanwhile the chief use of the ferries has been by trucking concerns. In the old days there were but two roadways on each boat where now there are four. The number of vehicles each year has increased to over a million, with motor vehicles comprising over 75 per cent of the total and over 40 per cent of the motor vehicles being heavy trucks.

Records show that the total loss on ferries to date is close to thirteen and one half million dollars. Although the average annual operating deficit now amounts to \$800,000 without any regard to plant depreciation, the deficit for 1926 alone was \$1,203,000.

In other words, every taxpayer, throughout the City of Boston, is paying each year close to 50 cents on each \$1,000 in property valuation to cover the operation of cheap ferry service for motorists, and particularly motor truck operators, who pay 6 cents per trip to save the 3 miles of road travel through Chelsea and Charlestown from East Boston. The Division Engineer in November, 1927, pointed out the very logical distinction between a road or bridge, which is a means of travel, and a ferry on which the vehicles themselves are transported at a substantial saving of wear and tear, gasoline and oil to the owner. The trucking concerns at present almost exclusively using the convenient ferry service from East Boston now chiefly paid for by taxpayers in South Boston, Dorchester, and other parts of the city, should in all fairness themselves expect to chip in towards the operating expense of the ferries a more substantial part of the saving that they make in gasoline on each trip. The owner of a \$10,000 dwelling in Dorchester should not be expected much longer to continue payment of \$5 a year in taxes towards the operation of city ferries for the use of private trucking concerns who wish to save a 3-mile trip over the existing roads by way of Charlestown. An East Boston resident pays a 10-cent fare to the Boston Elevated for a trip through the tunnel to Atlantic avenue; the owner of a 6-ton truck should not reasonably expect to continue much longer to be carried over on a city ferry for 6 cents.

It is all very well in theory to compare a ferry to a roadway, but the maintenance expense of the one is almost prohibitively excessive as compared with the other, and the East Boston Ferry, even for vehicular traffic, is not the only approach from that point to our central business district. It is, of course, a saving and a convenience rather than a necessity, for trucking concerns who should accordingly not expect the taxpayers of all Boston as at present to pay not merely a fair proportionate share, but almost the total expense, of providing the con-

venience. As has been pointed out, the *present* annual operating expense exceeds \$800,000 while the annual *income* is not much over \$75,000.

The present toll rates are those in effect as long ago as 1887 prior to the construction of the East Boston Tunnel. The moderate increases long since suggested by the Mayor are less than the charges made in *other* large cities and in no way affect the small number of *foot* passengers who still make *use* of ferry service. Even with the very reasonable increases originally *suggested* by the Mayor in November, 1927, which incidentally only affect *vehicles*, the annual deficit to be met by taxpayers *throughout* the city will still exceed half a million dollars. The suggested rates would seem more than *fair* to the trucking interests especially pending the building of the tunnel recently authorized by legislative enactment and for use of which *tunnel* a substantial toll is to be charged.

Since a special committee of the Council was appointed on August 6 to study the matter of the proposed East Boston Tunnel it would seem that one of its *first* and most *appropriate* duties would be a recommendation for definite disposition of the Mayor's request for an increase in the present inadequate and ridiculous *ferry* tolls, which are continued almost entirely for the benefit of trucking concerns rather than the taxpayers of our city whether in East Boston or elsewhere.

Referred to Special Committee on East Boston Tunnel.

SALES AND LEASES OF REAL ESTATE.

The President called up, under Unfinished Business, Nos. 4 to 7, inclusive, on the calendar, viz.:

4. Ordered, That his Honor the Mayor be, and he hereby is, authorized, in the name and behalf of the city to sell at public auction at an upset price of \$4,000 all the right, title and interest the city has in and to a parcel of land with the building thereon situated on the northwesterly side of Washington street and on the southwesterly side of Metropolitan avenue, at the junction of said street and avenue, in that part of Boston formerly West Roxbury, containing about 12,898 square feet of land, more or less, and to execute a deed of the same to the purchaser in form satisfactory to the Law Department.

On July 30, 1928, the foregoing order was read once and passed, yeas 17, nays 0.

5. Ordered, That his Honor the Mayor be hereby authorized, in the name and behalf of the city, to execute and deliver to Robert W. Ramsdell a lease satisfactory in form to the Law Department, for a term of fifteen years, with an annual rental of \$200, of a certain parcel of land near Washington street and Morton street, West Roxbury, taken for Stony brook sewerage works, containing approximately 10,700 square feet and bounded on the north by Morton street 43.15 feet, on the east by land of said Ramsdell and land of Seaver 276 feet, on the west by land of Standard Oil Company of New York and said Ramsdell 256 feet, and on the south by the southerly side line of said Stony brook, upon conditions that no buildings shall be erected on said land, that the rights of the city to enter on and to maintain its sewerage works in said land shall not be impaired and that any assignment of said lease shall be subject to the approval of the Commissioner of Public Works, and upon the further condition that a passageway fifteen feet wide be kept open to provide access to properties abutting on said Stony brook between Morton street and Tower street, and more especially to provide access to the rear of the properties on Washington street abutting on said Stony brook, said properties being numbered 3694 to 3710 Washington street, inclusive.

On July 30, 1928, the foregoing order was read once and passed, yeas 17, nays 0.

6. Ordered, That his Honor the Mayor be, and he hereby is, authorized, in the name and behalf of the City of Boston, for the consideration of two hundred dollars (\$200) and in form satisfactory to the Law Department, to execute and deliver to Albert W. Engel, executor of the estate of Joseph Engel, an instrument of release of an easement taken for sewerage purposes by the City of Boston, May 28, 1903, through a proposed street to be called Ripley street, situate on the Arborway in the Jamaica Plain district of the City of Boston.

On July 30, 1928, the foregoing order was read once and passed, yeas 17, nays, 0.

7. Ordered, That his Honor the Mayor be, and he hereby is, authorized, in the name and behalf of the City of Boston, for a nominal consideration, to execute and deliver in the name and behalf of the City of Boston, to the Bethlehem Shipbuilding Corporation, Limited, a corporation organized under the laws of the state of Delaware, an instrument in writing, in form satisfactory to the Law Department of the City of Boston, releasing to the said Bethlehem Shipbuilding Corporation, Limited, all rights acquired by the said city to lay and maintain water pipes on Maynard Wharf from New street, East Boston, to the end of the solid filling on said wharf about 400 feet, more or less, which it acquired by an instrument recorded with Suffolk Deeds, Book 1511, page 229, on condition that the said Bethlehem Shipbuilding Corporation, Limited, execute and deliver to the said City of Boston, in form satisfactory to the Law Department of said City of Boston, an agreement in writing to hold the said city harmless from all claims and demands for damages growing out of the presence of the said water pipes on or in the said premises or the failure of the said City of Boston to remove or maintain the same.

On August 6, 1928, the foregoing order was read once and passed, yeas 16, nays 0.

The orders were severally given their second and final reading and passage, yeas nineteen, nays 0.

SIDEWALK IN HARVARD STREET, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Harvard street, southeast side, from Faxon street to Donald road, 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 suspension of the rule.

SIDEWALK IN OLNEY STREET, WARDS 14 AND 15.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Olney street, south side, from Geneva avenue to Bowdoin street, Wards 14 and 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, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

SIDEWALK IN MIDDLETON STREET, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Middleton street, from Norfolk street to Theodore 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 suspension of the rule.

SIDEWALKS IN WILLOWOOD STREET, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Willowood street, from Woodrow avenue to Norfolk 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 suspension of the rule.

SIDEWALK IN JEROME STREET,
WARD 13.

Coun. SULLIVAN offered the following:
Ordered, That the Commissioner of Public Works make a sidewalk along Jerome street at No. 6, Ward 13, 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 suspension of the rule.

SIDEWALK IN WASHINGTON STREET,
WARD 3.

Coun. FITZGERALD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Washington street, at Nos. 1062 and 1064, 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 suspension of the rule.

SIDEWALK IN DOVER STREET,
WARD 3.

Coun. FITZGERALD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Dover street, south side, from Shawmut avenue 90 feet easterly, 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 suspension of the rule.

SIDEWALK IN ALLSTON STREET,
WARD 21.

Coun. GALLAGHER, in behalf of Coun. Dowling, offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Allston street, east side, from Brighton avenue to Commonwealth avenue, Ward 21, 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 suspension of the rule.

SIDEWALK IN HASKELL STREET,
WARD 21.

Coun. GALLAGHER offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Haskell street, from Hooker street to Coolidge road, 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.

SIDEWALK IN DANA AVENUE,
WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Dana avenue, north side, from Hyde Park avenue to Midland Division Railroad, 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 suspension of the rule.

SIDEWALK IN PINE STREET, WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Pine street, south side from Hyde Park avenue to Maple 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 suspension of the rule.

SIDEWALK IN FLORENCE STREET,
WARD 19.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Florence street, southeast side, from Ashland street to Sycamore street, 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, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

SIDEWALK IN BURROUGHS STREET,
WARD 19.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Burroughs street, from Centre street 70 feet northwesterly, 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, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

SIDEWALK IN RICHMOND STREET,
WARD 17.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Richmond street, south side, from Dorchester avenue 280 feet easterly, 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, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

SIDEWALK IN WILLIAMS STREET,
WARD 11.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Williams street, north side, from Washington street 400 feet easterly, Ward 11, 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 suspension of the rule.

RECESS.

The Council voted, on motion of Coun. DONOVAN, at 2.46 p. m., to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber at 4.01 p. m. and were called to order by President GREEN.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following reports, viz.:

1. Report on message and orders (referred to-day) for Congress Street Bridge, one for \$800,000 loan and the other for \$80,000 to be paid by taxation on the polls and estates of the City of Boston—recommending the passage of the \$80,000 and reference of the loan order of \$800,000 to the Committee on Finance.

Report accepted; said \$800,000 loan referred to the Committee on Finance, and said order for \$80,000 passed, yeas 21.

Coun. WILSON—Mr. President, I want to make the statement that that vote on the \$80,000 is on the distinct understanding that I save my rights on the loan order.

President GREEN—I will say, for the information of Coun. Wilson, that the loan order is referred to the Committee on Finance.

2. Report on message and order (referred to-day) appropriating \$447.44 from the Reserve Fund to the appropriation for the Municipal Court, Charlestown district—that the same ought to pass.

Report accepted; said order passed, yeas 21.

3. Report on message and order (referred today) that there be allowed and paid to the Soldiers' Relief Commissioner and charged to the appropriation for Soldiers' Relief Department, the sum of \$2,000, to be expended subject to the approval of the chairman of the Committee on Soldiers' Relief—that the same ought to pass.

Report accepted; said order passed.

4. Report on message and order (referred today) appropriating \$50,000 for the construction of granolithic sidewalks—that the same ought to pass.

Coun. WILSON—Mr. President, I do not wish to delay the meeting, and yet, on the other hand, I understand that this particular transfer is partly as the result of a loan order that went in for \$50,000, and it looks very much to me, as I said in the executive committee meeting, a case of robbing Peter to pay Paul. I understand from the Public Works Commissioner that the figures in the auditor's office show that out of \$750,000 for the reconstruction of streets this year there is \$453,000 left, or substantially two thirds of the money, and out of \$50,000 appropriated for sidewalks—having in mind, of course, that there was some left over from last year—there is \$42,000 of the money left. I know particularly in my Dorchester district that we need money spent on resurfacing the streets and additional sidewalks, and it is certainly disappointing to me, representing a Dorchester ward, to find that, with the season so far gone, over two thirds of the resurfacing money for streets has not even been spent yet, and that four fifths of the sidewalk money has not gone. I do not oppose this particular transfer in as much as I hope it will prove of some assistance in obtaining more sidewalks; but I certainly hope that the progress they have made won't end with the changing or what is being done with the bookkeeping figures, and that not only will we transfer some figures from one column to another, but we will let them do a little actual sidewalk work out on the streets.

Report accepted; said order passed, yeas 21.

5. Report on message and order (referred today) that the sum of \$125,000 be appropriated for general improvement of the airport leased to the city by the Commonwealth—that the same ought to pass.

Coun. WILSON—Mr. President, not that I wish to do all the talking this afternoon, but I would call the Mayor's attention to the fact that the Council has waived its usual procedure in the case of this particular loan order, having waived sending it to the Committee on Finance and rushed it through today at his request, and we trust that example will be followed.

Report accepted; said order passed, yeas 21.

6. Report on message and requests for various transfers within departmental appropriations (referred today)—that the same ought to pass.

Report accepted; said orders passed, yeas 21.

7. Report on message and order (referred today) accepting chapter 237 of the Acts of 1928, entitled, "An Act Authorizing the City of Boston to Borrow and to Raise by Taxation Money for Hospital Purposes"—that the same ought to pass.

Report accepted; said order passed.

REPORTS OF FINANCE COMMITTEE.

Coun. BUSH, for the Committee on Finance, submitted the following reports, viz.:

1. Report on message and order (submitted July 16) appropriating \$100,000 for River street reconstruction—that the same ought to pass.

Report accepted; said order passed, yeas 21.

2. Report on order (referred February 6) appropriating \$300,000 for the purchase and construction of a second eighteen-hole public golf course in the City of Boston—that the same ought to pass.

Report accepted; said order passed, yeas 18, nays—Coun. Bush, Parkman, Ruby—3.

3. Report on message and order (referred July 16) appropriating \$300,000 for the purchase of a site for a new fire station in the West End district—that the same ought not to pass, without prejudice.

Report accepted; said order passed, yeas 20, nays—Coun. Bush—1.

REPORT OF COMMITTEE ON SOLDIERS' RELIEF.

Coun. MOTLEY for the Committee on Soldiers' Relief submitted report recommending order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of August, 1928.

Report accepted; said order passed.

NEXT MEETING.

Coun. MURPHY—Mr. President, I move you, sir, that, when we adjourn, we adjourn to meet again on the first Wednesday after Labor Day.

President GREEN—Is there any objection? The Chair hears none; and it is voted that when we adjourn it be to meet the first Wednesday after Labor Day.

REMOVAL OF OBSTRUCTION AT WILLIAM J. KELLEY SQUARE.

Coun. DONOVAN offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to arrange for the removal of the obstruction to vehicular traffic at William J. Kelley square, East Boston, at corner of Meridian and Bennington streets, and that the signs designating said square be erected in another conspicuous place.

Passed under suspension of the rule.

PAY ROLL REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds for the period from August 1 to August 15, 1928, amounting to \$4,275.82, was received and approved.

Adjourned, at 4.18 p. m., on motion of Coun. LYNCH, to meet on Wednesday, September 5, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Wednesday, September 5, 1928.

Regular meeting of the City Council held in the City Council Chamber, City Hall, at 2 p. m., President GREEN presiding. Absent, Coun. Parkman. The President designated Coun. RUBY to preside.

JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, the Mayor absent, viz.:

Thirty-one traverse jurors, Superior Criminal Court, First Session, to appear October 1, 1928:

Joseph E. Allen, Ward 1; William L. Dawson, Ward 1; Thomas Coleman, Ward 2; John Connor, Ward 2; William A. Keating, Ward 3; Adolph E. Lombardo, Ward 4; George H. Baker, Ward 6; Everett S. Lynn, Ward 7; John F. Downey, Ward 8; Edwin Hart, Ward 9; Edward E. Klotter, Ward 10; John Main, Ward 10; Michael J. Moran, Ward 10; Henry C. Rochefort, Ward 10; John Bletzer, Ward 11; Thomas B. Fitzpatrick, Ward 11; David Jodrie, Jr., Ward 12; James O'Brien, Ward 12; Ernest B. Vaughan, Ward 13; Frank W. Clark, Ward 16; Roscoe G. Caverly, Ward 17; Lewis A. Dowd, Ward 17; John A. Carlson, Ward 18; William C. King, Ward 18; James L. McCabe, Jr., Ward 18; William C. Beckert, Ward 19; Paul N. Farnham, Ward 20; George W. C. Fenton, Ward 21; Jeremiah F. Cartier, Ward 22; Gordon H. Griffin, Ward 22; Joseph A. McGinn, Ward 22.

Thirty-one traverse jurors, Superior Criminal Court, Third Session, to appear October 8, 1928:

John A. Cummins, Ward 1; Clarence J. Anderson, Ward 2; Richard J. Flynn, Ward 2; John F. Mahan, Ward 2; Joseph Pink, Ward 3; Leonard B. Chadwick, Ward 4; Hugh Orr, Ward 4; George D. Elder, Ward 5; George S. Reed, Ward 5; Daniel J. Murphy, Ward 8; George W. Slason, Ward 9; Jeremiah F. Moriarty, Ward 10; Augustin A. Fay, Ward 12; Frank L. Sidel, Ward 12; Bernard L. Watson, Ward 12; Louis F. Capelle, Ward 16; Cornelius J. Crowley, Ward 16; Lester P. Sherman, Ward 16; John M. Jackson, Ward 17; James J. Lennon, Ward 17; Albert E. McLaughlin, Ward 17; Thomas S. Barbrick, Ward 18; Frank R. Kiessling, Ward 18; John McCarthy, Ward 18; Henry W. Dunkel, Ward 20; Winthrop F. Irving, Ward 20; William E. Zeller, Ward 20; Albert W. Jurvell, Ward 21; Ralph E. Morrison, Ward 21; Franklin H. Whitney, Jr., Ward 21; Hugh A. Quigley, Ward 22.

Thirty-one traverse jurors, Superior Criminal Court, Fourth Session, to appear October 1, 1928:

George W. Calhoun, Ward 1; James P. Stacey, Ward 1; John F. Cassin, Ward 2; Luke Finnigan, Ward 2; William Hennessy, Ward 2; Raymond J. Powell, Ward 3; Albert Haines, Ward 4; Harold C. Kearney, Ward 4; Clarence E. Bradbury, Ward 5; Warren S. Shields, Ward 8; Leo W. Bowen, Ward 10; Max A. Schubert, Ward 10; Frederick R. White, Ward 10; Edward Williams, Ward 10; Daniel F. Welch, Ward 11; Jeremiah V. Murphy, Ward 13; John T. Usher, Ward 13; Charles F. Dempsey, Ward 14; Alfred A. Reardou, Ward 14; Leopold J. Segal, Ward 14; James J. Byrne, Ward 15; James T. O'Brien, Ward 15; Charles E. Tileston, Ward 16; Louis W. Fuller, Ward 17; Edward R. Hayden, Ward 17; Frederick G. Haynes, Ward 18; Charles N. Smith, Ward 18; Frank L. Harris, Ward 20; Royal S. Howe, Ward 20; Henry T. Stiff, Ward 20; George F. Murphy, Ward 22.

Thirty-one traverse jurors, Superior Criminal Court, Fifth Session, to appear October 1, 1928:

John C. McLaren, Ward 1; Frederick O. Syring, Ward 2; Frank L. Snow, Ward 3; Charles W. Fox, Ward 4; James A. Levensaler, Ward 4; Albert R. Thayer, Ward 5; William P. Barry, Ward 6; Moses D. Slocum, Ward 6; Eugene F.

Sullivan, Ward 6; Joseph Johnson, Ward 9; Frederick C. Vocke, Ward 10; Frederick W. Eaton, Ward 11; Joseph H. McDonald, Ward 11; Joseph August, Ward 12; Max Franklin, Ward 12; Corey G. Warren, Ward 12; Andrew L. Burke, Ward 13; Dennis Cadigan, Ward 13; Patrick J. Crowley, Ward 13; John J. Fuller, Ward 13; Samuel Sherman, Ward 14; Charl Rhomsen, Ward 14; Neil A. F. Doherty, Ward 15; Isaac A. Bissell, Ward 18; William H. Aston, Ward 19; Herman E. Kraus, Ward 20; Wesley V. McKiel, Ward 20; Fred C. Fall, Ward 21; Alfred P. Hamilton, Ward 21; George C. Wilton, Ward 21; Carl F. Underhill, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, First Session, October Sitting, to appear October 1, 1928:

Thomas A. Cassidy, Ward 1; Joseph P. Frazier, Ward 1; William H. Flynn, Ward 2; James L. Russell, Ward 2; Francis H. Appleton, Jr., Ward 5; Thomas J. McCart, Ward 6; Charles O. Hayden, Ward 8; Hugh Halliday, Ward 10; Joseph G. Essman, Ward 11; John F. McLaughlin, Ward 11; Joseph C. Musler, Ward 11; Harry R. Seltzer, Ward 12; Samuel N. Goldman, Ward 14; Herman Kolp, Ward 14; John McCarren, Ward 14; Edward R. Norton, Ward 14; Harry Reinstein, Ward 14; David A. O'Keefe, Ward 15; John R. Connolly, Ward 18; Carl W. Larson, Ward 18; Samuel MacDonald, Ward 19; Charles C. Partridge, Jr., Ward 19; George H. Stevens, Ward 20; George H. McIntire, Ward 21; Robert S. Ellis, Ward 22; William O'Donnell, Ward 22; Frederick J. Wright, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, Second Session, October Sitting, to appear October 1, 1928:

Frank D. Brown, Ward 1; Daniel Dineen, Ward 2; John G. Pyne, Ward 2; James Toland, Ward 2; C. Everett Alley, Ward 5; Leonard C. Kibby, Ward 5; John H. Quinlan, Ward 5; Frederick F. Wilder, Ward 6; Thomas J. Gargan, Ward 8; Earl F. Doyle, Ward 11; John A. Hart, Ward 11; Francis W. Hucksam, Ward 11; Charles C. J. Dornbach, Ward 12; Peter Snyder, Ward 12; Daniel M. Chille, Ward 13; James J. Henchey, Ward 13; James F. Keenan, Ward 13; Louis Wallace, Ward 14; Sewall W. Rich, Ward 16; Daniel J. McCarthy, Ward 17; Joseph P. Keyes, Ward 19; Paul G. Kanold, Ward 20; Frederick C. Niethold, Ward 20; John A. Kenney, Ward 22; Ralph Deane Williams, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Third Session, October Sitting, to appear October 1, 1928:

Leslie Langhill, Ward 2; Hyman J. Ponce, Ward 3; Thomas A. Fox, Ward 5; Thomas Langan, Ward 5; Charles William Smith, Ward 5; Edward J. Roberts, Ward 7; Edward F. Cotter, Ward 10; John B. Le Blanc, Ward 10; Charles B. Palmer, Ward 12; Edward J. Higgins, Ward 13; Ernest W. Atwood, Ward 14; Bernard Burns, Ward 14; William H. Averill, Ward 16; William A. Donovan, Ward 16; Samuel Horlick, Ward 17; Edmund C. Low, Ward 17; Charles E. Belcher, Ward 18; Mathais B. Bryant, Ward 18; James B. Clements, Ward 18; Eugene K. Molter, Ward 18; James J. Powers, Ward 18; William J. Sheehan, Ward 18; Albert L. Wood, Ward 18; Gustave I. Brauner, Ward 19; William A. Cropper, Ward 19; Jacob A. Colmes, Ward 21; Calvin C. Hill, Ward 21; David Ahern, Ward 22.

Fifteen traverse jurors, Superior Civil Court, Fourth Session, October Sitting, to appear October 1, 1928:

Patrick J. Murphy, Ward 2; Ernest Rowe, Ward 2; Edwin W. Costello, Ward 4; David Stone, Ward 5; John J. Barrett, Ward 7; William J. Breen, Ward 10; John F. Donovan, Ward 10; James J. O'Hare, Ward 10; Edwin J. O'Keefe, Ward 10; John C. Lynch, Ward 15; John Neville, Ward 16; Frederick L. Hammond, Ward 19; Augustus C. Parsons, Ward 20; Frederick W. Burke, Ward 21; James Daniels, Ward 21.

Twenty-one traverse jurors, Superior Civil Court, Fifth Session, October Sitting, to appear October 11, 1928:

John Roche, Ward 3; Joseph Stanga, Ward 4; John A. Burnett, Ward 6; William E. J. Collins, Ward 6; Clarence E. Fuller, Ward 7; Joseph G. McDonough, Ward 7; Herbert Webber, Ward 7; George A. Flynn, Ward 8; Americus C. Watson,

Ward 8; Joseph T. Hannon, Ward 9; James M. Sullivan, Ward 9; Ernest F. Joyce, Ward 10; Michael C. O'Leary, Ward 11; Joseph L. Frank, Ward 12; Frederick Gulliksen, Ward 12; Reuben Sandler, Ward 14; John L. Callahan, Ward 17; John P. Connelly, Ward 18; Raymond A. Murray, Ward 20; Newell J. Cowles, Ward 22; Edward J. Mulvaney, Ward 22.

Twenty-two traverse jurors, Superior Civil Court, Sixth Session, October Sitting, to appear October 1, 1928:

Thomas F. Foley, Ward 1; James McLaughlin, Jr., Ward 1; William J. Hennessey, Ward 2; Charles E. Loeffler, Ward 3; Max Tobias Soosman, Ward 3; David C. Quinn, Ward 4; Robert J. Dysart, Ward 5; Ingram B. Slocumb, Ward 5; Frederick L. Tarbox, Ward 7; John P. Kane, Ward 8; Thomas F. Minton, Ward 11; Razio Sacco, Ward 11; Harry E. Henderson, Ward 13; Louis Taylor, Ward 14; Walter H. McGee, Ward 16; Herbert E. Fairfield, Ward 17; Peter L. Fox, Ward 17; William D. Broadbent, Ward 18; Henry Gray, Ward 19; Raymond J. Glennie, Ward 20; Homer A. Lightbody, Ward 20; Samuel Slatrow, Ward 21.

Twenty-two traverse jurors, Superior Civil Court, Seventh Session, October Sitting, to appear October 1, 1928:

Charles J. Doherty, Ward 2; Joseph F. Frazier, Ward 4; Bernard L. Cavanaugh, Ward 6; Patrick B. McDonough, Ward 6; Michael Tonley, Ward 6; Robert M. Anderson, Ward 9; Frederic B. Hanna, Ward 9; James J. Long, Ward 10; John J. Kelly, Jr., Ward 11; William T. McIntyre, Ward 11; Harry G. Starr, Ward 12; Jacob Goldman, Ward 14; Francis J. Campbell, Ward 15; Edward A. Dixon, Ward 15; Joseph H. P. O'Brien, Ward 17; Gesner Corbett, Ward 19; Earnest G. Hindenlang, Ward 19; Walter H. Murray, Ward 19; Philip C. Burr, Ward 20; Daniel F. Sweeney, Ward 20; Robert Owen Keith, Ward 21; James W. McKenney, Ward 22.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, September 4, 1928.
To the City Council.

Gentlemen,—I am in receipt of the attached requests for transfers within departmental appropriations and respectfully recommend adoption of the accompanying orders.

Respectfully,
MALCOLM E. NICHOLS, 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 Associate Medical Examiner, Southern Division:

From the appropriation for B-35, Fees, Service of Venires, etc., \$50, to the appropriation for B-28, Expert, \$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 Institutions Department, Long Island Hospital:

From the appropriation for A-1, Permanent Employees, Plumber, 1 at \$1,600 a year, \$300, to the appropriation for B-17, Care of Persons, \$300.

From the appropriation for E-13, Materials, \$3,250, to the appropriation for C-13, Tools and Instruments, \$250; D-5, Medical, Surgical and Laboratory, \$3,000.

From the appropriation for D-13, Chemicals and Disinfectants, \$1,025, to the appropriation for E-9, Machinery, \$25; E-10, Electrical, \$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 Institutions Department:

From the appropriation for Central Office, D-1, Office, \$100, to the appropriation for Central Office, A-2, Temporary, \$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 Hospital Department:

From the appropriations for A-1, Permanent Employees, Hospital Employee, 1 at \$3,000-\$2,500 a year, \$1,500, to the appropriation for F-11, Workmen's Compensation, \$1,500.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committee named, viz.:

Claims.

Morris Andelman, for compensation for injuries caused by defective premises at Head House, City Point.

Armstrong Transfer Express Company, for compensation for damage to taxicab caused by an alleged defect in Copley square.

Anthony Batatits, for compensation for damage to property at 14 Wheatland avenue, caused by shutting off water.

Virginia Chisholm, for compensation for injuries caused by an alleged defect at 151 Brighton avenue.

James P. Conroy, for compensation for damage to automobile by fire apparatus.

Joseph P. Cowan, for compensation for injuries caused by bullet fired by policeman.

Lester N. Currier, for compensation for damage to automobile by city cart.

Raffaele DiMatteo, for compensation for damage to property at 39 Emerald street, caused by city truck.

John C. Faherty, M. D., for compensation for loss of articles at City Hospital.

John F. Fair, for compensation for damage to automobile caused by an alleged defect in Western avenue.

Catherine M. Fallon, for compensation for damage to automobile caused by an alleged defect at 362 Centre street, Jamaica Plain.

Harry E. Fannon, for compensation for damage to automobile caused by an alleged defect at 411 Massachusetts avenue.

Edith Foster, for compensation for damage to property at 40 Harrison avenue, caused by defective water hydrant.

P. Emmet Gavin, for compensation for injuries caused by an alleged defect at 360 North street.

Louise E. Gerner, for compensation for damage to clothing caused by rusty water at 57 Templeton street, Dorchester.

Francis Harvey, for compensation for injuries caused by city truck.

Mary Keough, for compensation for injuries caused by an alleged defect at 11 Roxbury street.

Katie Kesselman, for compensation for injuries caused by an alleged defect in Dorchester High School.

Walter E. Kiley, for compensation for damage to automobile caused by an alleged defect at 198 Amory street.

Russell King, for compensation for injuries caused by truck of Park Department.

Newsom & McLeod, for refund on license for sale of merchandise at 124 Clinton street.

Russell Meade, for compensation for damage to automobile caused by city car.

Charles Miglorino, for compensation for injuries caused by an alleged defect in North square.

Margaret I. Muir, for compensation for damage to clothing in Election Department.

Katherine J. Muldoon, for compensation for glasses broken at 1725 Washington street, caused by hole in sidewalk.

Francis P. O'Flaherty, for compensation for injuries caused by bullet fired by policeman.

Pierce Arrow Sales Company, for compensation for damage to automobile by fire apparatus.

Esther Resnick, for compensation for injuries caused by an alleged defect in Warren street.

Gertrude M. Saklad, for compensation for injuries caused by an alleged defect at 132 Glenville avenue.

Guy Scurti, for compensation for damage to automobile caused by an alleged defect in Commercial street.

Joseph Silverman, for compensation for damage to automobile and personal injuries caused by ferryboat.

Victor Souza, for compensation for damage to automobile caused by an alleged defect at 118 Cambridge street.

Pauline Vistola and Catherine Licari, for compensation for injuries received on East Boston Ferry.

Hotel Westminster, for refund on refuse tickets.
Sadie Cohen, for compensation for injuries received caused by an alleged defect on Elm Hill avenue.

WEST ROXBURY BUS LINE.

A petition was received from Fred C. Woodward for a license to operate two buses from the Boston-Dedham line on Spring street to the Boston Elevated Railway Terminal, West Roxbury.
Referred to the Committee on Jitney Licenses.

DORCHESTER BUS LINE.

A petition was received from the Boston Elevated Railway for a license to operate motor vehicles between Ashmont Station and the junction of Washington and Codman streets, Dorchester, over Dorchester avenue, Peabody square, Talbot avenue, Codman square, Washington street, Codman street.

Referred to the Committee on Jitney Licenses.

APPOINTMENT OF SANITARY INSPECTORS.

Notice was received from the Health Commissioner of the appointment of the following-named persons as sanitary inspectors, viz.:

Adam Krauss, 434 East Eighth street; John J. Harrington, 117 Brown avenue; George A. Quirk, 31 Robinwood avenue; Joseph D. Driscoll, 64 Telman street; Frederick A. Fitzgerald, 971 Dorchester avenue.

Placed on file.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held on the following petitions for storage and sale of gasolene, viz.:

September 5.

John J. Daly, 1474 Columbus avenue, Ward 11, 1,000 gallons.
Alice F. Swanson, 41 Jenkins street, Ward 6, 2,000 gallons.

September 10.

Boston Elevated Railway, 1950 Dorchester avenue, Ward 16, 3,000 gallons.
Loretto Frederico, 45 Wales place, Ward 16, 1,000 gallons.

William Sartz, 1046 Harrison avenue, Ward 8, 1,000 gallons.

September 17.

George Mogavero, 59 Belgrade avenue, Ward 20, 1,000 gallons.
Referred to the Executive Committee.

APPOINTMENT OF SCHOOLHOUSE COMMISSIONER.

Notice was received of the appointment by the Mayor of Francis E. Slattery to the position of Schoolhouse Commissioner.

Placed on file.

ELECTION OF REPRESENTATIVE IN CONGRESS.

The following was received:

The Commonwealth of Massachusetts.
To the City Clerk
of the City of Boston.

Greetings:

Whereas, in General Laws, chapter fifty-four, section one hundred and forty, it is provided that upon a vacancy in the office of Representative in Congress, the Governor shall cause precepts to be issued to the aldermen in every city and the selectmen in every town in the district directing them to call an election on the day appointed therein for the election of such representative; and

Whereas, by reason of the death of Louis A. Frothingham, duly chosen to said trust, a vacancy exists in the office of Representative in Congress, for the Fourteenth Congressional District;

Now, therefore, we, by our Governor, do hereby direct and require you, in the manner and forms prescribed by our Constitution and Laws, to notify and summon the inhabitants of the city of Boston qualified to vote for State Officers, to give in their votes on Tuesday, the sixth day of November next, for a Representative in Congress, to fill said vacancy, and for the remainder of the term of two years, from the fourth day of March in the year one thousand nine hundred and twenty-seven. Proceedings shall be the same, so far as applicable, as in elections to the same office at the biennial State election.

Witness, the Great Seal of the Commonwealth hereunto affixed, at Boston this 27th day of August, in the year one thousand nine hundred and twenty-eight, and of the Independence of the United States of America the one hundred and fifty-third.

By His Excellency the Governor.

ALVAN T. FULLER.

F. W. COOK,
Secretary of the Commonwealth.

Placed on file.

CONSTABLE'S BOND.

The constable's bond of James H. Waugh, having been duly approved by the City Treasurer, was received and approved.

NEW DORCHESTER RAPID TRANSIT STATION.

Coun. WILSON offered the following:

Ordered, That the Transit Commission be, and said commission hereby is, through his Honor the Mayor, respectfully requested to advise the City Council forthwith the approximate cost of constructing along the line of the new Dorchester Rapid Transit a footbridge and way station at or near the site of the present freight house at Butler street, thereby offering convenient rapid transit facilities for residents in the entire Richmond street, Adams street, Huntoon and Medway street sections in view of the fact that the proposed Cedar Grove Station is over a mile distant.

Coun. WILSON—Mr. Chairman, just a word with reference to that order. It was brought to my attention that, although presumably the new ten million dollar Dorchester rapid transit is primarily to give rapid transit service to Boston, yet this location in the Cedar Grove section of my ward, directly on the line of the new rapid transit when it is completed, has no station nearer than the Cedar Grove Station that can be reached, approximately a mile and a half away, and there is now situated at that particular point a freight house and platform so that, without great expense, a footbridge and way station can be put there which will save the people of that particular district having jitney buses tearing through their streets taking them over to Cedar Grove on the shuttle line to Peabody square, and I ask for a suspension of the rule and the passage of the order so that the Transit Commission may take up this particular order.

Passed under suspension of the rule.

REPORT OF SPECIAL COMMITTEE ON PLAYGROUNDS.

Coun. WILSON offered the following:

Ordered, That the Special Committee on Playgrounds, through his Honor the Mayor, be, and the said committee hereby is, respectfully requested to make some report,—if only a preliminary report,—at an early date, with reference to its survey of playground needs throughout the City of Boston

Coun. WILSON—Mr. Chairman, time after time, various playground loan orders have been introduced by almost every member of this body and have been passed by the City Council only to be returned with a veto by the Mayor on the ground that this entire question of new playgrounds throughout the City of Boston is being taken up

by some unofficial body — assuming that it exists — which has been appointed to consider the needs of the various wards, and the various playground loan orders have come back, for a period of a year or more, vetoed without prejudice, having been referred to that nebulous committee. Ward 17 has not a single playground at the present time, and a \$75,000 loan order for the purchase of the one last available tract of land was, last month, vetoed by the Mayor without prejudice on this ground — that this, in common with the other playground loan orders, had been referred to this honorary playground committee. I feel that the Special Committee on Playgrounds, if it still functions or has ever functioned, could with reasonable dispatch reach the conclusion that Ward 17 is entitled to at least one playground. I agree that public improvements should be laid out on some logical general plan, but I do not believe that perpetual surveys should be entirely substituted for actual progress, especially where the needs are plainly self-evident, even to the average man on the street. The Special Playground Committee, although unpaid, and apparently entirely honorary, whether real or otherwise, will prove a rather expensive luxury to the City of Boston if its wise deliberations extend to such time as all available land of sufficient area has been taken for building development, as promises to be the case in the Dorchester district. Accordingly, I ask for a suspension of the rule and the passage of this order in order that the well-used but not well-known Special Committee on Playgrounds may make some report at some time.

Passed under suspension of the rule.

USE OF DORCHESTER TUNNEL ROOF.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be, and he hereby is, respectfully requested to advise the City Council forthwith concerning order passed by the Council August 22, 1927, with reference to possible use of the roof over the new Dorchester Tunnel for playground facilities, or at least some slight beautification and improvement of the same.

Coun. WILSON—Mr. Chairman, I was interested to read in the Sunday newspapers, on September 2, that his Honor the Mayor was finally talking up in an informal manner with General Manager Dana of the Boston Elevated some possible use being made of the two-mile stretch of smooth concrete, 30 feet wide, over the entire length of the new Dorchester rapid transit through Ward 17, and that that suggestion had first been made by some member of some Board of Trade. Personally, I had some dim recollection of introducing an order in the Boston City Council on that very subject as long ago as August, 1927,—a year ago last month; and, to give a good Democrat his just due, I believe that Senator Hennessey of Dorchester also advocated some such steps also, months ago. But, from whatever source the germ of the idea may have sprung, it is indeed gratifying to learn that the idea has at last filtered through to the Royal Family.

Passed under suspension of the rule.

EDISON LIGHT CHARGES.

Coun. WILSON offered the following:

Ordered, That in accordance with City Council order passed July 16, 1928, the new expert light investigator, through his Honor the Mayor, be, and he hereby is, requested to advise the City Council in detail forthwith the result, if any, of the investigation, if any, made by him of Edison Electric Light Company charges made annually to the City of Boston, particularly with reference to pole rentals,—whether or not called by that name,—and all as more specifically referred to in City Council orders passed on May 9 and August 22, 1927.

Coun. WILSON—Mr. Chairman, if the Boston papers are correct, five days after the eighth of August, this year, when he started to work, our new light expert — or, rather, our new expert on lights — was about one-quarter done with his survey and, accordingly, sent through his first bill for \$1,000. On that basis I assume that the \$6,000 masterpiece is now completed, if not almost completed, and, in fact, a recommendation has already come through, much to our surprise, perhaps, to

the effect that Commonwealth avenue needs some more lights. I was given to understand that, besides improving our lighting, this expert advice was to save us many thousands of dollars. One of the most substantial savings that can be effected offhand,—unless undue pressure is put on Mr. Cummins, who I understand is now absent from our midst in Palm Beach,—is an expense to the city annually amounting to over \$150,000 for what is in effect an annual rental on over 6,000 Edison electric light poles. The \$6,000 salary would be money well spent, I submit, provided our expert would only attack the real problem that would mean a real savings of thousands of dollars to the City of Boston, namely, the one subject they all seem to back away from—the question of the rental on these Edison Electric Illuminating Company poles in the streets of the city.

Passed under suspension of the rule.

PUBLICATION OF STREET BOOKS.

Coun. WILSON offered the following:

Ordered, That the Printing Department be respectfully requested to advise the City Council forthwith the progress, if any, made with reference to publication of street books authorized by City Council order already passed.

ASSESSMENT OF EAST BOSTON LAND.

Coun. WILSON offered the following:

Ordered, That the Assessing Department advise the City Council forthwith the amount of the annual assessment made each year from 1922 to 1928, inclusive, on approximately 1,000 acres of land near the airport until recently owned by or assessed to the East Boston Land Company and now reported to have been sold, or to be sold, by the City of Boston to certain Boston real estate interests; and

Further ordered, That the City Collector advise the City Council forthwith when and for what years taxes totaling approximately \$252,000 assessed against approximately 1,000 acres now or until recently owned by the East Boston Land Company near the airport, were determined to be uncollectible and exactly what steps, if any, were taken by the office of the City Collector each year from 1922 to 1928, inclusive, to collect accrued and unpaid taxes on the large tract in question.

Coun. WILSON—Mr. Chairman, announcement was recently made that the City of Boston has accepted \$100,000 in lieu of \$252,000 taxes claimed to be uncollectible from the East Boston Land Company for the entire period of six years from 1922 to 1928, inclusive. I believe, to be very frank, that good judgment is being shown in thus making possible an opportunity for development of the 1,000 acres on East Boston land in commercial usage and, incidentally, restoring a large dead property to new and increased live taxation. The newspapers quote the purchaser, or the alleged purchaser, as saying:

"The large amount of land available, with the railroad and waterfront facilities, make this site ideal for the location of large and small industrial concerns. Availability of deep water channels and the sheltered harbors and inlets makes it attractive for ship terminals. In addition, a large section of this property will make effective home sites for the workers.

With the completion of the proposed East Boston Tunnel, this property will have most desirable and unexcelled transportation facilities, as it will be within a few minutes ride by automobile or rail from the center of Boston. It is now served with subway and transit lines, and five steam railroads. We have available approximately ten million square feet of land adjoining the present city airport, which may be utilized for an independent commercial airport, or as an addition to the present Boston Airport."

That is the story of the purchaser, or the alleged purchaser, of the land. Although I agree that some disposition should be made of the land, if the rosy picture is not too optimistic, two thoughts naturally occur to one. Shouldn't the 1,000 acres of land fairly be worth more than \$10 an acre? And, in the second place, if it is the fact, why have we allowed taxes to run unpaid for almost six years? If for six long years the

land had no great value, other than a mere potential value, certainly great sympathy is due those owners who were too heavily assessed and are now losing this vast area on the very eve of the fruition of their hopes for a nearby airport. On the other hand, if the land has great value and has had great value, it is indeed disappointing to feel that total taxes were allowed to reach such a figure as to require city sale at more than a 50 per cent discount, or to feel that perhaps a sale for only \$10 an acre is too quickly jumping at an offer made with airport construction and a new tunnel absolutely now insuring enhanced values. Passed under suspension of the rule.

PAY ROLL OF THE REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds for the month of August, amounting to \$8,053.11, was received and approved.

FANS IN SUBWAY TRAINS.

Coun. SULLIVAN offered the following:
 Ordered, That the trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, to provide for the installation of a system of revolving fans in the roofs of all the cars on their elevated and tunnel trains for the purpose of properly ventilating the same.
 Coun. SULLIVAN—Mr. Chairman and members of the Council, in connection with the foregoing order there has been considerable activity in extending our rapid transit facilities while little or no attention has been paid to the health and comfort of the car rider. Without any regard for decency or morals, the passengers are packed in the elevated and tunnel trains until actually they are standing on each other's toes. The air in the train is unfit to breathe. The cars are stuffy and close. The atmosphere is contaminated with body odors, and passengers are constantly exposed to the dangers of disease. The law adequately provides for the safe and healthy transportation of livestock in freight cars, but, unfortunately, no provision has been made for safeguarding the health of the human beings who ride on our rapid transit system. I believe if the ventilating system provided for by this order which I have just introduced is installed in every car on our elevated and tunnel system, the hazard to health and comfort of the car riding public will be greatly reduced.
 Passed under a suspension of the rule.

CHANGE IN HOURS OF REGISTRATION.

Coun. MAHONEY offered the following:
 Ordered, That the Board of Election Commissioners be requested, through his Honor the Mayor, to set the hours of registration in October in the various wards at from 1 p. m. to 10 p. m.
 Coun. DOWLING—Mr. Chairman, may I have that read again?
 The order was again read by the Clerk.
 Coun. WILSON—Mr. Chairman, I think that ought to be sent to the Executive Committee, perhaps. It ought to be a little bit explained.
 Chairman RUBY—Coun. Wilson moves that the order be sent to Executive Committee. Is there any objection?
 Coun. FITZGERALD—Mr. Chairman, I will state that they already have the power to do as they see fit.
 Coun. WARD—Mr. Chairman, I did not know that this order was going to be presented this afternoon, but I do realize that during the last fifteen days of registration there were thousands and thousands of people in Boston who did not get the opportunity to register, and I do not think it is necessary to send this to the executive session. I believe Coun. Mahoney moved for a suspension of the rule and the passage of the order.
 Coun. RUBY—Coun. Mahoney moves for a suspension of the rule.
 Coun. DOWLING—Mr. Chairman, I rise for one purpose only. I think the suggestion that it go to the Executive Committee might be a good one, for the reason that your experience and mine tells us that the election laws and the

laws with reference to registration are so well and clearly established by the Legislature that this order, with which I am not yet familiar, may conflict with law. So what in the world is the use of passing an order that may conflict with the statutes? As suggested before, I would send it to the Executive Committee, and then we might hear from the Election Department. I do not want to vote for something that is inconsistent with statutory law. I haven't any assurance that this meets with legislative requirement.

Coun. MAHONEY—Mr. Chairman, I might say that I have checked up with the Election Department, and they have informed me that this matter can be passed by the Council. It was tried once before, in 1924, and worked very effectively; and so I move for a suspension of the rule and the passage of the order.

Coun. MURPHY—I hope, Mr. Chairman, that the order introduced by Coun. Mahoney will pass, for the simple reason that the people of Boston must be given an opportunity to register, and, although the Election Department has done excellent work in the primary registration, nevertheless there is room for improvement, and that improvement can be best met by opening up the registration in the outside wards from one o'clock in the afternoon until 10 p. m., and I hope, sir, that the order passes.

The order was passed under a suspension of the rule.

SUNDAY BASEBALL REFERENDUM.

Coun. GREEN offered the following resolution, requesting that the reading of the same be waived, viz:
 Whereas, The committee on legal affairs of the Legislature of the State of Massachusetts reported favorably by a majority vote to permit baseball to be played on Sunday afternoon, between the hours of two and six, in such communities as desire it, to be indicated by them by a majority vote of such communities; and
 Whereas, Over one hundred thousand citizens of this state have petitioned the Legislature to pass a law permitting a fee to be charged at such baseball games as are played during such hours, the petition being headed by ten such public-spirited and representative citizens as Samuel E. Winslow, Herbert Parker, Gen. Charles H. Cole, Alfred G. Doe, Charles S. Ashley, Wilfred W. Lufkin, Henry L. Bowles, Edith C. Ames, Elizabeth P. L. Emmons and Cornelius J. Corcoran; and
 Whereas, Such a measure has received the indorsement of a large number of other well-known and patriotic citizens of this state, including the labor unions of the State of Massachusetts, the Massachusetts Department of the American Legion, many eminent members of the clergy throughout the state and country, and the governors of the states and the mayors of the cities where professional baseball has been played for years past with great success and benefit to the community; and
 Whereas, Investigation has demonstrated beyond question that such a law is beneficial to the well-being, character and building-up of the youth, and has been found a wholesome recreation to the hundreds of thousands of adults who have attended and witnessed such games; and
 Whereas, The proposed referendum to be voted upon at the coming election limits the hours to Sunday afternoon and to only such communities that desire to accept the privilege or benefits of such act; and
 Whereas, We are of the opinion that such a law is consistent with the principles of the church and helpful to everyone and harmful to none;
 Resolved, That we, the City Council, following the example of similar legislative bodies throughout the country, unqualifiedly indorse the proposed amendment in favor of Sunday baseball and such sports as are provided in the referendum, and urge its favorable consideration by the people, expressing the hope that every citizen will vote on the question found at the bottom of the official ballot on election day; and be it further
 Resolved, That this resolution be given publicity so as to encourage discussion and action on this important measure by the people.
 Referred, on motion of Coun. GREEN, to the Executive Committee.

RESURFACING CEDAR STREET, WARD 9.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth pavement Cedar street, from Lambert avenue to Centre street; Highland street, from Cedar street to Eliot square, and Blanchard street, Ward 9.

Passed under suspension of the rule.

SIDEWALKS IN WARD 9.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the construction of granolithic sidewalks on Hampshire, Linden Park and Vernon streets, Ward 9.

Passed under suspension of the rule.

SIDEWALK IN HOPEDALE STREET,
WARD 22.

Coun. GALLAGHER offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Hopedale street, from North Harvard street to northeast of Windom 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.

SIDEWALK IN WINDOM STREET,
WARD 22.

Coun. GALLAGHER offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Windom street, from Cambridge street to northwest of Hopedale 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.

SIDEWALK IN SEATTLE STREET,
WARD 22.

Coun. GALLAGHER offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Seattle street, from Cambridge street to northwest of Hopedale 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.

REPAVING LIVERPOOL STREET, WARD 1.

Coun. DONOVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the repaving of Liverpool street, East Boston, from Central square to Summer street.

Passed under suspension of the rule.

APPROPRIATION FOR SOLDIERS' RELIEF.

Coun. MOTLEY offered the following:

Ordered, That there be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for Soldiers' Relief Department, the sum of \$2,000, said sum to be expended, subject to the approval of the chairman of the Committee on Soldiers' Relief, or in his absence by

any other member of said committee, by said commissioner in affording immediate relief to persons entitled to aid under chapter 115 of the General Laws, and acts in amendment thereof, and in addition thereto.

Passed under suspension of the rule.

LOAN FOR AIRPORT IMPROVEMENTS.

Coun. MURPHY—Mr. Chairman, I request that we take up No. 6 on the calendar.

Chairman RUBY—If there is no objection, the Chair will call up Nos. 5, 6, 7 and 8 on the calendar.

Coun. McMAHON—Mr. Chairman, I was going to ask that the reading of those numbers be waived.

Chairman RUBY—Coun. McMahon moves the waiving of the reading, and the Clerk will call the roll.

Coun. BUSH—Mr. Chairman, is there a vote going to be taken on all four simultaneously?

Coun. RUBY—Unless there is objection.

Coun. BUSH—Well, there is objection. I object to our taking them up simultaneously.

The Chair called up No. 5 on the calendar, viz.:

Ordered, That the sum of \$125,000 be, and hereby is, appropriated to be expended under the direction of the Board of Park Commissioners for the grading, draining, lighting and general improvement of the airport leased to the city by the Commonwealth of Massachusetts and for such other work and construction as may be necessary to put said airport in proper and serviceable condition, and that to meet said appropriation 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.

On August 20, 1928, the foregoing order was read once and passed, yeas 21, nays 0.

The order was given its second and final reading and passage, yeas 21, nays 0.

LOAN FOR RIVER STREET
RECONSTRUCTION.

The Chair called up No. 6 on the calendar, viz.:

Ordered, That the sum of \$100,000 be, and the same is hereby, appropriated to be expended under the direction of the Street Commissioners for River street reconstruction, and that 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.

On August 20, 1928, the foregoing order was read once and passed, yeas 21, nays 0.

The order was given its second and final reading and passage, yeas 21, nays 0.

LOAN FOR WEST END FIRE STATION.

The Chair called up No. 7 on the calendar, viz.:

Ordered, That the sum of \$300,000 be, and hereby is, appropriated to be expended under the direction of the Fire Commissioner in the purchase of a site for a new fire station in the West End district, 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.

On August 20, 1928, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second and final reading and passage, yeas 20, nays—Coun. Bush—1.

LOAN FOR GOLF LINKS.

The Chair called up No. 8 on the calendar, viz.:

Ordered, That the sum of \$200,000 be, and the same hereby is, appropriated to be expended under the direction of the Park Commissioners for the purchase of a tract of easily accessible land of sufficient area within the present city limits for the construction of a second public golf course in the City of Boston, and that to meet such appropriation the City Treasurer be, and he hereby is, authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

Further ordered, That the sum of one hundred thousand (100,000) dollars be, and the same hereby is, appropriated to be spent under the direction of the Park Commissioners for the construction of an eighteen-hole public golf course in the City of Boston, and that to meet said appropriation the City Treasurer be, and he hereby is, authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

On August 20, 1928, the foregoing order was read once and passed, yeas 18, nays 3.

The order was given its second and final reading and passage, yeas 18, nays—Coun. Bush, Dowling, Ruby—3.

APPLICATION FOR APPOINTMENT OF CONSTABLE.

Coun. WARD offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to forward to the City Council the application of John H. Brady for appointment as constable of the City of Boston.

President GREEN—The Chair rules the order out of order.

Coun. WARD—Mr. President, on that order the object was this. There had been some opposition to Mr. Brady down here, and that opposition is now withdrawn, but the Corporation Counsel, because of the fact that the opposition was in the Council, has neglected to send it down approved.

President GREEN—The Chair will state that the Corporation Counsel reports to the Mayor on this matter and not to the City Council.

Coun. WARD—May I ask that it read that the Corporation Counsel be requested to forward it to the Mayor.

The order, as amended, was read by the Clerk, viz.:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to forward to his Honor the Mayor the application of John H. Brady for appointment as constable of the City of Boston.

Coun. WARD—That is all right.

Passed under a suspension of the rule.

LISTING BONDSMEN AT POLICE STATIONS.

Coun. WARD offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to list the names and addresses of professional bondsmen in the various station houses throughout the city.

Passed under a suspension of the rule.

OVERTIME PAYMENT FOR ELECTION DEPARTMENT.

Coun. RUBY offered the following:

Ordered, That the Board of Election Commissioners be requested, through his Honor the Mayor, to arrange for the payment of overtime to the regular employees of the Election Department to work extra time during registration and elections.

Coun. RUBY—Mr. President, we have, this afternoon, passed an order, recommending that the Election Commissioners open registration for election from 1 to 10 p. m. for the time allotted for registration. Almost invariably when we pick up the *City Record*, week after week, we find different employees in the different departments in the City of Boston are being paid for overtime work, which I think no member of this Council begrudges to those employees. If a man does a day's work he is entitled to a day's pay, and that ought to also hold true if a man does work for a day and a half—he ought to be entitled for that extra half a day's work which he ordinarily would not be required to perform. Unfortunately, in my opinion, the one department of the City of Boston where employees are required to work overtime and not get paid, is the Election Department, and I refer now to the men who work regularly in that department, the thirty-nine or forty men who are there. I believe that those of us who witnessed the tremendous record registration

since August 5, when registration opened downstairs, will agree with me that every man employed in the Election Department performed a Herculean task, helping every single individual who presented himself to be registered so that he might vote on September 18, and we know the tremendous amount of work that will be required of those men for the election registration which will come sometime this month. I can't, for the life of me, understand why these men should be required to work additional hours, six to ten, for registration, and then after the people have left the hall and registration has ceased for the night for some of those men to be required to work until one o'clock in the morning and just conceive a dollar a night for their supper. I can't conceive why, if we have enough money to pay all employees in the City of Boston, his Honor the Mayor cannot find enough money to pay these men for the additional period of time that they are compelled to perform the work. In the last *City Record*, there is a number of men in the different departments, as I have said before, who have received overtime, some as high as \$68. And why should these men be any different? They are compelled to do this work. Out in my district, when we called our help two additional regular men were sent out there and if it were not for their work in coming into the breach because of the tremendous stress on the regular men two or three hundred in my own ward would have been compelled to forego registration because of lack of facilities and because of lack of men to do the work. They were called down there, and I left them after eleven o'clock that night, because they registered every single person in that voting booth at ten o'clock. Some of them were there all evening, and at ten o'clock, with thirty, forty and fifty in line, the election officers could have turned them out, but instead of that any person who presented himself or herself was permitted to be registered, and those men left the registration places some time after eleven o'clock, and they had to come down to City Hall to bring the books in and then did some work here and then went home. There is no reason why provision could not be made for those men to be paid. They are compelled to do extra work for twenty additional days, and there is no reason why they should not be compensated for it. I think that men who get the salary they do ought to get paid, especially in view of the fact that I understand that thirty-nine extra men were put on during this registration rush period, and they received \$5 for the regular day's work and \$5 additional for the overtime work. And, if they received \$10 a day, which would equal \$3,600 a year if they worked regularly, why is not the man who gets \$1,600, \$1,700, \$1,800, or \$1,900 a year entitled to have overtime payments? I believe that his Honor the Mayor should see fit to get that money somewhere. Surely, it must be there because they found the money to pay the extra men whom they employed during the last registration, which was a record-breaker; and I ask, Mr. President, for a suspension of the rule and the passage of the order.

Coun. MURPHY—I realize, Mr. President, that the employees of the Election Department have worked and are working long hours, and I agree with Coun. Ruby as far as overtime is concerned, but qualifying it to mean that they shall be paid double time over eight hours. I also want to state that if this work is going to continue—and we know it is—that instead of keeping men on the job from nine o'clock in the morning until one o'clock the next morning, what ought to be done is that other men that are walking the streets of Boston and are perfectly qualified to do the work should be brought in after the eight-hour period of the employees now in the Election Department. In the various wards, especially in my own ward, Ward 18, while the outside registration was going on it was necessary to have the Election Commissioners vote that every one in the room at ten o'clock would be registered. One of the registrars jumped over the table at ten o'clock and said that there was enough done for that night. However, we were successful, due to the Election Commissioners, in keeping the place open until quarter of twelve that night until everybody was registered. I am absolutely in favor of paying a man for a day's work. I believe a day's work is eight hours and anything that is going to extend into sixteen hours ought to be two shifts, thereby giving employment to the unemployed. And I hope for the work that these men have done—and they have done good work

—that his Honor the Mayor, in his wise judgment, will see to it that they are compensated the way men are compensated in every other craft on the outside. It is unfair to expect men to work day and night, and then give efficiency to the public that are craving to get in and get registered. The people have a right to be registered to vote. The City of Boston must provide ways and means for the citizens of Boston, and if that is done, which I believe the Mayor has stated himself he is in favor of, then the places will be kept open, in addition to paying a proper amount for compensation for the work, from one o'clock in the afternoon until ten o'clock—yes, and on the last night at twelve o'clock—if necessary, to register the voters. So, I hope that these men will be compensated by paying them double time, and that at the end of eight hours in the future they will employ additional help to do the work.

Coun. BUSH—Mr. Chairman, I heartily concur with the councillor from Ward 14 in the suggestion that the members of the Election Department be compensated for the overtime work that they do. For a long time that particular department has been discriminated against in the matter of compensation for overtime work, and it is only fair that a municipality should pay its help for work done outside of the usual hours just as well as it is for private employers to pay their help extra for work done outside the usual hours. So far as giving employment to outsiders in the particular time of stress, of course, sometimes that has to be done in cases of emergency when it cannot be helped, but, as a matter of practical application, the work requires some degree of knowledge and some degree of efficiency, and the man off the street cannot perform the work as satisfactorily. It takes some degree of knowledge and some little training in order to perform the work right, and for that reason it may be necessary, time and again, to call upon the regular employees of the Election Department to do that work. But it certainly is unfair on the part of the city not to pay those employees extra time or extra compensation for the extra time served.

Coun. SULLIVAN—Mr. President, I had an opportunity in my section of my district to notice the work that those men were doing, and it was during the hottest period possible for the summer season, and the last night it was so hot that the boys were exhausted at ten o'clock, and I am heartily in favor of compensating them for their overtime, and I do not think that they should be asked to work after their eight-hour period is over without receiving some compensation from the city, and I am heartily in favor of this order.

Coun. FITZGERALD—Mr. President, in reference to this overtime, it should not be blamed wholly upon this administration. It ought to be blamed on whichever one that originally started this method. At the time that Mr. Minton, chairman of the Board, passed away, the regular employees of the department were always paid overtime. The question is to find the root of the trouble, who was the cause of taking this money away from these men—as one member of the Council stated, men who are specially adapted for this type of work. Everybody from the street cannot do it. Under the law, the employees in the Election Department are divided between both political parties. Even now, the men who are serving as outside registrars are the ones that should be called in, and they are not being called in. They are the ones who ought to be called in for this work. They are divided between both parties, and they were men who had worked as outside registrars of voters for years, and they were overlooked. A few years ago, they were brought into the office during the rush time; but, of course, some people came along, they upset the workings of this department, and they practically ruined it, and old, true, and trusted employees after many years of service there were thrown out in the cold, and after many years of service they had given to the city they were deprived of their pensions and thrown ruthlessly out in the cold. The ones who are responsible for taking away from these men their overtime are the ones the blame should be put upon. And, while I am speaking now, I think those who are responsible for cutting off this registration for twenty days, some of these great men that we have who are supposed to be looking after the interests of the people in the Legislature, allowed this law to be passed during the past year, and I do not know whether it emanated from the Election Commissioners' office or not, but whoever was responsible

for denying for a period of twenty days the right to register, are the ones to blame for a good deal, and we are going to have a serious situation when the twenty days are up. People are going to come in large numbers. That is what should be done, and the way it should be done is that this matter ought to be referred to the Executive Committee, and the Election Commissioners summoned up before the Council and means and methods should be provided so as to give these men by a transfer of funds from other departments the compensation they deserve. It can be done. The Budget Commissioner is here and the department heads should be called up and the matter settled today.

Coun. RUBY—Mr. President, believing that Coun. Fitzgerald's suggestion is a good one in so far as it may get some result, I move that my order be referred to the Executive Committee.

There being no objection, said order was referred to the Executive Committee.

DORCHESTER BUS LINES.

Coun. WILSON—Mr. President, there was just called to my attention an editorial in one of the Boston papers, to the effect that—"Although the Ashmont Extension of the Elevated from Fields Corner got under way, according to schedule, last Saturday morning, the residents on 'feeder' lines are not happy. They still have to walk. . . . The trouble is that the application for licenses to run them have been held up for some time by the City Council. In this case the road . . ."

Coun. BUSH—Mr. President, I arise to a point of order.

Coun. WILSON—I will say, for the benefit of the visiting fireman, that I rise on a question of personal privilege.

Pres. GREEN—The gentleman will state the question.

Coun. WILSON—An attack by a Boston paper on any member of the City Council who has anything to do with the delay in allowing jitney private lines to run as a part of the present rapid transit system in Dorchester.

Pres. GREEN—The gentleman may proceed.

Coun. WILSON—The editorial continues, for the benefit of those who wish to know and those who don't, in effect questioning and asking the City Council what reason they have for delay in thus discommoding the public. So far as I am concerned, three of the five bus lines now proposed by the Boston Elevated Railway are in Ward 17, and for those lines I take complete responsibility. Due to the fact that neither the Mayor of Boston, nor the General Manager of the Boston Elevated Railway, nor anybody else except the voters of Ward 17 are going to have anything to say, directly or indirectly, about whether jitney lines are going to run in Ward 17, or where they are going to run, and for that reason so far as they are concerned in my ward, I purposely waited until the residents in my ward could return from their summer vacations, those who were away, and called a mass meeting in Codman square on Friday night of this week, at my own expense sending a card to every family in the ward—five thousand in number, at which time, not I, nor the Mayor nor Mr. Dana, but the people of the ward which I represent will tell the Boston Elevated Railway where they can have their bus lines, if any.

RECESS.

The Council voted, on motion of Coun. MAHONEY, at 3.25 p. m., to take a recess, subject to the call of the Chair.

The members reassembled in the Council Chamber at 4.47 p. m. and were called to order by President GREEN.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following reports, viz.:

1. On the several communications relative to the sale and storage of gasolene—that the same be placed on file.

Report accepted; said communications placed on file.

2. Report on order (referred today) that the Election Commissioners be requested to arrange for the payment of overtime to regular employees of the Election Department—that the same ought to pass.

Report accepted; said order passed.

3. Report on requests (referred today) for transfers within departmental appropriations—that the same ought to pass.

Report accepted; said orders passed, yeas 15 nays 0.

REPORT OF COMMITTEE ON SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted report recommending order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of September, 1928.

Report accepted; said order passed.

CONFIRMATION OF APPOINTMENTS.

Coun. RUBY called up Nos. 1, 2, 3 and 4 on the calendar, viz.:

1. Action on appointments submitted by the Mayor August 20, 1928, of Joseph M. Weinberg, Lewis C. Speare, Joseph Labagnara and Michael M. Plepys to be constables.

2. Action on appointment submitted by the Mayor July 16, 1928, of Isaac Shulman to be a constable.

3. Action on appointment submitted by the Mayor April 16, 1928, of Albert T. Homsy to be a constable.

4. Action on appointments submitted by the Mayor April 30, 1928, of Harry Chiofsky and Philip P. Davidson to be constables.

The question came on confirmation. Committee, Coun. Wilson and Ward. Whole number of ballots 12, yeas 12, and the appointments were confirmed.

REPAVING RIVER STREET, WARD 18.

Coun. MURPHY offered the following: Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving River street, Ward 18, from the Ward 17 boundary line to Mattapan square.

Passed under suspension of the rule.

REPAVING ACCEPTED STREETS IN WARD 18.

Coun. MURPHY offered the following: Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving all the accepted streets leading from River street, Ward 18, from Mattapan square to Everett square.

Passed under suspension of the rule.

NEXT MEETING.

Coun. SULLIVAN—Mr. President, on the question of the next meeting, if we do not adjourn to next Monday, the following Monday comes the day before election, and I do not want to embarrass those men running for office by having them come here to a Council meeting when they should be out getting votes; so, I make a motion that the Council adjourn to next Monday.

There being no objection, the Council adjourned at 4.15 p. m., to meet on Monday, September 10, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, September 10, 1928.

Regular meeting of the City Council held in the City Council Chamber, City Hall, at 2 p. m. Coun. DOWLING presided in the absence of the President. Absent, Coun. Deveney, Green, Lynch, and Murphy.

APPOINTMENT OF WEIGHERS OF COAL.

The following was received:

City of Boston,
Office of the Mayor, September 5, 1928.
To the City Council.

Gentlemen,—Subject to the approval of your honorable body, I herewith appoint the following as weighers.

Of Coal: Rose E. Shriberg, 80 Whittier street, Roxbury, Biagio Carabello, 9 Clark street, Boston.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Laid over one week under the law.

APPROPRIATION FOR CITY HOSPITAL.

City of Boston,
Office of the Mayor, September 10, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the trustees of the Boston City Hospital requesting that the sum of \$45,000 be substituted for the \$36,000 now before your honorable body, for additions and alterations to the power plant, Boston City Hospital, to be expended as indicated in the attached communication.

This request has my approval, and I recommend your favorable action thereon.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Hospital Department, September 7, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Mr. Mayor,—Under date of July 20, 1928, for the trustees of the Boston City Hospital, I requested that \$36,000 additional be granted for installing a new roof on the power plant at the City Hospital, and for removing concrete, granite and piles under the old boilers in order to install a new foundation. At a meeting of the Committee on Finance of the City Council held today, it was shown that \$36,000 was not sufficient to cover unforeseen conditions that were found in the roof and to remove the concrete, granite and piles under the boilers, and that the actual cost for this work would total \$39,809.91.

It was also explained to the Committee on Finance that certain additional work as recommended by the Richard D. Kimball Company to James H. Piche and Associates would be necessary, these items totalling \$2,095.12. An explanation of these items is enclosed.

It was suggested by the committee that the original request for \$36,000 be amended so as to read \$45,000—\$39,809.91 of this amount to cover the actual expenditures for the roof and removal of foundations, and \$2,095.12 to cover items as explained in the accompanying memorandum, making a total of \$41,905.03, the balance to be used for any contingencies that may arise in the completion of the work.

Therefore, on behalf of the trustees, I respectfully request that the sum of \$45,000 be added to the appropriation for Additions and Alterations to Power Plant, Boston City Hospital, to be expended as outlined above.

Yours respectfully,
JOSEPH P. MANNING,
President, Board of Trustees.

Removing and relocating sump pipe, ejector, drain, and steam connections; removing and relocating cold water to Ambulance Station; removing

and relocating return from hot water tank and various steam drips and piping on wall of present locker room with necessary cutting, patching, and excavating in the sum of \$771.94.

Renewing and relocating piping to present reducing pressure, fit including the necessary valves and fittings in the sum of \$463.39.

Installing new 8-inch valve on main exhaust and fittings in the sum of \$463.39.

Installing new 8-inch valve on main exhaust line from vacuum pumps in the sum of \$310.79.

Installing two boiler compound feeders consisting of brass pipe, valve, fittings and copper funnel. One on each boiler feed line beyond oil filters in the sum of \$549.

Placed on file.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, September 10, 1928.
To the City Council.

Gentlemen,—I am in receipt of the attached requests for transfers within departmental appropriations and respectfully recommend adoption of the accompanying orders.

Respectfully,
MALCOLM E. NICHOLS, 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 Public Works Department, Sewer Service.

From the appropriation for B-18, Cleaning, \$5,000, to the appropriation for B-14, Motor Vehicle Repairs and Care, \$4,500; D-1, Office, \$500.

From the appropriation for A-1, Permanent Employees, Laborers, 125 (107) at \$5 per day, \$1,000, to the appropriation for A-2, temporary \$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, Paving Service.

From the appropriation for B-6, Hire of Teams and Auto Trucks, \$5,000, to the appropriation for B-42, Repairing Streets, Etc., \$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, Bridge Service:

From the appropriation for C-4, Motor Vehicles, \$250, to the appropriation for C-17, General Plant, \$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 transfer in the appropriation for Public Works Department, Ferry Service.

From the appropriation for C-4, Ferries, \$350, to the appropriation for D-13, Chemicals and Disinfectants, \$250; E-1, Building, \$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 Public Works Department, Sanitary Service.

From the appropriation for B-39, General Plant, \$10,000; E-2, Highway, \$5,000, to the appropriation for B-14, Motor Vehicle Repairs and Care, \$15,000.

From the appropriation for D-1, Office, \$2, to the appropriation for B-12, Bond and Insurance Premiums, \$2.

Referred to the Executive Committee.

WIDENING EXCHANGE STREET.

The following was received:

City of Boston,
Office of the Mayor, September 10, 1928.
To the City Council.

Gentlemen,—During the last two and one half years the Mayor and City Council have made

available \$3,000,000 inside the debt limit for the laying out, widening, and constructing of streets. Of this amount, approximately \$2,000,000 have been used by the Street Commissioners in laying out and constructing streets, chiefly in the suburban districts, with only a small amount expended within the city proper. Up to September 1, the Street Commissioners have ordered the construction of about one hundred eighteen streets in the suburban districts.

The work performed by the Street Laying-Out Department and the Public Works Department has run ahead of \$3,000,000, because of special appropriations. Such special appropriations called for the construction of Oakland and Ashland streets in the sum of \$550,000, River street in the sum of \$375,000, Lowell, Nashua and Causeway streets in the sum of \$1,000,000.

While the city in recent years has made substantial improvements in the widening of Stuart street, Province street, Cambridge and Court streets, Tremont street, Kneeland street, Dock square and Faneuil Hall square, there yet remain other much needed widenings which should be undertaken as soon as possible. The most important of these is the widening of Exchange street, the need for which has been recognized for many years. The advisability of this widening is the more apparent as it is the natural means of making the most beneficial use of the Dock square and Faneuil Hall square widenings, and connects them with Congress street and a reconstructed and widened Congress Street Bridge, to cost nearly one million dollars and for which your honorable body has already made an initial appropriation upon my recommendation. A widened Exchange street not only will relieve the dense traffic congestion in the immediate vicinity of the recent widenings, but will form a continuous traffic artery, between the North Station and the ocean terminals in South Boston. The importance of this artery is emphasized by the construction work now in progress at the North Station, which includes the widening of Nashua street and a connection with the new northern artery.

My attention has been called to the filing of an application to demolish the old buildings on the easterly corner of State and Exchange streets. The razing of these old buildings places before the city an advantageous opportunity to lay out and widen that part of Exchange street before new building construction is started by the owner.

The debt-incurring power of the city is not at the present time sufficient to complete the widening from State street to Dock square, but that need not deter the city from taking the important step which I herewith recommend. If the appropriation of \$1,100,000 which I now submit is authorized, I will undertake with the co-operation of the City Council to provide next year for an additional amount to complete the widening of Exchange street to Dock square.

In my opinion this widening will eventually have to be made and if buildings of modern construction are placed upon the site of the present buildings about to be demolished the cost of widening obviously will be much greater than the present estimated cost, which has been placed by the Street Commissioners at an outside figure of \$2,600,000. While I believe the actual cost will be much less than this I think it wise, upon beginning an important undertaking, to consider the cost at an outside estimate rather than to start with an insufficient estimate and be obliged to come forward later with a request for more money.

The unfortunate policy of under-estimation is exemplified by recent legislative acts and has contributed greatly to limit the city in its ability to perform necessary work. For example, out of the present borrowing power of the city nearly \$1,000,000 has had to be made available to meet deficiencies in the construction of Cambridge and Court streets, Kneeland street, Tremont street, Faneuil Hall and Dock squares, and much more money than this will undoubtedly be required to satisfy executions of court.

It should be stated that the proposed construction of Exchange street does not interfere with the plans now being carried out by the city for the acceptance and construction of new streets.

The entire widening has been estimated to cost at the outside \$2,600,000. That part of the entire widening covered by buildings for which an application to demolish is now on file, in the opinion of

the Street Commissioners will not exceed in cost \$1,800,000. There is in the Highway Construction Loan an unencumbered balance which, added to the savings from the estimated cost of construction, will provide enough money together with the \$1,100,000 herein recommended, to cover the estimated cost of the partial widening.

I therefore recommend the adoption of the accompanying order.

Respectfully submitted,
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$1,000,000 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 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.

PETITIONS REFERRED.

The following petitions were received and referred to the committee named, viz.:

Claims.

Beatrice Blanciforti, for compensation for injuries received on ferryboat.

Rose and Francesco Bucci, for compensation for damage to property at 8 Emmons street, East Boston, caused by water backing into cellar.

Thomas H. Butler, for compensation for injuries caused by an alleged defect in Huntington avenue.

Theresa Cali, for compensation for injuries received on terryboat.

Chadwick-Boston Lead Company, for refund on order for bricks at Albany Street Yard.

Catherine Colbert, for compensation for injuries caused by city truck.

Thomas J. Colbert, for compensation for injuries caused by city truck.

Annette DiMento, for compensation for injuries caused by an alleged defect at 54 Cottage street.

Joseph Ducetta, for compensation for injuries received on ferryboat.

Mrs. C. Flaherty, for compensation for injuries caused by an alleged defect at West Dedham street.

Wilbur A. Freeman, for compensation for injuries caused by an alleged defect in Massachusetts avenue.

Annie Keonan, for compensation for injuries caused by city truck.

Nicola Naso, for compensation for injuries received on ferryboat.

Josephine D. Rockwood, for compensation for damage to automobile by fire apparatus.

Jeremiah J. Splaine, for compensation for damage to wagon by city cart.

Assunta Testa, for compensation for injuries received on ferryboat.

Joseph Varano, for compensation for injuries received on ferryboat.

Gregorio Voci, for compensation for injuries received on ferryboat.

ELECTRIC LIGHT IN LUCAS STREET, WARD 3.

Coun. FITZGERALD offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of an electric light on Lucas street, near Washington street, Ward 3.

Passed under suspension of the rule.

SIDEWALK IN WILLIAMS STREET, WARD 11.

Coun. MOTLEY offered the following:
Ordered, That the Commissioner of Public Works make a sidewalk along Williams street in front of Nos. 3 and 5, Ward 11, 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.

SIDEWALK IN SORRENTO STREET,
WARD 22.

Coun. GALLAGHER offered the following:
Ordered, That the Commissioner of Public Works make a sidewalk along Sorrento street, from Cambridge street to 226 feet northerly, 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 96 of the Special Acts of 1917.
Passed under suspension of the rule.

SIDEWALK IN LA GRANGE STREET,
WARD 20.

Coun. KEENE offered the following:
Ordered, That the Commissioner of Public Works make a sidewalk along La Grange street, Centre street to Brookline line, both sides, 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 suspension of the rule.

SIDEWALK IN MT. VERNON STREET,
WARD 20.

Coun. KEENE offered the following:
Ordered, That the Commissioner of Public Works make a sidewalk along Mt. Vernon street, Centre street to Vermont street, both sides, 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 suspension of the rule.

SIDEWALK IN MONTCLAIR AVENUE,
WARD 20.

Coun. KEENE offered the following:
Ordered, That the Commissioner of Public Works make a sidewalk along Montclair avenue, Centre street to Fletcher street, both sides, 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 suspension of the rule.

PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds from September 1 to September 15, amounting to \$4,092.33, was received and approved.

APPOINTMENT OF RAILROAD POLICE.

Notice was received of the appointment by the Police Commissioner of railroad police officers for the New York, New Haven & Hartford Railroad.
Placed on file.

CONFIRMATION OF SCHOOLHOUSE
COMMISSIONER.

Notice was received of the confirmation by the Civil Service Commission of the appointment of Francis E. Slattery to the position of Schoolhouse Commissioner.
Placed on file.

CONFIRMATION OF LIBRARY TRUSTEE.

Notice was received of confirmation by the Civil Service Commission of the appointment of Guy W. Currier to the position of Library trustee.
Placed on file.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held on the following petitions for storage and sale of gasolene, viz.:

September 24.

Philip J. Berson, 937 and 939 Hyde Park avenue, Ward 18, 2,000 gallons.
Gustar E. Burg, 468 Old Colony Boulevard, Ward 16, 10,000 gallons.
Bernie A. Gornberg, 962 Blue Hill avenue, Ward 14, 3,000 gallons.
Mary A. Ventola, 1349 Hyde Park avenue, Ward 18, 12,000 gallons.
James H. Wilson, 252 Southern Artery, Dorchester, 3,000 gallons.
Referred to the Executive Committee.

RECESS.

The Council voted, on motion of Coun. GALLAGHER, at 2.20 p. m., to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber at 3 p. m., and were called to order by Chairman DOWLING.

REPORT OF FINANCE COMMITTEE.

Coun. BUSH, for the Committee on Finance, submitted the following report, viz.:

1. Report on message and orders (referred July 30) for \$36,000 for City Hospital Power Plant—that the same ought not to pass, without prejudice, and recommending the passage of the following orders, viz.:

Ordered, That under the authority of chapter 352 of the Acts of 1924, the sum of \$15,000 be, and the same hereby is, appropriated to be expended by the Trustees of the Boston City Hospital for Power Plant, Additions and Alterations, and that to meet said appropriation the City Treasurer be 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.

Ordered, That under the authority of chapter 352 of the Acts of 1924 the sum of \$30,000 be, and the same hereby is, appropriated to be expended by the Trustees of the Boston City Hospital for power plant, additions and alterations, and that to meet said appropriation the City Treasurer be 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.

The report of the committee was accepted. The orders submitted by the Mayor July 30 were rejected.

The orders recommended by the committee were passed, yeas 15, nays 0.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following reports, viz.:

1. Report on various requests for transfers within departmental appropriations (referred today) that the same ought to pass.
Report accepted; said orders passed, yeas 15, nays 0.

REPORTS OF COMMITTEE ON JITNEY
LICENSES.

Coun. KEENE, for the Committee on jitney Licenses, submitted the following reports, viz.:

1. Report on petition of Boston Elevated Railway (referred April 23) for license to operate buses in the Dorchester district over the so-called "Loop" route—that said license be granted.

Coun. WILSON—Mr. Chairman, may I ask that those applications be all read because, having held a meeting with reference to them, I should like to report on such of them as concern my ward.

The petition was read by the Clerk.

Coun. McMAHON—Mr. Chairman, what is the report of the committee on that? I should like to know.

Clerk DONOVAN—Favorable.

Coun. WILSON—Mr. Chairman, I do not want to stall the proceedings at all, but I should like to make a report at this time with reference to these various lines rather than to speak after each petition is read, and, if there is no objection, I will make that report now. Mr. Chairman, with reference to the various jitney bus lines in the Dorchester district, one of which petitions has now been read, and concerning which bus lines there was so much criticism within the course of the last week or ten days, I said last week that the delay, so far as my ward was concerned, was because there was going to be a mass meeting in the Codman square district to allow the people of the district themselves to decide which bus lines, if any, they wanted. That meeting was held on Friday night, at which time every seat in the Assembly Hall of the Dorchester High School was taken, people were standing three deep in the back of the hall, and there were people in the corridor who could not so much as get into the hall, following the sending out of 5,000 notices of the meeting, with a full explanation of what was to take place. At that meeting, Coun. Fish of Ward 16 and Coun. Sullivan of Ward 13 were present. At the meeting there was present Manager Dana of the Boston Elevated. The people were there obviously not as a mere indignation or protest meeting, but were there to hear what the Elevated proposed to give the people of Dorchester in the way of transportation to the Rapid Transit Lines, and, in a very orderly meeting, remarks were made by representatives of the community, and the people thereupon, by standing vote, voted on each of the various lines separately—and I refer to the lines that are running in my ward, not in Coun. Fish's ward, 16. I, personally, was glad that I held the meeting, and it only shows that the real way to ascertain what is the public sentiment is to ask the public because, very frankly, on two of the lines on which I voted a certain way the people, almost unanimously, were absolutely of the opposite opinion. The results of the ballot were as follows: The people in the Ward 17 district were absolutely against the so-called Fuller street and Bailey street line; and Mr. Dana, on hearing that sentiment expressed, and in view of the fact that Bailey street has two primary schools located on that street, asked leave to withdraw on that petition. On the Norfolk street line, the people almost unanimously—and there were between 1,800 and 2,000 present—voted against. On the so-called line up Talbot avenue, along Washington street to the Southern Artery, which was put in here last week after my talk with Mr. Dana opposing the Bailey street line, the people were almost unanimously in favor; and in reference to the petition which has just been read, the so-called "belt line" petition connecting Codman square, Peabody square, Field's Corner and Upham's Corner, and running through the wards of Coun. McMahon, Sullivan, Ruby, Fish, and Wilson, somewhat to my surprise, I will admit, the people of Ward 17, which is a long ward, almost a mile and a half long, running through and adjacent to Coun. Fish's ward, 16, Coun. Ruby's ward, 14, and touching Coun. Murphy's ward on one end and Coun. McMahon's on the other—the people almost unanimously, if not unanimously, voted that that line be granted, with its six-cent fare. I have only one other thing to say with reference to these petitions, which is this: That they were granted absolutely and wholly on condition that Mr. Dana make certain public statements from the platform, which he did make, confirming his letter to me over his own signature, with reference to what his attitude will be if these lines were granted. He wrote me this letter, under date of August 2, and I read this because I want to make it a matter of public record. I had him write me this letter, which reads:

"Dear Councilor Wilson:

Hastening to reply to your call of yesterday, I beg to advise that as I said at the hearing, we are entirely agreeable to a one-year license on the Dorchester bus line.

Also I beg to advise that we plan to operate a three-minute service on the Norfolk street bus line and a four-minute service on the Washington street bus line in rush hours.

The number of people per half hour in the rush hours, between the end of the Norfolk street line and Codman square, is 275, which you will see on a three-minute headway would be cared for amply. The number of people between Codman square and Fairmount street in the rush hour for a half-hour period is 200, which you will see would be amply cared for by a four-minute bus service. Ample ear service would exist from Codman square via Talbot avenue to the terminal."

As a matter of public record, I want to state that Mr. Dana gave the guaranty to the people of Dorchester, numbering two thousand or more, on Friday night—that, if any or all of these bus lines were granted, whatever might be the ruling of the Corporation Counsel of the City of Boston, whatever might be the opinion of the Department of Public Utilities, provided a similar mass meeting of like proportions, in an opinion expressed in any such way, at the expiration of the year should request revocation of any of the bus lines granted, the Elevated Railway voluntarily would relinquish the line in question, and we voted accordingly on that representation, also on the report as to the frequency of service in rush hours. I wish to make my position clear on that point.

Coun. SULLIVAN—Mr. Chairman, I attended that meeting which Coun. Wilson called last Friday night, and I will say for the benefit of the councilors here that it was a credit to any councilor to have such a turnout as he had Friday night. I think it showed the interest the people in the district had in the matter and the interest they have in their councilor to come out in such large numbers. As he stated, you could not get into the hall because of the corridor being crowded and people standing in the aisles. He has stated that correctly, and I want to voice the sentiment of the people in regard to the line that affects my district—the "loop line," as they call it, or the "belt line." Coun. Wilson and I never agreed on it, but the sentiment expressed at the meeting last Friday night showed that the people do want the "belt line." I did not go out to pull off any glory from Coun. Wilson's meeting. I went out to restore to the people of the district a six-cent fare that was taken away from them forty-eight hours before the meeting, and Mr. Dana made a public promise to return it the following morning. He also made the statement that he would take these lines and these permits and, regardless of the Department of Public Utilities at the State House, if they were not satisfactory to the people at the end of the year, as evidenced by another similar mass meeting called by Coun. Wilson, he would discontinue any unsatisfactory line.

Coun. McMAHON—Mr. Chairman, before all the other councilors from Dorchester tell you the good merits of this "belt line," I want to voice my opinion as opposed to the "belt line," not because of any personal grievance but because that is the sentiment in my district. I did not go to the mass meeting, I did not attend it, and there were very few, if any, of my people who would use the "belt line" in the ward that attended. I did not go up for any publicity stunt to attend the meeting, to steal the meeting, to help the Elevated, because I am only looking out for the service of the people in my district. This "belt line" starts at Fields Corner in my ward, goes all the way down Dorchester avenue to Savin Hill avenue, turns up Savin Hill avenue, and stops there in my ward. It continues to Upham's Corner, leaves Upham's Corner and gets back in my ward again and stays in my ward all the way up Washington street until it hits Coun. Wilson's ward. Coun. Sullivan and myself, I think, have the biggest share of that "belt line." Ward 13 just touches on the edge of it. I don't think it has a quarter of a mile. It is a good help to one little section. I should like to have the councilors come out there and take a ride on that Meeting House Hill line now, with two-man ears and not a one-man ear, and they pack them in there like sardines. If they are going to give us a bus line through Bowdoin street, it does not do my constituents a bit of good. If it turns down at Geneva avenue and goes to Fields Corner, they won't get very much. They want to run over Bowdoin street, and a man taking a car has to go three or four miles out of his way to get back on the Rapid Transit. The service is terrible enough now with two-man ears, and the councilors can see from the operation of the Adams street line that the people are not satisfied. The Elevated started to kid them over

two weeks ago when they found they were not going to get this bus. They sent out this new type of bus, but I don't know how long they will stay there. On the Norfolk street line, at the mass meeting the people were opposed to buses there. Why? Because they are going to take cars off and put on buses, and they don't want it, but it is all right to take the cars off in my ward and give us buses! I do not feel that the constituents in my ward want the buses. I know they don't want them, and if I was in position to bold a big mass meeting I would probably obtain the sentiment throughout my district; but, after being elected twice, I think I come pretty near knowing what they want. Mr. Dana promised a belt line as soon as that Rapid Transit opened. It has not been put in, evidently. It was to start from Fields Corner go around Savin Hill avenue and back to Fields Corner. He never has done it. And I hope the members of this Council will agree with the councillor from Ward 15 on this by voting against it, and I wish the members here to oppose it.

Coun. FISH—Mr. Chairman, I attended the meeting at the Dorchester High School last Friday night where some two or three thousand people gathered in that hall, and all those people expressed their sentiments as favoring this "belt line" which goes along Dorchester avenue, Savin Hill avenue, Upham's Corner, along Washington street to Codman square and Peabody square. The only real objection to a bus line that night was in residential sections, buses going through residential sections, to which I am opposed. The people seemed to be in favor of the "belt line" that night.

Coun. FITZGERALD—Mr. Chairman, there seems to be some misunderstanding in reference to this matter, and I think the matter ought to be postponed until the next meeting. Some of us here do not quite understand what the whole situation is about. There is a small attendance here, and there appears to be some division of opinion. I think there ought to be a larger attendance of the councillors here. Evidently, this matter has been held for a long time, the question of the transit situation in Dorchester, and there are a lot of people from outside Boston vitally interested in it, and I think we ought to have more members of the Council here and more discussion on the matter; in fact, I did not realize there was any opposition until Coun. McMahon spoke, and I did not get what Coun. Wilson said in whole, and I think we ought to have another week on it.

Coun. WILSON—Mr. Chairman, I agree with Coun. Fitzgerald, and also wish to offer Coun. McMahon every right to have the matter passed on by a full membership. Various of these lines concern the Rapid Transit system and the feeding of the people of Dorchester to the Rapid Transit lines. Of the petitions—I believe there are five—four concern that subject. Two are in Coun. Fish's ward, and I do not assume Coun. McMahon is worrying about them; two of them are rapid transit lines—two or three—in my ward, and he is not concerned about them. His only concern is with the so-called "belt line"; and, if there is no objection, I believe that we should proceed to vote on all but the "belt line" because the people in my district have made their decision in the matter which concerns them and not the North End, and they do want at least one of the lines; so, I would move, Mr. Chairman, that we take action on all of the petitions, except the so-called "belt line."

Chairman DOWLING—Coun. Wilson moves that the question of granting the "belt line" be assigned to the next meeting.

Said motion carried; said petition assigned to the next meeting.

2. Report on petition of Boston Elevated Railway (referred September 5) for license to operate buses between Ashmont Station and the junction of Washington and Codman streets, Dorchester—that license be granted.

Report accepted; said license granted.

3. Report on petition of Boston Elevated Railway (referred June 25) for license to operate buses between Ashmont Station and the junction of Norfolk and Morton streets, Dorchester—that the petitioner have leave to withdraw.

Report accepted; said license not granted.

4. Report on petition of Boston Elevated Railway (referred June 25) for license to operate buses between Ashmont Station and Granite Bridge Station—that the petitioner have leave to withdraw.

Report accepted; said license not granted.

5. Report on petition of Boston Elevated Railway (referred June 25) for license to operate

buses between Ashmont Station and the junction of Washington street and Talbot avenue—that the petitioner have leave to withdraw.

Report accepted; said license not granted.

6. Report on petition of Boston Elevated Railway (referred June 25) for license to operate buses, between Ashmont Station and Field's Corner Station—that the petitioner have leave to withdraw.

Report accepted; said license not granted.

NEXT MEETING.

Coun. KEENE—Mr. Chairman, I move you, sir, that when the Council adjourns today it adjourn to meet two weeks from tomorrow, Tuesday, September 25, as two weeks from today is a Jewish holiday, their Day of Atonement. Said motion carried.

DISAPPROVAL OF ACTION OF BOARD OF APPEAL.

Coun. RUBY offered the following:

Resolved, That the Boston City Council disapproves of the action of the Board of Appeal in granting a permit for the erection of stores in a zoned residential district, namely, the corner of Blue Hill avenue and Seaver street, Ward 14.

Coun. RUBY—Mr. Chairman, ordinarily, I would never think of presenting a resolution similar to the one which I have just presented to this body for action, but, in my opinion, the most brazen and unjustifiable attempt—

Coun. FITZGERALD—Mr. Chairman, I should like to have that resolution read.

The resolution was read by the Clerk.

Chairman DOWLING—The Chair will have to rule the resolution out of order but will rule that the gentleman may make a statement, if there is no objection.

Coun. RUBY—I will proceed if there is no objection. Mr. Chairman, as the most brazen attempt on the part of any department head or board in the City of Boston, the Board of Appeal has, within the last few days, I have just learned, granted a permit or petition to remove a zoning restriction from one of the most congested residential areas in Boston. Some years ago, at the corner of Blue Hill avenue and Seaver street in Roxbury, later a cancer hospital. Some two years ago, or a year ago, this hospital discontinued business and moved to the Back Bay of Boston. At that time this property was offered for sale, and that section was one of the very few sections in Blue Hill avenue on which the Board of Zoning Adjustment, in 1924, saw fit to place a restriction. On January 2 of 1925, the petition of C. H. Kimball, of the Trustees of the Consumptive Home for a change on Blue Hill avenue, Seaver street and Normandy street, from a residential to local business area was not allowed. On February 6 of 1926, the same kind of petition of Gertrude L. Granfield to remove the same restriction was not allowed. The same petition was brought in by the same party in January of 1927 and was withdrawn publicly, while all the opposition to this petition were present at the hearing room downstairs. Then, on April 27, 1927, the same Miss Granfield—and, by the way, these names that I have read, with the exception of Kimball, are nothing but straw names, not the names of the real owners of the property—appealed from the ruling of the Building Commissioner for the erection of stores and garages in that vicinity, and the Board of Appeal unanimously dismissed the petition. Sometime later, or in July, 1927, thinking that the name of Granfield might not be a pleasant name to present before the Board of Appeal, some phoney name was presented—George Goodband—on a petition to remove this restriction, and the same was dismissed in October of 1927. Prior to my election last year, while I was on my vacation in July, a similar petition was presented to the Board of Appeal, asking them to waive the zoning restriction so that seventeen stores could be constructed and erected on this same spot, and while the petition was presented in July of that year the Board of Appeal held it until December, 1927, when by a vote of 3 to 2, the petition was rejected. In July of this year a similar petition was presented, and they held that

petition until last Friday afternoon, when, unbeknown to anybody in Boston, this petition was unanimously granted, removing the zoning restriction in that area. It requires unanimous consent to remove a restriction. I understand that there have been one or two changes made in the Board of Appeal, a new man having been appointed some months ago; but I cannot, for the life of me, understand how it has been possible for three or four members of the Board who voted against this very petition five or six months ago to completely turn about and now vote to grant it. Professor McClintock, in his recent survey of conditions in Boston, in his report to his Honor the Mayor, particularly emphasizes this spot as the second most dangerous spot in Boston because of the tremendous automobile traffic congestion that occurs in that very spot every day of the week and especially on Saturdays and Sundays, where the police of Division 9 and the police of Division 19 are unable to cope with conditions there, because of the narrowness of Seaver street, from Blue Hill avenue to Columbia road. Building Commissioner Rourke, who lives within two minutes of this spot, has publicly gone on record as opposed to the removing of this restriction, because of this dangerous condition and menace to the health of men, women, and children of the district, and for that reason, as well as because of the fact that it was a zoning restriction, the Board refused to grant the permit every time it came before them. On petitions containing over 1,000 signatures, the residents in that particular section voiced their opposition repeatedly for the last three years against the changing of that restriction. They insist on it being kept a residential area. Hundred of thousands of dollars were being spent annually on Franklin Park, the one breathing spot in Boston where thousands of people come from throughout Greater Boston and elsewhere to that particular section. I wish that Mr. Marks of the Board of Appeal, Mr. Geary, of the Board of Appeal, Mr. Tomasello of the Board of Appeal, Mr. Ripley of the Board of Appeal, and Mr. Burnham of the Board of Appeal could have been at the entrance to Franklin Park yesterday and seen the traffic congestion and the thousands upon thousands of men, women and children who went to that park because of the beauty of the park and because of the one spot left in Boston of the many spots where people can come and spend a day of enjoyment, those who haven't automobiles and can't enjoy them.

Mr. Chairman, I am not concerned so much about that as I am concerned about this situation. One of the most reverend gentlemen in Boston, one who I understand is recognized as a leader of his church in Boston, has personally and repeatedly appeared before the Board of Zoning Adjustment and Board of Appeal, and as late as July 2 of this year, Monsignor Patrick J. Supple of St. Hugh's parish in Roxbury, whose church is directly across from this very spot, appeared before the Board of Appeal, and I say this with due deference to Judge Chase, a former Justice of the Superior Court. He cited law to this worthy gentleman, Judge Chase, and he cited the Cleveland law to the Board of Appeal in his most pathetic argument against the removing of this restriction because, as he said, his church had one quarter of a million dollars invested in property at that very spot. One hundred per cent of his parishioners who live within a few minutes' walk of that very spot were all opposed to the removing of this restriction, and he presented an able argument. His attorney, Frederick Mansfield, ably presented an argument, and law was cited to these gentlemen showing them that they had no right to change this law. But, in spite of that, something has happened, because I was promised that this petition would not be granted. Mr. Chairman with five men who are sworn to perform a public duty, who are sworn to have in consideration the welfare of a particular district as well as the welfare and the expediency of the city in their deliberations and in their votes, it seems strange to me that a Board can completely overturn its unanimous finding of six months ago and unanimously vote to pass this petition over these restrictions. Miss Herlihy, who, in my opinion, is the leading authority on zoning in Boston and in this entire country, has repeatedly told me, publicly, that that was one spot in Boston that was purposely zoned because of its proximity to everything residential, and she said it would be a crime for any Board of Appeal or otherwise to at any time change that restriction and make that a business area. Manipulating real estate opera-

tors evidently have done the job, because I have followed this situation since the day I became a member of this Council, and I have had to have hearings, I have had to send letter after letter, hundreds and thousands of them in the last three years, at my own expense, calling the people's attention to this brazen attempt that was being made to change that restriction. Real estate operators have been to see me, asking me to "lay off," and every time they did I was in consultation with the people of this district—not all in my district because a great many of them are in Councilor Bush's district, because it borders on Ward 12, and they have always been 100 per cent opposed to removing this restriction. In spite of the unanimous opposition, the Board of Appeal has, not in its judgment, because it could not have had that kind of judgment, but because someone has snapped the whip, completely overturned and has granted this permit. I want to make this statement, Mr. Chairman, before this body because I am expressing the opinion of the people. I have just been in consultation while this question was in progress with that wonderful reverend gentleman who always looks after his parishioners, and all credit in the world to him. We are going to the Supreme Court on this situation, and we are going to ask a ruling from the Supreme Court, whether five men can completely overrun something that is not desired by the residents of the district, and that is in direct conflict with the zoning law, and then, and not until then, will we be satisfied that the Board of Appeal used its own judgment. Because I say this in a serious vein. I do not think the Board of Appeal were permitted to sit down of their own free will and pass judgment on the situation. Somebody has got to them, and before this situation is over we will know who did the job.

CONSTABLE'S BOND.

Constable's bond of William C. Griffin, having been duly approved by the City Treasurer, was received and approved.

REPORT OF COMMITTEE ON SOLDIERS' RELIEF.

Coun. MOTLEY, 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 September.

Report accepted; said order passed.

INQUIRY CONCERNING TAXICABS AND EXCHANGE STREET WIDENING.

Coun. WILSON—Mr. Chairman, two questions of information. First, on July 16, almost two months ago, I remember asking whether the chairman of the late and perhaps ill-fated Taxicab Investigation Committee had anything to report. May I be permitted to ask now, after another two months, whether that investigation is dying a natural death or making any progress, and, if so, which way?

Coun. ARNOLD (presiding)—The Chair has no information in regard to the question. The chairman of that committee is Coun. Ward, I believe, and he is not now present.

Coun. WILSON—The other question, Mr. Chairman, is with reference to this Exchange street loan order—and "Exchange Street" perhaps is well named in this regard! (Laughter.) I wanted to inquire as to whether there were any figures in the requested appropriation on the assessed value. If my information is correct, I understand that \$1,800,000 is being asked for—if the figures are correct—one half of property now assessed for \$1,485,000. Are there any figures accompanying the order?

Coun. ARNOLD—I am informed that there are no figures except those you have just given the Council.

The Council adjourned, at 3.45 p. m., to meet on Tuesday, September 25, 1928.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, September 25, 1928.

Regular meeting of the City Council held at the City Council Chamber, City Hall, at 2 p. m., President GREEN presiding. Absent, Coun. Mahoney.

APPOINTMENT OF CONSTABLES.

The following was received:

City of Boston,
Office of the Mayor, September 24, 1928.
To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body I herewith appoint the following persons as constables of the City of Boston:

Joseph Rosen, 61 Paul street; Arthur Leslie Whitney, 22 Elm street, Charlestown; Philip Eugene Bloom, 220 Warren street, Brighton.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Laid over one week under the law.

APPOINTMENT OF WEIGHERS.

The following was received:

City of Boston,
Office of the Mayor, September 24, 1928.
To the City Council.

Gentlemen,—Subject to the approval of your honorable body, I herewith appoint the following:

Weights of Goods: John W. England, 53 Fargo street, Boston; Joseph A. Woodrough, 27 Holbrook street, Jamaica Plain; Edwin C. Moran, 311 Washington street, Brighton; Alexander Fraser, Jr., 266 Summer street.

Weights of Coal: E. E. Houston, 42 Pond street, South Weymouth; Edwin C. Moran, 311 Washington street, Brighton.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Laid over one week under the law.

VETO OF GOLF COURSE
APPROPRIATION.

The following was received:

City of Boston,
Office of the Mayor, September 20, 1928.
To the City Council.

Gentlemen,—I return herewith without my approval your order appropriating the sum of \$200,000 for the purchase of land for a public golf course and the further sum of \$100,000 for the construction of the same.

This subject has been referred by me to a special committee whose report will receive careful consideration in its relation to the finances of the city.

Yours respectfully,
MALCOLM E. NICHOLS, Mayor.

Placed on file.

ARTIFICIAL STONE SIDEWALKS IN
WARD 17.

The following was received:

City of Boston,
Office of the Mayor, September 24, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of July 16, 1928, relative to the construction of artificial stone sidewalks in three locations in Ward 17.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department, September 8, 1928.
To the Honorable the Mayor.

I return order of the City Council, dated July 16, and relating to the construction of artificial stone sidewalks in three locations in Ward 17, and report that Richmond street and Park street are now under contract.

Yours respectfully,
JAMES H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

MOTHERS' REST IN HYDE PARK.

The following was received:

City of Boston,
Office of the Mayor, September 24, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of August 6, 1928, relative to providing a mothers' rest in the Corriganville section of Hyde Park, Ward 18, properly equipped with swings and slides.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, August 20, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of August 14, with inclosure, order from the City Council that the Park Commissioners be requested, through his Honor the Mayor, to provide for a mothers' rest in the Corriganville section of Hyde Park, properly equipped with swings and slides.

In reply I regret exceedingly to inform you that the Park Department has no funds available for such a purpose.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

WOODEN SHELTER AT TENEAN BEACH.

The following was received:

City of Boston,
Office of the Mayor, September 24, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of August 6, 1928, relative to the providing of a wooden shelter for the bathers at Tenean Beach, Ward 16.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, August 20, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of August 14, with inclosure, order from the City Council that the Park Commissioners be requested, through his Honor the Mayor, to provide a wooden shelter for the bathers at Tenean Beach.

In reply I regret exceedingly to inform you that the Board of Park Commissioners do not deem it advisable to build shelters on any of the beaches for the use of the bathers.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

REPAIRING SEWER IN WASHINGTON
PLACE, ROXBURY.

The following was received:

City of Boston,
Office of the Mayor, September 24, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of July 30, 1928, relative to the repairing of street surface and sewer in Washington place, Roxbury.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department, September 10, 1928.
To the Honorable the Mayor.

I return order of the City Council, dated July 30, 1928, and report that Washington place, Roxbury, is a private way. The grade of the street pitches sharply from Roxbury street to a dead end 240 feet northerly. There is a 12-inch sewer in this place, built in 1901. The covers of the manholes have been taken off at times by the abutting owners to relieve the surface of storm water, and in doing so the sewer has become plugged. The sewer has been cleaned and is now in a satisfactory condition and tight covers have been placed on the manhole.

The surface of the street is in poor condition, and its maintenance is the concern of the abutters. The street should be laid out by the Board of Street Commissioners. If this is not possible it will be necessary to ask the Street Commissioners to make a land-taking sufficient to cover the location of proper basins, which can be built by the Sewer Division.

Yours very truly,
JAMES H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

TRANSFER FOR LONG ISLAND HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, September 25, 1928.
To the City Council.

Gentlemen,—I am advised by the Institutions Commissioner that the automatic telephone system at the Long Island Hospital was destroyed by fire on the eleventh of this month. Since all communication between departments and divisions of the hospital was carried on over this system, it is imperative that it be restored as quickly as possible. The Institutions Commissioner has received proposals from several concerns and from an examination of these offers it is evident that the sum of \$3,000 will be required to replace the system. There are no funds available within the departmental appropriations to meet this emergency. I therefore submit and recommend for your adoption the attached order providing for the transfer of the necessary funds from the Reserve Fund.

Respectfully,
MALCOLM E. NICHOLS, 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, \$3,000, to the appropriation for Institutions Department, Long Island Hospital, B-39, General Plant, \$3,000.

City of Boston,
Institutions Department, September 18, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Mr. Mayor,—At 9.30 p. m. September 11 a fire started in the automatic telephone switch booth at Long Island Hospital caused by a short circuit of the wires. The fire was extinguished by the sprinkler system but in the meanwhile it practically destroyed the telephone system on the island.

It is essential that a new system be installed, as all parts of the hospital and institution are dependent upon it. The approximate cost will be about \$3,000. There are no funds available in the department appropriation to cover this contingency and you are therefore requested to transfer \$3,000 from the Reserve Fund to Long Island Hospital Appropriation, Item B-39.

Respectfully yours,
WILLIAM S. KINNEY, Commissioner.
Referred to the Executive Committee.

RELEASE OF EASEMENTS, HILDRETH STREET.

The following was received:

September 24, 1928.
To the Honorable the City Council.
Gentlemen,—Inclosed find order and accompanying message authorizing his Honor the

Mayor, in the name and behalf of the City of Boston, to execute and deliver to Samuel H. Lilly an instrument of release in form satisfactory to the Law Department of that part of two easements taken by the Board of Street Commissioners of the City of Boston for sewerage purposes in private land off Hildreth street in the Dorchester district of the City of Boston, now owned by the said Samuel H. Lilly. The easements herein referred to were taken by the Board of Street Commissioners of the City of Boston on April 29, 1898, and on September 17, 1909, respectively.

The Commissioner of Public Works of the City of Boston in a letter dated September 7, 1928, states that, in his opinion, the part of the easements which runs through the land now owned by the said Samuel H. Lilly is no longer required for public purposes and has said that the sum of \$1 would be an adequate consideration for the release of the part of said easements herein referred to.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
In City Council.

Ordered, That his Honor the Mayor be, and he hereby is, authorized in the name and behalf of the City of Boston, for the consideration in the sum of one dollar to execute and deliver to Samuel H. Lilly an instrument of release in form satisfactory to the Law Department of that part of two easements taken by the Board of Street Commissioners of the City of Boston for sewerage purposes in private land off Hildreth street in the Dorchester district of the City of Boston now owned by the said Samuel H. Lilly. The easements herein referred to were taken by the Board of Street Commissioners of the City of Boston on April 29, 1898, and on September 17, 1909, respectively.

Referred to Committee on Public Lands.

APPROPRIATION FOR BACK BAY FENS.

The following was received:

City of Boston,
Office of the Mayor, September 24, 1928.
To the City Council.

Gentlemen,—I am in receipt of the attached request from the chairman of the Park Commission for an additional appropriation of \$70,000 to be expended for improvements in the Back Bay Fens. Funds to cover this appropriation are now available within the income of the George F. Parkman Fund, and I respectfully recommend adoption of the accompanying order.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$70,000 be, and the same hereby is, appropriated from the income of the George F. 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:

Fens, Improvements, \$70,000.

City of Boston,
Park Department, September 14, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—At a meeting of the Board of Park Commissioners held on September 14, 1928, it was voted that you be respectfully requested to ask the City Council to appropriate from the income of the George F. Parkman Fund the sum of \$70,000, which is now available, for the following purposes:

Fens Improvement: Continuation of the development of the Fens, including the extension of the beachers, planting, concrete walks, grading, etc.

Respectfully yours,
WILLIAM P. LONG, Chairman.
Referred to Committee on Parkman Fund.

PETITIONS REFERRED.

The following petitions were received and referred to the committee named, viz.:

Claims.

John C. Baker, for compensation for injuries received in Mather schoolyard.

Edmund Barry, for compensation for damage to automobile by city cart.

Boston Tire Rebuilding Company, for refund on refuse tickets.

Lucille C. Bowes, for compensation for injuries caused by an alleged defect in Moulton street.

Serafino Caponigro, for compensation for injuries received on ferryboat.

Frank Cohen Company, for compensation for damage to property at 69 Salem street, caused by employe of Water Department.

Luther P. Cudworth, for compensation for damage to automobile caused by city truck.

Joseph P. Curry, for compensation for damage to clothing caused by barrel left on sidewalk at 69 Wordsworth street, East Boston.

Angeline DiPerre, for compensation for injuries caused by an alleged defect at 5 Chatham row.

Joseph P. A. Donahoe, Jr., for compensation for loss of wrist watch at Public Library.

Walter S. Douglas, for compensation for damages sustained caused by projecting manhole in Colberg avenue.

Margaret Fagan, for compensation for damage to property at 3 Seaver street, East Boston, caused by overhanging branch of tree.

John C. Finucane, for compensation for damage to clothing caused by projection from tree guard at 266 Dorchester street.

John A. Granara, for compensation for damage to automobile by ash team.

Henley-Kimball Company, for refund on refuse tickets.

William K. Holden, for compensation for damage to automobile by police car.

William Hunter, for compensation for damage to automobile caused by an alleged defect in Glen road, Jamaica Plain.

Ideal Power Lawn Mower Company, for compensation for damage to truck on ferryboat.

Elizabeth Kennes, for compensation for damage to clothing caused by oil from city truck.

Mrs. T. R. Kimball, for compensation for damage to property at Brush Hill road, caused by Engine 49.

Rosario and Salvatore LaRosa, for compensation for injuries received on ferryboat.

Bertha Levatinsky, for compensation for injuries caused by an alleged defect in Warren street.

Irene Levin, for compensation for injuries caused by an alleged defect at 36 Avery street.

Joseph Lipson, for refund on refuse tickets.

Mary E. Long, for compensation for injuries caused by an alleged defect in Stuart street.

Rose E. McCabe, for compensation for injuries caused by an alleged defect in South Huntington avenue.

Michael McLaughlin, for compensation for damage to automobile caused by city truck.

Moses McLean, for compensation for damage to automobile caused by an alleged defect at Broadway and Albany street.

Raymond Miele, for compensation for damage to car by city truck.

Caroline Mitchell, for compensation for injuries caused by an alleged defect in Peabody square.

John J. Moore Company, for compensation for damage to truck by city truck.

Helen B. Noonan, for compensation for loss of wrist watch in City Hospital.

Mario Pasqualino, for compensation for injuries on ferryboat.

Angelo Paterno and Angelo Piazza, for compensation for injuries received on ferryboat.

Paul R. Reilly, for compensation for injuries received in Public Garden.

B. M. Scully, for compensation for damage to automobile caused by an alleged defect in Cross street.

Sadie Segal, for compensation for damage to automobile caused by an alleged defect at Union Wharf.

Julia Sullivan, for compensation for collapse of water boiler at 15 Castle Rock street, caused by shutting off water.

Collogero Trau, for compensation for injuries received on ferryboat.

Trenton Line and Supply Company, for refund on gasolene license.

Fred Wiley, for compensation for injuries caused by an alleged defect at 619 Tremont street.

Leslie E. Dennison, for compensation for injuries received on ferryboat "John H. Sullivan."

Frank Popeo, for compensation for damage to automobile caused by an alleged defect in Kingston street, Charlestown.

Charles Welmar, for compensation for damage to property at 29 Cedar street, caused by falling tree.

Jitney License.

Boston Elevated Railway to operate jitneys from Columbus square to South Station.

REPORT OF FINANCE COMMISSION ON TAX RATE.

The following was received:

The Finance Commission,
Boston, September 14, 1928.

To the Honorable the City Council.

Gentlemen,—The Finance Commission presents a comparative analysis of the tax rates of 1927 and 1928. Although the 1928 tax rate has been reduced by \$1.20 from \$30 in 1927 to \$28.80 and although the taxpayers will be called upon to pay into the city treasury \$1,958,891.65 less this year than in 1927, the appropriation items for city, county and schools are greater than in 1927. As the city and school departments have appropriated all that the law* permits, the reduction to the taxpayers cannot be attributed to voluntary economy on the part of the city authorities. The increase of \$14,253,800 in the valuation of the city accounts for a small part of the reduction. It is due mainly, however, to the following three causes:

1. A decrease of \$1,233,755.16 in the amount the city must bear of the state tax.
2. An increase of \$627,895.21 in the amount the State Tax Commissioner has certified that he estimates will be Boston's share of this year's state-collected income tax.
3. An increase of \$1,622,397.55 in the amount of cash on hand and estimated receipts of the city departments of which, however, 40 per cent is derived from the state in the form of corporation and street railway taxes.

These three items of advantage to the city total \$3,484,047.92 which, applied to the total valuations of the year, would mean approximately \$1.80 in the rate. That the reduction in the rate amounted to only \$1.20 instead of \$1.80 is due to the increases in the items of appropriations for the city, county and schools; a slightly smaller estimate of income and cash for the schools, and the finding of a smaller number of persons of poll-taxable age by the police in listing.

All possible means of reducing the tax limit have not been taken advantage of. As pointed out by the commission in a report to the Mayor on July 20, \$6,219,994.45 of unobligated cash had come into the treasury and was available to reduce the amount which the taxpayer would be required to pay. Of this sur \$648,446.38 was the amount received from the state as a refund of money advanced to the Boston Elevated Railway Company in past years and \$5,571,548.07 was from taxes assessed in prior years but not collected until 1928. In past years the Elevated item has been used to reduce the tax levy. The sum of these items, however, has already been used this year without appropriation to pay current expenses of the city. The taxpayer is to be called upon to furnish money for these expenses which have already been discharged leaving no obligation in their place. If this sum had been credited against the levy, the tax rate would have been reduced \$3.20 more, making a tax rate of \$25.60.

An analysis of the figures used by the city officials in arriving at the rate of taxation for 1928 is here presented in the form of a comparison with the figures used in 1927:

* As interpreted at City Hall.

Total Warrants or Appropriations.			
	1927.	1928.	Increase or Decrease.
State.....	\$5,485,137 83	\$4,251,382 67	\$1,233,755 16 decrease
County.....	3,500,506 59	3,580,613 56	60,106 97 increase
City.....	39,859,239 19	40,802,828 16	944,588 97 increase
Schools.....	19,838,155 44	20,307,391 35	469,235 91 increase
	<u>\$68,683,039 05</u>	<u>\$68,943,215 74</u>	<u>\$260,176 69 net increase</u>
Deductions.			
State.....	\$3,583,185 14	\$4,211,080 35	\$627,895 21 increase
City (Income and Cash).....	6,589,715 62	8,212,113 17	1,622,397 55 increase
Schools.....	1,331,019 94	1,261,992 33	69,027 61 decrease
Polls.....	481,534 00	476,232 00	5,302 00 decrease
	<u>\$11,985,454 70</u>	<u>\$14,161,417 85</u>	<u>\$2,175,963 15 increase</u>
Balance (Net Requirements).....	\$56,697,584 35	\$54,781,797 89	\$1,915,786 46 decrease
Overlay.....	1,275,695 64	1,232,590 45	43,105 19 decrease
Net Amount to be Raised.....	<u>\$57,973,279 99</u>	<u>\$56,014,388 34</u>	<u>\$1,958,891 65 decrease</u>

A more detailed statement of the appropriations for the years 1927 and 1928 appears in the following schedule which includes the 1927 loan item of \$500,000 for streets for purposes of comparison.

Appropriations.			
	1927.	1928.	Increase or Decrease.
Regular City.....	*\$34,192,798 75	†\$34,573,669 41	\$380,870 66 increase
Loans Redemption.....	3,526,440 44	3,492,383 75	34,056 69 decrease
Retirement Fund.....	1,655,000 00	1,687,775 00	32,775 00 increase
Parkways.....	25,000 00	45,000 00	20,000 00 increase
Bridges.....	100,000 00	100,000 00	
Ferries.....	25,000 00		25,000 00 decrease
Sidewalks.....	50,000 00	50,000 00	
Streets.....	250,000 00	750,000 00	
Street Signs.....	25,000 00	25,000 00	
Morton Street.....	10,000 00		10,000 00 decrease
Congress Street Bridge.....		80,000 00	80,000 00 increase
Permanent Street Pavement ‡.....	500,000 00		
City Total.....	<u>\$40,359,239 19</u>	<u>\$40,803,828 16</u>	<u>\$444,588.97 net increase</u>
Schools.....	19,838,155 44	20,307,391 35	469,245 91 increase
County.....	3,500,506 59	3,580,613 56	80,106 97 increase
	<u>\$63,697,901 22</u>	<u>\$64,691,833 07</u>	<u>\$993,931 85 increase</u>

* Includes \$283,123 appropriated for Sinking Fund.
 † Includes \$270,757 appropriated for Sinking Fund.
 ‡ By loan.

City Appropriations.

Of the \$34,573,669.41 classified as regular city appropriations there are four items on which the

Mayor's control is restricted. A comparison of these with 1927 follows:

	1927.	1928.
Finance Commission.....	\$50,000 00	\$50,000 00
Licensing Board.....	34,158 00	33,794 24
Police Department.....	5,550,453 23	5,695,145 34
Debt Requirements:		
Sinking Funds.....	283,123 00	270,757 00
Interest.....	3,861,211 77	3,681,068 04
	<u>\$9,778,946 00</u>	<u>\$9,730,764 62</u>

This year's total of these items being \$48,000 less than in 1927, it cannot be said that any part of an increase in the total for regular city appropriations is due to items over which the Mayor has no control. It might further be said that in all of these items, with the exception of the one relating to the Finance Commission, the Mayor in fixing allowances is permitted by the departments involved to exercise the same control that he enjoys over other departments. In the one of them which shows an increase over last year, the Police, approximately \$90,000 of the \$145,000 increase shown is due to an increase to the policemen, the amount of which was really determined by the Mayor.

Of the appropriations for "Loan Redemption" and "Retirement Fund," over neither of which the Mayor has control, the decrease in one just about offsets the increase in the other. With two exceptions the other amounts making up the city total of \$40,803,828.16, as shown in the schedule, are about the same as last year. These exceptions are: (1) While the total sum appropriated for street repairs is the same as last year, the whole amount is included in the tax requirements in 1928, whereas in 1927, \$500,000 was pro-

vided for by loan. For the restoration of this item to the list provided for by taxes in accordance with the Finance Commission's recommendation in last year's analysis the Mayor is entitled to credit. (2) The \$10,000 appropriation for Morton street in 1927 is replaced in the 1928 list with an \$80,000 appropriation for the Congress Street Bridge; a special law requiring that when the \$800,000 appropriation for the new bridge is made, 10 per cent of it must be provided from within the tax levy.

The overlay, which is allowed by law to cover abatements and avoid fractional parts in the rate, is figured at 2½ per cent, which is the same as last year.

It may be seen, therefore, that the increase of \$444,588.97 in the total for the city, as shown in the table, is entirely on account of items over which the Mayor has control. Some of it, in particular items scattered through the budget, are probably unavoidable, but the Finance Commission's report on the budget showed many possibilities for reduction that would more than offset the unavoidable increases. The Mayor, however, declined to make these reductions.

School Appropriations.

The school requirements show an increase in 1928 of \$469,235.91. The increased appropriation for the Schoolhouse Department takes up \$37,266.32 of this increase, and the balance is spread over the various activities controlled by the School Committee directly.

COUNTY APPROPRIATIONS.

The increase in county requirements of \$80,-106.97, while appearing small in dollars and cents, compares in percentage, 2.3 per cent, with the city increase of 1.1 per cent, and the school increase, 2.3 per cent.

DEDUCTIONS AND OFFSETS.

Ways and Means, etc., from State.

As previously pointed out, the state has estimated it will in 1928 turn over \$627,895.21 more than the figure used by the assessors last year in determining the rate. Taken in connection with the \$1,233,755.16 decrease in the city's state tax portion, as far as the state is concerned, it leaves the city a total of \$1,861,650.37 better off than last year for tax rate figuring. This alone equals approximately 95 cents in the rate.

City's Ways and Means.

The outstanding features of the city's offset in cash or estimated income to the total requirements are the large cash surplus on hand at the start of the year, the inclusion of the corporation tax receipts to May 1, and the failure to include either the receipts from old taxes or the city's share of the money refunded by the Boston Elevated Railway Company.

The cash surplus was \$1,701,724.79 to start 1928, as compared with \$309,715.62 at the beginning of 1927, an increase of \$1,392,009.17. It is pertinent to point out that the city received \$1,365,701.71 more from the state in income tax funds than the figure given by the State Tax Commissioner for use by the assessors in determining the 1927 rate. This approximately equals the increase in the cash surplus.

The amount of the corporation tax annually received up to May 1, omitted in 1927 but used in prior years to reduce the tax levy, was again included this year. This vacillating policy is somewhat similar to the present policy of excluding the money refunded by the Boston Elevated Railway Company from the amount used to reduce the tax rate, though it was formerly used for this purpose. The difficulty which the financial officials of the city face is that if they use any money coming into the treasury after the first of the year, other than the usual departmental income unless required so to do by statute, they admit the whole contention of the Finance Commission that all such income received before the declaration of the tax rate, not prohibited by law, should be used to reduce the levy. To be consistent, these officials have to deny the taxpayers the benefit of having money used for this purpose which they formerly made a practice of using.

SCHOOLS.

The school estimated income and cash decrease was due mainly to the fact that the total of balances at the end of 1927 was much lower than ordinarily on account of the Mayor's cut in the 1927 appropriations. The Finance Commission might be more concerned with the surplus which the law permits the School Committee to appropriate, if it were not insignificant in comparison with the enormous surplus from back taxes annually amounting to over \$5,000,000 which the city uses without appropriation or accounting.

CONCLUSIONS.

1. The Mayor is entitled to credit for financing street repairs this year out of the tax levy instead of borrowed money.

2. The tax rate at \$28.80, though \$1.20 less than in 1927, is still \$2.10 higher than in the year before the present Mayor took office.

3. The reduction from the tax rate of 1927 is not due to decrease in municipal expenditure. City, county, and school appropriations are greater in 1928 than in 1927. The reduction is mainly due to the large amount of cash in the city treasury on January 1, to the larger amount of estimated income available to reduce the levy and to the smaller demands of the state upon the city.

4. The tax rate might have been \$25.60 if money actually received into the treasury before the tax rate was declared and used for current expenses had been deducted from the amount to be raised.

Respectfully submitted,
THE FINANCE COMMISSION,
by CHARLES L. CARR,
Chairman.

Placed on file.

CONSTABLES' BONDS.

The constables' bonds of Leonard M. Pike, Joseph F. Goldberg, Michael M. Pleppys, having been duly approved by the City Treasurer, were received and approved.

APPOINTMENT TO RETIREMENT BOARD.

Notice was received of the appointment by the Mayor of Wilfred J. Doyle to the position of member of the Retirement Board.

Placed on file.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held on the following petitions for storage and sale of gasolene, viz.:

October 1.

B. F. Ross, 10 Eliot street, Ward 5, 2,000 gallons. Traverse Building Trust, 222 Stuart street, etc., Ward 5, 2,000 gallons.

October 8.

Nicola Nazzaro, 233 Condor street, Ward 1, 1,000 gallons.

Referred to the Executive Committee.

APPOINTMENT OF TRUSTEE OF STATISTICS DEPARTMENT.

Notice was received of the appointment by the Mayor of Daniel T. O'Connell to the position of trustee of the Statistics Department.

Placed on file.

APPOINTMENT OF LIBRARY TRUSTEE.

Notice was received of the appointment by the Mayor of Frank W. Buxton to the position of trustee of the Boston Public Library.

Placed on file.

APPOINTMENT OF ASSESSOR.

Notice was received of the appointment by the Mayor of Neal J. Holland to the position of assessor in the Assessing Department.

Placed on file.

ELEVATED CHANGES AT CAUSEWAY AND CANAL STREETS.

Notice was received from the Boston Elevated Railway of modifications and changes of an approach to the elevated railway structure at the corner of Causeway and Canal streets.

Placed on file.

APPOINTMENT TO SPECIAL TRANSIT COMMISSIONER.

Notice was received of the appointment by the Mayor of Robert J. Bottomly to the position of member of a Special Transit Commission, under authority of chapter 26 of the Resolves of the Legislature of 1928.

Placed on file.

APPOINTMENT OF RAILWAY POLICE

Notice was received from the city of Cambridge of the appointment by the Boston Elevated Railway of certain street railway police officers.

Placed on file.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from Joseph A. Tomasello, a member of the Board of Appeal, of interest in certain contracts with the City of Boston.
Placed on file.

PAY ROLL OF THE REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds from September 16, 1928, to September 30, 1928, both inclusive, amounting to \$8,226.88, was received and approved.

CONFIRMATION OF APPOINTMENTS.

The Chair called up No. 1 on the calendar, viz.:
1. Action on appointments submitted by the Mayor, September 10, 1928, of Rose E. Shriberg and Biagio Carabello, to be Weighers of Coal.
The question came on confirmation. Committee Coun. Lynch and Ruby. Whole number of ballots 19, yeas 19, and the appointments were confirmed.

ADDITIONS AT CITY HOSPITAL.

The Chair called up No. 2 on the calendar, and Coun. Ruby moved that the reading of the same be dispensed with.

Coun. BUSH—Mr. President, I move that Nos. 2 and 3 be taken up at the same time. They are both inseparable.

There being no objection, the following were considered together, viz.:

2. Ordered, That under the authority of chapter 352 of the Acts of 1924 the sum of \$30,000 be, and the same hereby is, appropriated to be expended by the trustees of the Boston City Hospital for power plant, additions and alterations, and that to meet the said appropriation the City Treasurer be 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.

On September 10, 1928, the foregoing order was read once and passed, yeas 13, nays 0.

3. Ordered, That under the authority of chapter 352 of the Acts of 1924 the sum of \$15,000 be, and the same hereby is, appropriated to be expended by the trustees of the Boston City Hospital for power plant, additions and alterations, and that to meet said appropriation the City Treasurer be 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.

On September 10, 1928, the foregoing order was read once and passed, yeas 15, nays 0.

Said orders were given final reading and passage, yeas 21.

DORCHESTER JITNEY LICENSE.

Coun. SULLIVAN called up No. 4 on the calendar, assigned for today, viz.:

4. Report of the Committee on Jitney Licenses recommending that a license be granted on the petition of the Boston Elevated Railway to operate motor vehicles from Fields Corner Station to Fields Corner Station, over Dorchester avenue, Savin Hill avenue, Pleasant street, Stoughton street, Columbia road, Hancock street, Bowdoin street, Washington street, Talbot avenue and Dorchester avenue.

Coun. McMAHON—Mr. President and members of the Boston City Council, as I explained to the chairman of the Committee on Jitney Licenses today, my reason for making that assignment two weeks ago to this meeting was that I wanted to explain to the councilors and also to the people of my district my position on this loop bus line. As you know, two weeks ago I held up this petition, not that I was opposed to or with the petition. I held it until I was sure that other people in my district would take to this line, and, after two weeks of canvassing the people, the business men, the storekeepers, and the school children in my district, I find that they want this line. It is a six-cent bus line running from Fields Corner to Upham's Corner, over Bowdoin street, to Washington street, to Codman square, to Peabody square, and down Dorchester avenue to Fields Corner. Now the only reason that I held that up

was, as I said, I wanted the people to know what they were going to get, and, after sitting in with the Elevated officials in the last few days, as well as the Board of Trade in Dorechester, I found out just what we were going to get and what the people wanted. I desire to make this statement at this time because some people have got the funny impression that I was opposed to it, and so for that reason I make this statement at this time.

Report accepted; said license granted.

REPORT OF COMMITTEE ON SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted report recommending order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of September, 1928.

Report accepted; said order passed.

ADDITIONAL SOLDIERS' RELIEF ALLOWANCE.

Coun. MOTLEY offered the following:

Ordered, That there be allowed and paid to the Soldiers' Relief Commissioner and charged to the appropriation for Soldiers' Relief Department the sum of \$2,000, said sum to be expended, subject to the approval of the chairman of the Committee on Soldiers' Relief, or in his absence by any other member of such committee, by such commissioner in affording immediate relief to persons entitled to aid under chapter 115 of the General Laws, and acts in amendment thereof and in addition thereto. The rule was suspended and the order passed.

APPROPRIATION FOR WIDENING CHARDON STREET, WARD 3.

Coun. FITZGERALD offered the following:

Ordered, That under authority and by virtue of chapter 393 of the Acts of 1906, the sum of three hundred and fifty thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Board of Street Commissioners for the widening and construction of Chardon street, Ward 3; 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 in said amount, the same to be issued inside the limit of indebtedness.

Coun. FITZGERALD—Mr. President, I just want to say a few words in connection with that order. We are about to complete one of the greatest improvements that Boston has undertaken since the building of the new South Station, namely, the building of the new North Station and the so-called Arena. We are also about to complete the widening of a million-dollar thoroughfare running from Leverett street into Nashua and Causeway streets. We also, a few weeks ago, passed an order for the building of a new, central, up-to-date fire station in Bowdoin square, directly opposite Chardon street. Now, in order to have means for automobiles and traffic of every description to enter and leave the city at that point, I think it is very necessary that Chardon street should be widened, as this will be an outlet to the great North Station and the fire headquarters which are to be built there in the central fire station, which will have the largest number of pieces of apparatus housed there, and it is necessary for them to have an opportunity to leave that fire station without being caught in the neck of the bottle. After consideration, I have introduced this order, and I sincerely hope that the committee in their wisdom will not lay this matter on the table but will be in favor of it.

Coun. BUSH—Mr. President, rising on a point of information, I would like to ask the previous speaker if the Hendricks Club is desirous of getting rid of their property at this point?

President GREEN—Does Coun. Fitzgerald care to answer?

Coun. FITZGERALD—Well, I don't know anything about that, whether they do or not. It remains for the Council to decide that.

Referred to the Committee on Finance.

BOARD OF APPEAL.

Coun. RUBY offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to furnish the City Council with an opinion as to the legal right of the Board of Appeal, through the issuance of a permit for the building of stores, to nullify a regulation of the Zoning Board which has prohibited the erection of stores in the section where the Board of Appeal has issued such permit.

Ordered, That his Honor the Mayor be requested to at once remove from office the present members of the Board of Appeal.

Coun. RUBY—Following up my statement, Mr. President, at the last meeting with reference to the granting of a petition waiving the restriction at the corner of Blue Hill avenue and Seaver street so that a manipulating real estate operator of Brookline could build seventeen stores, in utter disregard of the residents of the district, I was interested in securing a copy of the decision from the Board of Appeal with reference to this particular situation, and a part of their decision was read at a meeting held by the city councilor in the particular district affected on last Wednesday night, which was called to the attention of the residents in that section by Monsignor Patrick J. Supple, pastor of St. Hugh's Church, directly across the street from this location, which, in my opinion, would be the principal one affected if the stores are ever constructed. I make the statement "if the stores are ever constructed," because there is now pending before the Supreme Court of Massachusetts three separate petitions in an attempt to nullify the order of that Board of Appeal,—one filed in behalf of St. Hugh's Church, one filed in behalf of several of the shutters to the property, and one filed in behalf of the city councilor of that district, as a municipal officer. In the decision they make this statement:

"The Board of Appeal is satisfied that the restricting of the petitioner's land to a residential district will not promote the health, safety, convenience and general welfare of the inhabitants of that part of the City of Boston, taking into account the natural development thereof, the character of the district, and the resulting benefits to accrue to the whole city."

I question the sincerity of the Board of Appeal in making that statement. I can't be convinced that the income and the revenue derived from seventeen one-story stores built in one of the principal sections of Boston will accrue to the benefit of the entire city, in comparison to the erection of two hundred or three hundred residence apartments where the income from taxes would be twenty or thirty times as much as will accrue from the one-story stores. Further, they say: "The Board, therefore, is of the opinion that the enforcement of the act in this specific case involves practical difficulty and unnecessary hardship, not only upon the owners of the lot, but also upon a large number of apartment house dwellers in the neighborhood who require reasonably accessible stores at which their local purchases may be made." This statement is so ridiculous that I am somewhat at a loss to even try to dwell on it, because the Board of Appeal knows that 100 per cent of the inhabitants of that particular section voiced their protest and objection, not only before them on the various occasions on which they threw this appeal down, but in a petition which I presented to them bearing over 1,000 names, and they try to justify their action by saying that, in the Grove Hall section of Boston, there are not enough stores for the residents of that section to do their shopping, and they want, Mr. President, the people in my district to admit to them that there are not enough hootblack parlors, not enough drug stores, hutchers snops, fish dealers, grocery and provision stores, so that they must waive this restriction in order to permit the erection of these stores. The ridiculousness of that statement, Mr. President, is apparent. And they go on further in this opinion to state that, when this zoning restriction was made in 1924, it was not made for the benefit of the entire district but made purposely for the then Cullis Hospital, and they in another breath tell you that they are waiving this petition because the people of that district want it. That is why I have questioned their sincerity, because, having made a statement of that kind, I am justified in questioning their sincerity, because they know that Monsignor Supple, representing St. Hugh's parish, voiced their objection 100 per cent, and the resi-

dents of the district in the apartment block immediately next door, that involved an expenditure of a quarter of a million dollars in its construction, unanimously opposed the waiving of this restriction. In the building across the street, which cost close to half a million dollars, at the corner of Blue Hill avenue and Seaver street, in Coun. Bush's district, every one of the tenants in that section, as well as every one of the tenants who live on Nazing, Wayne, Cheney and Georgia streets in Ward 12, and Castlegate road, Pasadena road, Seaver street and Blue Hill avenue, protested against the removal of this restriction; and in their opinion they want us to believe that these people are in favor because of the immediate necessity for the construction of a wholesale group of stores which, as they say, would inure to the benefit of the city. They well know that the owner of this piece of land, less than six months ago, sold the twenty or thirty house lots upon which there have already been constructed two-family houses, costing \$18,000 or \$20,000 each, and the people who bought two-family houses were told at the time by this manipulating operator that there was a restriction on it where stores, garages, or anything of a commercial or business proposition could not be built, and when he got them all into his net, and when he had sold them these two-family houses and everything sold that could be sold, he then comes in, somebody snaps the whip, and the job is done. I could cite several instances of varying zoning restrictions in Boston in the last few months. I am going to dwell on only one which occurred to me today. After the Building Commissioner, Mr. Rourke, had rejected the permit for a gypsum plant in Charlestown because it was contrary to law, the Board of Appeal granted that permit in one of the most dangerous, traffic-congested sections of Boston, on the first Charlestown Bridge, not taking into consideration, Mr. President, the fact that this gypsum which is brought in by boat from Nova Scotia, I understand, when it is unloaded at this particular spot, will cause clouds of dust worse than clouds of plaster or clouds of flour. They did not take into consideration that there is a Naval Marine Hospital within 100 or 200 feet from that very area, where our Government today is trying to bring back to normal life those young men who in the prime of their life went across to fight for you and for me, who might have been gassed, who might have been wounded, and we at that hospital are trying to bring them back as near to normalcy as we can, and, in spite of that, they did not take that into consideration, and they allowed this United Gypsum operating plant to come right into the very spot where we have preserved it for a naval hospital. They don't care whom it strikes or whom it affects. And, for that reason, I present this order for their removal, and I am asking the Corporation Counsel to give us an opinion. I am not satisfied today that the Board of Appeal is not a joker for the Board of Zoning Adjustment; and we are going to the Supreme Court, and we are going to find out if they have the power that has been given to them as a joker for the Adjustment Board. If they have, then I say we ought to stop now expending hundreds and thousands of dollars for the Board of Zoning Adjustment. If they are of no value, why spend the money in salaries, and why spend the money in the maintenance of that particular department? I believe that the Board of Zoning Adjustment is a necessary department, I think they are organized for the protection of residents in a residential district, and I say that the cure will be the removal by his Honor the Mayor, immediately, of those five men who are directly responsible for this wholesale waiving of zoning restrictions. I did not kick, Mr. President, when they waived the zoning restrictions on the corner of Columbia road and Washington street to permit the erection of stores because it was only affecting a few individuals, and I felt that the Board of Appeal might have been acting within their rights; but, when they step on the feet of an organized body who have a right,—and I am fighting for the Catholic church as I would fight for my own synagogue, as I believe they are entitled to the same consideration that my people are,—then I believe that one manipulating real estate operator who comes from Brookline could not have done this job alone. He must, of necessity, had some assistance of a greater force than he has; and for that reason, Mr. President, I am going to ask for a suspension of the rule and the passage of both of these orders.

Coun. WILSON—Mr. President, I always hesitate to differ, even on a mild vote, with the councilor from the adjoining ward. I personally know the location in question. I know what a dangerous spot it is, and I know that through my request, with those of others in the councilor's ward, the Boston Elevated Street Railway ceased running jitney buses as a short cut through this particular thoroughfare. On the other hand, while I do not know all the members of the Board of Appeal, there may be some members of that Board—and I am personally inclined to believe that there are members of that Board—who, while their judgment may be mistaken, are absolutely beyond reproach so far as personal integrity is concerned. I believe that some of them, at least, were more or less governed by a very recent decision of the Supreme Court which, certainly, vitally attacked the present protection given in the zoning law and is, indeed, a great change from the law as we have previously understood it, and I trust that the Supreme Court action which has been brought by or through Coun. Ruby will further enlighten us in that regard, and that the old protections of the Zoning Act will be returned to us. On the other hand, I hesitate—he may not have meant it in that light—to feel that the personal integrity of the entire membership of the Board is perhaps attacked. As I say, I am acquainted with the district, and I can appreciate why people would not want stores there, and I can appreciate why the general public would not want stores there. My personal opinion is that the real solution of the difficulty is to make a taking of that corner so that there shall be neither dwelling-houses nor stores, and that that street at that dangerous corner, which is a direct through route from Egleston square to Columbia road, should be widened to a proper width, making it safe, without, as I say, either stores or houses. I would call to the attention of the councilor the advisability, perhaps, of a request that some such taking be made.

Coun. RUBY—Mr. President, if I may be permitted to answer the councilor from Ward 17, I presented an order here about four, five or six months ago, in which I asked that Scaver street from Columbia road to Blue Hill avenue be widened to the same extent as the width of the street from Blue Hill avenue to Egleston square, and nothing has been done.

Coun. KEENE—I am not familiar, Mr. President, with all the circumstances surrounding the matter, but if the action of the Board of Appeal injures Coun. Ruby, or his constituents, I should certainly be in sympathy with the councilor; but I sincerely doubt the advisability of this legislative body taking drastic action of this nature. I know personally some members of the Board of Appeal, and I know that they are above reproach, and an order of this kind, which asks for the removal of a board of this nature without investigation, or without giving them the opportunity to defend themselves, I do not think is justified; consequently, I would ask that separate action be taken upon the orders as introduced, and that they be voted upon separately.

Coun. RUBY—Mr. President, may I clarify this situation? I am going to make this statement. I have never questioned the honesty of the Board of Appeal, and I do not at this time question their personal honesty; but I question the faith of the men in their vote. Mr. President, if there is no objection, I am going to press the motion for an opinion from the Corporation Counsel and that part of the order, and I am going to ask that the order for the removal of the Board of Appeal be tabled at this time—not because I want them to stay on the job, but because I shall be able to satisfy the members of this body before long, I hope, that that Board will never, for at least a year and a quarter more, do the same kind of job that they have done in the last three years. I am not withdrawing that; I just ask that that be tabled, because I do not want to compel the members of the City Council to vote on something they do not at this time feel at liberty to vote on.

The second order above mentioned being tabled without objection, the first order was passed under a suspension of the rule.

APPROPRIATION FOR BRANCH LIBRARY BUILDING IN WARD 21.

Coun. DOWLING offered the following:

Ordered, That the sum of one hundred thousand dollars be, and the same hereby is, appropriated

to be expended under the direction of the Board of Trustees of the Boston Public Library, for a branch library building in Ward 21, and that to meet said appropriation the City Treasurer be, and hereby is, authorized to issue from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

Coun. DOWLING—Mr. President, in connection with that order, I just desire to file with the Council, asking that it be included in the minutes of this meeting, a report which covers the library situation in the Allston-Brighton section. I want to save the time of the Council, and I want to save my own energy, too, and not make any additional remarks, except that I want to amplify that by merely saying that the only library accommodations that the people of lower Allston have are three scant, low-studded, poorly lighted rooms adjoining a Chinese restaurant on the busiest corner of the Allston-Brighton district. The weekly attendance of adults in the squalid quarters this library now occupies is 1,600, and the juvenile attendance each week numbers nearly 1,500. The money we are asking for is just a little in excess of the amount that the city paid for a branch library in the West Roxbury district two or three years ago. I speak for the people who pay taxes on \$120,000,000 worth of property in Allston. We feel that the situation is entirely covered in the statement which I have filed. And I want to say, in addition to that, that every business organization, every church organization of all denominations, every fraternal organization, all of the veterans' organizations, all of the women's clubs, and every other social activity in the Allston district is asking for this library, and I hope that it receives the favorable consideration of the committee when it gets there.

Coun. GALLAGHER—Mr. President, I should simply like to add that this so-called library is supposed to take care of part of Ward 22. For some time back, the library question has been uppermost in the minds of the people of this vicinity. Coun. Dowling has covered it, and covered it well; but I would suggest to the committee that they visit the place themselves and see the situation. At a meeting of the Committee of Appropriations, the chairman of the Library Trustees told us that it was the most disgraceful situation in their department; and I want Coun. Dowling to know that he has my whole-hearted support in this order.

Referred to the Committee on Finance.

The document referred to by Coun. Dowling is the following, viz.:

February 29, 1928.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Honorable and Dear Sir,—As general chairman of a central committee made up of the various churches, schools, societies, representative and business men of the Allston district, I respectfully petition for such an appropriation as may be necessary for the purchase of land and the building thereon of a modern Branch Library Building, equipped to give the library service which the district should receive and has a right to expect.

This matter has already been taken up with the Board of Trustees of the Boston Public Library, and while they are heartily in accord with this plan, and recognize the great local need, they advise me that they have no funds from which such a building could be erected. Therefore, it is necessary that this appeal be made directly to you.

In presenting the matter I shall answer five pertinent questions which I feel you would naturally ask, and in doing this I believe that the subject will be presented to you in proper form. The questions which I shall answer individually are as follows:

1. Are the present quarters adequate and satisfactory?
2. Do the people of the district make use of the Library Branch?
3. Is this a united movement representative of the entire district?
4. Does the district know what they desire for a type of Branch Library Building, and is there land available on which to erect such a building?
5. Approximately, what would it cost to purchase the necessary land and erect a modern Branch Library Building in this district?

Answer to Question No. 1:

The present library quarters consist of three small unsatisfactory inadequate rooms on the second floor of a business block on the corner of

Harvard and Brighton avenues, Allston. On the same floor with the library rooms is a Chinese restaurant. The street door advertises the restaurant, but makes no mention whatever of the fact that on the second floor are located the Branch Library rooms. In fact, unless one had already been taken to these rooms, you would not know they were there. There are no separate arrangements for sanitary conveniences, and therefore, the librarian and her assistants, the children and the visitors to the Branch Library must use the same lavatories as are used by the operators of the Chinese restaurant and the general public.

There is not room enough to properly take care of even the small number of volumes of books contained in this branch. The 1927 figures give the total volumes as 6,675. The library authorities realize that the Allston Branch deserves many more volumes, and they would be glad to furnish them if there were space in the branch to take care of them. You can readily appreciate that the lack of a sufficient number of volumes immediately handicaps the branch in giving the service that the district has a right to expect. The books are "all over" these small rooms, on tables and wherever the branch librarian can possibly find room for them. The wall racks, particularly in the children's room, are so high that the children cannot even reach the books, much less read their titles.

The teachers in the district schools realize the unsatisfactory conditions in the local branch, and it is difficult for them to expect the school children to do much research or reference work in the Branch Library. Yet you certainly will agree that this is one of the functions which a branch library should be able to properly take care of.

Let us consider each one of the three rooms separately, so that you may get a word picture of the existing conditions.

Room A. There was no provision originally made for a "reference room" so the local librarian, who is doing good work under very trying conditions, very kindly gave up her office so that we might at least have what really is a very poor apology for a reference room. Please understand, however, that there is now no room where the librarian can do her work in private, and she must do the best she can while others are also trying to do research or reference work in the same small crowded room. This room contains approximately 169 square feet of floor space, books are all around the walls, reference table, chairs, filing cabinets, etc., so that it is difficult for more than five people to work in this room at the same time. It is often necessary for the librarian to ask people to leave this room and take their work elsewhere before they have finished their work, so that others may try to get started to obtain the information they desire. This, your Honor, is the room to which the teachers of our district should be able to send their pupils, and where the children ought to be able to find the required information and work in pleasant and comfortable surroundings. Do you not agree that such accommodations are inexcusable in a branch library in as large and important a district as Allston?

Room B. Because every library is supposed to have one, we will call this room the children's room; it contains approximately 170 square feet of floor space, books all around the walls to a height which the children cannot reach, and therefore cannot read the book titles. This room, as small as it is, contains a desk for an employee of the branch and much of the repair work on the books in the branch is done here. With the necessary chairs and tables, there is room for eight or ten children, but with any more, the room is crowded and it is almost impossible to move around. Yet every person wishing to use the Reference Room, Room A, or to see the local librarian, must go through this room and necessarily disturb the children. It is a common thing for the librarian to ask children to leave so that others who are waiting may take their places. Is this fair to either the children or the parents of the district? Manifestly, such a room cannot possibly take care of the needs of a district the size of Allston. Besides this, because of a lack of room, it is impossible to have any special work with or for the children, and you will agree that such work for children is a service which a branch library should render to its community. On a Sunday afternoon I have seen children who have been asked to leave the library so that others might take their places sitting outside in the hall on an

umbrella stand, trying to read a book in which they had become interested. Now, your Honor, you have children of your own. I am sure you would not wish your children to be forced to use such an unsatisfactory branch library, and it is not fair that our children should be expected to use the present quarters.

Room C. The main room contains approximately 231 square feet of floor space in which are chairs, tables, desks for the library employees, etc., so that twenty people in this room are a crowd, and more make it uncomfortable and very unsatisfactory. Yet this is supposed to be the main reading room. It must also be understood that the general entrance to the library is in this room, so that every person, child or adult, must pass through it, with the natural result that all are constantly disturbed and as a general reading room, this is a farce.

The branch library in Allston is supposed to take care of the needs of approximately 22,000 people in Wards 21 and 22. Yet from the figures given you in this paper, you will see that thirty-five people at one time practically fill the present branch library quarters. Certainly, this is unfair to the citizens and people of the district, who as will be shown later, make great use of even this present unsatisfactory arrangement. If by any chance there is any doubt in your Honor's mind relative to any statements in this paper, I respectfully ask you to please pay a visit to the present Allston Branch Library quarters, as I am sure that if you will do so, you will agree with me that the present location is unsatisfactory and that other arrangements should be made at once.

Answer to Question 2:

We have had the present Branch Library location for about eight years, during which time both the population and the taxable valuations in the district have been greatly increased, but the Branch Library facilities have been allowed to remain the same. The figures I will give you were obtained from the authorities in the Central Public Library and are therefore authentic and unbiased. They show a constant and consistent growth in the book circulation of this district, and are very impressive, although they do not take into consideration any other service which the Branch Library has been able to give the public.

Allston Branch Circulation.

1921-22	47,328
1922-23	53,598
1923-24	57,705
1924-25	60,358
1925	63,434
1926	74,297
1927	81,984

While such records are not ordinarily kept, at my request the Branch Librarian kept a record of the persons using the Allston Branch and the volumes issued from there for one week. The figures which speak for themselves are as follows:

Volumes issued during one week	2,003
Adult attendance during one week	1,608
Juvenile attendance during one week	1,492

Total attendance for seven days 3,100

And this, your Honor will remember, in a branch library composed of three small rooms in which over thirty-five persons at any one time are a crowd. I believe that these facts show conclusively that the people of this district certainly make exceptionally good use of the Branch Library service and that it is fair to assume that if we had a modern, suitable Branch Library Building, the service which it could render the district would be sincerely appreciated and its use materially increased.

Answer to Question 3:

That this is a united movement representative of the entire district cannot be denied, and I believe that it is fair to assume that by far the greater part of the citizens and voters of the district are included in those people who are now requesting this needed civic improvement through their representative on the Central Committee which is made up as follows:

- Allston Congregational Church, Rev. M. F. Allbright.
- St. Anthony's Parish, Rev. M. J. Murphy.
- Allston Methodist Episcopal Church, Rev. A. B. Tyler.
- Knights of Columbus, William Z. McKenny.

- Brightelmstone Club, Mrs. Henry Dunning.
- Kiwanis Club, Rev. H. H. Hall.
- Boy Scout Officials, Dr. E. C. Dow.
- Neighborhood Club of Allston, Maynard F. Mosely.
- Washington-Allston Home and School Association, U. S. Harris.
- Union Square Baptist Church, Rev. P. A. A. Killam.
- Hill Memorial Church, Miss Edna B. Dowling.
- St. Luke's Episcopal Church, Mrs. Willard D. Woodbury.
- Veterans of Foreign Wars, John H. Kelley.
- The Faneuil Improvement Association, Mrs. L. A. Underwood.
- Frederick A. Whitney Club, Mrs. W. A. Robinson.
- The Allston-Brighton Republican Club, Hon. Martin Hays.
- Republican Club (Ward 21), H. A. J. Oppenheim, Jr.
- Thomas Gardner School, Charles F. Merrick.

Besides the above, the movement has the support of the two local representatives on the City Council, Frederick E. Dowling and Edward M. Gallagher, as well as the following representative men in the district:

- William S. Youngman, Patrick Anglin, James Sullivan, Frederick A. Winch, William H. Short, C. E. Mansfield, J. Perley Staples, Ernest G. A. Dennett, Norman Waite, John Hahn, Henry S. Bowen, George Winch, Arthur Lincoln, and many others too numerous to mention.

Answer to Question 4:

A. This is one of those rare cases when we know just exactly the type of building we would like to have erected. Not only that but it is a building highly approved of by the Trustees of the Boston Public Library. We would suggest using as a model the West Roxbury Branch Library Building with which no doubt you are familiar. This building is modern, practical, inexpensive, and built not as a monument to any one but for the use of the people of the district which it so splendidly serves. With this report you will find photostat prints of the following:

1. A rough general floor plan of the present Allston Library Branch.
2. A first floor plan of the West Roxbury Branch Library Building.
3. A front elevation of the West Roxbury Branch Library Building.

These pictures will help you to visualize the unfortunate facilities of the present Allston Branch Library quarters which are expected to give library service to approximately 22,000 people, and will suggest how that condition can be satisfactorily remedied by the erection of a like building to that which was erected in West Roxbury a few years ago, and which gives library service to approximately 13,000 people.

The architect for the West Roxbury Branch Library Building we understand was selected by the people of that district, is acceptable to the Board of Trustees of the Boston Public Library and because of his experience, the splendid work which he did in the designing of that building and his general ability, we respectfully suggest to your Honor that Mr. Oscar A. Thayer, with offices at 89 Franklin street, Boston, Mass., be commissioned to design a like building suitable for the needs of our district.

B. We realize that the site of the proposed new

library, as well as the building itself, must meet the approval of the Trustees of the Boston Public Library. In order to do this, it will be necessary to select a site as near the center of the district as is practical. That land is available there is no doubt, as the writer, although not a real estate operator, has already found a site which he believes would meet the approval of the authorities, and could undoubtedly be purchased. It is my opinion that the proposed Allston Branch Library Building could best serve the people of the district by being erected on Brighton avenue, as near as possible to the junction of Harvard and Brighton avenues, and that it should not be erected on any side street, as the above suggested location is as prominent and as central a site to the district this building should serve as can be found.

Answer to Question 5:

Your Honor will recall that the writer has elsewhere stated that in his opinion the West Roxbury Branch Library Building was a common sense, practical and inexpensive one, and I am sure that the following figures which were furnished by the architect, Mr. Oscar A. Thayer, will justify the writer's statement. The figures are as follows:

General contract, with heating, plumbing, electric work and fixtures, grading, and a \$500 allowance for planting.....	\$53,855 50
Screens.....	350 00
Window shades.....	203 66
Clock.....	73 50
	\$54,482 66
Furniture.....	3,059 00
	\$57,541 66
Architect's fees of 6 per cent.....	3,452 50
	\$60,994 16

This building was erected a few years ago and in the opinion of men who should know can be duplicated today at only a slight increase in cost. No doubt there are minor improvements which can be made and it is possible that the Allston district might need a slightly larger building, so we will set the estimated figure for the building at not over..... \$75,000 00
The necessary land could be purchased for approximately..... 50,000 00
\$125,000 00

But, to be on the safe side and to amply cover any extras which may arise, we will say that the new Branch Library Building in Allston could be erected for approximately \$150,000.

This certainly is a comparatively small amount to be spent by the city on such a needed improvement in a district of the size and importance of Allston. We should also take into consideration that the Allston district has not been particularly favored in the past years with civic improvements, although the taxable valuations in Wards 21 and 22, parts of both of which would be served by this building, form the basis for a substantial part of the income received by the City of Boston. The ward lines were changed in 1924 so that the figures we quote can go back only to 1925. These figures were taken from the statistics of the City of Boston, and are therefore undoubtedly correct. They are as follows:

	1925.	1926.	1927.
Ward 21.....	\$74,560,900	\$79,168,800	\$79,410,600
Ward 22.....	32,447,600	34,501,100	36,917,100
			\$116,327,700
Total taxable valuations in 1927.....			107,008,500
Total taxable valuations in 1925.....			\$9,319,200

An increase in this short period of.....

It must also be remembered that we have occupied the present branch quarters for about eight years, and if the necessary figures were available with which to make comparisons, there is no doubt but that an even more startling increase in taxable valuations would be apparent. The 1927 tax rate, through the commendable efforts of your Honor, was reduced to \$30 per

thousand, but even at that rate the City of Boston certainly receives a very substantial revenue from the Allston district.

Like the City of Boston, which is quite jealous of the returns which it receives from the funds which it pays to the Federal Government, so the Allston district is likewise jealous of the returns which it should receive from the City of Boston

from the funds which the district pays to the city, and the citizens now feel that it is only reasonable and fair that a small portion of the large amounts which have been paid to the city should now be returned to the district in the form of a new Branch Library Building.

We desire if possible that the Board of Trustees of the Boston Public Library be allowed not only to appoint the architect for the proposed new Branch Library Building but the general contractor as well.

In conclusion I believe that a consideration of the vital figures and facts show conclusively that the Allston district needs, requests and should have a new Branch Library Building, centrally located, at the earliest possible time, and that this report indicates clearly:

1st, That the present Branch Library quarters are unsatisfactory, inadequate, and that a new Branch Library Building is needed immediately in the Allston district.

2d, That the people of the district do use the services of a local branch library to a remarkable degree, and that with proper facilities the library services rendered to the citizens and children of this district would be greatly increased.

3d, That the people of the district now realize the unsatisfactory quarters of the present local Library Branch, and that they are now aware that they have tolerated the present conditions long enough, and respectfully request the authorities to remedy the existing conditions at the earliest possible moment.

4th, That we know exactly just the type of Branch Library Building we desire, and also the site on which it should be built.

5th, That the cost of such a needed civic improvement is reasonably low for the services which it will make possible. And in view of the large amounts paid by the district to the city and the comparatively small amounts spent in this district by the city during the past few years in civic improvements that the cost to the city of a new Branch Library Building in Allston is justifiable.

In view of the facts and conditions presented to your Honor, I respectfully petition for such an appropriation as may be necessary for the purchase of land and the building thereon of a modern Branch Library Building, equipped to give the library service which the Allston district should receive and has a right to request.

ULYSSES S. HARRIS,
General Chairman of the Central Committee.

ANNUITY TO THE WIDOW OF DANIEL KELLY.

Coun. SULLIVAN offered the following:
Ordered, That an annuity of \$500 be allowed and paid to the widow of the late Daniel Kelly, late member of the Boston Fire Department, who died from injuries received in the performance of his duties, such annuity to continue so long as said widow remains unmarried and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Coun. WILSON—Mr. President, with reference to that order, I believe a similar order was introduced some time back, and that the report is now on the table in executive, and, if that is so, and can be ascertained from Mr. Baldwin, I see no reason why the Council cannot act on it today, that it may be sent to the commissioner at the close of this meeting.

President GREEN—The order will be referred to the Executive Committee.

Coun. WILSON—I simply make the point that an earlier order of the same tenor is already on the table in the Executive Committee and can be acted upon today, the report having been received from the Fire Commissioner.

Referred to the Executive Committee.

MORTON STREET EXTENSION.

Coun. WILSON offered the following:
Ordered, That the Public Works Commissioner, through his honor the Mayor, be, and he hereby is, respectfully requested to advise the City Council forthwith for what reason, if any, all construction work has apparently been stopped on the Ward 17 end of the new Morton street extension.

Coun. WILSON—Mr. President, as long ago as the legislative session of 1924, largely through the efforts of Representative William C. Lancaster, there was authorized by the Legislature of the State the so-called Morton street extension which finally terminates in my ward. One of my first acts in my first term in the City Council was to press for an early completion of that job and the passage of sufficient loan orders to do what the Legislature, now years ago, had authorized. Work has gone on in that district up to the past few months, at which time it was temporarily delayed—I understood because there had been difficulty in getting two of the houses removed, although notice was given as long ago as January 1. It is now reported to me by the residents of that district that work has entirely ceased at the present time, or to all intents and purposes ceased, and that unless something actually is accomplished within the course of the coming month that will be left practically an open prairie during the winter. I accordingly suggest at this time that, before we widen Ward 3 streets, and before we build a new \$800,000 bridge down near the spur track, and before we do various other jobs involving millions of dollars not yet appropriated, we do something to spend the money we have already appropriated and complete this job, which has now been waiting for from six to eight years.

The rule was suspended and the order passed.

LAYING OUT RODMAN STREET, WARD 19.

Coun. MURRAY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Rodman street, Ward 19, as a public highway.

Passed under suspension of the rule.

SIDEWALK IN WEST NEWTON STREET, WARD 4.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along West Newton street, from Columbus avenue to Tremont street, both sides, Ward 4, 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.

SIDEWALK IN CLEVELAND STREET, WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Cleveland street, both sides, 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 granite, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

SIDEWALK IN PARKER STREET, WARD 10.

Coun. DEVENEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Parker street, both sides, from Tremont street to Heath street, Ward 10, 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.

SIDEWALK IN ALLSTON STREET,
WARD 12.

Coun. DOWLING offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Allston street, from Brighton avenue to Commonwealth avenue, west side, Ward 21, 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.

SIDEWALKS IN FAIRVIEW STREET,
WARD 20.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Fairview street, from South to Mendum street, both sides, 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 suspension of the rule.

SIDEWALK IN ELMIRA STREET, WARD 22.

Coun. GALLAGHER offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Elmira street, from Market street to Murdock 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.

SIDEWALK IN CAMDEN STREET, WARD 9.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Camden street, both sides, from Tremont street to Providence Division Railroad, Ward 9, 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.

SIDEWALK IN PARK STREET, WARD 17.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Park street, from Alpha road to 356 Park 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.

RESURFACING MITCHELL STREET,
SOUTH BOSTON.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of Mitchell street, South Boston, during the present season.

Passed under suspension of the rule.

LAYING OUT GLADSTONE STREET,
WARD 1.

Coun. DONOVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Gladstone street, Ward 1, from Breed to Boardman streets, as a public highway.

Passed under suspension of the rule.

REPORT OF TAXICAB COMMITTEE.

Coun. WILSON—Mr. President, may I renew at this time my inquiry of two weeks ago of the new senator from Ward 9 as to whether any progress is being made in the taxicab investigation? I note that, apparently, they have at least cleared School street out here for us, and I wondered if perhaps they have cleared a few of the other entrances to other hotels and stations.

President GREEN—Does Coun. Ward desire to give Coun. Wilson the information?

Coun. WARD—Mr. President, at the start of the councilor's speech I stopped listening because I stopped to speak to one of the councilors, but I want to get the question again. I will be glad to answer it if the councilor will repeat what he said.

Coun. WILSON—I merely asked the new senator from Ward 9, Mr. President, whether the Committee on the Taxicab Investigation are planning to hold any further early hearings?

Coun. WARD—Mr. President, I believe that the committee are now about ready to make up their report. It is a long report, and because of the arduous duties that confronted some of the members of the Council in the past month it was not possible to call a meeting; but I am going to call a meeting for the purpose of writing up the report and the evidence presented to the members of that committee.

RECESS.

The Council voted, on motion of Coun. BUSH, at 3.32 p. m., to take a recess, subject to the call of the Chair.

The members reassembled in the Council Chamber at 4 p. m., and were called to order by President GREEN.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following reports, viz.:

1. Report on message and order (referred today) appropriating \$3,000 from the Reserve Fund to Institutions Department, Long Island Hospital—that the same ought to pass.

2. Report on order (referred June 11) that an annuity of \$600 be allowed and paid to the widow of Daniel F. Kelley, late member of the Boston Fire Department—that the same ought to pass.

Report accepted; said order passed.

REPORT OF FINANCE COMMITTEE.

Coun. BUSH, for the Committee on Finance, submitted the following report, viz.:

1. Report on message and order (referred August 20) appropriating \$800,000 for Congress Street Bridge—that the same ought not to pass, without prejudice.

Report accepted; said order rejected.

Coun. KEENE—Mr. President, I did not understand the vote on the acceptance and rejection, and I would ask for a reconsideration in order that we may have some discussion on that subject.

President GREEN—Coun. Keene moves reconsideration.

Coun. WILSON—Do I understand you can do that without any intervening business, Mr. President?

President GREEN—Yes. The question comes on reconsideration. Those in favor say "aye, opposed "no," it is not a vote, and reconsideration is refused.

OPENING OF POLLS AT STATE ELECTION.

Coun. DOWLING offered the following:

Ordered, That the polls of the several polling places in the City of Boston at the State Election, Tuesday, November 6, 1928, shall be opened at six o'clock a. m. and closed at eight o'clock p. m.

The President designated Coun. Gallagher to preside as Chairman.

Coun. DOWLING—Mr. Chairman, from state ments which have appeared in the newspapers within the past few days, there are some indications of a few people in the City of Boston thinking that the Democrats of the city have a monopoly on the desire to keep the polls open so that citizens can register their choice for candidates for the two great parties. I want to say, Mr. President, that the Republicans—and I have no authority to speak for the party organization, but as an individual, as a Republican—I believe that the Republican voters of this city are glad to have the polls open as late as eight o'clock in the evening. There has been some discussion of the closing or the polls here this afternoon, but not on the floor of the Council, and, since none of the Democrats appear to want to take the initiative now in order to establish these hours, I would like to have it known as widely as may be that at least one Republican in the city would be glad to have the polls open from six o'clock in the morning until eight o'clock at night, and I, therefore, offer the order in good faith and ask for its passage.

Coun. McMAHON—Mr. Chairman, I would like to have that order read once more.

Said order is read by Clerk Donovan.

Coun. WARD—Mr. Chairman, I offer an amendment to that order.

The Clerk read the following:

Ordered, That the order be amended by striking out the word "eight" and substituting therefor the word "nine," making the order read "That the polls at the several polling places in the City of Boston shall be open at six o'clock a. m. and close at nine o'clock p. m., at the State Election on Tuesday, November 6, 1928."

Coun. WARD—Mr. Chairman, on this order, I understood from having read an article in the press that the chairman of the Democratic City Committee was going to put this order in. We had this discussion about a year ago, and they called for a public meeting on it. The father of the eight o'clock closing was former Mayor Curley, and I talked with him on this closing at nine o'clock, and he suggested that it might be a better idea to give the workman an opportunity to vote by keeping the polls open until nine o'clock. The question that comes up there is the question of the election officers. I am not averse to paying the election officers a little more money if we are going to give the public the privilege of voting up to an hour where every voter or workman in the city can get in.

Coun. DEVENEY—Mr. Chairman, I understand that there is some question about the legality of having the polls opened over a period of fourteen hours, and I suggest that this matter be laid on the table until it has been taken up with the Corporation Council.

Coun. DOWD—Mr. Chairman, it is rather amusing to see our good Republican friend from Brighton introduce the order. He claims there has been discussion by the Democratic members this afternoon. I say there has been some discussion but not in reference to the eight o'clock closing, as the Democratic members of this Council today are the same as they were two years ago, for an eight o'clock closing for the State Election. One needs but to look back at the record of two years ago to find out where the Republican party and the Republican members of this Council stood, whether they voted for a four o'clock or an eight o'clock closing. And now, when they realize and know that the Democratic members of this Council are solidified as never before, one of the Republican members desire to steal the thunder of the President of the Democratic City Committee, who had the order drawn up and ready to introduce in this Council, and I say that the Republican member has taken an unfair advantage of the Democratic members of this Council. He wants you to infer that this measure was not going to be introduced this afternoon. He knows only too well that the president of the city committee, with the absolute confidence of everyone in this body, had the order ready to introduce.

Coun. Dowling thought, possibly, that he would put us in a very bad position by introducing that order today. I simply want to ask him and ask his Republican colleagues at the time, two years ago, when "Dave Walsh," senior senator from this state, was trying to get an eight o'clock closing, where the Republican members stood? They voted solidly against an eight o'clock closing and for a four o'clock closing, and now, when they realize only too well that "Al" Smith has solidified the forces of Democracy in Boston, they want to get in and steal our thunder. I say to my Republican brother that he has taken an unfair advantage, and I say to the press of Boston that the Democratic members of the Boston City Council stand today, as they stood two years ago, solidly for an eight o'clock for the entire people and not for any Republican section.

Coun. MURPHY—Mr. Chairman, I am really surprised at my Republican friend introducing an order which the records of the Boston City Council show that he was opposed to in the last State Election. The Boston Democrats are more united today that they ever were in the history of Democratic Boston, and because of their unity they sat down like men and they agreed among themselves, each and every one of them, that the proper person to represent the Democratic members of this Council in introducing that order was the chairman of the Democratic City Committee, and for that reason and the reason of unity—yes, that unity that spells victory on the 6th of November 1, as one member sitting on this Council, as close as any living man to the head of the Democratic State Committee, know that he said, "All right, I have the order written"; and I challenge now that the secretary of the Council wrote that order, wrote the order of the chairman of the city committee, before the order was written that was presented here by Coun. Dowling. What are they trying to do? Are they trying to bring about a condition in Democratic Boston to infer that the Democrats are not united? If they are, they can bear in mind that, when the votes are counted on next November 6, they will find the greatest unity that has ever been shown in the history of historic Boston by the vote that will be cast for "Al" Smith for President of the United States.

Coun. RUBY—Mr. Chairman, I am not going to quarrel with my Democratic or Republican friends as to who put the order in for election day closing of the polls, but I do want to take issue with the councilor from Ward 8, who in his statement said that the Republican members of this body stood as a unit against the eight o'clock closing. I want to remind you, Mr. Chairman, as well as the councilor from Ward 8, that when this question was presented and we went into executive session at least Coun. Parkman, Bush and Ruby voted to keep the polls open until eight o'clock.

Coun. DOWLING—And Coun Dowling also.

Coun. BUSH—And I think Coun. Dowling also. I intend today, next Monday, or at anytime when this question is brought up, to vote to keep the polls open until eight o'clock, because I believe in my district there are as many workmen as any district in Boston, and I do not intend to deprive them of that opportunity of going to the polls on election day and casting their vote for President or any other officer for whomsoever they see fit, and I wanted to correct the councilor from Ward 8 that the Republican organization—and there is no organization in this body, gentlemen—did not stand as a unit for the eight o'clock closing, but that we favored and voted for eight o'clock closing.

Coun. WILSON—Personally, Mr. Chairman, I do not intend to make a political speech, having been elected to the City Council as a nonpartisan and my victory having been insured, I am assured, by Democratic votes. It may perhaps have been an entirely nonpartisan action on the part of the member of the Brighton district to put in that particular order while the Democrats slumbered in the other room trying to make up their minds just when they wanted the polls to close. I am unaware what figure in Boston politics was the father of the eight o'clock closing, but, whoever was the father, apparently the child was the election of the Republican ticket two years ago; and, if the gentleman in question was the father of the eight o'clock closing in Boston, I would be interested to know the parentage of the nine o'clock closing in Belmont. But, however that may be, as one who voted for early closing two

years ago, I voted at that time entirely as a non-partisan member of the city government. I had in mind the fact that the Ward 17 Republican Ward Committee unanimously voted in favor of eight o'clock closing, and, in the face of that unanimous ward committee voting in my ward, yet I feel, without further consideration at this time, that the precinct workers of the Election Department are entitled to some rights. As I said two years ago, it seems to me that the hundred or more than hundred precinct workers who get up at five o'clock in the morning and then count ballots until six or seven o'clock the next morning are entitled to some consideration, not whether Republicans or Democrats want to go to the polls. And, although on Primary Day, last Tuesday, the polls closed at four o'clock, and it was a substantially light vote, I am aware of the fact that in my ward, Precinct 15 of Ward 17, they did not complete counting, even last Tuesday night at primary elections, until after twelve o'clock that night, and I am aware of the fact that in Precinct 3 of Ward 16, with only 473 votes cast, they did not complete counting until quarter past eleven. It seems to me that this matter should be laid on the table. No matter what the partisan men present may say, this is not a party matter one way or the other. Two years ago, three or four out of the eight Republicans voted for the late closing, and a Republican member, apparently, has stolen a little thunder from those who might have wished to put the order in and has initiated, the order this year for an eight o'clock closing. It seems to me there is room for difference of opinion, that the entire matter should be laid on the table one week, and we should stop making political speeches on the question as to whether the people should be allowed to vote as late as eight o'clock and whether precinct officers should be expected to work all night. It would perhaps have been better for some of the gentlemen who are so excited today to spend more time during the past year or two supporting before the Legislature of the Commonwealth of Massachusetts the passage of an act which would allow the City of Boston to open at a later hour than six o'clock in the morning. It is too bad they cannot stop their clamouring instead of getting so excited today and trying to make out of a distinctly practical matter something that is not partisan in this state one way or the other, as is shown by the fact that, with the eight o'clock closing two years ago, the Republican ticket carried the state.

Chairman GALLAGHER—Does the councilor make a motion to lay on the table?

Coun. WILSON—Yes.

Chairman GALLAGHER—The question is to lay the matter on the table. No further debate is in order.

Coun. DOWLING—Mr. Chairman, I ask for a roll call.

The roll was called, and the motion to lay on the table was declared lost, yeas—Coun. Arnold, Wilson—2; nays—19.

Chairman GALLAGHER—The question now comes on Coun. Ward's amendment.

Coun. WARD—Mr. Chairman, I want to say, after listening to the remarks of my friend, the comedian, on the other side of the room, that the eight o'clock closing was inaugurated during the administration of Mayor Curley. I heard another remark by one of the members sitting back here a few moments ago. The members of the Council who were here two years ago will remember that every paid lobbyist at Republican headquarters was over here attempting to advise the Council that the polls should close at four o'clock. It was common rumor around town that the candidate of the Republican party at that time, Senator Butler, was spending \$75,000 in an effort to close the polls at four o'clock, and the members of this Council, the Democratic members of this Council, stood solidified for an eight o'clock closing, with the exception of one member. He says the Republican members were unanimous. There was one Republican member in this body who voted for an eight o'clock closing. I move, Mr. Chairman, that the order as introduced and the amendment thereto be passed.

Coun. BUSH—Mr. Chairman, I take exception to the previous speaker's remarks in reference to the Republican members of the Council. I was one of those Republican members of the Council who voted for the eight o'clock closing, not only two years ago but at every other time when the question came up, and I say there and now that at

no time during the whole period was I ever approached by any person to vote for a four o'clock closing.

Coun. FITZGERALD—Mr. Chairman, in reference to this matter, I had intended to introduce this order. It was a well-known fact that it was agreed among the Democrats that it should be introduced. It is immaterial who introduces the order as long as the object is accomplished here in the Council. Of course, I felt I had interviewed Coun. Dowling in reference to the order and told him I was to introduce this order today and asked him if it was agreeable to him, and I understood him to say it would be agreeable. Now, of course, whether the order is introduced by the Democrats or by him, representing himself as a nonpartisan member of this Council, it does not matter; but, at the same time, I only desire to see the results accomplished, and if by his introducing the order it is passed, all well and good. But there was a question in reference to Coun. Ward's amendment about having the polls opened until nine o'clock. There are many cities in the Commonwealth and many towns where the polls are open until nine o'clock. I believe in the city of Somerville, in the city of Chelsea, and in several other municipalities they are open until nine o'clock, and in some places until ten o'clock, and it was merely a question of having the matter postponed until the next meeting to get an opinion from the Election Commissioners and from the Law Department as to whether this could be done in Boston, and that is the reason for the delay in introducing the order. But there is a question raised by Coun. Wilson in reference to what he said concerning Belmont. He has raised a good ground. If nine o'clock will give a better chance, all well and good. The attempt was to get an opinion. I was of the opinion that eight o'clock would be late enough in view of the fact that the men and women who work at the polls should be given some consideration. It must be remembered that on Primary Day, last Tuesday, the returns from many of the wards did not arrive until four o'clock in the morning. It is a question, if at the Primary Election they did not get the return until four o'clock in the morning, what they are going to do with the question of getting returns in with a long ballot to eight o'clock. It was a question that could not be decided hastily. It was a question whether Coun. Ward was right or whether I was right, and in view of the fact that it was important we postponed it until the next meeting. Of course, I assumed that Coun. Dowling would be in favor of my order after talking with him, but after he has introduced his order, that is his action, but one more week would not hurt it. The recounts are on now, and we will have another meeting next Monday, I thought, when we would have ample time to get the facts in reference to these recounts. I am ready for action. All I want is to have the citizens of this city be given the right and every possible opportunity to cast their ballots, and I favor giving ample time to the men who work and the women, as well.

Coun. DOWLING—Mr. Chairman, I am sure that the gentleman from Ward 3 who made reference to the conversation which he had with me will not credit me with acting in bad faith. It is true that the gentleman from Ward 3 and I did talk over the proposition of a late closing of the polls. It is also true, as the gentleman from Ward 3 will affirm, that I agreed to an eight o'clock closing, and I accept his assent in the shape of a friendly talk of his head now. He agrees that was our conversation. But I did not know, although I have sufficient grounds for believing, that the Democratic members of the Council are dilatory not only in this matter but other matters. I thought that they were going to be as dilatory as they have been in the past. I did not propose to be caught for the reason that I believe the Republican voters in this city want the polls open until eight o'clock. I have taken a lot of unnecessary and unwarranted abuse for offering the order, but I am a good scout and I can stand that. I offered the order in good faith, and I am just a little bit surprised, Mr. Chairman, to find members of this Council who have been closer to the Republican administration during the past three years than I have opposing this. I can look around this Chamber, Mr. Chairman, and see many Democrats who have had their noses in the trough at the Republican Mayor's office every day of the last three years, while I have stood outside because I wanted to stay outside, and

because I wanted to be decent and on the level. That order was offered in good faith. If the Democratic members do not want the polls opened until eight o'clock, they have the right to say so. And I say again that I am not doing this for any Republican organization, nor for my own ward committee of which I happen to be a member, nor for any Republican politician, but I am doing it for myself. I believe that the polls ought to be open until eight o'clock in the coming election, and I resent as emphatically as I can any attempt to make it appear that I was stealing the thunder of the Democrats who hobnobbed with Republicans for three years.

Coun. GREEN—I was going to suggest, Mr. Chairman, that we take a fifteen-minute recess, to get a ruling from the Corporation Counsel on the legality of Coun. Ward's amendment.

Coun. WARD—I second that motion.

Coun. WILSON—Mr. Chairman, smart as the membership of the office of the Corporation Counsel of the City of Boston purports to be, I do not think that even they could give any opinion in fifteen minutes on any subject. (Laughter.)

Coun. DOWD—Mr. Chairman, I believe the law is very plain, that the polls shall be open at six o'clock and continue fourteen hours.

Coun. DOWLING—At least fourteen hours.

Coun. DOWD—I believe they could inform us on that.

Coun. RUBY—Mr. Chairman, I don't think we ought to be disturbed now in such a way that we will decide to hold the polls open, the way we are now, probably twenty-four hours if the members have their own way. I think we also ought to take into consideration the fact that we want an honest and faithful count even after the Democrats and Republicans have gone to their respective voting precincts and cast their choice for their respective elective officers, and I think we ought to take into consideration that fact, so that we won't burden the group of election officers both in the City Hall and in the respective precincts with an amount of work that no human being will be able to cope with. I can go a step farther and tell the Council here, Mr. Chairman, that in one of the precincts, in Precinct 15 in my ward with a four o'clock closing on Primary Day, we could not get the vote of that precinct until three o'clock in the morning, and the warden in the precinct was a certified public accountant. So, we ought not to become disturbed. And when the councilor from Ward 3 refers to the Belmont polls being open until nine o'clock, I want to remind him that they open at twelve noon and not at six a. m.; and I think if we allowed the electorate of Boston to go to the polls at six o'clock in the morning until eight o'clock in the evening, fourteen hours of voting, two hours before the day's work starts and two hours after the day's work has ceased, I think nobody in Boston, Republican or Democrat, or even Socialist, can object.

Coun. DOWLING—Mr. Chairman, I move the previous question.

Chairman GALLAGHER—The question comes on Coun. Ward's amendment, that the polls be open until nine o'clock.

Coun. WARD—Mr. Chairman, I wish to announce that I have just talked with the secretary of the Election Commissioners, and Mr. Mahoney says that there is a special law to the effect that the polls in Boston cannot stay open after eight o'clock, and I have asked him to bring the chapter that quotes that before the members of the Council.

Chairman GALLAGHER—The question comes on the amendment.

Coun. WARD—There is a recess of fifteen minutes, I understand.

Chairman GALLAGHER—No.

Coun. WARD—I move a recess for fifteen minutes.

The question being put, the Chair declared the motion for a recess lost. The vote was doubted by Coun. Dowd, a standing vote was taken, and the motion declared carried.

A short recess was taken at 4.30 p. m., and at 4.35 p. m. the Council reconvened.

Chairman GALLAGHER—The question now comes on the amendment offered by Coun. Ward.

Coun. WARD—Mr. Chairman, after consultation with the Elections Clerk, I desire to withdraw my amendment to the order.

The question then came on the original order offered by Coun. Dowling. The rule was suspended and the order passed.

ALMONT STREET PLAYGROUND.

Coun. MURPHY offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to place the Almont Street Playground in proper condition during the winter for skating purposes. The rule was suspended and the order passed.

SIDEWALK REPAIRS AT 227 WEST CANTON STREET, WARD 4.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repair the sidewalk in the vicinity of and at 227 West Canton street, Ward 4.

The rule was suspended and the order passed.

REPAVING CODMAN PARK, WARD 11

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Codman park, Ward 11. Passed under suspension of the rule.

ELEVATED TRACK ON BROADWAY, SOUTH BOSTON.

Notice was received from the Board of Street Commissioners of permission granted to the Boston Elevated Railway to make alteration in a double track on Broadway, South Boston, leading from the double track near the southerly side of Fort Point channel and connecting with existing double track above the tracks of the Old Colony Division where they pass under Broadway,—being the 68th location.

Placed on file.

REVISION OF TRAFFIC REGULATIONS.

A communication was received from the Board of Street Commissioners, containing new regulations for street traffic, as amended and revised.

Placed on file.

At 4.39 p. m., on motion of Coun. BUSH, the Council adjourned, to meet on Monday, October 1, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

October 1, 1928.

Regular meeting of the City Council, held at the City Council Chamber, City Hall, at 2 p. m., President GREEN presiding. Absent, Coun. Deveney and McMahon. The President designated Coun. Ruby to preside.

JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, the Mayor absent, viz.:

Twenty-seven traverse jurors, Superior Civil Court, First Session, October Sitting, to appear November 5, 1928:

John P. Jones, Ward 1; William S. Ranahan, Ward 1; Peter A. Hayes, Jr., Ward 2; Thomas A. Meek, Ward 2; James E. Barry, Ward 3; Herbert C. Jones, Ward 4; George P. Lunt, Ward 4; Thomas J. Murphy, Ward 5; Patrick J. McDonough, Ward 6; Dennis Bradley, Ward 8; Calvin O. Sanger, Ward 9; Louis A. Adams, Ward 10; William J. McKnight, Ward 11; John J. Ferris, Ward 12; Benjamin White, Ward 12; Louis A. Alexander, Ward 14; James Hesnau, Ward 15; Patrick J. Kennedy, Ward 16; John F. McLeod, Ward 16; Thomas M. Shelsey, Ward 16; William Hurwitch, Ward 17; Jacob Lebherz, Ward 17; John M. Leonard, Ward 19; Harry C. Benner, Ward 21; William C. Garfield, Ward 21; Alexander J. Macdonald, Ward 21; John J. Powers, Ward 21.

Twenty-nine traverse jurors, Superior Civil Court, Second Session, October Sitting, to appear November 5, 1928:

George H. Peachey, Jr., Ward 1; William J. Francis, Ward 2; Thomas E. Flanagan, Ward 3; William Ryan, Jr., Ward 4; Leonard H. Torrey, Ward 4; Rufus W. Dibble, Ward 5; Harry R. Marr, Ward 5; Earl F. Newland, Ward 5; Phillip D. Orcutt, Ward 5; William Thomas Goss, Ward 7; Thomas B. Mullin, Ward 7; Daniel McCarthy, Ward 8; Barnard Cohen, Ward 12; Thomas F. Matthews, Ward 12; James T. Gallagher, Ward 13; John F. Sherman, Ward 13; Harry Kupferman, Ward 14; Isidor Salmansohn, Ward 15; Louis Hoffman, Ward 17; Daniel Mackey, Ward 17; Robert C. Warren, Ward 17; Samuel C. Hill, Ward 18; Emanuel C. Wood, Ward 18; Gilbert W. Dick, Ward 20; James C. Hammond, Ward 20; Gregory C. Prior, Ward 20; Arthur E. Binford, Ward 21; John P. Cobb, Ward 21; Granville N. Fuller, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Third Session, October Sitting, to appear November 5, 1928:

Francis C. Melsaac, Ward 1; Charles J. McCarthy, Ward 2; Thomas P. Callahan, Ward 3; John J. Holland, Ward 3; Louis de P. Cole, Ward 3; Joseph Clougherty, Ward 6; John J. Mahoney, Ward 6; James West, Ward 10; Percy Sharpe, Ward 11; Samuel Green, Ward 12; Harry W. Appleton, Ward 13; Michael J. Sullivan, Ward 13; Abe Schwartz, Ward 14; Richard H. Burchill, Jr., Ward 15; L. Robert Schaffner, Ward 15; James A. McCarten, Ward 17; Kiernan W. McManus, Ward 17; John H. O'Brien, Ward 17; Joseph F. Feehey, Ward 18; Arthur Burwell, Ward 19; Willard H. Rodd, Ward 19; Frank L. F. Shaughnessy, Ward 19; Howard F. Salisbury, Ward 20; Edward J. Pierce, Ward 21; Joseph E. Quinn, Ward 21; Charles Simons, Ward 21; Edward P. Hutchinson, Ward 22; Edward J. Labbe, Ward 22; John J. Welch, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Fourth Session, October Sitting, to appear November 5, 1928:

George H. Lund, Ward 1; Joseph L. Santos, Ward 2; Avar L. Wormelle, Ward 2; Edward H. Williams, Ward 4; Arthur L. Hughes, Ward 6;

William T. Ahearn, Ward 7; Joseph M. O'Shaughnessy, Ward 9; Dennis E. Sullivan, Ward 10; Daniel C. Lowney, Ward 11; James E. Southwell, Ward 12; Patrick J. Riley, Ward 13; Edward W. Berrigan, Ward 14; Peter J. Lackner, Ward 15; Joseph T. McGovern, Ward 16; Joseph I. Hennessy, Ward 17; Cornelius B. Chase, Ward 18; Charles I. Feigenbaum, Ward 18; Francis M. Doyle, Ward 19; Harold H. Mackenzie, Ward 19; John H. Watson, Ward 19; Richard A. Doherty, Ward 20; Benjamin P. Flood, Ward 20; Emil Kochoer, Ward 20; Frederick Schortmann, Ward 20; John McGinn, Ward 22; Ernest C. Quinn, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Fifth Session, October Sitting, to appear November 5, 1928:

Albert George Hughes, Ward 5; Hyman Price, Ward 5; Edward R. Warren, Ward 5; John J. Fitzgerald, Ward 6; William H. Ward, Ward 9; Robert Irvine, Ward 6; Eugene Stapleton, Ward 7; Julius Pelletier, Jr., Ward 10; Charles T. Berry, Ward 11; Michael J. Concannon, Ward 11; Louis Zagar, Ward 11; Mayer Berman, Ward 12; William Burke, Ward 13; Arthur C. Morse, Ward 13; Ralph E. Williamson, Ward 13; Joseph H. Jackson, Ward 14; Samuel Pelsler, Ward 14; Herman F. Wasserman, Ward 14; William E. Lennan, Ward 15; William O'Brien, Ward 15; Clarence W. Frost, Ward 16; John T. Mullane, Ward 16; Albert J. Pabst, Ward 16; Axel H. Malmsten, Ward 18; James A. Ross, Ward 18; Patrick Corrigan, Ward 19; Frank Murray, Ward 19; George A. Goulston, Ward 21; John J. Desmond, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Sixth Session, October Sitting, to appear November 5, 1928:

John J. Curran, Ward 1; Thomas M. Toohy, Ward 1; Festus T. McHugh, Ward 2; Cosmo Clemente, Ward 3; Walter B. Arey, Ward 4; Edward C. Fitz, Ward 5; John J. Murphy, Ward 7; Willard L. Tibbetts, Ward 7; William J. Coughlin, Ward 8; John W. Filbin, Ward 12; Albert M. Wistreich, Ward 12; John L. Meharg, Ward 13; Harry S. Benjamin, Ward 14; George W. Blackmore, Ward 14; Abraham M. Gordan, Ward 14; Morris Liner, Ward 14; Solomon Sacks, Ward 14; Michael J. Curley, Ward 15; Robert C. Martin, Ward 15; Charles B. Young, Ward 15; Frederick L. Mayer, Ward 16; Fred G. Merz, Ward 19; Walter H. Skinner, Ward 19; Emdon B. Cornwall, Ward 20; Roy S. Freeman, Ward 20; Thomas J. Harding, Ward 20.

Twenty-five traverse jurors, Superior Civil Court, Seventh Session, October Sitting, to appear November 5, 1928:

Charles R. Repper, Ward 4; Thomas J. McElaney, Ward 8; Francis P. Heaney, Ward 11; Emil J. Schneider, Ward 11; Benjamin Levine, Ward 12; William A. Rosenberg, Ward 12; Frederick P. Burger, Ward 13; Edward W. Clahane, Ward 13; Louis Kramer, Ward 14; Alexander W. Bailey, Ward 15; Albert L. Ibach, Ward 15; John O'Connor, Ward 15; Earl L. Marshall, Ward 16; Thomas Woodburn, Ward 16; Henry A. Beyer, Ward 18; Henry J. Crogan, Ward 18; John P. Shaughnessy, Ward 18; Leo T. Haley, Ward 19; Robert F. Towle, Ward 19; Grover C. Gage, Ward 20; Irving A. Niles, Ward 20; Raymond S. Pinkham, Ward 20; William L. Roth, Ward 20; Perley P. Ray, Ward 22; Robert H. Wade, Ward 22.

Twenty-five traverse jurors, Superior Civil Court, Eighth Session, October Sitting, to appear November 5, 1928:

John B. Jones, Ward 2; James L. McCormack, Ward 2; Clinton Rout, Ward 2; Frank T. Sullivan, Ward 2; David F. Paige, Ward 4; John M. Prestes, Ward 5; John D. Waters, Ward 5; Edward J. Barron, Ward 7; Walter Vetterlein, Ward 8; Frederic J. Lundy, Ward 9; Ambrose Baron, Ward 10; James T. Malley, Ward 10; Edward J. Harrigan, Ward 11; William Gale, Ward 14; Lipe Jacobson, Ward 14; Thomas J. O'Connell, Ward 16; Charles H. Bartlett, Ward 17; Edward MacLeod, Ward 17; Max H. Fischer, Ward 19; Carelton W. Crook, Ward 20; Clarence C. Guild, Ward 20; Albert E. Heimann, Ward 20; William D. Young, Ward 20; Charles H. Egan, Ward 22; George W. Stuart, Ward 22.

APPOINTMENT OF WEIGHERS.

The following was received:
 City of Boston,
 Office of the Mayor, October 1, 1928.
 To the City Council.

Gentlemen,—Subject to confirmation by your honorable body, I appoint the following named persons to the position of weigher for the term ending April 30, 1929:

Of Coal: Milton J. Aronson, 29 Cutler street, Winthrop, for East Boston Coal Company; Bertha Gordon, Lamartine Coal Company, 139 Lamartine street, Jamaica Plain.

Respectfully yours,
 MALCOLM E. NICHOLS, Mayor.
 Laid over one week under the law.

APPOINTMENT OF CONSTABLES.

The following was received:
 City of Boston,
 Office of the Mayor, October 1, 1928.
 To the City Council.

Gentlemen,—Subject to confirmation by your honorable body, I appoint the following named persons to the position of constable of the City of Boston, for the term ending April 30, 1929:

Irving Honigsberg, 42 Winston road, Dorchester; Joseph L. Bennett, 20 Deekard street, Roxbury.

Respectfully yours,
 MALCOLM E. NICHOLS, Mayor.
 Laid over one week under the law.

REPORT ON PRINTING OF STREET BOOKS.

The following was received:
 City of Boston,
 Office of the Mayor, September 28, 1928.
 To the City Council.

Gentlemen,—I transmit herewith a communication from the Superintendent of Printing, in reply to your order of September 5, 1928, relative to progress being made on street books authorized by the City Council.

Yours respectfully,
 MALCOLM E. NICHOLS, Mayor.

City of Boston,
 Printing Department, September 26, 1928.
 Hon. Malcolm E. Nichols,
 Mayor of Boston.

Dear Sir,—In response to the within request of the honorable City Council regarding the progress made on the printing of the street books authorized by the City Council in their order of May 21, 1928, and approved by your Honor May 22, 1928, you are respectfully advised that the Street Laying-Out Department is preparing the copy for this publication and it will not be ready for the printer until some time the early part of next week.

The Printing Department cannot do anything in the way of printing the work until we receive the copy for the new edition.

Respectfully,
 WILLIAM J. CASEY,
 Superintendent of Printing.
 Placed on file.

APPROPRIATION FOR BOARD OF ZONING ADJUSTMENT.

The following was received:
 City of Boston,
 Office of the Mayor, October 1, 1928.
 To the City Council.

Gentlemen,—I am advised by the chairman of the Board of Zoning Adjustment that the appropriation granted this Board in 1927 is practically exhausted and that, in his opinion, an appropriation of \$3,500 should be made available for the purpose of carrying on the work of the Board for the balance of this year and probably for the major part of next year. In accordance with the request of the Board, I submit herewith an order providing for the appropriation of the desired sum and respectfully recommend adoption of the same by your honorable body.

Respectfully,
 MALCOLM E. NICHOLS, Mayor.

Ordered, That a sum not in excess of \$3,500 be, and hereby is, appropriated, to be expended by the Board of Zoning Adjustment, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund.

City of Boston,
 Board of Zoning Adjustment,
 September 22, 1928.

Hon. Malcolm E. Nichols,
 Mayor of Boston.

Dear Sir,—The Board of Zoning Adjustment, established in accordance with the provisions of chapter 488 of the Acts of 1924, is now in the fourth year of its existence and has, during that time, acted upon 177 petitions for changes in the boundary lines of the zoning districts. This has involved personal inspection trips, public hearings, executive meetings, and numerous meetings of subcommittees.

The Board has been granted during these four years a total amount of \$8,500, in two appropriations, *i. e.*, February, 1925, \$5,000, and January, 1927, \$3,500. Of the total amount there remains at the present time an unexpended balance of \$428.77. The money has been spent for verbatim reporting, personal service, office supplies, transportation, maps and blueprinting, messenger service, advertising, etc. On the other hand, there has been returned to the City Treasurer on account of filing fees from May 1, 1927, to date, \$360.

The Board accordingly voted at its executive meeting on Friday, September 21, to request from your Honor at this time an appropriation of \$3,500 for the purpose of carrying on its work for the balance of this year, and probably for the major part of 1929. The exact expense must naturally vary in proportion to the number and nature of the petitions to be received.

Yours very truly,
 FREDERIC H. FAY, Chairman.
 Referred to Executive Committee.

ADDITIONAL APPROPRIATION FOR CITY PLANNING BOARD.

The following was received:
 City of Boston,
 Office of the Mayor, October 1, 1928.
 To the City Council.

Gentlemen,—I am in receipt of the attached communication from the chairman of the City Planning Board in which he requests that an additional appropriation of \$3,000 be granted to his Board in order to complete the street thoroughfare plan on which the Board has been engaged during the current year. The appropriation which the Council voted for this particular work is now practically exhausted and unless this additional appropriation is granted it will be necessary to suspend for the balance of the year any further work on the project. In accordance with the attached request, I submit the attached order providing for the transfer of the necessary funds from the Reserve Fund and respectfully recommend adoption of the order by your honorable body.

Respectfully,
 MALCOLM E. NICHOLS, 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, \$3,000, to the appropriation for City Planning Board, G-2, Special Investigations, \$3,000.

City of Boston,
 The City Planning Board, September 22, 1928.
 Hon. Malcolm E. Nichols,
 Mayor of Boston.

Dear Sir,—The City Planning Board has under way at the present time, as you have been advised, the preparation of a thoroughfare plan which will include a complete system of main traffic streets in the City of Boston. The plan is being worked out under the direction of Mr. Robert Whitten, City Planning Consultant of New York City, in its proper relation to all features of a complete city plan, including parks, playgrounds, parkways, port development, transportation, location of

public buildings and zoning, as well as in its proper relation to a complete plan of metropolitan highways.

It is based on estimated traffic requirements for a term of twenty-five or more years and will list various projects in the order of their urgency, recommending a definite construction and financial program.

In co-operation with the Street Traffic Advisory Board and with the Division of Metropolitan Planning, the amount of traffic at its origin and destination has been tabulated and analyzed so that it is now for the first time possible to determine the volume of traffic moving between any section of the city and any other section, or between any section of the city and any city or town in the metropolitan district.

This has made it possible to design street improvements so as to afford the maximum traffic relief and to estimate the economic savings to the community that will result from any given project.

For the purpose of carrying on this work the Board requested in its budget estimate for 1928 the sum of \$15,000 under G-2, Special Investigations. This amount was reduced by your Honor to \$11,000, and was still further reduced in City Council to \$8,500, or a little more than half of our original estimate.

Although the work has been carried on at a minimum of expense throughout the year the appropriation under this particular item is practically exhausted. The Board estimates that the sum of \$3,000 will be necessary to carry on the work for the balance of this year, exclusive of the printing of the report itself, which, although probably completed in December, can be carried over until the next fiscal year.

At a meeting of the City Planning Board on Friday, September 21, 1928, therefore, it was voted to request from your Honor at this time an additional appropriation of \$3,000, which request we trust will have your Honor's favorable consideration.

Yours very truly,
FREDERIC H. FAY, Chairman.

Referred to Executive Committee.

APPROPRIATION FOR RECONSTRUCTION OF CONGRESS STREET BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, October 1, 1928.
To the City Council.

Gentlemen,—I am advised that your honorable body at its last regular meeting voted "ought not to pass, without prejudice" to my recommendation on a loan for \$800,000 for the reconstruction of Congress Street Bridge. I am at a loss to understand this action especially in view of the fact that your honorable body voted on August 20, 1928, to raise \$80,000 by taxation for this purpose. The reconstruction of this bridge has been contemplated for some time, and in the interests of the section which the bridge serves, it should no longer be delayed. I accordingly resubmit the necessary loan order for this work and recommend its adoption by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 157 of the Acts of 1926 the sum of \$800,000 be, and hereby is, appropriated, to be expended by the Commissioner of Public Works for Congress Street Bridge, and that to meet said appropriation the City Treasurer be 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.

Coun. WILSON—Mr. Chairman, so far as I personally, am concerned, I wish to reheat that part of the message which calls me, at least, to question for voting for the \$800,000, because I distinctly remember that I said I voted in favor of the \$800,000 appropriation without prejudice, and wholly because it was requested that we so do

before the setting of the tax rate and saving my rights on the loan order absolutely.

Referred to the Committee on Finance.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, October 1, 1928.
To the City Council.

Gentlemen,—I am in receipt of the attached requests for transfers within departmental appropriations and respectfully recommend adoption of the accompanying orders.

Respectfully,
MALCOLM E. NICHOLS, 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, \$750 to the appropriation for C-4, Motor Vehicle, \$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 transfer in the appropriations for District Court of Chelsea:

From the appropriation for C-7, Furniture and Fittings, \$49.13; C-10, Library, \$50, to the appropriation for C-9, Office, \$99.13.

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-34, Jurors, \$1,000, to the appropriation for B-29, Stenographic, Copying and Indexing, \$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 Penal Institutions Department, Office Expenses:

From the appropriation for A-1, Permanent Employees, Commissioner, deputy, 1 at \$3,500 per year, \$450, to the appropriation for B-4, Transportation of Persons, \$450.

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 appropriation for Hospital Department:

From the appropriation for A-1, Permanent Employees, Head Nurses, 65 at \$85 to \$100 per month, \$1,500; Social Service Workers, 16 at \$1,200 to \$1,600 per year, \$225, to the appropriation for A-1, Permanent Employees, Hospital Employees, 16 (20) at \$34.50 per week, \$1,725.

From the appropriation for Physician, 1 at \$2,300 per year, \$150; Physicians, 2 at \$500 per year, \$300; Clerks, 6 at \$25 per week, \$160; Clerks, 6 at \$16-\$18 per week, \$450; Head Nurses, 65 at \$85 to \$100 per month, \$1,000, to the appropriation for A-2, Temporary Employees, \$2,000.

From the appropriation for C-3, Electrical, \$350, to the appropriation for B-15, Motorless Vehicle Repairs, \$350.

From the appropriation for C-3, Electrical, \$500, to the appropriation for D-13, Chemicals and Disinfectants, \$500.

From the appropriation for C-3, Electrical, \$150, C-4, Motor Vehicles, \$350, to the appropriation for E-9, Machinery, \$500.

From the appropriation for C-4, Motor Vehicles, \$50, to the appropriation for C-5, Motorless Vehicles, \$50.

From the appropriation for C-4, Motor Vehicles, \$50, to the appropriation for C-9, Office, \$50.

From the appropriation for C-4, Motor Vehicles, \$300, to the appropriation for B-14, Motor Vehicle Repairs, \$300.

From the appropriation for E-13, General Plant, \$3,000, to the appropriation for C-16, Wearing Apparel, \$3,000.

Referred to the Executive Committee.

APPROPRIATION FOR HOSPITAL, WEST
ROXBURY.

The following was received:

City of Boston,
Office of the Mayor, October 1, 1928.
To the City Council.

Gentlemen,—With the transfer of all government patients from the West Roxbury Hospital to the new Federal hospital at Bedford, Mass., the tenancy of the Federal government at the Parental School at West Roxbury has come to an end. It now becomes necessary for the City Hospital trustees to maintain and care for the various buildings making up this property. I am advised in the attached communication that approximately \$7,500 will be required by the trustees to properly safeguard the property during the balance of the year. Since this need is in the nature of an emergency and was not provided for in the regular budget of the Hospital Department, I submit herewith and recommend for your approval an order providing for the transfer of the necessary funds from the Reserve Fund.

Respectfully,
MALCOLM E. NICHOLS, 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, \$7,500, to the appropriation for Hospital Department, A-1, Permanent Employees, Hospital Employees, 11 (12) at \$45 per week, \$600; Hospital Employees, 9 (13) at \$39 per week, \$2,080; Hospital Employees, 4 (11) (12) at \$33 per week, \$440; Hospital Employees, 760 (764) not exceeding \$30 per week, \$1,200; B-5, Cartage and Freight, \$30; B-8, Light, Heat and Power, \$500; B-21, Removal of Snow, \$500; B-39, General Plant, \$1,000; D-3, Fuel, \$1,150. Total, \$7,500.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committee named, viz.:

Claims.

Alessandra and Dora Aleo, for compensation for injuries caused on ferryboat.

Elinor G. Callahan, for compensation for injuries caused by an alleged defect at 40 Mt. Hope street.

Mary J. Fitzgerald, for compensation for damage to property at 67 Allendale avenue, caused by backing up of sewage.

John Gough, for compensation for damage to automobile by police car.

Mrs. Frances P. McDermott, for compensation for damage to property at 102 Cornell street, caused by street being put through.

New England Mirror and Plate Glass Company, for refund on refuse tickets.

Mary Perry, for compensation for injuries caused by an alleged defect at 95 Roxbury street.

C. D. Sargent, for refund on building permit.

Edward F. Sullivan, for compensation for damage to property at 55 Allendale avenue, caused by backing up of sewage.

Supreme Hat Frame Company, for compensation for damage to automobile by city wagon.

Mrs. Daniel Thompson, for compensation for injuries caused by an alleged defect in Chestnut Hill avenue.

Mrs. Thora Wilson, for compensation for injuries caused by an alleged defect at 1360 Boylston street.

EXCHANGE STREET WIDENING

The following was received:

Finance Commission, 11 Beacon Street,
Boston, September 28, 1928.

To the Honorable the Mayor and City Council.
Gentlemen,—For years arguments have been advanced for and against the widening of Exchange street. Perennially petitions have been presented to the Legislature for authority to make the widening with funds raised outside the debt limit. They have been regularly rejected. The principal

arguments against the undertaking are the magnitude of the cost as compared with the results to be accomplished; the danger of increasing traffic through the financial district; and the contention that Exchange street at its present width on which parking is practically impossible is as serviceable as a widened Exchange street would be with parking on both sides according to the usual Boston practice. The question has now again been brought to the front, as it appears that the building at the corner of State street is to be razed and a new building erected.

The cost of the widening has been variously estimated from \$1,700,000 to \$3,250,000. No one can now tell what it may finally amount to. The cost, however, is a pertinent factor in determining whether the results, it is hoped to accomplish, are worth the price.

The ordinary procedure in land-taking is an order and award by the Street Commissioners; the payment of the award to the land owner without requiring him to give a release, thus leaving him free to sue the city for more; and then a suit by the owner against the city. The city is forced to choose between settling at the owner's figures or trying a very difficult case. At the trial the petitioner produces real estate experts who testify to astounding values for the land taken. Finally a generous jury renders a correspondingly generous verdict.

At least an effort should be made, before the die is cast, to come to terms with the owners of the property to be taken. If their terms are within reason the widening might be worth while. If not, the project should be abandoned.

The commission recommends:

1. That the Mayor open negotiations with the owners of the property in question, to determine the amount which they will accept as damages, and lay the results of his negotiations before the Council.

2. That, if the negotiations are not concluded within the sixty days allowed the Council to act on the pending loan order, it be rejected.

3. That, if no satisfactory arrangement can be made with the owners, the project be abandoned.

Respectfully submitted,

THE FINANCE COMMISSION,
by CHARLES L. CARR,
Chairman.

Placed on file.

MATTAPAN JITNEY BUSES.

A petition was received from the Boston Elevated Railway for a license to operate jitney buses between Mattapan square and Pierce square, Dorchester, over River street, Washington street, Adams street and Pierce square.

Referred to the Committee on Jitney Licenses.

WEST ROXBURY JITNEY BUSES.

A petition was received from the Boston Elevated Railway for a license to operate jitney buses between the junction of Grove and Centre streets and the junction of Vermont and Baker streets, West Roxbury, over Centre, La Grange and Vermont streets.

Referred to the Committee on Jitney Licenses.

CONFIRMATION OF APPOINTMENT OF
ASSESSOR.

Notice was received of confirmation by the Department of Civil Service and Registration of the appointment of Neal J. Holland to the position of assessor of the Assessing Department.

Placed on file.

CONFIRMATION OF APPOINTMENT OF
LIBRARY TRUSTEE.

Notice was received of confirmation by the Department of Civil Service and Registration of the appointment of Frank W. Buxton to the position of Trustee of the Boston Public Library.

Placed on file.

CONFIRMATION OF APPOINTMENT OF
STATISTICS TRUSTEE.

Notice was received of the confirmation by the Department of Civil Service and Registration of the appointment of Daniel T. O'Connell to the position of Trustee of the Statistics Department. Placed on file.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from Joseph A. Tomasello, a member of the Board of Appeal of interest in a contract with the City of Boston. Placed on file.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of a hearing to be held on the following petition for the storage and sale of gasolene, viz.:

October 15:

James F. Morse & Co., 62-66 Norfolk avenue, Ward 8, 1,000 gallons.

Referred to the Executive Committee.

SALARY OF PRECINCT OFFICERS AT
STATE ELECTION.

Coun RUBY offered the following:

Ordered, That the Board of Election Commissioners be requested, through his Honor the Mayor, to set the salary of precinct officers at the state election, November 6, 1928, at the following figures:

Warden and clerks, \$17.
Inspectors, \$15.

Passed under suspension of the rule.

REPAVING WEST FIFTH STREET,
WARD 6.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving West Fifth street, from A street to C street, Ward 6.

Passed under suspension of the rule.

REPAVING K STREET, WARD 6.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving K street, from First street to Broadway, Ward 6.

Passed under suspension of the rule.

OPENING OF REGISTRATION BOOTHS:

Coun. MAHONEY offered the following:

Ordered, That the Board of Election Commissioners be requested, through his Honor the Mayor, to keep the registration hooths in the wards during the present registration period to October 17, 1928, inclusive, open from 1 p. m. to 10 p. m. for the registration of voters.

Coun. MAHONEY—Mr. Chairman, I might say in reference to this last order regarding registration that a similar order was introduced by me on September 5 and passed under a suspension of the rule. At that time the Republican chairman of the Election Board, Mr. Seiberlich, said to the members of the Executive Committee that, if the registrants were provided, he would provide the facilities for registration from 1 to 10 p. m. Is the Republican chairman of the Election Board acting as an agent of his party and misusing his official position in order to lessen the Democratic registration in this city? With the hooths open in the afternoon, many mothers of families are afforded an opportunity to register which they will lose with only evening registration, when their time is taken up with their household duties, when the man of the house and the children are at home.

Since he was before us a short time ago, the chairman of the Election Board has changed his mind and says the registration shall be from six in the evening until ten at night, and I ask from whom the Republican chairman of the Election Board has received his orders to disregard the request of the City Council as to such afternoon registration? Is the Republican State Committee frantic at the knowledge that this Commonwealth is lost at the national election, using him as a tool to overturn the expressed wish of the citizens and the City Council, and to resort to misrepresentation and falsehoods to excuse himself for his action? I ask that the Republican czar of the Election Board, Mr. Seiberlich, and the other members of the Board, be asked to appear before the Executive Committee to see who is at fault in this matter and who is behind this attempt to stifle registration in the City of Boston, depriving the working people of my district and other districts of the right to register at their own convenience and not at the time set aside by the Republican member and his masters.

Chairman RUBY—Referred to the Executive Committee.

Coun. DOWD—Mr. Chairman, I quite agree with all that Coun. Mahoney said with reference to registration, but I disagree with him in reference to his last remark, insulting the Commissioner before the Council. At executive session we all know we had the gentleman before us a short time ago, questioning him for about an hour, and did not receive any satisfactory answers whatsoever. Now the point is simply this. Four years ago, at the presidential election, the then Republican Election Commissioner, who is chairman at the present time, saw fit to state that, in his opinion, the registration hooths should be open from 1 o'clock till 10 o'clock. That was under a Democratic administration. And it is rather peculiar that, four years later, we find that the gentleman says there is no real demand for registration, despite the fact that the registration in the past month has been 37,000 people more than ever before in the history of Boston, and despite the fact that the Election Board estimates that there are 100,000 people in the City of Boston that should be registered during the next sixteen or twenty days. We must hear in mind, also, that the Legislature saw fit to cut out at least sixteen days for registration in Boston, and I feel quite sure that the Election Commissioners should, in one instance, do as the City Council desires them to do,—to open the registration from one in the afternoon until ten.

Several other members addressed the Chair.

Chairman RUBY—The Chair will state that the order having been referred to the Executive Committee, no further debate is in order.

PROPER LIGHTING OF ELECTION
BOOTHS.

Coun. FISH offered the following:

Ordered, That the Board of Election Commissioners be requested, through his Honor the Mayor, to provide for the proper lighting of election hooths in future primaries and elections.

Coun. FISH—Mr. Chairman, I introduce this order at this time because, since the last primaries, I have received several complaints on account of a certain polling booth in my ward being improperly lit. In this hooth there were only two lamps, one of them at the checking table going in and one at the checking table going out. Over where the people marked their ballots it was dark, they could not see their ballots to mark them, and as a result a lot of mistakes were made. I hope his Honor the Mayor will see that proper precautions are taken in these hooths on election day.

Passed under suspension of the rule.

RECESS.

The Council voted, on motion of Coun. MURRAY, at 2.45 p. m., to take a recess, subject to the call of the Chair.

The members reassembled in the Council Chamber at 3.45 p. m., and were called to order by Chairman RUBY.

EXECUTIVE COMMITTEE REPORTS.

Coun. DOWLING, for the Executive Committee, submitted the following reports, viz.:

1. Report on the order (referred today) that registration booths in the wards during the present registration period to October 17, 1928, inclusive, be kept open from 1 to 10 p. m.—that the same ought to pass.

Report accepted; said order passed.

2. Report on requests (referred today) for various transfers within departmental appropriations—that the same ought to pass.

Report accepted; said orders passed, yeas 18, nays 0.

3. To the suggestion of the Chair that, if there be no objection, a single vote be taken on the remaining transfers referred today, the following objection was raised, viz.:

Coun. WILSON—Mr. Chairman, do I understand that the three orders are being lumped, including the \$7,500 order to keep open the present building in West Roxbury now unoccupied?

Chairman RUBY—You are correct.

Coun. WILSON—I can't vote on all three together.

Chairman RUBY—There having been objections made to the three orders being voted on together, the orders will be voted on individually.

Coun. WILSON—I have no objection to two of them, except the \$7,500 transfer, being voted on.

Chairman RUBY—On the objection of Coun. WILSON, the Council will vote on the \$7,500 transfer separately.

Coun. WILSON—Mr. Chairman, if I may, prior to voting, make my position clear upon the record, I understand that this \$7,500—and I am certainly no opponent of hospital facilities—is a transfer of \$7,500 to place an engineer, four firemen, a coalpasser and four watchmen, at a total salary of \$4,267, for the remaining two months of the year, to watch over a building which, so far as we know, will not be occupied between now and the first of January; also, besides other small items, light, heat and power, \$500; prospective snow removal, why, I don't know, unless it is to allow the letter carrier to take letters up to a vacant building, \$500; roofing repairs or other repairs, \$1,000; fuel, coal, etc., \$1,150, or a total of \$7,500. I would be one of the first members to vote for an appropriation of money for this now vacant hospital assuming that the trustees of the City Hospital finally, in their wisdom, had decided to make use of the building in some manner; but it does seem to me that there is no emergency at the present time, and that, with a minimum of perhaps one or two watchmen, there is absolutely no rhyme nor reason in desiring to supply that hospital with heat and light and keeping the paths shoveled clear of snow during the next two months, and for that reason I oppose the order.

Coun. FITZGERALD—Mr. Chairman, when that matter was taken up in executive session I must confess that I did not quite understand it. I do not think we are in any position to vote that amount of money for a vacant building, one that would be of no use, and having to keep that many men there. Why all this haste? I don't know how we can very well vote to appropriate money for that purpose. Mr. Chairman, I would like to have a further explanation if anybody else has more to say on it than what Coun. Wilson has raised. I think we would be in a very bad light if we are going to maintain an empty building. Can't these men be transferred to some other place? I think it ought to go over to another meeting.

Coun. DOWLING—Mr. Chairman, I rise for the same reason as the gentleman from Dorchester did a few moments ago, and I am conscious of the fact that we give more attention to matters in this chamber than we sometimes do in executive session. It was made perfectly clear to me in the executive session. I am kind of tight in finance matters myself, but it was made perfectly clear to me by the Assistant Budget Commissioner that the transfer was asked in anticipation of an almost immediate use of the West Roxbury Hospital, in which the Government has ceased to become a tenant any longer. The property there was occupied, as you know, under a contract with the Federal Government, for the care of disabled veterans. With the erection of the new Veterans' Hospital in Bedford, all need of the Federal Government for this hospital has been met, and from the Budget Commissioner, who has talked, apparently, with

the City Hospital Trustees, we got the information that the City Hospital Trustees would, probably, immediately convert the West Roxbury Hospital building into a chronic hospital for—I believe he mentioned—cancerous ailments. So that it is not a waste of money, as the gentleman from Dorchester suggests, and it seems to me it would be an extremely hazardous thing to allow the buildings to go without care and attention during such time as the hospital trustees arrive at the decision to occupy it, and, therefore, I hope that the order as recommended by the Executive Committee will be passed.

Coun. WARD—Mr. Chairman, the representative of the Budget Commissioner spoke in the executive chamber. He brought out the point that there were eight men to be transferred, permanent employees, to this hospital for a temporary period until the City Hospital opened it up, and this \$7,500 asked for is simply a safeguard and insurance for the buildings that are out there now. In response to a question I asked the representative of the Budget Commissioner, he said if a boiler were to burst in the building it would cost \$10,000 to have that repaired. Now, they are asking this appropriation of \$7,500, and I hope the order will be passed, because I believe the \$7,500 is to be used as simply insurance over the property that we have out there.

Coun. KEENE—Mr. Chairman, for the information of the councilors, I would say that these premises there comprise more than one building. They are a complete set of buildings. There is an administration building, and there are about twenty buildings all told. There is an iron fence which runs along Centre street, but the whole west side of it fronts the Charles river without any protection whatsoever. It would seem absolutely necessary, I think, that very good care be taken of the premises during such period as they might remain vacant. And I might add that this property is valued at over a million dollars.

Coun. FITZGERALD—Mr. Chairman, after hearing Coun. Dowling's statement, of course, I have a different viewpoint on the matter. I understood that the buildings would have been abandoned and these men would have been kept there. Of course, if they are going down there and the hospital is going to use them, it is a different proposition, and I will vote for the matter.

Coun. WILSON—Mr. Chairman, in rebuttal, I sat at the Executive Committee meeting endeavoring to keep attention despite the noise, some of which I perhaps furnished, and I remember no statement by the representative of the Budget Commissioner in regard to a conversation in which the trustees of the City Hospital had absolutely stated they were going to take possession of the building. The nearest he came to making that statement was he thought there was a plan possibly in view whereby the City Hospital might take over this property for cancerous diseases. He made no guaranty or even told me that that would be done, or when it would be done, and, as I gathered from the conversation, it would not, in any event, be done before the first of the year. I, personally, am not a doctor, but it looks to me that, if we are going to take this hospital which has just been given up and open a chronic hospital there, it will require some time to assemble a personnel of doctors, and, of course, as a practical matter, this place will not start tomorrow or the next day as a chronic hospital for cancerous cases. I am interested in the suggestion that this is a million-dollar property and has a big fence near the river, and for that reason I would be more interested to see these eight men there as watchmen. As I understand it, the men, whose pay roll will total \$4,267, are going to consist of an engineer, four or five firemen, and one watchman, and it would be new to me that any vacant building could not have the fires go out and have a watchman or two there, and I personally see no reason why the City of Boston, at an expense of \$7,500, should keep fires burning in a vacant hospital while the City Hospital Trustees, as and when the fancy strikes them, make up their minds to make use of this million-dollar building. It seems to me that those points were all very well brought out in the meeting of the Executive Committee when, by a close vote, if I remember correctly, this was reported back, "Ought to pass." As I stated before, I am as much in favor of hospital facilities as the next man; but, as Coun. Parkman well

suggested in the Executive Committee meeting, we can take care of transfers down to and including November 15, and if we should have a heavy fall of snow tomorrow or the next day perhaps there would be money available to do the snow-shoveling job. It seems to me, as I have stated, it is without any rhyme or reason to appropriate \$7,500 blindly at this point. And I would express the further opinion that, if there is a plan to utilize this million-dollar building for City Hospital purposes, information to that effect should accompany the loan order. There is nothing secret about the city government. We purport to be a part of it, and if there is a plan to utilize this building as a cancer hospital at an early date and for that reason this \$7,500 appropriation is requested, why not let the message tell us that information and not have so much of this guessing in the dark?

Report of the Executive Committee that said transfer ought to pass accepted; said order passed, yeas 16, nays, Coun. Bush, Parkman, Wilson—3.

Coun. BUSH—Mr. Chairman, I rise to a point of information. Did the City Clerk record Coun. Donovan as voting yes?

Clerk DONOVAN—I did, yes.

Coun. BUSH—Coun. Donovan is not in the room and was not in the room at the time the City Clerk called his name.

Clerk DONOVAN—I heard a voice and, consequently, I recorded it.

Coun. BUSH—Yes, I heard somebody answer for him.

Chairman RUBY—Sixteen votes having been passed in the affirmative and three in the negative, the order is passed without Coun. Donovan's vote having been recorded.

4. Report on message and order (referred to-day) that a sum not in excess of \$3,500 be appropriated for use by the Board of Zoning Adjustment—that the same ought to pass.

Report accepted; said order passed, yeas 18, nays 0.

5. Report on message and order (referred to-day) that \$3,000 be granted to the City Planning Board to complete the street thoroughfare plan—that the same ought to pass.

Report accepted; said order passed, yeas 18, nays 0.

SIDEWALK IN HOWARD AVENUE, WARD 13.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Howard avenue, from Dudley street to Quincy street, Ward 13, to be built of artificial stone, with granite edgestones.

Passed under suspension of the rule.

REPAVING EDGEWOOD STREET, WARD 12.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Edgewood street, Ward 12.

Passed under suspension of the rule.

SIDEWALK IN ELMIRA STREET, WARD 22.

Coun. GALLAGHER offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Elmira street, from Market street to Murdock 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.

SIDEWALK IN RIVERDALE STREET, WARD 22.

Coun. GALLAGHER offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Riverdale street, from

Western avenue to Raymond 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.

SIDEWALK IN WORCESTER SQUARE, WARD 8.

Coun. DOWD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Worcester square, from Harrison avenue to Washington street, 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, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

REPAVING WABON STREET, WARD 12.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Wabon street and Wabeno street, Ward 12.

Passed under suspension of the rule.

TEMPORARY WALK ON EAST RIVER STREET BRIDGE, WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his honor the Mayor, to erect a three-foot temporary walk and protecting fence on the East River Street Bridge, Hyde Park, Ward 18, for the protection of the life and limb of pedestrians compelled to pass over this bridge, while it is under process of construction.

Passed under suspension of the rule.

PAUL REVERE STATUE IN CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That his Honor the Mayor be requested to forward to the City Council an order authorizing expenditure of \$65,000 from the income of the Parkman Fund, under the direction of the Park Commission, for the erection of a statue to Paul Revere in the park at City square, Charlestown.

Coun. GREEN—Mr. Chairman, I might say that this order with reference to a statue to Paul Revere in City square I am introducing at the behest of Mr. Hall of the Boston Historical Society.

Referred to the Committee on Parkman Fund.

TRAFFIC WARNING SIGNS IN MEDFORD STREET, CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to provide for the placing of traffic warning signs along Medford street, Charlestown, to prevent unnecessary speeding and to protect pedestrians using this thoroughfare.

Passed under suspension of the rule.

TRAFFIC SIGNAL TOWER IN RUTHER- FORD AVENUE AND CHAPMAN STREET, CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his honor the Mayor, to provide for the erection of a traffic signal tower at the junction of Rutherford avenue and Chapman street, Charlestown.

Passed under suspension of the rule.

TIME LOCKS TO SAFEGUARD BALLOT BOXES.

Coun. WARD offered the following:

Ordered, That the Board of Election Commissioners be requested, through his honor the Mayor, to inaugurate a system of protection time locks to be used in all cases where recount petitions are filed following every primary or election and in order that the contents of all ballot boxes in any district affected by any such recount petition may be made inaccessible except for authorized counting of ballots therein contained.

Coun. WARD—Mr. Chairman, during the past week we have heard a lot of rumors throughout the entire town relative to a certain election that was held for a candidate for office in Suffolk County. I don't know whether any man can point the finger of suspicion and say there was actually anything wrong, but I do know that there is a trend of public opinion to the effect that there was one contest in the last primary fight in which there was something wrong and an injustice done. Now I think the least precaution that we can take in having elections is the same precaution that one man who ran for public office in Boston had some years ago, and when the election was over he was leading by 2,700 votes. He had no confidence in the Election Department, and when he placed police officers in the Election Department detectives were employed to watch the police officers. I feel that this order is a protection. The ballot boxes are simply sealed with a seal, and 100 election officers or employees of the Election Department have a right to go in there at any time. I feel if time locks are placed on them in the event of a recount, those ballot boxes can never be tampered with and never bothered, and it will protect somebody else who seeks public office in the city in future, giving them the protection the Election Department should give.

Coun. DOWLING—Mr. Chairman, for the purpose of correcting any error that my friend from Roxbury may have uttered unconsciously, I think his inquiry or the inquiry of any member of this Council will satisfy everybody that the ballots used at a general state election are immediately, upon going to the headquarters of the Election Department, put in vaults and are locked within the vaults, and that there is a double combination on the doors of those vaults which cannot be opened without the presence of an Election Commissioner who is a Republican and one who is a Democrat. Some mistake and some doubt might be cast upon the election officers, or the Election Commissioners, by the remarks made by the gentleman from Roxbury, and I know he did not intend a reflection, and just for the purpose of correcting that, I want to place that information before the body,—that it is impossible for you or for me, or it is impossible for two Democratic Election Commissioners, to enter the vault at one time. There are two separate combinations. The combination of one lock is held by the Republican members, and the combination of the other lock is held by the Democratic members, and one member of each party must be there before the doors can be opened.

Coun. MOTLEY—Mr. Chairman, after the recent occurrence in the past week when Boston was stunned at the result of a recount in a state-wide fight, I believe the time has come when a new and better system should be inaugurated. Two weeks ago, the senator from my district, after making a county-wide fight, according to the official count was nominated by his party, in spite of the fact that he made the contest without the aid of one single political leader in this city, or so-called political leader in the city, and without any financial aid from any source whatsoever. Ten days later in a recount he was counted out. Boston was stunned. Every man and woman, I might say, was stunned. They claimed this happened and they claimed that happened. Every newspaper in Boston printed an editorial on it. Why? Because never before in the history of Boston has such a thing happened. Something is radically wrong somewhere, and I say it is the duty of the Election Department to see that a new system is inaugurated so that it will never happen again. It will take years to restore the confidence of the people of Boston in their election system. It will mean that any man in Boston who ever dares to battle the political leaders of this city in the future will be on his guard, not only before election, but also after election. Again I reiterate, it is the duty of the Election

Department to inaugurate some system which will restore the confidence of the people of this city in their Election Department.

Coun. DOWD—Mr. Chairman, while I quite agree with Coun. Ward concerning the recent recount, at the same time I want to call the attention of the members of the Council to a recent editorial in the *Boston Post*, which says: "Not in many years has a recount showed such a variation. In the old days this would be taken as almost positive proof of manipulation in favor of one candidate." Well, my answer to that is that things haven't changed. We are still in the grip of the same group of politicians who controlled Boston thirty or thirty-five years ago. They are in control today, and if there was any manipulation done for one candidate thirty years ago it most assuredly is being done today, when the old bosses are being marshalled into usefulness. It goes on further to say: "It is strange, too, that in not a single ward in the city were the votes for this office correctly counted. Even in the wards where a relatively small number of Democratic votes (in comparison with the Republican vote) were cast, the difference in the Democratic totals was surprising." While I agree with Coun. Dowling in everything he said in his remarks, still I want to bring to the attention of everybody that a former mayor of the great City of Boston running for office a second time and elected by a small majority felt that in his opinion—and he had been Mayor of Boston—the ballots could be tampered with, and he saw fit to place private detectives and police officers outside the vaults. Also I want to call to your attention that a district attorney of this county running for nomination saw fit only a short time ago to do the same thing. They must have known what they were doing when they placed private detectives outside. The *Boston Post* continues: "The first thing for the Election Commissioners to do is to get rid of the careless or incompetent vote counters. They can be identified easily enough from the records of the recount. A clean-out is needed in several wards and a general 'jacking up' needed in the other wards." If Coun. Ward's order didn't do anything else it would bring to the attention of the Election Commissioners the fact that it is about time they wiped out some of the precinct officers that they have there now. In some precincts the votes were counted by eight or nine o'clock at night, and other precincts took to twelve or one o'clock in the morning.

Passed under suspension of the rule.

LIGHTING OF FRANKLIN FIELD ATHLETIC TRACK.

Coun. RUBY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the proper lighting of the Franklin Field Athletic Track so that same may be used in the evening.

Passed under suspension of the rule.

ADDITIONAL TENNIS COURTS AT FRANKLIN FIELD.

Coun. RUBY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the construction of twelve additional clay tennis courts at Franklin Field.

Passed under suspension of the rule.

REPAVING NORFOLK AVENUE, WARD 7.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Norfolk avenue, from the Railroad Bridge to East Cottage street, Ward 7.

Passed under suspension of the rule.

TRAFFIC CONTROL TOWER IN WARD 6.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Police be requested, through his Honor the Mayor, to install a traffic control tower at the corner of Dorchester street and Broadway, Ward 6.

Passed under suspension of the rule.

At 4.20 p. m., on motion of Coun. WARD, the Council adjourned to meet on Monday, October 8, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 8, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Devaney, Dowling, Fitzgerald and Murray.
Coun. SULLIVAN in the chair.

JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, as follows:

Thirty-eight traverse jurors, Superior Criminal Court, First Session, to appear November 5, 1928:

William F. Jones, Ward 1; Bernard R. O'Brien, Ward 2; David H. Sedersky, Ward 4; George Allen, Ward 5; Charles F. Donnelly, Ward 7; George B. McLaughlin, Ward 7; Herbert Egan, Ward 8; Edward A. Mulligan, Ward 8; Frank B. Allen, Ward 9; John Browne, Ward 9; Matthew Cody, Ward 10; John R. McMahon, Ward 10; William D. Sawyer, Ward 10; Michael E. Sullivan, Ward 10; Jacob Bross, Ward 11; Charles Lawson, Jr., Ward 11; James Young, Ward 11; Adolph B. Amaral, Ward 13; Samuel J. Cohen, Ward 12; Benjamin Leavitt, Ward 14; Louis Rosenherg, Ward 14; Edward F. Whalen, Ward 15; John J. O'Connell, Ward 16; Jordan C. Taylor, Ward 16; John P. Hapeman, Ward 17; Eugene E. Lang, Ward 18; Joseph T. Kilrow, Ward 19; George L. Vogel, Ward 19; Rcswell L. Wade, Ward 19; Albert F. Wenner, Ward 19; Charles H. Botsford, Ward 20; Joseph Imhof, Ward 20; Mark S. Brown, Ward 21; Alexander P. Graham, Ward 21; William N. Hart, Ward 21; William S. McNamara, Ward 21; George F. Brown, Ward 22; Russell O. Young, Ward 19.

Twenty-seven traverse jurors, Superior Criminal Court, Third Session, to appear November 12, 1928:

Benjamin Stahl, Ward 4; Newell Bent, Ward 5; Nathan Sheinkopf, Ward 7; Bernard F. Corbett, Ward 10; William McAuley, Ward 10; John P. Roche, Ward 10; Arthur D. Brownell, Ward 11; William Jones, Ward 11; Allen S. Gillis, Jr., Ward 12; Morris Levin, Ward 12; Everett L. Marks, Ward 12; William A. Kiley, Ward 15; William L. Boudrot, Ward 16; Frank E. Chipman, Ward 17; Ralph S. Stevens, Ward 17; Daniel A. Sullivan, Jr., Ward 17; Michael F. McDermott, Ward 19; Charles H. Clough, Ward 20; Frank V. Finn, Ward 20; Marcellus E. Cloudman, Ward 21; John B. Fielding, Ward 21; Donald R. Fiske, Ward 21; Henry Grossman, Ward 21; Sherman W. Smith, Ward 21; John F. Gauhan, Jr., Ward 22; James V. Greene, Ward 22; Patrick E. McGovern, Ward 22.

Thirty-two traverse jurors, Superior Criminal Court, Fourth Session, to appear November 5, 1928:

Edward J. Rowan, Ward 1; Robert H. Smith, Ward 1; Hugh J. McManamin, Ward 2; Harry E. Mason, Ward 4; Charles Lawrence Bond, Ward 5; David K. Crichton, Ward 7; William J. Quinn, Ward 7; Arthur W. Tierney, Ward 8; Bernard Lynch, Ward 10; Frank J. Drew, Ward 11; William J. English, Ward 11; Walter E. Kelley, Ward 12; Daniel J. Campbell, Ward 13; Fred A. Densmore, Ward 13; Frederick M. Henderson, Ward 13; Max Ahelman, Ward 14; David Finkelman, Ward 14; Michael J. Carolan, Ward 15; Joseph L. Cunningham, Ward 15; Charles Bain, Ward 16; Kilian Hoefler, Ward 18; Percy J. L. Peardon, Ward 18; Cornelius P. Leary, Ward 19; Carl J. E. Schoenherr, Ward 19; Harry H. Humphrey, Ward 20; Eric Johnson, Ward 20; Thomas A. Ivory, Ward 20; Frost S. Rollins, Ward 20; James M. Wilson, Ward 20; Frederick E. Dussault, Ward 21; John J. McNamara, Ward 22; David E. Muleahy, Ward 22.

ALMONT STREET PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, October 8, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of September 25, 1928, relative to the placing of Almont Street Playground in proper condition for flooding during the winter for skating purposes.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, October 3, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of September 28, with enclosure, order from the City Council, to place Almont Street Playground in proper condition for winter for skating.

In reply I desire to say that the department will try and flood the lower area after the frost has penetrated the ground. It is impossible to flood the upper area without spoiling the hall field, as it is graded towards the uncompleted part of the field. I do not expect we will have any difficulty in flooding a large portion of the swampy land.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

REPORT OF SPECIAL COMMITTEE ON PLAYGROUNDS.

The following was received:

City of Boston,
Office of the Mayor, October 8, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department in reply to your order of September 5, 1928, relative to the report of the Special Committee on Playgrounds.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, October 3, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of September 18, with enclosure, order from the City Council, that the Special Committee on Playgrounds make a preliminary report on the needs of same throughout the City of Boston.

In reply I desire to say that the Park Department is preparing a special report and set of plans showing the needs of the City of Boston in order to complete the playground area within a quarter-mile radius.

The report is now ready for the Committee's perusal.

The areas the Park Department will recommend to this committee at the present time for its consideration are in the Germantown district, Clarendon Hills district, Dorchester Lower Mills district and the Roxbury district. We have, however, twenty-four other applications and orders from the City Council which will be carefully considered by the Committee.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

LISTING OF NAMES OF PROFESSIONAL BONDSMEN.

The following was received:

City of Boston,
Office of the Mayor, October 8, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner, in reply to your order of September 5, 1928, relative to the listing of the names and addresses of professional bondsmen in the various station houses throughout the city.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

September 24, 1928.

Miss Mary F. Murphy, Office of the Mayor, City Hall, Boston.

Dear Madam,—In reply to your note of the 19th of September, together with enclosure of order of the City Council passed September 5, 1928, ordering that the Police Commissioner be requested, through his Honor the Mayor, to list the names and addresses of professional bondsmen in the various station houses throughout the city, I would say that even though there is no rule or regulation of this department which requires the listing of the names and addresses of professional bondsmen in the several stations the same will be carried out.

I am returning herewith, original order of the City Council, copy of which has been kept at this office for our files.

Yours respectfully,
HERRERT A. WILSON,
Police Commissioner.

Placed on file.

APPROPRIATION FOR ELECTION DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, October 1, 1928.
To the City Council.

Gentlemen,—Under existing law the Board of Election Commissioners are required to furnish one voting compartment for every seventy-five voters in a precinct. Because of the great increase in registration the present facilities of the Election Department are not sufficiently adequate to comply with this law. In the attached communication a request for an additional appropriation of \$1,000 is made to permit the purchase of 100 sets of voting compartments. In accordance with this request, I submit herewith an order providing for the transfer of the necessary funds from the Reserve Fund, and respectfully recommend adoption of this order by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Election Department, September 25, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—The Board of Election Commissioners are required by law to furnish one voting compartment for every seventy-five (75) voters in a precinct, throughout the entire city.

On account of the increased registration, it now becomes necessary for us to purchase one hundred (100) sets of voting compartments—two compartments to a set.

To meet this requirement it will necessitate an outlay of one thousand dollars (\$1,000). There being no money in our budget to meet this expense we respectfully request that said sum of one thousand dollars (\$1,000) be transferred to this department (C-17 General Plant Equipment) from the Reserve Fund.

Respectfully yours,
BOARD OF ELECTION COMMISSIONERS,
FRANK SEIBERLICH,
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, \$1,000 to the appropriation for Election Department, C-17, General Plant, \$1,000.

Referred to the Executive Committee.

BOSTON AIRPORT.

The following was received:
City of Boston,
Office of the Mayor, October 8, 1928.
To the City Council.

Gentlemen,—I transmit herewith an ordinance placing the care and management of the Boston Airport under the Board of Park Commissioners who, under an appropriation in the sum of \$125,000, are charged with the duty of making improvements at the airport. Inasmuch as there are

applications pending for the commercial use of the airport I recommend the prompt consideration of this order.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
In the year Nineteen Hundred and Twenty-eight.
An Ordinance Concerning the Care and Management of the Municipal Airport.

Be it ordained by the City Council of Boston, as follows:

Section 1. The board of park commissioners shall have the care, charge and control of the municipal airport and shall construct, improve, equip, supervise, manage and regulate the use of the same.

Sect. 2. The board, with the approval of the mayor, shall appoint a superintendent who shall, under the direction of the board, have the care, management and supervision of the municipal airport. The superintendent shall receive as his annual compensation the sum of thirty-five hundred dollars.

Referred to the Committee on Ordinances.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

William A. Carey, for compensation for damage to automobile by city cart.

Margaret Cook, for compensation for injuries caused by an alleged defect in sidewalk at 531 Massachusetts avenue.

Ella R. Fitchett, for refund on restaurant license.

Albert C. Graham, for compensation for loss of clothing at City Hospital.

Ermilio Guarciariello, for compensation for window broken at 131 Endicott street by city employees.

Henley-Kimball Company, for refund on unused refuse tickets.

Herbert R. Knapp, for compensation for damage to automobile caused by an alleged defect in Washington street.

Constantina Kokinos, for compensation for injuries caused by an alleged defect at 313 Harrison avenue.

Edward F. Lanndrigan, for compensation for damage to automobile caused by an alleged defect in Templeton street, Dorchester.

Mayflower Creamery Company, Inc., for compensation for damage to truck caused by city truck.

Raymond Miele and Joe Ratto, for compensation for damage to automobile and personal injuries caused by city truck.

Louis Miller, for compensation for damage to car on ferryboat.

Montague C. Muncey, for compensation for damage to truck by city truck.

Mary Perry, for compensation for injuries caused by an alleged defect at 95 Roxbury street.

Philip Schneider, for compensation for damage to automobile caused by city car.

Sherman Paper Products Corporation, for compensation for damage to property at 411 D street, caused by ash truck.

Peter Sigismondo, for compensation for damage to property at 118 Gladstone street, caused by defective sewerage system.

Paul Spiesserl, for compensation for eye glasses broken at Franklin Park Zoo.

Louise G. Sullivan, for compensation for injuries caused by an alleged defect at 78 Cambridge street.

Peter Zacconi, for compensation for injuries caused by an alleged defect in Cotting street.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway Company for license to operate motor vehicles between Northampton and Washington streets and Washington and Essex streets.

CONSTABLE'S BOND.

The constable's bond of Joseph Lahagnara, having been duly approved by the City Treasurer, was received and approved.

APPROVAL OF APPOINTMENT OF WILFRED J. DOYLE.

Notice was received of approval by the Civil Service Commission of the appointment of Wilfred J. Doyle, as member of the Boston Retirement Board.

Placed on file.

STORAGE AND SALE OF GASOLINE.

Notice was received from the Street Laying-Out Department of hearings to be held on petitions for storage and sale of gasoline, as follows:

October 22.

Casey's Garage, 387 Market street, Ward 22, 1,000 gallons.

John A. Dobson, 3043-3055 Washington street, Ward 11, 2,000 gallons.

John S. Hourihan, 172 Heath street, Ward 10, 4,000 gallons.

Referred to the Executive Committee.

REPORT OF FIREMEN'S RELIEF FUND.

The annual report of the treasurer of the Boston Firemen's Relief Fund, September 1, 1927, to August 31, 1928, inclusive, was received.

Placed on file.

REPORT OF COMMITTEE ON INSPECTION OF PRISONS.

Coun. McMAHON, for the Committee on Inspection of Prisons, submitted the following report:

The Committee on Inspection of Prisons made an unannounced visit to Deer Island on October 5, 1928, to investigate conditions there. The members of the committee were met at the Island by Deputy McCarty and Officer Mackey, and an inspection of the entire prison was made. Many of the inmates were interviewed with reference to conditions at the Island. The inmates all were satisfied with the treatment at the Island and spoke highly of the food given them. The committee interviewed the three men who made an attempt at escape and they were asked whether their attempt to escape was on account of the treatment they received. They made no complaint of that nature.

There are 667 inmates on the Island, which covers 190 acres of land and these inmates are handled by 65 officers who work in three eight-hour shifts, making an average of 21 men on duty at one time to handle the above number of inmates. This is contrasted with approximately the same number of inmates at the Concord Reformatory, where there are 110 officers to handle them. Investigation shows that the troublesome feature at Deer Island is the control of the unruly prisoners who are transferred there from Concord. These prisoners are unruly at Concord and still continue to be so at Deer Island.

Investigation shows that the last three escapes from the Island were by Concord transferees.

Your committee was present in the dining room while the inmates were at lunch, and found that these inmates are fed in the following manner: Those who are on a diet have a separate table, the drug addicts have a special table, and there is a separate section for the other prisoners, and the noon-day meal was in the opinion of the committee a very good one in view of the circumstances.

Your committee recommends that an additional force of thirty officers be engaged so that the officer personnel of the Island be increased to ninety-five men.

Your committee further recommends that all Concord prisoners be segregated from the regular inmates and kept under a special guard, and in this way better results may be obtained.

Your committee further is of the opinion that the reports with reference to the recent affair are grossly exaggerated, and that the commissioner is conducting the institution in a very efficient and capable manner.

For the Committee:

THOMAS W. McMAHON, Chairman,
MICHAEL J. MAHONEY,
ISRAEL RUBY,
WILLIAM G. LYNCH,
PETER J. MURPHY.

The report was accepted and ordered printed as a city document.

TREMLETT STREET, WARD 17.

Coun. WILSON offered the following:

Ordered, That the Public Works Commissioner, through his Honor the Mayor, he, and he hereby is, respectfully requested to advise the City Council forthwith:

(1) What, if anything, has been done with reference to order passed by the City Council June 11, 1928, requesting that the Commissioner of Public Works install around the border of the present grass plot on Tremlett street in Ward 17 a substantial and ornamental curbing or fence of suitable construction.

(2) The estimated amount necessary for construction of such a suitable curbing or fence at such location.

Passed under suspension of the rule.

HEALTH UNIT FOR DORCHESTER DISTRICT.

Coun. WILSON offered the following:

Whereas a so-called Health Unit erected from the George R. White Fund has already been constructed in South Boston at a cost of \$368,000, and

Whereas it is proposed to lay the corner stone of a new Health Unit from said George H. White Fund in Charlestown, estimated to cost \$247,000, and

Whereas it is reported that a third Health Unit is to be constructed in Roxbury, with work to be started within a month,

Ordered, That his Honor the Mayor he, and he hereby is, respectfully requested forthwith to confer with the trustees of the George R. White Fund with reference to early construction of a Health Unit in the Dorchester district, which said section comprises at least five of the twenty-two wards of the City of Boston.

Passed under suspension of the rule.

MORTON STREET EXTENSION.

Coun. WILSON offered the following:

Ordered, That the Public Works Commissioner advise the City Council forthwith:

(1) The amount of money in dollars and cents already actually expended or contracted to be spent on the completion of the Ward 17 end of the so-called Morton street extension.

(2) The amount of any loans and the amount of any appropriations already authorized for the completion of the Morton street extension construction and not yet expended or included in any contract.

(3) The amount of money necessary for completion of the Ward 17 end of the Morton street extension and not yet authorized by loan or appropriation.

(4) The present status of the so-called Morton street extension job, giving in detail the amount of money expended, the amount of work contracted for but not completed, the estimated amount of work not yet completed or let out on contract, and the estimated further amount of money, if any, needed to complete the project.

Coun. WILSON—With reference to that particular order, as the Council may be aware, as long ago as 1924, this Morton street project was authorized by the Massachusetts Legislature, and, in view of the loan orders we have passed in connection with this project, I naturally assumed that money had been provided and that the work would have been completed. On finding that the work on the Morton street extension has apparently been

suspended on the Ward 17 end, I examined into the matter and found out only this week that apparently there is some grave doubt in the mind of the Commissioner of Public Works or his department that there is money enough available to complete the work. I am unable to find out much in detail. The purpose of the order is to find out just what the situation is on the project and just how long the people of the Lower Mills section of the street in Dorchester are expected to wait for a completion of the Morton street job; whether they are expected to go through the winter months with the thing left like an open prairie.

The order was passed under suspension of the rule.

MILLION-DOLLAR HIGHWAY CONSTRUCTION LOANS.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners advise the City Council in detail forthwith with reference to the million-dollar Highway Construction Loan in each of the years 1926, 1927 and 1928, the name of each street actually considered and specifying in each case:

- (1) The date when plans were completed.
- (2) The date of any hearing held.
- (3) The date of acceptance.
- (4) The amount of money allocated and from what year.
- (5) The amount of money actually expended, if any, in each instance.

Ordered, That the Public Works Commissioner advise the City Council in detail forthwith covering each of the years 1926, 1927 and 1928 with reference to construction of new streets:

- (1) The date when notice of acceptance of each street was received by the Public Works Department.
- (2) The date of entry in each case that entry has been made within the limited two-year period.
- (3) The date bids for work on each street were opened.
- (4) The date each contract was let, to what contractor, and in what amount.
- (5) The date when sewer work was completed.
- (6) The date when surface work was completed.
- (7) The total amount already expended in the case of each street, or
- (8) The amount contracted to be spent.
- (9) To what contractors and on what jobs extensions of time for completion of work have been granted with the consent of the Mayor; on what dates, and for what periods of time.

Coun. WILSON—Mr. President, with reference to those two orders, one addressed to the Board of Street Commissioners and the other addressed to the Commissioner of Public Works, I will simply give this word of explanation. At a meeting of the Finance Committee last week there was a good deal of talk to and fro between the members of the committee,—Mr. Carven, the auditor, and other officials of the city, with reference to just where the money was coming from for certain street widening projects; and it appeared that for at least one street widening project upwards of \$700,000 was to be taken from money supposedly allocated to new streets. It seemed to be practically impossible—and I do not criticize the department heads—to get any data or figures in any great detail. I can hardly believe that the figures presented are correct and, of course, they were not presented in detail; but it was certainly stated that out of the million dollars for new streets that came into 1928 \$181,000 was issued but not expended, and \$800,000 authorized but not issued. Coming into 1928 with that total of \$981,000 for new streets, this Council voted another million dollars, making in January of this year \$1,981,000 available for new streets. My district is one of those suburban districts which is supposed perhaps to receive prior attention when it comes to the question of new streets. I read with interest weekly in the *City Record* the notice of land-takings in parts of the West Roxbury district, but I look in vain for notices of any land-takings in the Dorchester district. I certainly am intensely interested in finding out what money is available, just where it is being spent, and just where the new streets of the city—if there are any—are being laid out. I do not criticize the office

of the Street Commissioners; I do not criticize the Public Works Commissioner; but I repeat now what I said two years ago and last year, that the chief trouble in the City of Boston, so far as the laying out of new streets is concerned, is the continued giving of street work to contractors who are already so loaded up with work that they cannot reach individual streets they are supposed to do for one or two years. I make no criticism of the contractor. Very often he is a man perfectly competent and eligible to do the work, and financially able to put it through. It does occur to me, however, that if the jobs were spread around a little more among different men we could make some progress, not having a continuance of what we have been seeing—the street commission laying out forty or fifty streets a year and the Public Works Commissioner getting the plans, awarding work to contractors, and a contractor perhaps piling up twenty streets for one year and completing one or two. That is the reason for the last inquiry in the order directed to the Public Works Commission. I do not offer these orders in any spirit of fun; I do not offer them with the intention of embarrassing anybody. I offer them because I want to ascertain the information, and I intend to get it.

The orders were passed under suspension of the rule.

RESURFACING OF RIVER STREET.

Coun. WILSON offered the following:

Whereas the Public Works Department of the City of Boston has determined to resurface River street, and

Whereas the Boston Elevated Railway Company has definitely advised the city that it does not desire to relay car tracks on River street and has no objection to immediate resurfacing by the city, and

Whereas the Boston Elevated has filed a petition with the City Council for a jitney permit along River street from Mattapan square to Pierce square, and

Whereas the Eastern Massachusetts Railway Company has refused to abandon any right it may have to continue car tracks on River street or to co-operate in the resurfacing of a street which in its present condition is an absolute peril to automobile traffic,

Ordered, That the Corporation Counsel, through his Honor the Mayor, be, and he hereby is, requested to advise the City Council and the Public Works Commissioner forthwith:

(1) Has the City of Boston the right to insist on immediate resurfacing of River street without obtaining a release of alleged rights of the Eastern Massachusetts Railway Company and for the payment of any money for such release.

(2) Has the Eastern Massachusetts Railway Company any right to refuse to relay tracks on River street incidental to resurfacing of that street by the city if the railway company desires to hold its alleged franchise.

(3) Has the Public Works Department of the City of Boston the right to proceed to resurface River street and require the Eastern Massachusetts Railway Company either to relay its tracks or abandon its alleged franchise along said street.

(4) Has the Eastern Massachusetts Railway Company the right to prevent a local improvement such as the necessary immediate resurfacing of River street and any right to insist on the payment of \$90,000 or any other sum of money as damages for alleged interference with a franchise.

Coun. WILSON—Mr. President, I don't want to weary the members of the Council much longer with the troubles in my particular ward, but I do wish to point out a situation which has arisen in my ward with reference to the resurfacing of the only real through street from Mattapan square to Pierce square and the Cape. The situation is this,—that the Eastern Massachusetts Street Railway Company is endeavoring there to hold up the City of Boston for \$90,000. Early this year, at the repeated request of the Mayor's office and the Public Works Commissioner, the city officials of the City of Boston finally agreed, perhaps after taking a ride over River street, that that particular street was in an absolutely dangerous condition and should be resurfaced or repaired at once. Orders were accordingly given, and on the 13th day of August the Public Works Department went into River street, starting at the Pierce

square end in Ward 17, with the purpose of resurfacing that street. Previously they had obtained from the Boston Elevated Railway Company the necessary release. As I understand it, the Boston Elevated Railway Company had leased the right to run cars over tracks formerly owned by the Eastern Massachusetts Railway Company. The Boston Elevated Railway Company, presumably because of the bus situation, had recently relinquished any right they might have to run cars over River street. Accordingly, the Public Works Commissioner went into River street, set curbing up to Pierce square, for perhaps a mile, pulled up the cobblestones and piled them on the sidewalks; and they then were informed, I understand, that the Eastern Massachusetts Street Railway Company had a franchise, coming out of the distant past, on that street, and wanted some \$90,000, or something of the sort, to give it up. The net result is that the City of Boston has to put back on River street, I am told, all the cobblestones and leave all those antiquated tracks, which have been there since God knows when, leaving River street in an impassable condition, because the Eastern Massachusetts Railway Company is trying to hold up the City of Boston. As a matter of fact, if any of you are acquainted with that district, you may remember that there was once an Eastern Massachusetts Railway track running perhaps from the chocolate mills down through Pierce square and down towards Mattapan. But at the present time there is no way in which the Eastern Massachusetts Street Railway can possibly get on these tracks. Still, they want to sell to the city for \$90,000, or whatever the figure is, rights that they claim to have. I say that any such attitude as that on the part of any transportation company is a holdup. I come here today and find that the Jinney Committee has before it several jinney petitions filed by the Eastern Massachusetts Street Railway Company. One of those has nothing to do with Dorchester, but has to do with Keene, New Hampshire, or some other part of that state; and I believe they are coming in here and asking for the right to run a bus line from somewhere else in the state, Lowell or some other place, into Park square. Whatever the petitions may be, I now make this proposition to the members of the Council, that until such time as the Eastern Massachusetts Street Railway Company stops holding up the City of Boston on River street, I want any jinney bus petition that they bring in laid on the table. That is the position that I shall take until such time as they give the City of Boston a square deal in this matter. All I want to see is a square deal for the people of the City of Boston.

The order was passed under suspension of the rule.

LENGTH OF TERM OF COUNTY OFFICERS.

Coun. DOWD offered the following:
Ordered, That the Committee on Legislative Matters be authorized to petition the Legislature at its next session for the adoption of legislation to provide that the term of office of elected county officers be not more than four years.

Coun. DOWD.—Mr. President, in introducing this order, I feel, of course, that it will not meet the approval of the invisible county ring. At the same time, I see no reason why officials of Suffolk County should be selected for longer terms than we find elsewhere in the entire country. Up to a short time ago county officers were elected for a period of three years, and I say that three years is certainly more than sufficient for county officers, running the offices in the way they do. Of course the City Council or the city government of Boston has nothing to do with the county officers, except to pay their salaries and expenses. But I say that a term of six years for any county officer is entirely too long, that it lowers the efficiency not only of the county officer himself but of the employees in the office. I suggest, therefore, that the Committee on Legislative Matters present to the incoming Legislature a bill authorizing the Legislature to cut down the term of the county officers from six to four years.

The order was referred to the Committee on Legislative Matters.

ABSENCE OF EMPLOYEES ON ELECTION DAY.

Coun. DOWD offered the following:
Ordered, That the heads of departments be authorized to allow all employees whose services can be dispensed with to be absent from duty, without loss of pay, from two o'clock p. m. to the close of business on Election Day, November 6, 1928.

Coun. DOWD.—Mr. President, I present this order simply for this reason. Four years ago, in the presidential election some 219,000 votes were cast in the City of Boston. The ruling of the Election Department, as we all know, is that anybody inside the railing at eight o'clock p. m. is allowed to vote. That means that nobody outside of the railing at that time, although in the building, is allowed to vote. So I think it is a mighty good suggestion to allow city employees whose services can be dispensed with to have a half day off and to be sure to cast their ballots in the afternoon, in order that every other citizen—and there will probably be some 250,000 who will vote on election day—will be allowed the privilege of voting.

The order was passed under suspension of the rule.

CONVALESCENT HOME.

Coun. DOWD offered the following:
Ordered, That the Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to consider the advisability of converting the former Veterans' Hospital at West Roxbury into a Convalescent Home.

Coun. DOWD.—Mr. President, some two years ago this Council fought to bring from Long Island to West Roxbury the present institution. Most of the members of the Council inspected the West Roxbury location, and some nine or ten of us felt that the institution should be moved there. We all know that at Long Island at the present time 30 per cent of those in the institution are in perfectly good health, but are old and unable to take care of themselves. We also understand that the hospital down there at Long Island is not really a good place for a man getting over an illness to be taken care of properly. There also seems to be no reason why the hospital at West Roxbury, which cost over \$2,000,000, should be left vacant an entire year. So I suggest that the Mayor consider some means of converting the West Roxbury hospital into a convalescent home. The order was passed under suspension of the rule.

PAYMENT TO ELECTION DEPARTMENT EMPLOYEES.

Coun. RUBY offered the following:
Ordered, That the Board of Election Commissioners be requested, through his Honor the Mayor, to provide for the payment immediately after November 6, 1928, to each regular employee of the Election Department of the sum of \$100 as compensation for overtime worked during the primary and election activities in connection with the state election.

Chairman SULLIVAN—The Chair will have to rule the order out, as it specifies the amount. The gentleman may amend it.

Coun. RUBY amended the order by striking out the words "the sum of one hundred dollars as," and inserting in place thereof the word "extra," so that the order would provide for the payment "to each regular employee of the Election Department of extra compensation for overtime worked during the primary and election activities in connection with the state election."

Coun. RUBY.—Mr. President, some time ago I put in an order similar to the order presented today, but up to the present time I have not received word, nor has the body received word, as to the intention of his Honor the Mayor or of the Election Department in the matter. I am still of the opinion that the regular employees of the Election Department stand in no different light than the employees of other departments in the City of Boston. I believe a man is entitled to a fair day's pay for a fair day's work, and the standard for a fair day's work, in my opinion,

today, is recognized throughout this country as eight hours. I believe where men work twelve, sixteen and sometimes twenty hours a day at certain times in the year, they should be paid for that in money. So I have provided in my order or compensation in money. I have discussed the matter with the chairman of the Election Department, who informs me or who intimates at least that he appreciates the fact that they are doing this extra work which comes particularly at election time, but that in consideration of their doing such work he is willing to give them a week or ten days extra vacation during the summer. That to my mind is significant as showing the fact that they are doing extra work or he would not consider giving them the extra days of vacation in payment for the work. I do not believe, however, that there is a man in the department who wants that extra vacation in preference to the money compensation, because as a matter of fact the men have earned the money, and they want it. I do not believe there is a head of a department in the City of Boston who has a right to say to an employee that if he works this extra time he is going to be compensated for it by extra vacations. That really constitutes a layoff, because if a man is given such an extra vacation in place of money compensation, it really constitutes a layoff. So I do not believe any man in the department wants to have such a layoff. Take the case in the Assessing Department, the Collection Department, the Public Works Department, the Hospital Department. In every one of these departments I have mentioned week after week they will give employees a certain extra amount for extra time that they have put in, one, two, three or four days, ten days, whatever it may be. They are not begrudged that, but it is recognized that they are entitled to it for the work they do. Why should the members of the Election Department be treated in a different way than the employees of these other departments? The chairman of the Election Department, Frank Seiberlich, is a friend of mine, and I have the highest regard for him personally. But I cannot see for the life of me why he should take this arbitrary attitude, opposing extra money compensation when it is proposed. I have talked with one or two members of the department but, in spite of the fact that the entire board may be opposed to it by reason of their personal contact with the matter, I cannot admit that the attitude they take is correct, and I know that a number of members of the department, as some have told me, would feel better satisfied if the excess money was paid to them in compensation for the extra work they do. If \$100 was paid to each employee, it would cost the City of Boston only about \$4,200 this year, and you would have forty-two satisfied men doing a fair day's work for a fair day's pay. Nobody has pleaded with me for this; not a man in the department has asked me to introduce the order or asked to make the fight I am making to get for them this extra money. But I am of the honest opinion that if the other men employed by the City of Boston are getting overtime there is no reason why these employees should be discriminated against. It may be said that they are getting a big salary, but I will take issue with that, because I believe the maximum salary is about \$2,100, and there are men who have been working in the department for ten, fifteen or even twenty-five years, I understand, going in at, say, \$10 a week, who are getting but \$2,000 a year. So this is not giving them more than they are entitled to. Let me also say this. The chairman of the Election Department a few weeks ago in executive session, when I asked, "Is it not a fact that your index card system is one, two or three years behind; is not up to date?" replied that that was not so. I understand that he is in error, Mr. Chairman, that the card index system of the Election Department is in some cases four years behind. So if they say that there are certain times in the year when the men can be spared in that department, I reply that if they can be spared at that time it would be well to employ them in bringing the card index system up to date, thereby having the men work continuously for fifty-two weeks in the year. But I certainly see no reason why the employees should not be paid for the extra work they do. Men cannot be expected to come to work at nine o'clock in the morning and work sometimes until two, three or four the next morning, without

extra compensation. Probably if the chairman of the Election Commissioners had to go through the same routine that these men do he might realize the necessity and importance of paying them for their extra work. I think if he did that he would arrive at the conclusion that the men in his department are entitled to the same consideration that is given to everyone else in the city's employ. So I trust that we will recommend to the Mayor that there be an extra payment of \$100 to the employees for overtime work—not in the form of a bonus but in the way of salary that is given to the men for work they have performed. I respectfully ask suspension of the rule and passage of the order.

The order was passed under suspension of the rule.

PRINTING OF "MUNICIPAL REGISTER."

Coun. LYNCH 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 the current year, including therein a map of the city with ward lines, and that the Clerk of Committees be authorized to prepare and have printed a pocket edition of the organization of the city government, the expense of said register and organization to be charged to the appropriation for City Documents

Passed under suspension of the rules.

SIDEWALK ON ADELAIDE STREET.

Coun. McMAHON, for Coun. Murray, offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Adelaide street, from Boylston street to Spring Park avenue, 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, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

NEW TRAFFIC SIGNAL TOWER.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to provide for the erection of a traffic signal tower at the junction of the new Southern Artery, Adams street and Granite avenue, Ward 16.

Passed under suspension of the rule.

RELIEF STATION IN DORCHESTER.

Coun. FISH offered the following:

Ordered, That the City Hospital Trustees be requested, through his Honor the Mayor, to provide for a relief station in Dorchester similar to the one at East Boston.

Passed under suspension of the rule.

APPROPRIATION OF SOLDIERS' RELIEF DEPARTMENT.

Coun. PARKMAN, for Coun. Motley, offered the following:

Ordered, That there be allowed and paid to the Soldiers' Relief Commissioner and charged to the appropriation for Soldiers' Relief Department the sum of \$2,000, said sum to be expended, subject to the approval of the chairman of the Committee on Soldiers' Relief, or in his absence by any other member of such committee, by such commissioner in affording immediate relief to persons entitled to aid under chapter 115 of the General Laws, and acts in amendment thereof and in addition thereto.

Passed under suspension of the rule.

STRATHCONA ROAD, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Stratbcona road, Ward 14, as a public highway.

Passed under suspension of the rule.

LINCOLN ROAD, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept as a public highway Lincoln road, Ward 14.

Passed under suspension of the rule.

FRONTENAC STREET, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Frontenac street, Ward 14, as a public highway.

Passed under suspension of the rule.

RECESS.

The Council voted, at 3.11 p. m., on motion of Coun. ARNOLD, to take a recess subject to the call of the Chair. The members reassembled in the council chamber and were called to order by Coun. SULLIVAN at 3.34 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, offered the following:

1. Report on message from Mayor and order (referred today) transferring \$1,000 from Reserve Fund to Election Department for purchase of 100 sets of voting compartments—that same ought to pass.

Reported accepted said order passed, yeas 16, nays 0.

CONFIRMATION OF APPOINTMENTS.

Chairman SULLIVAN called up, under unfinished business, Nos. 3 and 4 on the calendar, viz.:

3. Action on appointments submitted by the Mayor September 25, 1928, of John W. England, Joseph A. Woodrough, Edwin C. Moran and Alexander Fraser, to be Weighers of Goods; and E. E. Houston and Edwin C. Moran, to be Weighers of Coal.

4. Action on appointments submitted by the Mayor, October 1, 1928, of Milton J. Aronson and Bertha Gordon, to be Weighers of Coal.

The question came on confirmation. Committee, Coun. Keene and Arnold. Whole number of ballots 15, yeas 15, and the appointments were confirmed.

JITNEY REPORTS.

Coun. DOWD, for the Committee on Nitney Licenses, submitted reports as follows:

1. Report on petition (referred October 8) of Boston and Maine Transportation Company for license to operate motor vehicles for carrying passengers between West Boston Bridge and Providence street—recommending passage of following order, viz.:

Ordered, That a license be granted to the Boston and Maine Transportation Company, on the usual terms and conditions, to operate seven motor vehicles, other than street cars, for carrying passengers for hire, between the Boston-Cambridge line at West Boston Bridge and No. 3 Providence street, over West Boston Bridge, Charles street, Park square, Providence street, Church street, Boylston street, Charles street and West Boston Bridge; said license being granted as part of a route between Boston and Billerica and intermediate points.

2. Report on petition (referred May 14) of Boston and Maine Transportation Company for

license to operate motor vehicles carrying passengers between West Boston Bridge and Providence street—recommending passage of following order:

Ordered, That a license be granted to the Boston and Maine Transportation Company, on the usual terms and conditions, to operate five motor vehicles, other than street cars, for carrying passengers for hire, between the Boston-Cambridge line at West Boston Bridge and No. 3 Providence street, over West Boston Bridge, Charles street, Park square, Providence street, Church street, Boylston street, Charles street and West Boston Bridge; said license being granted as part of a route between Boston and Fitchburg and intermediate points.

The report of the committee was accepted, and the question came on the passage of the order.

Coun. DOWD—Mr. President, I would say in reference to the two petitions of the Boston and Maine Transportation Company, that these permits are granted for parts of routes lying between Fitchburg and Boston and between Billerica and Boston. People can come down from New Hampshire by the Billerica route, to Park square. Anybody coming from Fitchburg must get off at Kendall square and take the Elevated into Boston. The committee feels that every possible courtesy and facility should be extended to residents of other parts of Massachusetts, and also from outside the state, to come to Boston. We feel that it is desirable that Boston should open its arms to out-of-town people in order that the business of Boston may be revived. We have, for instance, the Sears Roebuck people in Cambridge which is going to take some business from Boston. The committee feels that affirmative action should be taken on the position of the Boston and Maine Transportation Company. I would also like to say a word in regard to the petitions of the Eastern Massachusetts Street Railway Company. In going and coming as between Fitchburg and Billerica, they take practically the same route. They are competing. They have been fighting it out all along the line, calling each other bad names, but the committee feels that the privilege asked for should be given to both the Eastern Massachusetts and the Boston and Maine. After bearing the remarks of Coun. Wilson, however, the chairman of the committee feels a great deal of sympathy with the position he takes, and when the Eastern Massachusetts petitions are read it is my opinion that those matters should be laid on the table.

Coun. WARD—Mr. President, speaking upon these petitions, I believe that the petition of the Eastern Massachusetts is similar to that of the Boston and Maine. I don't know of any organization in the entire city that is so mean to its employees as is the Boston and Maine. The Boston and Maine is now looking to this body for patronage. I think if any consideration is to be given anybody it should be given to those that give a living wage to their employees and take some care of their employees, along the lines outlined by the labor organizations. I say that the Boston and Maine have been contemptible in their treatment of their employees, and I hope the members of the Council will stand here and vote against the granting the Boston and Maine petition, on that account. I believe if consideration is to be given to any organization, if we are to show any partiality, it should be shown to the Eastern Massachusetts.

Coun. MURPHY—Mr. President, my feelings run along the same line as those of Coun. Ward. I cannot for the life of me understand why, simply because of what has been said here by a member in this council chamber today, the Nitney Committee should have a change of mind. If they are going to grant licenses to the Boston and Maine over practically the same route that is asked for by the Eastern Massachusetts, I can see no reason in the world why they should not extend the same courtesy to the Eastern Massachusetts. As Coun. Ward has well said, the Eastern Massachusetts Street Railway employees are organized. They are organized in a local that is affiliated with the American Federation of Labor, being in the international organization known as the Amalgamated Association of Street Railway Employees of America. They are enjoying union conditions as far as hours are concerned, they are enjoying union wages, as far as wages are concerned, and they have a right to speak to the officials of the company when they feel that they are being unjustly treated. In other words, they are given a hearing,—something that the employees of every corporation, while entitled to, do not get. The only ones who

are getting such a hearing are those where the employees are in organized bodies, and they have had to fight for that right, and have had to keep their organizations up to date to accomplish what they have accomplished. I hope the Council, in view of the fact that there are union men working on the Eastern Massachusetts Street Railway Company, will vote to grant the licenses asked for here today to that company, if they are going to grant licenses to the Boston and Maine.

Coun. McMAHON—Mr. President, being one of the Councilors from Dorchester and hearing the report that has been made by one of my neighboring councilors here today in regard to the situation on River street, I feel the same as Coun. Wilson of Ward 17 does in regard to that matter. If the Eastern Massachusetts Street Railway thinks they can come in here to the City of Boston and hold up the city to the amount of \$90,000 on one of the best arteries we have in Dorchester, I think it is time that the City Council went on record as opposing the Eastern Massachusetts. As far as that company is concerned, I think it gets a lot out of the city, and I think they have the greatest gall of any corporation I have yet heard of—including the Edison, the telephone and the gas people—when they hold up our city and try to compel it to pay \$90,000 because once they may have run cars on that street. I have lived all my life in Boston, and I don't remember a car of the Eastern Massachusetts running on River street. Still, they have the gall to come in here and hold up the city. I feel the same in that matter as Coun. Wilson feels and as I believe every councilor here ought to feel. Until the Eastern Massachusetts shows a disposition to act properly toward the City of Boston, I trust that these petitions will not be granted.

Coun. DOWD—Mr. President, so there may be no misunderstanding I want to inform the Council that the chairman of the Jitney Committee has had no change of mind since we met and voted upon these matters. But I will say this, that our committee in functioning, like other committees, feels that it should show some courtesy to its brother councilors. The committee always endeavors to respect the wishes of members of this body from different sections. The committee for five months respected the wishes of Dorchester and its different wards in another matter, until Mr. Dana of the Elevated gave some assurances to that section; and we have also respected the wishes of Coun. Donovan and other members of the body. I see no reason, therefore, why we should not respect the wishes of Coun. Wilson in this matter. If it is laid on the table until Coun. Wilson gets what he wishes, that is all right and proper. I have had no change of mind in the matter. The committee feel that the Eastern Massachusetts should have the same right as the Boston and Maine. But the committee feel that the courtesy extended to the other members of the Council through the past two years should now be extended to Coun. Wilson.

Coun. MAHONEY—Mr. President, I would like to ask the councilor from Hyde Park if he has any idea how many union men employed by the Eastern Massachusetts Street Railway Company are Boston men?

Coun. MURPHY—The employees of the Eastern Massachusetts operating buses and cars are all members of the organization. If I may be permitted again, I have no desire, coming from a ward adjoining Coun. Wilson's ward, to do anything other than what would result in the best for the people there. In regard to the case mentioned, where we are told that the Eastern Massachusetts wishes to sell out these rights to the City of Boston for \$90,000, that, I understand, is a question where the rails laid were leased to the Boston Elevated, and the Eastern Massachusetts Street Railway Company, in view of the charge against them—I am assuming and I believe that this is right—of \$90,000, wish to exact that from the City of Boston, in the event that the city orders the tracks from the street. As far as I am concerned, I am opposed to the removal of the tracks, because we have had a battle on Oakland and Ashland streets for a continuation of service to Milton Lower Mills. We have been served to an extent by these tracks, but if they are allowed to remove the tracks we will not be able to get the right kind of service. We feel that the tracks should remain there and that the people should be able to get service from the cars. The Elevated at the present time, however, are

trying to do away with the cars and substitute buses. Therefore, they are in favor of removal of the tracks. I am opposed to such removal.

(Several members addressed the Chair.)

Chairman SULLIVAN—The question is on the two orders that have already been presented in regard to the Boston and Maine Transportation Company. The debate that has gone on in regard to the Eastern Massachusetts petitions is out of order. The Chair has allowed it, but it has not been in order. The question now comes on the passage of the orders on the Boston and Maine Transportation Company's petitions.

The orders failed of passage, upon a rising vote.

3. Report on petition (referred May 7) of Eastern Massachusetts Street Railway Company for license to operate motor vehicles carrying passengers between Park square and John street, Lowell—recommending passage of the following order, viz.:

Ordered, That a license be granted to the Eastern Massachusetts Street Railway Company, on the usual terms and conditions, to operate six motor vehicles, other than street cars, for carrying passengers for hire, between the Boston-Cambridge line at West Boston Bridge and Park square, over West Boston Bridge, Cambridge street, Charles street and Park square; and for the purpose of turning in Park square, over Columbus avenue, Eliot street and Broadway; said license being granted as part of a route between Boston and Lowell; and no local passengers to be carried in Boston or other territory served by the Boston Elevated Railway Company.

4. Report on petition (referred June 25) of Eastern Massachusetts Street Railway Company for license to operate motor vehicles for carrying passengers from Park square to Cambridge line—recommending passage of following order, viz.:

Ordered, That a license be granted to the Eastern Massachusetts Street Railway Company, on the usual terms and conditions, to operate six motor vehicles, other than street cars, for carrying passengers for hire, between the Boston-Cambridge line at West Boston Bridge and Park square, over West Boston Bridge, Cambridge street, Charles street and Park square; and for the purpose of turning in Park square, over Columbus avenue, Eliot street and Broadway; said license being granted as part of a route between Boston and Billerica; and no local passenger to be carried in Boston or other territory served by the Boston Elevated Railway Company.

The report of the committee was accepted, and the question came on the passage of the two orders.

Coun. DOWD—Mr. President, I now move you, sir, that the two orders be laid on the table.

Coun. MURPHY—Mr. President.

Chairman SULLIVAN—No debate is allowed on the motion.

Coun. MURPHY—Mr. President, I rise to a point of information. My point is that we have just taken action on the petitions of the Boston and Maine, and that we should have reconsideration before laying these on the table.

Chairman SULLIVAN—The motion is to lay the orders on the Eastern Massachusetts petitions on the table.

Coun. DOWD'S motion to lay the two orders on the petitions of the Eastern Massachusetts Street Railway Company on the table was declared carried.

Coun. DOWD—Mr. President, I now move a reconsideration of the rejection of the Boston and Maine petitions and that the orders be laid on the table. Reconsideration prevailed, and the orders were laid on the table.

5. Report on petition of Eastern Massachusetts Street Railway Company (referred June 25) for license to operate motor vehicles from Fields Corner to Granite avenue—recommending that the petitioners have leave to withdraw.

Coun. DOWD—Mr. President, I would state, out of courtesy to the gentleman from the Dorchester district, that he does not like to have these buses run through his district, and the committee recommends leave to withdraw on that petition.

The report was accepted, and the petitioner was given leave to withdraw.

6. Report on petition of Eastern Massachusetts Street Railway Company (referred June 25) for license to operate motor vehicles from Park square to Cambridge line,—recommending that the petitioner have leave to withdraw.

Report accepted; petitioner given leave to withdraw.

COMMITTEE ON SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of October, 1928.

The report was accepted, and the order passed.

WAGES OF TRANSFER PORTERS, CITY HOSPITAL.

Coun. MURPHY offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to make provision in the budget for the ensuing year for a substantial increase in the wages of the transfer porters employed at the Boston City Hospital.

Passed under suspension of the rule.

HOWLAND STREET, WARD 12.

Coun. BUSH offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Howland street, Ward 12, with smooth paving.

Passed under suspension of the rule.

HOMESTEAD STREET, WARD 12.

Coun. BUSH offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Homestead street, Ward 12, from Humboldt avenue to Walnut avenue.

Passed under suspension of the rule.

Adjourned at 3.58 p. m., on motion of Coun. LYNCH, to meet on Monday, October 15, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 15, 1928.

Regular meeting of the City Council, in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Dowling, Parkman and Ward.

DEPARTMENTAL TRANSFERS.

The following was received:

City of Boston,

Office of the Mayor, October 15, 1928.

To the City Council.

Gentlemen,—I am in receipt of the attached requests for transfers within departmental appropriations and respectfully recommend adoption of the accompanying orders.

Respectfully,

MALCOLM E. NICHOLS, 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 Public Welfare Department:

From the appropriation for Central Office, A-1, Permanent Employees, Visitors, 22 at \$1,600, \$2,200 per year, \$2,000, to the appropriation for Wayfarer's Lodge, B-39, General Plant, \$700; D-2, Food and Ice, \$1,300.

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 Public Buildings Department:

From the appropriation for A-1, Permanent Employees, Janitors, Laborers, etc., 34 (33), at \$5 per day, \$5,000, to the appropriation for 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 Health Department:

From the appropriation for G-2, Special Investigations, \$5,000, to the appropriation for C-4, Motor Vehicles, \$5,000.

From the appropriation for G-2, Special Investigations, \$2,000, to the appropriation for D-5, Medical, Surgical, Laboratory, \$2,000.

From the appropriation for C-7, Furniture and Fittings, \$300, to the appropriation for C-12, Medical, Surgical, Laboratory, \$300.

From the appropriation for B-4, Transportation of Persons, \$25, to the appropriation for B-5, Cartage and Freight, \$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 Library Department:

From the appropriation for D-16, General Plant, \$35, to the appropriation for D-13, Chemicals, \$35.

From the appropriation for E-13, General Plant, \$2,000, to the appropriation for E-1, Building, \$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 Printing Department:

From the appropriation for A-2, Temporary, \$302.68, to the appropriation for F-7, Pensions and Annuities, \$302.68.

Referred to the Executive Committee.

LOAN FOR FIRE STATION, WEST END.

The following was received:

City of Boston,

Office of the Mayor, October 15, 1928.

To the City Council.

Gentlemen,—As a result of the action taken by your honorable body at the meeting of September 5,

1928, there is now available an appropriation of \$300,000 for the purchase of a site for a new fire station in the West End district. Before plans for the building itself can be prepared it is necessary, under the law, that an appropriation for the building be available. I accordingly submit herewith an order providing for the appropriation of \$350,000, which sum in the opinion of the Fire Commissioner, will be required for the construction of the new station. I recommend approval by your honorable body of this order at this time in order that there may be no delay in starting the preliminaries incidental to the actual construction. I also submit herewith a communication from the Fire Commissioner with respect to this matter.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Fire Department, October 12, 1928.

Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I respectfully recommend that the sum of \$350,000 be appropriated for the construction of a new central fire station on the property now being taken at Bowdoin square for this department.

It will take some time to remove the tenants in the present building on the new site before the demolition of the existing building can be started. Plans for the new building cannot be prepared until the appropriation for the building is available. Therefore, I recommend that action be taken as soon as possible so that construction work on the new building can be begun by March 1, 1929.

In the new house it is proposed to place Engine Company 4, now located at 5 Bulfinch street; Engine Company 6, now located at 24 Leverett street; Ladder Company 24, now located at North Grove street; and Water Tower Company 1 which was originally assigned to the West End section but which had to be moved to Fort Hill square because of the structural weakness of the Bulfinch Street Station and the narrow streets in the vicinity of that fire house. It is also proposed to install in this building an additional rescue company which should be organized as soon as possible to strengthen the companies responding to alarms in this territory which is rapidly increasing in property valuation and life hazard.

While the lot to be acquired by the city contains approximately 11,000 square feet the shape is such that it will be necessary to use part of the land now occupied by the building at 5 Bulfinch street (Engine 4). After the new station is erected the other houses, namely, that of Engine 6 at 24 Leverett street, assessed for \$40,000, and the quarters of Ladder 24, North Grove street, assessed for \$19,800, will not be necessary for the use of this department and may be disposed of for the best interest of the city.

I would most respectfully urge your favorable consideration of this project as the first step in a comprehensive plan to relocate and house the apparatus of the Fire Department. If this plan is pursued I believe it will tend to reduce our fire losses as well as the cost of running the department.

Respectfully yours,

E. C. HULTMAN,

Fire Commissioner.

Ordered, That the sum of \$350,000 be, and the same is hereby appropriated to be expended under the direction of the Fire Commissioner for New Fire Station, West End District, Building, 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 the city to said amount.

NEW FIRE STATION, BRIGHTON.

The following was received:

City of Boston,

Office of the Mayor, October 15, 1928.

To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Fire Commissioner in which he recommends the present quarters of Engine 29 and Ladder 11, in the Brighton district, be abandoned and that a new central fire station be erected to meet the needs of this district of the city.

The house which these fire companies now occupy is in poor physical condition and will require a large outlay of money for repairs if it is to be continued. With the rapid growth which has taken place in this district, the facilities of the station are no longer adequate to house the pieces of apparatus which should be assigned to serve the Brighton territory. Believing that the interests of the Brighton section warrant the erection of a new central fire station, I have approved the commissioner's recommendation and accordingly submit herewith two orders, one providing for the appropriation within the borrowing capacity of the city of \$75,000, and the other providing for the transfer of the balance from available sources.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Fire Department, October 13, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I respectfully recommend that an appropriation of \$150,000 be allowed to construct a new building to house Engine 29 and Ladder 11, with sufficient accommodations for another engine or rescue company which must be shortly located near the Aberdeen section of Brighton.

The quarters of Engine 29 and Ladder 11 of this department, now located on Chestnut Hill avenue, Brighton, near the new courthouse, are in bad condition and need such extensive repairs and changes, if they are to be continued in use as a fire station, that I urge upon your Honor that a new central fire station be built in Brighton. The increasing need for better fire protection in the Aberdeen section of Brighton has been recognized by this department for some time.

The lot upon which our present house is located is not adequate for the fire house and yard necessary to serve this territory.

It is the opinion of this department that a house sufficiently large to accommodate three companies would provide better fire protection for the whole of Brighton if it is built on part of the land now used as a paving yard by the Public Works Department at approximately 100 Chestnut Hill avenue. If the new house does not provide accommodations for an additional company nearer the southwesterly section of Brighton it will soon be necessary to build a new fire house to provide proper protection for that section of the city. The new location would much better distribute the fire companies in the Brighton district where the southwesterly and Aberdeen sections are now poorly protected as most of the fire houses are located in the center or northerly part of the district.

The condition of the present house is so bad that while it would serve to house the present apparatus while the new building is being constructed, I respectfully urge that it be abandoned as soon as your Honor feels the city can afford to do so, in the interest of the health and safety of the men, the safety of the equipment and the essential and very necessary improvement in the fire protection for that section.

Respectfully yours,
E. C. HULTMAN,
Fire 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 Municipal Building, Charlestown, Site and Plans, \$75,000, to the appropriation for Fire Station, Brighton, \$75,000.

Ordered, That the sum of \$75,000 be, and the same is hereby, appropriated to be expended under the direction of the Fire Commissioner for Fire Station, Brighton, 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 to said amount.

Referred to the Committee on Finance.

LOAN FOR LONG ISLAND IMPROVEMENTS.

The following was received:
City of Boston,
Office of the Mayor, October 15, 1928.
To the City Council.

Gentlemen,—As indicated in the *City Record* in its issue of the sixth instant, the improvements

at Long Island for which \$1,000,000 was appropriated are fast nearing completion. During the progress of the work it has been necessary to make certain changes and improvements which were not originally contemplated. As a result of these additional items the original amount appropriated has proven insufficient to complete the entire work. In the accompanying communications from the Institutions Commissioner and the architect, it is shown that an additional sum of \$125,000 will be required to complete and make ready for occupancy the new buildings. A complete summary of the items making up the additional sum required is given in the Commissioner's letter. I accordingly submit a loan appropriation of \$125,000 for the purposes as outlined in the accompanying letters, and recommend adoption of this order by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston.
Institutions Department, October 11, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Mr. Mayor.—The improvements contemplated by the loan of one million dollars (\$1,000,000) at Long Island have been substantially completed in accordance with original plans. As this work has progressed certain changes and improvements not originally contemplated have become necessary, and submitted herewith is a list of such requirements as are imperatively needed.

1. Power Plant. In addition to the two new 84-inch boilers which are now being installed, it is deemed advisable by the engineers to install three (3) new 66-inch boilers in place of the present 66-inch boilers, all of which are more than twenty-five years old. The effect of this change will be to put the plant entirely upon a high pressure basis and will render further changes or improvements unnecessary for a period of at least twenty-five years.

2. The Children's Building will need equipment and furnishings to the amount indicated below.

3. The Men's Dormitory Building will need furnishings and equipment as indicated below and also the construction of a cement arway and granolithic apron around the building.

4. In connecting the heating systems of the new and old buildings the added pressure will require certain changes in old trap lines and return mains.

5. Elevation of present kitchen in order to preserve reasonable sanitary conditions by the avoidance of steam, sewer and other pipe lines.

The cost of all items mentioned above is as follows:

1. Boiler Plant.....	\$54,000
2. Children's Building—furnishings and equipment.....	10,635
3. Men's Dormitory:	
(a) Furniture and equipment.....	27,120
(b) Cement and granolithic work..	6,500
4. Trap lines and return mains.....	4,065
5. Elevation of kitchen.....	4,680
Incidentals, including architects' commission.....	18,000
	<u>\$125,000</u>

While there are other improvements which are deemed necessary they have been deferred at this time and the above represents the minimum imperative requirements for which you are requested to make an additional loan in the sum of one hundred twenty-five thousand dollars (\$125,000).

Respectfully yours,
WILLIAM S. KINNEY, Commissioner.

October 15, 1928.

Mr. William S. Kinney,
Commissioner of Institutions, Boston.

Dear Mr. Kinney,—Replying to your request for further detailed information as to the reason why it is advisable to install three new 66-inch boilers at the power plant, Long Island, instead of reinstalling two of the old 72-inch boilers and using these with the remaining 66-inch, all on low pressure, which would be purely an economy measure and would not give you a good, well balanced high pressure boiler plant which the Island should have. The present boilers are approximately twenty-five years old. They have all been cut in pressure allowance more than

once by the state inspectors and we are temporarily using these on high pressure only on the understanding with the state department that when the new 84-inch boilers are installed and in operation, the 72-inch and 66-inch old boilers will be cut down to a low pressure system for heating only.

This recommendation of the State Department is not satisfactory for the following reasons. If this advice were followed, the only boilers in the plant that could make electricity for your fire protection, for your lighting, and for your various other electrical needs would be the new 84-inch boilers. If anything should happen to these, there would be no means of operating the new Ames vertical flow generators, and the Island would be without light or power, as neither one of the 84-inch boilers is sufficient in size to handle both the power and lighting loads at one time, so that in the event of fire on the Island the lights would have to be put out in order to use all the electricity being generated to drive the fire pumps. This would be very unsatisfactory and possibly dangerous.

We believe that as the state department will not permit the continued use of the old boilers on high pressure, that these old 72's and existing 66's should not be reinstalled, but in their place on a modern boiler setting should be installed three new 66-inch boilers, and with these in place you will have a high pressure power plant throughout that will give adequate service to the Island for twenty-five years to come, without any further changes, and will develop a sufficient number of horse power to adequately take care of all your present needs and any reasonable expansion of your present facilities that may be anticipated in the years to come. We, therefore, strongly urge that the Mayor be requested to provide the \$54,000 that will be required for this purpose.

Very truly yours,
JAMES H. RITCHIE.

Ordered, That the sum of one hundred and twenty-five thousand dollars (\$125,000) be, and the same is hereby, appropriated for Long Island, New Buildings and Additions, and Equipment and Furniture, all for Institutions Department purposes, and that to meet said appropriation the City Treasurer be, and hereby is, 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.

LIGHTING OF FRANKLIN FIELD ATHLETIC TRACK.

The following was received:

City of Boston,
Office of the Mayor, October 13, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of October 1, 1928, relative to the lighting of the Franklin Field athletic track so that same may be used in the evening.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, October 8, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of October 4, 1928, with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to provide for the proper lighting of the Franklin Field athletic track so that same may be used in the evening.

In reply I desire to say that the department will take this matter up with the Edison Electric Illuminating Company and the Public Works Commissioner, and if arrangements can be made, we will try and have the lights in place so that the track can be used this fall.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

TENNIS COURTS, FRANKLIN FIELD.

The following was received:

City of Boston,
Office of the Mayor, October 13, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of October 1, 1928, relative to the construction of twelve additional clay tennis courts at Franklin Field.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, October 8, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of October 4, with inclosure, order from the City Council, that the Park Commissioner be requested, through his Honor the Mayor, to provide for the construction of twelve additional clay tennis courts at Franklin Field.

In reply I regret exceedingly to inform you that the department has no funds available for this purpose at this time. I will insert in the budget for 1929 an amount which will enable us to build at least six of them.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

Jacob Britchky, for compensation for damage to property at 1355 Blue Hill avenue, caused by water being shut off.

Thomas Barrett, for compensation for damage to property at Old Colony avenue and Prehle street, caused by automobile colliding with hydrant.

Michael Cooper, for compensation for damage to automobile by city truck.

John E. Counihan, for compensation for injuries caused by an alleged defect at Washington street, Roslindale.

George W. Cuddy, for compensation for damage to automobile by city truck.

James Garrity, for compensation for injuries caused by an alleged defect in Edward Everett Schoolyard.

Frederick W. Jordan, for compensation for damage to clothing caused by wire protruding from fence at Boston Common.

The Brass Kettle, for refund on refuse tickets.

W. G. Kalaitis, for refund on refuse tickets.

Walter F. Lowell, for compensation for loss of clothing at City Hospital.

Margaret Nolan, for compensation for injuries caused by an alleged defect in Washington street. Walton's Lunch Company, for compensation for damage to property at 44 Scollay square, caused by police forcing entrance.

John J. McCarthy, for compensation for damage to car caused by city truck.

Special Committee on Jitney Licenses.

Petition of Eastern Massachusetts Street Railway Company for license to operate six or more motor vehicles between Ashmont Station and Milton line.

CONSTABLE'S BOND.

The constable's bond of Joseph M. Weinberg, having been duly approved by the City Treasurer was received and approved.

RESIGNATION OF CONSTABLE.

Notice was received from his Honor the Mayor of resignation of William T. Culpin as constable of City of Boston.

Placed on file.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings on petitions for storage and sale of gasoline on October 29, 1928, viz.:

Bay State Upholstering Company, 100 Business street, Ward 18, 1,000 gallons.

Sampson & Coleman, 509 East First street, Ward 6, 1,000 gallons.

Referred to the Executive Committee.

PAY ROLL, REGISTRY OF DEEDS.

The pay roll of Registry of Deeds, amounting to \$4,210.53, from October 1 to 13, inclusive, was received and approved.

MINORS' LICENSES.

President GREEN submitted petitions for twenty-eight newsboys and seventeen vendors for minors' licenses, and it was voted that licenses be granted on the usual conditions.

ELECTION RETURNS.

Coun. FITZGERALD offered the following:

Ordered, That the City Messenger be directed to make arrangements for receiving election returns on the day of the coming state election, and that Room 49, City Hall, be opened on the evening of said day for the announcement of returns, the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses, G-3.

Passed, under suspension of the rule.

RECESS.

The Council voted, on motion of Coun. LYNCH, at 2.15 p. m. to take a recess, subject to the call of the Chair.

The members reassembled in the council chamber and were called to order by President GREEN at 3.02 p. m.

EXECUTIVE COMMITTEE REPORT.

Coun. KEENE, for the Executive Committee, submitted the following:

1. Report on message of Mayor and orders (referred today) for transfers within departmental appropriations—that same ought to pass.

Report accepted; said orders passed, yeas 16, nays 0.

COMMITTEE ON FINANCE REPORT.

Coun. BUSH, for the Committee on Finance, submitted report on order (submitted September 25) that sum of \$100,000 be appropriated to be expended under direction of Board of Trustees of Boston Public Library for branch library building in Ward 21—that same ought to pass.

Report accepted, said order given its first reading and passage, yeas 17, nays 0.

SIDEWALK ON SUMNER STREET.

Coun. DONOVAN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 539 Sumner street, Ward 1, 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.

INVESTIGATION OF CITY HOSPITAL.

Coun. McMAHON offered the following:

Ordered, That a committee of five members of the City Council be appointed by the President

to investigate conditions at the Boston City Hospital with reference to proper facilities, competency of personnel, and administration in handling and treatment of children.

Coun. McMAHON—Mr. President and members of the City Council: Referring to this order, I want to say that its introduction at this time is brought about through the great and deep loss to me and my wife, because of the death of my little girl who was neglected through improper care and thrown into a room with twelve or fourteen other little children who were operated on for tonsils and adenoids, the same as mine. To the members of this Council, the Mayor, the City Hospital Trustees, and especially to the citizens of Boston, I present this order today with the sole purpose of making it possible for some other father or mother who have children to avoid going through what I have already gone through. Gentlemen, there is nothing on the face of this earth that could pay or relieve my family or myself for the great loss and suffering that we have gone through, just because we have in this great city of Boston a hospital that is filthy, dirty, and where they put little babies and children into a ward that is not fit for pigs, not alone these poor little human beings. Now, right here I want to tell you men who are fathers and know what it is to have anything like this happen to your children that the time has come when we must clean up and remedy these conditions. On Saturday, October 13, at about 8.30 a. m., I brought my two children and a neighbor's little boy into the Boston City Hospital to be operated upon for tonsils and adenoids. We were sent to the Casualty Ward, and here they were undressed and put to bed. At two p. m. they were operated upon. After the operation, my two children were put into a ward with twelve or fourteen other little ones, where my little girl was left to bleed to death, without any medical attention whatsoever. I am not saying this from hearsay, but from my own personal observation and the statement of Doctor Dinan, an interne, that he was not present when the child died, and did not know what caused the child's death, but guessed that it could be a hemorrhage or an embolism. The condition of the bed readily showed that the child had bled to death because it was lying in a large pool of blood, and the body was practically bleached out white. After the arrival of Doctor Dowling, he attempted to make it a medical examiner's case, but he was informed by Doctor Leary, the medical examiner, that it did not come under his jurisdiction as it was not a legal medical case. My neighbor's boy was put in the big room, where the ventilation is terrible, with about forty men patients who are rushed in there in a serious condition. This little fellow, who is about five years old, was put in between two old men, one who was yelling and screeching, and the other one groaning, which almost frightened the little fellow to death. Here in this Casualty Ward there are three rooms. The large one I just described to you, and two small rooms with about fifteen beds each. These three rooms are taken care of by two girls who are in training to be nurses, one slightly over a year and the other about three or four months, who do the caring and feeding of all these patients. They work very hard and do all they possibly can, but, gentlemen, they need about a dozen of these girls and even then they would have plenty to do. Here I saw a food cart on wheels—you are all familiar with the wheeled carts that are pushed about in the City Hospital, about which food pans are deposited—from which they serve food to the patients, and on the lower shelf of this cart were piled dirty clothes and bandages. I took Doctor Dowling through these rooms and showed him conditions and he was shocked. I asked him if he would put one of his children in a place like this, and he answered "No," also that he did not know that such conditions existed, nor was he informed of this fact by any of his assistants. He also tells me that they are overcrowded but, gentlemen, I had my little baby and my neighbor's boy moved to Ward O, which is supposed to be a children's ward and besides, after taking care of these two, I find in the same ward seven empty beds with nobody to go into them. The next morning, Sunday, October 14, at about 8 o'clock, when I went in to take the two children home, I saw some marks on the children and I asked a Doctor Haley if they were bites and he answered "Yes." I asked him if they were bed bug bites or lice bites and he said that he thought

they were bites from lice. After I took my child and the other little boy home, I called in my own family doctor to look at the children, and he noticed those red blotches on the little boy and the little girl and said that it looked to him like something had bitten them. This morning when he came, they were covered with red blotches all over their little bodies and he told us that they were caused from vermin. There is something for the councilors to think of—vermin covering little children, one happening to be my own and one of my neighbors. If this can happen to our little children, God knows what happens to the poor little children who have nobody to intercede for them. Mr. President and fellow members, I now demand, in the name of the fathers and mothers of the City of Boston, a full, complete, thorough investigation of the conditions at the Boston City Hospital. When the committee meets I will have some more very interesting information for them, and I don't think I am wrong when I say there will be plenty of councilors here and plenty of citizens of Boston who, I think, will make the hearing before the committee worth while with the information they will furnish.

Coun. WILSON—Mr. President, it is rather significant that, without knowing of the McMahon incident, there was called to my attention this morning the fact that Mr. Walsworth, the ex-Mayor of Revere, was again calling on the City of Boston, as he did months ago, to investigate the death of Charles Bowden, 355 Chelsea street, East Boston, at the City Hospital. Some of the members of the Council will remember that last year a written request was made of this body to make a particular investigation of that death, which occurred at that time. Charles Bowden was a young child of tender years, formerly resident in East Boston. He was taken to the Boston City Hospital, and the day after he was taken there his parents called up on the telephone or in person to make the usual inquiry as to the condition of the child. They continued making inquiries, and day after day were informed that he was doing nicely, until there came a day when they ascertained that the child had been lying there dead on a marble slab at the City Hospital for four or five days including the very days when his parents were inquiring about his condition and when they were being told by a careless telephone operator or somebody at the hospital that he was doing nicely. Without any knowledge of the McMahon incident, I had prepared an order calling attention of the City Council to that occurrence, and I shall submit the order at this time, asking for its passage, but feeling that this particular matter may well come within the investigation called for by Coun. McMahon.

Coun. BUSH—Mr. President, I feel deeply and sincerely grieved at the unfortunate incident which has resulted in the great loss suffered by Coun. McMahon, as a result of what appears to be plain incompetence and neglect at the City Hospital. There have been different times when certain isolated instances have occurred and complaints have been presented to the body because of such neglect at the City Hospital; but at those times the incidents have been more or less glossed over because the Council felt that in a hospital of the size of the Boston City Hospital there were bound to be some errors, bound to be some mistakes, bound to be a few deaths occurring for which nobody could account. For that reason it was felt that the City Hospital authorities should not be put on trial because of a few such isolated instances. But what Coun. McMahon has disclosed here to day as a result of his own personal observation and experience and the result of the great personal loss which he has suffered, is something that cannot be whitewashed and overlooked. It is nothing short of disgraceful, nothing short of criminal, to allow children to lie without proper care or attention after an operation, with nobody to look after them, and bleed to death as the result of such neglect. Somebody is to blame for it, and that somebody should be brought to task for allowing such a thing to happen. I don't know who is to blame for it. The councilor says he was notified by Superintendent Dowling that a regular physician who had performed those operations time and time again, a man of experience, was to perform this operation. What the excuse was for that physician not performing the operation I do not know. But it seems that an interne was allowed to perform the operation, a man of no experience whatever, in all likelihood, and that as a result of the operation, which may or may not have been successful in itself, but certainly as a

result of the neglect immediately following the operation, the child died. Certainly there was absolutely no excuse for it. It is the most criminal neglect I ever heard of; and following that comes the evidence of the filthy conditions existing in the hospital, the placing of children in the Casualty Ward with grown-ups, with men carried in there perhaps drunk, suffering from delirium tremens, of a child being placed in the ward between those men, as Coun. McMahon has said and almost frightened to death at the unusual noises. This is a time, gentlemen, not only for an investigation and a complete investigation of the entire administration of the City Hospital, but I place it right straight up to the Mayor that some action should be taken with reference to this matter at the present time.

Coun. FITZGERALD—Mr. President, there was one thing that I brought to the attention of the hospital authorities long ago, and that was in reference to these so-called delirium tremens cases brought to the City Hospital. They should be brought to the Relief Hospital in Haymarket square. It is well known that since the workmen's compensation act was put into effect practically every factory has provided doctors and nurses for first aid treatment. Therefore, the reason for which the Relief Station was established, to take care of factory cases around Haymarket square and the North and West Ends, no longer exists to the same extent it did. So I suggested some time ago that these delirium tremens cases might be sent to the Relief Station instead of to the City Hospital. I realize, of course, that it is claimed by the Trustees that one of the reasons why they have incompetent help at the hospital is because of the civil service. But that is a thing, Mr. President, that can be easily remedied. All that has to be done is—as the Governor and Council already do in the case of some of the state institutions—apply, giving the reasons for it, and asking to be given a free and unlimited hand in the employment of help. It is not a law, but a rule, and rules of that sort are made to be suspended. The Council has that authority. So when they tell us that they are handicapped in the matter of employment, they have that plain remedy. For a long time we have stood the City Hospital situation. Action has not been taken because it might hurt somebody's feelings, in case after case. I know of a case that happened within a few weeks, in which some of the circumstances were about the same as in the case stated by Coun. McMahon, and it was only because of the will of the Almighty that the patient did not pass away. Now is the time for action, no matter who is hurt. Some of these people handling these cases don't have a heart. They look on death as they do passing the time of day. Now, we want action, no matter who it hurts. There are other institutions that need investigation as well, and the time is ripe for investigation of the whole situation. Let us turn out incompetent employees, no matter who they are. Death is a serious thing. We know how to sympathize with children of that tender age and how to sympathize with the gentleman from Dorchester. Now, Mr. President, is the time for us to act. The thing should be cleaned up from top to bottom. There are no such things happening in the Massachusetts General Hospital, in the Eye and Ear Infirmary, in the Brigham Hospital, which are all properly managed. It cannot be blamed to the civil service situation, because that is a place where the rule could easily be suspended. Let us put the responsibility directly where it belongs. Money should be provided for more nurses. One nurse for forty-eight patients is outrageous. Of course, things are all right for persons who can afford private rooms and can afford to have all kinds of favors and attentions lavished on them. But it is a shame if the citizens of Boston generally cannot have proper and decent treatment in our City Hospital. Of course, those who can afford it can have special night and day nurses, but there are many who cannot afford that sort of thing. We sometimes hear it said that politicians can get all sorts of attention. That is the cry sometimes sent up from the outside—that they can send in a letter, or telephone, and everything will be done for them. But this shows that that is not the case, whether the one applying is a politician or not, whether he holds public office or not. That is the answer to the public in this case. Everybody gets the same bad treatment.

Now is the time for us to stop that sort of thing. Let us have an investigation, because we are dealing with human life, and human life must be considered first, and politics come next.

The order was passed under suspension of the rule. President GREEN appointed as the committee to investigate conditions at the City Hospital, Coun. Fitzgerald, Wilson, Lynch, Dowd and Gallagher.

President GREEN—The Chair would like to have the chairman of the committee call the committee together and organize directly after the regular meeting of the Council today.

DEATH OF CHARLES BOWDEN.

Coun. WILSON offered the following:

Ordered, That a Special City Council Committee of five be appointed by the President to investigate the petition and complaints which have been filed with the City Council by or in behalf of the parents of Charles Bowden, formerly of 355 Chelsea street, East Boston, with reference to the death of the said Charles Bowden at the Boston City Hospital.

Referred to the Special Committee on Investigation appointed above.

Coun. McMAHON offered the following:

Ordered, That Dr. John J. Dowling, through his Honor the Mayor, be summarily removed and dismissed for neglect and incompetency as Superintendent of the Boston City Hospital.

President GREEN—The Chair feels obliged to rule the order out of order.

Coun. McMAHON—Mr. Chairman, will the Chair kindly advise me why the order is out of order?

President GREEN—The Council has no right to remove Doctor Dowling, Councilor. Removal would have to be done by the Mayor.

Coun. McMAHON—Mr. President, I rise to a point of information. Should I direct this order to the Mayor personally, or should action be taken by the body—the Council?

President GREEN—The gentleman can ask the Mayor to order the Trustees to remove Doctor Dowling, if he so specifies in his order. The Chair will declare a recess of five minutes, so that the councilor may draw up another order.

Coun. WILSON—Mr. President, if I may be permitted, while the councilor is doing that, I would like to utilize the time by presenting some orders to the body.

STREET RAILWAY LOCATIONS ON RIVER STREET.

Coun. WILSON offered the following:

Ordered, That the City Council, so far as may be within its power, hereby revokes any and all street railway locations now existing on River street, between Pierce square and Mattapan square.

Referred to the Executive Committee.

RESURFACING OF RIVER STREET.

Coun. WILSON offered the following:

Ordered, That the Public Works Commissioner, through his Honor, the Mayor be, and he hereby is, respectfully requested and urged to proceed as rapidly as possible with the resurfacing of the Ward 17 end of River street and further ordered, that active construction work recently interrupted be at once resumed.

Coun. WILSON—Mr. President, I would like to say a few words, partly with regard to reference of the first order which was referred to the Executive Committee, and also upon this second order. I would like to have both these orders passed under suspension of the rule. I would say that over a year ago when I first urged the immediate resurfacing of River street by the City of Boston, I was assured by the Mayor that the Ward 17 end would be taken care of this year and that the Ward 18 portion would be resurfaced as soon as possible in 1929. Early this year the Boston Elevated Railway Company in writing notified the Public Works Commissioner of its abandonment of any right to retain tracks, and on August 13 the city commenced the work of resurfacing River street. Last week I pointed out to the members of the City Council that the Public Works Department

had for some reason stopped all work on this much needed improvement, and that I had been informed that the Eastern Massachusetts Street Railway Company was demanding the payment of some \$90,000. Since the last meeting I have talked with Mr. Cummings of the Eastern Massachusetts Street Railway Company, and he states as follows: In 1903 the old Old Colony Street Railway Company, which later became part of the Eastern Massachusetts, gave a 99-year lease of track rights on River street, in Dorchester, to the Boston Elevated Street Railway Company. This year, when the Elevated abandoned the track, he said a settlement was reached between the Elevated Railway Company and the Eastern Massachusetts Street Railway Company whereby the trustees of the Elevated by formal vote authorized and directed general manager Dana to execute a settlement agreement whereby the Elevated Railway Company agreed to pay \$88,000 odd to compensate the Eastern Massachusetts Street Railway Company for these defunct rails. If that is so, I personally fail to see any logical reason preventing the completion of the resurfacing work by the Public Works Department, after waiting as we have in Dorchester for this work for over forty years. The Public Works Department has apparently ceased work on the street itself in the belief that some legal tangle exists. Yet the Elevated Railway has in writing relinquished its right, and the Eastern Massachusetts Street Railway Company claims, as far as it is concerned, to be satisfied. In order to drag the little dark fellow from beneath the woodpile, I have introduced these two orders just read, and I have also introduced a petition to the Board of Street Commissioners demanding the revocation by that Board of any existing franchises on River street. Notice of the hearing on that petition, scheduled for October 26, will be served on the Boston Elevated Railway Company and on the Eastern Massachusetts Street Railway Company. On that date we shall all see just where the opposition, if any, comes from and drag it out in the open. For some reason, somewhere along the line, some one has halted the resurfacing of River street, which should have been completed from Pierce square to Morton street as early as November 1. I ask a suspension of the rule and the passage of these two orders and, pending development at the hearing, I suggest that the Eastern Massachusetts jitney petition which was laid on the table last week be allowed to remain there for the present. I urge that both orders, including the first one, which was referred to the Executive Committee, be passed at this time.

President GREEN—The Chair will state that the order for the removal of tracks requires a public hearing and therefore it would be illegal if passed under a suspension of the rules. The reference to the Executive Committee stands.

The order for the resurfacing of River street was passed under a suspension of the rules.

FIREMEN IN CHARGE OF EACH FIREHOUSE.

Coun. SULLIVAN offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to arrange to have a fireman detailed to take charge of each firehouse while the rest of the members of said firehouse are responding to an alarm after 8 p. m.

Coun. SULLIVAN—In regard to this order, Mr. President and members of the Council, there have been losses to firemen in the last six months, ranging all the way from \$75 to \$125, while the men have been attending fires. The fire stations have been unprotected, and the gang, as you may say, have got wise to it and stolen money, clothing, etc., from different members of the department in different stations. At Station 23, Northampton street, there has been a loss of \$90, at Engine 13, on Cabot street, a loss of \$75, at Ladder 12 on Tremont street, a loss of \$120. The Law Department says that legally we cannot reimburse these men for the losses incurred while they are at fires. The commissioner has said that the department is undermanned and that it cannot detail a man to take care of the firehouses or stations while the men are responding to fires. But during the Sacco-Vanzetti trouble there was no difficulty in providing a detail for a number of weeks to protect these houses from trouble and from possible

loss of property that would result from the trouble. I think the Fire Commissioner, if he would look into the situation, could provide somebody to protect the property of the city and also of the men employed in the Fire Department, so that they will not suffer from these losses that are now becoming so frequent.

The order was passed under suspension of the rule.

RESURFACING OF K STREET.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of K street, from Broadway to First street, South Boston.

Passed under suspension of the rule.

NEW FIRE STATION, CITY POINT SECTION.

Coun. MAHONEY offered the following:

Ordered, That the Fire Commissioner, through his Honor the Mayor, be requested to provide for the construction of a new fire station in the City Point section of South Boston to house Ladder 19 and Engine 2.

Passed under suspension of the rule.

MAYWOOD AND SAVIN STREETS.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Maywood street and Savin street, Ward 12.

Passed under suspension of the rule.

SCHUYLER STREET.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Schuyler street, Ward 12.

Passed under suspension of the rule.

APPROVAL OF APPOINTMENT.

Coun. RUBY—Mr. President, for the Committee on Constables I would call up the name of Joseph L. Bennett, appointed as constable under No. 2 on the calendar.

President GREEN—If there is no objection, the name will be taken up by the Council for action.

The question came on the appointment by the Mayor October 1, 1928, of Joseph L. Bennett to be constable. Committee, Coun. Fish and Donovan. Whole number of ballots, 14, yeas 14, and the appointment was confirmed.

Adjourned at 3.40 p. m., on motion of Coun. DOWD, to meet on Monday, October 22, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 22, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, President GREEN in the chair and all the members present.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, October 22, 1928.
To the City Council.
Gentlemen,—Subject to the confirmation of your honorable body, I appoint the following named persons to the position of weigher for the term ending April 30, 1929.

Of Coal: Sarah Rosenfield, 139 Lamartine street, Jamaica Plain; Fannie E. Tamkin, 139 Lamartine street, Jamaica Plain; Frank S. McNeil, 28 Park street, Medford.

Measurer of Bark and Wood: Frank S. McNeil, 28 Park street, Medford.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Laid over a week under the law.

TRAFFIC CONTROL TOWER.

The following was received:

City of Boston,
Office of the Mayor, October 22, 1928.
To the City Council.
Gentlemen,—I transmit herewith a communication from the Police Commissioner, in reply to your Order of October 1, 1928, relative to the installation of a traffic control tower at the corner of Dorchester street and Broadway, Ward 6.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

October 16, 1928.

Ida Hibbard, Chief Clerk,
Office of the Mayor.

Dear Madam,—In reply to your note of the 4th of October with which you inclosed an order of the City Council that the Police Commissioner be requested, through his Honor the Mayor, to install a traffic control tower at the corner of Dorchester street and Broadway, Ward 6, I wish to state that a permanent traffic officer was placed at this location at the request of the South Boston Citizens' Association some time ago and new white lines have been laid at this intersection covering all portions of the street used by pedestrians.

If the Mayor's Traffic Survey Board is to remain in office I might suggest that this matter be submitted to them for such recommendation as they desire to make regarding the installation of a traffic control tower at the corner of Dorchester street and Broadway.

I am returning herewith for your files, original order of the City Council, copy of which has been retained for the files of this office.

Yours respectfully,
HERBERT A. WILSON,
Police Commissioner.

Placed on file.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, October 22, 1928.
To the City Council.

Gentlemen,—I am in receipt of the attached requests for transfers within departmental appro-

priations and respectfully recommend adoption of the accompanying orders.

Respectfully,
MALCOLM E. NICHOLS, 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 Weights and Measures Department:

From the appropriation for C-13, Tools and Instruments, \$15, to the appropriation for 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 transfer in the appropriations for Suffolk County Jail:

From the appropriation for C-3, Electrical, \$100, to the appropriation for C-13, Tools and Instruments, \$100.

From the appropriation for D-3, Fuel, \$1,900, to the appropriation for B-39, General Plant, \$500; D-8, Laundry, Cleaning, Toilet, \$150; D-13, Chemicals and Disinfectants, \$100; D-15, Tobacco, \$200; E-1, Building, \$500; E-10, Electrical, \$200; E-13, General Plant, \$150; F-9, Care of Dependents, \$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 Licensing Board:

From the appropriation for A-1, Permanent Employees, Clerk, 1 at \$2,000 per year, \$16.20, to the appropriation for A-1, Permanent Employees, Clerk and Messenger, 1 at \$1,200-\$1,300 per year, \$16.20.

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 D-1, Office, \$40.65, to the appropriation for C-9, Office, \$40.65.

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:

From the appropriation for A-1, Permanent Employees, Probation Officer, Assistant, 1 at \$2,000 per year, \$100, to the appropriation for B-13, Communication, \$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 Municipal Court, West Roxbury:

From the appropriation for A-1, Permanent Employees, Clerk, Second Assistant, 1 at \$2,025 per year, \$100; A-2, Temporary, \$350; C-10, Library, \$50, to the appropriation for B-4, Transportation of Persons, \$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 of Deeds:

From the appropriation for A-1, Permanent Employees, Clerks, Registered Land, 2 (4) at \$1,600 per year, \$200; Clerks, 2 at \$1,700-\$1,800 per year, \$200; Clerks, 4 at \$1,600-\$1,700 per year, \$40; Clerks, 6 (7) at \$1,600 per year, \$65; Clerks, 17 at \$1,500 per year, \$710; Clerks, 5 (7) at \$1,460 per year, \$415 to the appropriation for A-1, Permanent Employees, Copyists, 27, Piece Work, \$1,630.

From the appropriation for A-3, Unassigned, \$1,400, to the appropriation for A-2, Temporary, \$1,400.

From the appropriation for B-1, Printing and Binding, \$50, to the appropriation for B-39, General Plant, \$50.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

Alice M. Beaton, for compensation for injuries caused by an alleged defect at Park street and Dorchester avenue.

Lena Brenner, for compensation for damage to property at 148 G street, caused by defective sewer pipe.

Mary E. Calnan, for compensation for injuries caused by an alleged defect at F street and West Fourth street.

Mr. and Mrs. P. J. Cawley, for compensation for damage to property at 24 Aldrich street, caused by obstruction in sewer pipe.

Mary Chmiell, for compensation for damage to property at Eighth street and G street, caused by defective sewer pipes.

Dwight Smith Company, for compensation for damage to property at 1404 Columbia road, caused by defective sewer pipes.

Wolf Frances, for compensation for injuries caused by an alleged defect at 150-154 Hanover street.

Mrs. A. B. Harrigan, for compensation for injuries caused by an alleged defect in Glen road, Jamaica Plain.

George Locke, for compensation for injuries caused by an alleged defect at 53 Garden street.

Abraham Maloof, for compensation for damage to property at 129 Hudson street, caused by fall through from Municipal Building, Tyler street.

Herman Milda, for compensation for damage to property at 152 G street, caused by defective sewer pipe.

Albert Phipps, for compensation for damage to automobile by city truck.

Ellen Roherts, for compensation for injuries caused by an alleged defect in Boylston street.

A. E. Scown, for compensation for damage to property at 99 Cross street, caused by break in water main.

Joseph Taurinsky, for compensation for injuries and damage to automobile by fire apparatus.

Joseph P. Walsh, for compensation for damage to automobile by city truck.

John J. Ward, for compensation for damage to property at 602 Bennington street, caused by city team.

Francis D. Washington, for compensation for property taken by ashmen from 183 Massachusetts avenue.

Elzaheth Wrick, for compensation for injuries caused by an alleged defect at 322 West Third street.

Mrs. Julia Patten, for compensation for collapse of hoiler at 36 Iona street, Roslindale, caused by water being shut off.

Jennie A. Flanders, for compensation for injuries caused by an alleged defect at 34 Winter street.

Special Committee on Jitney Licenses.

Petition of Boston Elevated Railway to operate motor vehicles between Andrew Square Station and junction of D and Summer streets, South Boston, over Ellery street, Southampton street, Dorchester avenue and D street.

CONSTABLE'S BONDS.

The constables' bonds of James A. Canton and Joseph L. Bennett having been duly approved by the City Treasurer, were approved by the City Council.

DISCONTINUANCE OF CERTAIN STATION STOPS.

Notice was received from the Department of Public Utilities of hearing to be given November 20, at 10.30 a. m., on petition of New York, New Haven & Hartford Railroad Company to discontinue use of station buildings on eastbound tracks of petitioner at Mount Hope, Clarendon Hills and Hazelwood, and for permission to remove said buildings.

Placed on file.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings on petitions for storage and sale of gasolene to be held Monday, November 5, viz.:

John J. Nyrne, 172 and 174 Spring street, Ward 20, 2,000 gallons; Metropolitan District Commission (Water Division), 2380 Beacon street, Ward 21, 1,000 gallons.

Referred to the Executive Committee.

SIDEWALK ASSESSMENTS.

Notice was received from the Commissioner of Public Works with accompanying orders of assessments to owners of estates bordering on following streets:

Central avenue, Ward 18, half cost, \$12.
Tyndale street, Ward 20, half cost, \$66.34.
Rockview street, Ward 14, half cost, \$290.51.
Thatcher street, Ward 18, half cost, \$2,559.40.
Austin street, Ward 18, half cost, \$475.01.

The orders were severally passed under suspension of the rule.

APPROPRIATION OF \$2,000 FOR SOLDIERS' RELIEF DEPARTMENT.

Coun. MOTLEY offered the following:

Ordered, That there be allowed and paid to the Soldiers' Relief Commissioner and charged to the appropriation for the Soldiers' Relief Department the sum of \$2,000, said sum to be expended, subject to the approval of the chairman of the Committee on Soldiers' Relief, or in his absence by any other member of such committee, by such commissioner in affording immediate relief to persons entitled to aid under chapter 115 of the General Laws, and acts in amendment thereof and in addition thereto.

Passed under suspension of the rule.

EXCLUSION OF COMMERCIAL VEHICLES.

Coun. McMAHON, offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to exclude commercial vehicles from Oakland and Maryland streets, between Bay street and Savin Hill avenue, Dorchester.

Coun. McMAHON—Mr. President, referring to the order I have just presented, we have an odd situation out there, which has come up in the last six or seven months. There are big storage warehouses, and there are five-ton trucks—there must be sixty to seventy-five of them—and the number is getting greater and greater as the place fills up. These trucks use Oakland and Maryland streets for parking space, and are going through there afternoon and evening. The people living in that section want some action taken so that trucks will be excluded from those streets. I make the suggestion that they should run the trucks through Dorchester avenue over Bay street and through the other end of Oakland street, where these warehouses are located. That will do away with going by houses with a rumble and jar that knocks things off the shelf, and is a continual source of annoyance.

The order was passed under suspension of the rule.

ARC LIGHT, L STREET.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of an arc light in front of 752 East Broadway, at L street, South Boston.

Passed under suspension of the rule.

ELECTION ORDERS.

Coun. MAHONEY 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 pur-

pose by the Board of Election Commissioners, on Tuesday, the sixth day of November, 1928, for the election of Presidential Electors, Governor, Lieutenant-Governor, State Secretary, State Treasurer, State Auditor, Attorney-General, Senator in Congress, Representatives in Congress, Representatives in Congress in the Twelfth and the Fourteenth Districts to fill vacancies, Councilors, Senators in the General Court, Representatives in the General Court, Clerk of Supreme Judicial Court for the County of Suffolk, Clerk of Superior Court for Civil Business for the County of Suffolk, Clerk of Superior Court for Criminal Business for the County of Suffolk, Register of Deeds; also to give in their votes "yes" or "no" on the following questions.

Law Proposed by Initiative Petition.

Shall the proposed law which provides that it shall be lawful in any city which accepts the act by vote of its city council and in any town which accepts the act by vote of its inhabitants, to take part in or witness any athletic outdoor sport or game, except horse racing, automobile racing, boxing or hunting with firearms, on the Lord's Day between 2 and 6 p. m., that such sports or games shall take place on such playgrounds, parks or other places as may be designated in a license issued by certain licensing authorities; that no sport or game shall be permitted in a place other than a public playground or park within one thousand feet of any regular place of worship; that the charging of admission fees or the taking of collections or the receiving of remuneration by any person in charge of or participating in any such sport or game shall not be prohibited; that the license may be revoked; and that in cities and towns in which amateur sports or games are permitted under existing law such amateur sports or games may be held until the proposed law is accepted or the provisions of the existing law fall of acceptance on resubmission to the people, which law was disapproved in the Senate by a vote of 9 in the affirmative and 22 in the negative, and in the House of Representatives by a vote of 93 in the affirmative and 110 in the negative, be approved?

Question of Public Policy.

Shall the senator from this district be instructed to vote for a resolution requesting Congress to take action for the repeal of the Eighteenth Amendment to the Constitution of the United States, known as the prohibition amendment?

The polls at said meetings shall be opened at six o'clock a. m. and closed at eight o'clock p. m.

Ordered, That the City Clerk be hereby directed to give notice of said meetings according to law.

Passed under suspension of the rule.

Coun. MAHONEY offered the following:

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 6, 1928.

Passed under a suspension of the rules.

ORMOND STREET, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept as a public highway Ormond street, Ward 14.

Passed under suspension of the rule.

DUKE STREET, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Duke street, Ward 14, as a public highway.

Passed under suspension of the rule.

NORMANDY STREET, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor,

to lay out and accept as a public highway Normandy street, from Devon street to Stanwood street, Ward 14.

Passed under suspension of the rule.

PROVISION FOR ADDITIONAL REGISTRATION BOOKS.

Coun. FITZGERALD offered the following:

Ordered, That the Board of Election Commissioners be instructed to confer with his Honor the Mayor and Budget Commissioner for the purpose of transferring a sufficient sum of money to provide for six additional registration books for each ward in Boston; also to provide for sixty additional stamps to be used in the stamping of naturalization papers and for sixty boxes which should contain the extracts from the Constitution which each voter is required to read before the completion of his registration. This paraphernalia should be provided for at once in order that we may be properly prepared to meet any emergency in the coming municipal election which will take place in 1929.

Coun. FITZGERALD—Mr. President, my purpose in introducing this order so early is to give the election commissioners every opportunity to find the necessary paraphernalia for registration purposes. If we wait until the budget goes into effect, provision will not be made for these things nor until we almost have an election upon us, and the commissioners will not have the time to get ready the paraphernalia for which I have provided in this order. During the past few weeks we have witnessed a breaking down of the system, owing to the fact that the election commissioners were not properly prepared. They did not provide a sufficient number of registry books for the different wards, they did not provide a sufficient number of stamps to be used in the stamping of naturalization papers, and they did not provide a sufficient number of boxes containing extracts of the Constitution, which each voter is required to read before the completion of his registration. Anybody going to the election office could see the long lines of people waiting to be registered, and could see the clerk running from one end of the room to the other to get papers and cards for them to read. All this sort of thing, in my opinion, resulted in losing 3,000 or 4,000 voters from the list this year. They were not prepared, did not provide proper facilities for registration. People were cramped in one room, when, for instance, the register's office might have been opened, with a long counter, the basement of City Hall, where there is a long counter, could have been employed, and there would have been an opportunity for people to register without being crowded and jammed in the way that they were. We don't want that sort of thing to happen again. We don't want, after another registration period has passed by, to find that thousands of people whose names should be on the voting list are not there. As a matter of fact, if competent employees were put there it would have been different. Assistants were put in who were not sufficiently acquainted with this kind of work. It is a political work; it is a work that men trained in politics know something about. It is a work where common sense and judgment should be used, and nobody should have saddled on that department people who were not competent. One vote may decide the election, and if people in authority have been responsible for placing in that department temporary employees not competent to do the work, the blame is on them. The law specifically states that those doing this work shall be divided between the political parties and there was but one idea when the law was put on the statute books. It was that men who were trained, who had had some experience in handling elections, should be appointed to those places, Democrats as well as Republicans; that nobody should be allowed to suffer unnecessary delay or inconvenience, and that everybody should be given that opportunity to register. I saw long lines of men and women left at the windows, left standing at the windows while these employees were looking up voters from their previous registration. The commission should have made provisions so that there would be no such delay, that if men and women came without registration papers and claimed that they had voted before, their registration should have been completed, and the following day the clerk should

have been put at work on finding the information. Then, if they could not find a previous registration, they could easily strike the names from the list, not taking fifteen or twenty minutes time while a long line of people was waiting in order to find the previous registration. Many people came, got tired, and had to leave. That should not have been the case. I finally, near the close of registration, called the attention of Mr. O'Connor to the situation, and it was then to an extent relieved. But that was the last hour. Why wait until the last hour? It should have been properly handled before. I grant you that the clerks were tired, but many of them, Mr. President, did not give the citizens of Boston a fair show. Many of them owe their places to politics, and politics only. You may hear about their ability and the work they can do, but unless they had friends they never would have been placed there. They are servants of the people, Mr. President, not of those who placed them there. Many of them were officious, overbearing, and treated people with contempt. That certainly should not be so. I was there and had several controversies on the last night of registration. I had to force them to open four books at one time. They wanted to shut everything up. Of course, that was only so with some of the clerks. True, they had had to work long hours, but others who were there trying to get registered were putting in long hours. Only the people properly fitted for the work should have been placed in those positions, and nobody should have placed them there unless properly fitted. I believe in having competent men in any position. It is all right in politics to take care of your friends, if they are competent, but if not, they should not be put in. I know how we all feel. We have our friends to take care of, but they should not burden us because of their incompetence and try to compel us to provide for them when they are not fit for the work. Now, I have simply introduced this order so as to give the election commissioners an opportunity to look at this matter and take steps to provide themselves with the proper equipment for this sort of work. I would also say that it is hard to understand why registration booths were placed in some wards at the extreme end, near the ward line. Take the situation in Wards 3, 4 and 5. In my ward, for instance, people were required to go to the extreme end, the Roxbury end of the ward, and the same thing was true in Wards 4 and 5. In Ward 5, for example, they had to go almost out to the Allston line. Special arrangements should be made in such cases to accommodate the people from different sections. I certainly hope that next year the commissioners will have no opportunity to say that they have not sufficient books and paraphernalia.

Coun. RUBY—Mr. President, I cannot sit here and listen to some of the remarks of the councilor from Ward 3 without feeling that an answer should be made. I will agree with him when he says that the paraphernalia, equipment and facilities were not proper for the conduct of what has been admitted by everybody in Boston to be a record registration, a registration comparing favorably with that in any city or town in the country. The Boston registration, Mr. President, came within a little less than two thousand of the estimated outside figure. The men who were most familiar with politics in this city estimated that 300,000 would be a maximum registration in Boston, and 298,000 and some odd votes were registered. That certainly shows that somebody must have done valiant, courageous and efficient work. There is no question in my mind but what the men employed in the Election Department did yoman work in the matter of registration in Boston: 98,000 registered after the primaries; 5,500, 6,500, 7,500, and 8,000 registered on each of the last four or five days of the registration period, and this despite the fact that outside registration was only a little above normal, so that the bulk of the registration took place right in this very building, in the Election Department. It seems strange for the councilor from Ward 3 (Coun. Fitzgerald) to at this time criticize those clerks who worked day after day and night after night, long after the usual time for a human being to work had expired, getting in prior to nine o'clock in the morning and leaving at midnight for twelve or more consecutive nights. Personally, I visited the Election Department while the registration was going on at least once a day, and in many instances several times a

day, and every clerk behind the counter, as I observed, worked at least as efficiently, accurately and assiduously as any of us could have done, taking into consideration the size of the job they were doing. It is true that extra men were hired, and I might agree that every one of those extra men was not perhaps of the caliber and he had not had the experience that you would expect of a clerk on the permanent force. But they were doing their best, and it was an emergency condition, such as you sometimes have to deal with in every line of work, not alone in City Hall affairs. But I certainly do not think it is fair for the councilor from Ward 3 to criticize the actions of the regular men in the Election Department at least, who, as agreed by everybody, performed a great piece of work, and many of the people connected with his own party were there at the closing moment of registration, waiting until the work was closed to congratulate not only the election commissioners but every clerk in the department for the valiant and wonderful work that the department had accomplished. While the improvements that the gentleman suggested in his order are necessary, we ought not at this time, after the wonderful work done by the Election Department, to criticize them for not having done the work better, when the registration was almost 100 per cent more than had been anticipated.

Coun. DOWD—Mr. President, I agree with both councilors. I do want, however, to bring to the attention of the Council one session we had in Executive Committee when Mr. Seiberlich appeared before us. Mr. Seiberlich, in his suave manner, advised us that there was no necessity for outside registration. I want to say now to Mr. Seiberlich, that if there was no necessity for outside registration, I wonder how it was that every ward in the city was compelled, during evenings of registration, to send people to City Hall that they might be registered? I also wonder how it was that five hundred people were left in City Hall unable to register at the last moment, due to the courtesy and kindness of our Republican Chairman Seiberlich? I would also like to say to the members, Democratic and Republican, that I was somewhat amused to read this morning the statement of Chairman Prescott of the Republican Committee, informing us that an investigation of the Boston situation was to take place. My only answer is that the Republican machine in Boston is in the hands of a Republican Mayor, and if there has been any illegality in the registration of voters the Republicans and not the Democrats are to be blamed for it.

Coun. SULLIVAN—Mr. President, I don't think the councilor from Ward 3 (Coun. Fitzgerald) was very diplomatic when he tried to throw down men who have worked night and day and have done a man's job in the registration of voters during the past two or three months. I certainly think it is unkind of him to knock men who have worked the way they did. During the registration, particularly during the past two weeks, I made a visit to the different registration booths, and at any time when I did so I saw the noble work that those engaged in the registration were performing up to the very last. I certainly think at this time the men in the Election Commissioner's office should be congratulated on the good job they did. As Coun. Ruby has said, the highest estimate of possible registration in this city was 300,000 voters, and they came within less 2,000 votes of reaching that number. It was a wonderful job, and I say that they should receive a vote of thanks from this body.

Coun. FITZGERALD—Mr. President, notwithstanding what the previous speaker has said, I do not take back a word that I said. I was there the last night of registration and know what I am talking about. I forced them to open some of the books. Also gentlemen who had served with me in the Legislature, some of them Republicans, were there, and there was a protest all around. They cannot defend the action of some of the clerks that night. I have had a lot of experience in that sort of thing, and I know what transpired. I know how hard you had to fight to get your rights there, and a man sitting near me knows it was a hard job that evening. We had to force them to open books. It is all right for you to defend these men, and I will be the quickest to stand by those who did do good work. I know that there were competent men there, but that does not excuse the incompetent men they had there, and it does not

excuse the overbearing attitude of some of them. They are the servants of the people and not dictators. There were lots of things that happened there, and perhaps if the gentleman from Dorchester were there he would have had cause to complain. His own ward, I maintain, lost one hundred votes that night, because of people who went away in disgust. Many were turned away, coming from different wards, because of the treatment they received. I charge that if those clerks had used their judgment and common sense those people would not have been turned away. Of course, we understand that the law reads that prospective voters shall read five lines of the Constitution. But, common sense must be used. When men are of foreign extraction, of course you must be more particular. But there is no reason why young men or women born in this city, educated in our public schools and colleges, should be held up necessarily and forced to do things, when common sense would have shown that what they had done was sufficient. I have had some experience in that department and in that work. I served in the department many years ago, at the time of the great Storrow fight, a time of stalwart men, when the Republicans put forward men of reputation, and so did the Democrats. They represented something, stood for something, not like the men of today. But, as I say, I have simply introduced this order so that this same thing will not happen again a year from now. I have friends in the department, men from my own ward who work there. But I criticize clerks who were there that night, no matter where they came from, I don't know. But I tell you that they did not act right on that evening, and it does not behoove anybody to speak in defence of them. I know they did not give a fair deal to the citizens of this city that night, when it is all sifted down. Many men and women who came there that night to be registered had to go away without the opportunity to be registered. There were people with families, with different things that prevented them from coming when they might have liked to come. A lot of women did not have time. But justice should be observed in such matters. I am talking particularly about the last night. I know that two clerks there deliberately held up the registration in three wards, Charlestown and East Boston. There was a long line of people there, and they were held up, Mr. President. If you gentlemen remember, it was a terribly hot night. There was unnecessary delay in holding up hundreds, yes, thousands, who should have been registered. I say that there were fully 3,000 people who should have been registered, who were not. It was a time when the people doing that work should be cool, when they should have used judgment, when they should have facilitated the work of registration. I don't make any personal attack, but mistakes were made, and those there were not prepared to meet the emergency. Preparation to meet the emergency that could have been foreseen should have been made weeks and months ago, but no proper arrangements were made to take care of the situation. Even in the last three days arrangements for registration in the different wards in the afternoon would have relieved the situation. The fact is that some of those men did not do as they should have done. I spoke to them and said I would get up in the meeting of the Council and make this statement. I am not going to call them by name, but they know. If they did it deliberately, they know what was in their hearts. If they did it for partisan purposes, that is another thing. Let them answer for themselves to their own consciences.

Coun. RUBY—Mr. Chairman, I don't want to waste the time of the Council, but I do not wish to allow the exaggerated remarks of the gentleman about Ward 14 to pass unchallenged. He should know better than to make the remarks he has made in regard to Ward 14. There was no such number in that ward that did not have an opportunity to register. There were not one hundred. In fact, there were much fewer. In the eight days prior to the Primaries there were 3,268 registered and no one who wanted to be registered was kept out. In the twelve days prior to the close of registration just ended 1,683, or 50 per cent of the registration prior to the Primaries, were registered. On the last night nobody was left out who wanted to register.

Coun. FITZGERALD—Will the gentleman yield for a question?

Coun. RUBY.—Yes, sir.

Coun. FITZGERALD—Were you there in the central office that evening from six to ten?

Coun. RUBY—I was not, sir. Continuing, Mr. President, I was in Ward 14 that evening, where I felt that I should be, to see that every one of the people who lived in my district and who desired to be registered was given that opportunity to register. I did not see fit to go to the Election Department, where I might be spending valuable time which I owed to my constituency for the purpose of criticizing and possibly burting the work going on in the department. I felt that I had no right to interfere with the work of the department in any such way. But I do want to say that no one hundred people from Ward 14 went to the Election Department and were refused an opportunity to register. It is all well and good to criticize when criticism is in order, but I still maintain that there is no department in City Hall that works more zealously and more faithfully than did the entire Election Department during this registration period. If the gentleman from Ward 3 (Coun. Fitzgerald) will refer to the papers—not any particular paper but to all the papers—he will see that the Democratic candidate for Governor, or someone from the Democratic State Committee representing him,—and I think I am quoting correctly,—congratulated the men in the employ of the Election Department upon the wonderful job they did in the matter of registration. I am not criticizing anybody. Every person who desires to be registered during a registration period should have every facility open to him or her to do so; but if, after the thing is all over, we know that certain corrections should be made, let us make them without taking a rap at those who do not deserve it.

Coun. DOWLING—Mr. President, I move the previous question.

The main question was ordered.

Coun. MOTLEY—Mr. President, I would like to ask the councilor from Ward 3, who is the chairman of the Democratic City Committee, if, according to the papers today, when Chairman Prescott of the Republican State Committee charged that the children of Boston were registered at the Election Department, under the control—

President GREEN—Any question is out of order as the main question has been ordered.

The order was passed under suspension of the rule.

CEDAR STREET, WARD 20.

Coun. KEENE offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Cedar street, Ward 20, as a public highway.

Passed under suspension of the rule.

RECESS.

The Council voted, on motion of Coun. MOTLEY, at 2.50 p. m., to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by President GREEN at 3.54 p. m.

EXECUTIVE COMMITTEE REPORT.

Coun. KEENE, for the Executive Committee, submitted report, as follows:

1. Report on message of Mayor and orders (referred today) making transfers within departmental appropriations—that same ought to pass.

Report accepted; said orders passed, yeas 20; nays 0, Coun. Dowling, 1.

SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of October, 1928.

Passed under suspension of the rule.

MODIFICATION OF SOLDIERS' RELIEF PAY ROLLS.

Coun. MOTLEY offered the following:

Ordered, That authority be, and until further ordered hereby is, delegated to the Soldiers' Relief Commissioner to so modify pay rolls now or hereafter approved by the City Council so that said Soldiers' Relief Commissioner may, in his discretion, take into account any amounts paid to applicants on emergency pay rolls when paying said applicants on the regular pay rolls of the Soldiers' Relief Department.

Coun. MOTLEY—Mr. President, just a word in reference to this order. The purpose of this order is to put the Soldiers' Relief on the regular pay roll under the system in effect at the present time.

The order was passed under suspension of the rule.

COMMITTEE ON JITNEY LICENSES.

Coun. DOWD, for the Committee on Jitney Licenses, submitted report as follows:

1. Report on petition (referred October 1) of Boston Elevated Railway Company for license to operate motor vehicles between Grove and Centre streets and Vermont and Baker streets—that license be granted.

Coun. DOWD—Mr. President, the report of the Jitney Committee is simply that there be an extension of the present bus lines in the West Roxbury district. This is Coun. Keene's district and he attended the meeting and informs us of the situation in the district, and the importance of having this action taken. Perhaps he would like to say a word about it.

Coun. KEENE—Mr. President, at the present time the Boston Elevated is running a bus line from Washington street to Centre street, and the purpose is to continue that bus line up LaGrange and Vermont streets, taking care of the district between Centre street and the Brookline line. A hearing was held at the Boston Elevated office, at which the senator from the district and two representatives appeared in favor of granting this addition. This is a much needed addition, and the citizens of the district would appreciate very much the granting of the license.

Report accepted; said license granted.

COMMITTEE ON PARKMAN FUND.

Coun. PARKMAN, for the Committee on Parkman Fund, submitted report as follows:

1. Report on message of Mayor and order (referred September 25) for appropriation of \$70,000 from Parkman Fund for Fens Improvement—that same ought to pass.

Coun. PARKMAN—Mr. President, I have just one word to say in reference to that order. It includes a total of \$70,000 for Fens improvement along the lines upon which we have already gone. A part of the Fens improvement is extension of the bleachers. I originally opposed a similar order for expenditure of money from the Parkman Fund, because I did not believe it came strictly within the terms of the will. But at that time we were given the opinion of the Law Department to the contrary. In view of that fact I shall not oppose it at this time.

President GREEN—The question is on accepting the report of the committee, and the Clerk will call the roll.

Coun. DOWD—Mr. President, while I am not opposing the expenditure of \$70,000 proposed to be made from department funds on the Fens I think it is about time that some little attention was given to individual parks in different parts of the City of Boston. If I am correct, and I believe I am, about 90 per cent of the department funds in the last three years has been spent on beautifying the Fens. That is a very splendid idea, but, at the same time, I don't think it was the intention of the late Mr. Parkman, when he left the money, to have so large a proportion of it spent in that way. I am of the opinion that he felt that the various parks in different wards and sections of the city should be given a little attention. They have been sadly neglected. There is not a member of the Council who has not a park in his

ward but that requires attention. I ask you, Mr. President, in all sincerity, why should 90 per cent of the Parkman Fund go to beautifying the Fens? I think some little attention should be paid to local parts in East Boston, South Boston, Roxbury, Dorchester and other parts of the city. The report was accepted and the order was passed, yeas 19, nays 0.

COMMITTEE ON FINANCE.

Coun. BUSH, for the Committee on Finance, submitted report as follows:

1. Report on message of Mayor and order (referred September 10) appropriating \$1,100,000 for widening of Exchange street—that same ought not to pass, without prejudice.

Coun. BUSH—Mr. President, this loan order for the widening of Exchange street is a very hardy bloom, almost a perennial, the last few years. It was first petitioned for through the medium of the Legislature, through a bill that would allow money to be borrowed outside the debt limit, by Mayor Curley, in 1923. He then requested a loan not to exceed \$1,700,000 for widening the street to a width not to exceed 54 feet. In 1925 the Special Committee on Intermediate Thoroughfare presented a bill to the Legislature for the same thing, requesting \$1,920,000, the bill carrying substantially the same provisions. In 1926, Alvin E. Hodson presented a bill requesting \$1,980,000 for a widening not exceeding 70 feet, and in the same year a bill was presented on behalf of the Mayor by Elijah Adlow requesting \$2,860,000. Finally, in 1928, this year, Mayor Nichols petitioned the Legislature for \$3,250,000 to accomplish the same purpose. This was subsequently amended at the hearing before the Committee on Municipal Finance to \$2,000,000 up to \$2,600,000, at the request of the proponent of the bill, who said they thought it could be done for that sum. On each of these petitions the Legislature either voted "Next annual session" or the bill was never reported by the committee or was rejected by the Legislature, I am not prepared to say which. In any event, the petition failed of accomplishment. They were all brought for the purpose of borrowing the money outside the debt limit. Failing in that, the Mayor has presented the loan order which is before the Council today requesting a loan within the debt limit of \$1,100,000. In his letter sent to the Council and published on the first page of the minutes on September 15, 1928, he states that there is an amount available for this purpose of \$100,000 from loans for highways, making of, which he intends to add to the \$1,100,000, making a total of \$1,200,000.

The committee held several hearings on the matter and had before it a letter from Frederic H. Fay, chairman of the Planning Board, who stated that he was unable to be present but that the Planning Board had previously voted on the matter and recommended by a vote of the Board that the widening be done. The chairman of the Board of Street Commissioners also appeared at these hearings and stated that that Board had favored this widening for a period of some fifteen years. Upon interrogation, he stated that it was his opinion that the widening ought to be done at any cost. He placed no limit upon the cost, reiterating several times that the widening was worth while at any price. Mr. O'Callaghan, also a member of the Board of Street Commissioners, would not commit himself to that extent. He stated that he thought the widening was justified at any reasonable price and that the amount estimated, \$2,600,000, was in his opinion a reasonable figure to make. He did state, however, that he did not think the widening was justifiable at any price, but would not permit himself to a limit of what the price should be. In a plan which the chairman of the Board brought with him it was shown that it is the intention of the Board of Street Commissioners to take sufficient land on what I believe is the easterly side of Exchange street, or the right-hand side looking from State street toward Dock square, to widen Exchange street to a width of 55 feet from building to building. The present width of Exchange street is 23 or 24 feet from building to building. There are four parcels of land involved in that taking. The first parcel, known as 40 State street, contains a total of 11,000 square feet. The one adjoining that contains a total of 7,396 square feet.

The parcel adjoining that contains 2,397 square feet, and the one at the corner of Dock square and Exchange street, some 900 square feet. Of the 40 State street parcel it is proposed to take 4,498 square feet, and of the one adjoining it 1,826 square feet; the one adjoining that 1,906 square feet and the last one 824 square feet. The damage to the remaining land on the first parcel will apparently be not quite as great as to the other parcels, the remainder in some of the other parcels being practically useless for any purpose whatsoever so far as building on them is concerned. The Chairman of the Board of Street Commissioners was asked by the committee if any attempt had been made by any of the administrative departments of the city to co-operate or collaborate or agree upon a definite and specific price for the land to be taken, with the owners of the property. He said that no such attempt had been made. He was further asked whether, in his opinion, the recommendation of the Finance

Commission with reference to such an agreement should not be taken, and he said that the recommendations of the Finance Commission were very general and that they periodically made the same recommendations and that no attention was ever paid to them. The assessed valuations on this property have not varied very much since the first bill was introduced in the Legislature. The total assessed valuations for the property allotted the State in 1923 were \$2,465,000; the total assessed valuations at the present time are slightly under that, some \$2,350,000. I do not want to burden this Council with a large number of figures showing the assessed valuations on the property, but I have here tabulated those valuations for the buildings and the land on the various parcels, and I will ask that this be made a part of the record for observation and perusal by the Council later when published in the Council minutes.

ASSESSED VALUATIONS OF LAND INVOLVED IN EXCHANGE STREET WIDENING.

	Area.	Land.	Buildings.	Total.
1923.				
40 State street	11,000	\$1,485,000	\$165,000	\$1,650,000
13-23 Exchange street	7,396	281,000	69,000	350,000
27-35 Exchange street	2,397	119,800	30,200	150,000
30 Dock square	1,450	145,000	20,000	165,000
28 Dock square	2,055	143,800	6,200	150,000
Total	24,298	\$2,174,600	\$290,400	\$2,465,000
1924.				
40 State street	11,000	\$1,485,000	\$165,000	\$1,650,000
13-23 Exchange street	7,396	281,000	69,000	350,000
27-35 Exchange street	2,397	119,800	30,200	150,000
30 Dock square	1,450	145,000	20,000	165,000
28 Dock square	2,055	143,800	6,200	150,000
Total	24,298	\$2,174,600	\$290,400	\$2,465,000
1925.				
40 State street	11,000	\$1,485,000	\$165,000	\$1,650,000
13-23 Exchange street	7,396	281,000	69,000	350,000
27-35 Exchange street	2,397	119,800	30,200	150,000
30 Dock square	1,450	152,200	22,800	175,000
28 Dock square	2,055	143,800	6,200	150,000
Total	24,298	\$2,181,800	\$293,200	\$2,475,000
1926.				
40 State street	11,000	\$1,485,000	\$165,000	\$1,650,000
13-23 Exchange street	7,396	281,000	69,000	350,000
27-35 Exchange street	2,397	131,800	28,200	160,000
30 Dock square	709	85,000	5,000	90,000
28 Dock square	1,262	100,100	100,100
Total	22,764	\$2,082,900	\$267,200	\$2,350,100
1927.				
40 State street	11,000	\$1,485,000	\$165,000	\$1,650,000
13-23 Exchange street	7,396	281,000	69,000	350,000
27-35 Exchange street	2,397	131,800	28,200	160,000
30 Dock square	709	85,000	*	85,000
28 Dock square	1,262	100,100	*	100,100
Total	22,764	\$2,082,900	\$262,200	\$2,345,100

* New buildings constructed since 1927 valuation may add \$100,000 to this amount.

The committee were very much interested to learn just where the \$700,000 which was to be taken from loans for the acceptance and laying out of this street was to be obtained, and for the purpose of getting such information the City Auditor, Rupert S. Carven, was asked to appear before the committee. He, in conjunction with the Street Commissioners, testified that this was an accumulation over a period of several years' time; that it represented unexpended balances which had accumulated over this period of years. I would call the attention of the Council to the statement in the first paragraph in the Mayor's

letter to the effect that some \$3,000,000 in loan orders since the beginning of this administration has been authorized by this Council and that of this amount \$2,000,000 has been used by the Street Commissioners in laying out and constructing streets, chiefly in suburban districts, with only a small amount expended within the city proper. Up to September 1st he says the Street Commissioners have ordered the construction of about 115 streets in the suburban districts. He further speaks of this special appropriation calling for the construction of Oakland, Asland, River, Lowell, Nashua and Causeway streets.

But, of course, those were taken care of by specific loan orders for that particular purpose, having nothing to do with the \$3,000,000 authorized by this Council for the purpose of accepting and laying out new streets in the suburban district. The committee made an attempt then to discover exactly where these unexpended balances originated, and in what years, and were unable to get the information. There seemed to be a considerable amount of passing the buck from the Board of Street Commissioners to the City Auditor and from the City Auditor back to the Board of Street Commissioners, and then from the Board of Street Commissioners to the Public Works Department, and, somehow, the exact, specific and definite information was not available in time for this meeting. Both Mr. Hurley and Mr. O'Callaghan said that in their opinion that this was a very necessary widening, that it would provide a through artery from the South to the North Stations, and that with the construction of the Congress Street Bridge, a main artery would be opened up. Mr. Hurley also testified that, in his opinion, there would be a great relief from traffic congestion. I have no quarrel with him on that score. I think relief from traffic congestion would perhaps result if there were no parking allowed on the streets. On being asked how he was going to avoid the congestion below that point on Washington street, from the traffic which came down Washington street, the traffic which came from Congress street to Exchange street and the traffic that came through Brattle street, which would finally terminate in the neck of a bottle just beyond Dock square, he stated that it was the plan of the Board to make both sides of Washington street at the point where the subway runs through the center two-way streets, which would allow the traffic to run on both sides of that subway in both directions. He did not think there would be any interference by virtue of the traffic from one side crossing over three lines of traffic in turning from the other side of the subway to get into either Devonshire or Exchange streets. The members of this Board are perfectly familiar with the reported recommendations of the Finance Commission. In their report they state that the widening might be worth while if it could be done at a reasonable cost; that unless that cost can be ascertained in some definite way, they do not recommend that the project be put through. My opinion more or less coincides with that. It recently appeared in the newspaper that the Finance Commission had requested the Governor to look into the matter of land-takings which have been made in the past and the extraordinary jury verdicts and settlements which resulted therefrom. In light of the city's experience, it seems that, although it has been estimated by the Board of Street Commissioners, the Mayor and the City Planning Board, that the amount in the case of Exchange street should not be in excess of \$2,600,000, it is impossible for either them or this Council to say that that will be the limit of cost to the city. If previous experience in these matters is any criterion, there is nothing to prevent these four property owners from refusing the damage awards, or even from accepting the damage awards and then instituting *pro tanto* proceedings to recover more money from the city. It is impossible to foretell at the present time whether the cost will be the \$2,600,000 which they state or whether it may run to over \$3,000,000 or even as high as \$5,000,000. Mr. Freeman, testifying before the committee as a real estate expert for the City of Boston, stated that in his opinion a fair price for the corner parcel at 40 State street, which is the only one under consideration by the Mayor and Board of Street Commissioners at the present time, should not be more than \$1,725,000. He arrives at that figure in this manner. He says the valuation of the land at that point is \$135 a square foot, and that, roughly, adding 50 per cent to the assessed valuation would make the fair market value of that property \$200 a square foot. There are slightly less than 5,000 square feet of that property to be taken at \$200 a square foot. He then says the remainder of that land will be damaged, perhaps not all to the same extent, because of the nature of the line, which is quite irregular, working out and narrowing down at one point so as to make a very narrow strip. That is, there is the part fronting on State street, which could be used for building purposes, another portion in the middle, which would be practically useless, and a third portion

farther on, fronting on Exchange street, which might be worth as much as it was before. He feels that the damage done to this remaining land would add on a sufficient amount to bring the sum up to \$1,725,000. I wish also to call to the attention of the Council another phase of this situation. If this corner parcel, on State and Exchange streets, is taken this year, the remaining land, which is now assessed for a much smaller figure than the corner lot— one parcel being assessed for \$78 a square foot, another for \$53, and the one near the corner of Dock square for \$120,—will present another serious problem to the city. What will there then be to prevent the owners of those parcels from saying next year, "You have made an improvement here; our land is now worth considerably more than it was before?" They might take that position with some justice. As I understand, the extraordinary award that was made by jury for land taken at Fields Corner by the Transit Commission was caused by just such a situation. A parcel of land was taken first, and the improvement was made. Subsequently more land was taken and the award of the jury came as the result of the introduction of evidence by experts that since the previous taking the land had increased enormously in value as the result of the first taking. I see nothing to prevent the other owners along Exchange street from taking advantage of a similar situation here. It is not my contention, Mr. President and gentlemen, that this widening has no merit in it. I think there is some measure of relief to be obtained to the traffic situation by accomplishing the widening. But to me it seems a question whether the widening is justified by the cost, or by what it is intended to pay for it. I am not willing to commit myself to the proposition that the widening justifies an expenditure of \$2,600,000. I certainly would not be in favor of a widening which would cost in excess of that and there is no guaranty that the cost will not be in excess of \$2,600,000, because, according to the testimony presented to the committee, there is no evidence that any attempt has been made to dicker with these property owners or to come to any terms with them. Certainly if they are going to take advantage of their right to institute *pro tanto* proceedings after the award, there is no telling what the limit of cost may be on this proposition. It is largely because such information was not available when the committee voted to report back "Ought not to pass without prejudice." I don't think the members of the committee were definitely opposed to the widening as something which has no merit of any kind, but they did not feel that the widening was justified without some more knowledge of the limit of cost in carrying the project through. Of course, the fact that the building on the corner is now being razed and that a new building is to be erected, ought to have some bearing in the matter, for if a new building at a substantial cost is erected on that site it will undoubtedly forever banish the prospect of widening Exchange street. But this need not necessarily scare the Council into voting for it, because there are plenty of other opportunities available, if not at that point, at a point a little lower down, which will answer the same purpose, at perhaps a less cost, or at least no greater cost. Therefore, it is my opinion that the Council ought to give this matter much further consideration before definitely committing the city to a project of this kind, where no knowledge of what the ultimate cost of carrying it through can be obtained at the present time.

Coun. KEENE—Mr. President, I move, sir, that the order be laid on the table and be specially assigned on the calendar to one week from today.

Coun. BUSH—Mr. President, if the body will just allow me to call this to their attention before a vote is taken on that motion, I have no objection to laying on the table —

President GREEN—I was going to say, for the benefit of the Council, that Coun. Keene's motion is not debatable.

Coun. BUSH—I appreciate that, Mr. President, but I would like the privilege of being able to say what I am about to say, so that I shall not be misunderstood.

Coun. KEENE—Mr. President, I move that the councilor be given a unanimous consent to make a statement.

President GREEN—If there is no objection, the councilor will proceed.

Coun. BUSH—Mr. President, I merely want to call this to the attention of the members of the

Council, that at some period in the past, when the snow removal loan order was laid on the table in just such a manner, it took only twelve votes to keep it on the table, an order which required fifteen votes for passing.

Coun. KEENE—Mr. President, I intended to overcome that by including in this motion the provision that it be specially assigned on the calendar to a week from today.

Coun. DOWD—Mr. President, before I cast my vote —

President GREEN—The gentleman is out of order. The gentleman must ask unanimous consent to make a statement.

Coun. DOWD—Mr. President, I would like to have the unanimous consent of the body to ask the President a question before I vote on the matter one way or the other.

President GREEN—The Chair hears no objection.

Coun. DOWD—Do I understand Coun. Keene's motion that next week the matter automatically comes before the body, or does it require a motion to take it from the table?

President GREEN—It will automatically come before the body. That is the effect of the motion.

Coun. KEENE—It is practically an assignment of the matter for one week.

Coun. WILSON—Mr. President, do I understand that the motion to lay on the table for one week brings it up automatically without any other action being taken?

President GREEN—The Chair so understands.

Coun. WILSON—That it will automatically come up?

President GREEN—Yes.

Coun. FITZGERALD—Mr. President, I rise to a point of order that, inasmuch as a vote has been taken, I ask the Chair to announce it.

The motion to lay on the table and assign the matter to the next meeting of the Council was declared carried.

Coun. FITZGERALD—I doubt the vote to lay on the table.

The rising vote was taken, and the motion to lay on the table until the next meeting was declared carried, 13 to 7.

President GREEN—The matter is laid on the table for one week.

Coun. FITZGERALD—Mr. President, I further doubt the vote.

Coun. PARKMAN—Mr. President, I believe there is a good deal of confusion here in the Chamber as to just what we are voting on. I think the councilor from Ward 3 (Coun. Fitzgerald) if he understood the situation as I do, would vote the same way that I do. As I understand it, if the matter is practically assigned for next week, it will then be taken up, without requiring a majority vote to take it from the table. Having in mind that that was the situation, that is the way I voted on the matter. That is the way I understood it.

President GREEN—For the information of Coun. Parkman, that is the way the Chair put the motion, to lay on the table for one week, and it automatically comes up at that time.

Coun. FITZGERALD—I did not so understand it, Mr. President. I felt if it were definitely postponed for one week there would be no question about then taking it up from the table —

President GREEN—The gentleman is out of order. The matter is laid on the table for one week.

TRAFFIC LIGHTS, CLEARY SQUARE.

Coun. MURPHY offered the following:

Ordered, That the Traffic Engineers be requested, through his Honor the Mayor, to conduct an investigation and report to the City Council as to the advisability of installing traffic signal lights at Cleary square, Hyde Park.

Passed under suspension of the rule.

Adjourned at 4.41, on motion of Coun. DONOVAN, to meet on Monday, October 29, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 29, 1928.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair and all the members present.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,

Office of the Mayor, October 29, 1928.

To the City Council.

Gentlemen,—Subject to confirmation by your honorable body, I appoint the following-named persons to the position of weighers for the term ending April 30, 1929:

Of Coal: Esther Rubinstein, 80 Whittier street.

Of Coal and Goods: G. Gladys Grages, 739 Broadway, South Boston; Daniel J. S. McCurdy, 66 Pleasant street, Dorchester.

Of Goods: Edgar F. Baker, 67 South street.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Severally laid over a week under the law.

ELECTION DAY ABSENCE—VETO.

The following was received:

City of Boston,

Office of the Mayor, October 23, 1928.

To the City Council.

Gentlemen,—I return herewith, without my approval, your order of October 8, 1928, "that the heads of departments be authorized to allow all employees whose services can be dispensed with to be absent from duty, without loss of pay, from two o'clock p. m. to the close of business on Election Day, November 6, 1928."

It has not been the custom even under the old system of closing the polls at six o'clock to allow employees time off without loss of pay, and there does not seem to be any reason why such a custom should now be instituted when the polls do not close until eight o'clock. Such a rule is at best difficult of administration and does not tend to the good of the public service.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,

Office of the Mayor, October 29, 1928.

To the City Council.

Gentlemen,—I am in receipt of the attached requests for transfers within departmental appropriations and respectfully recommend adoption of the accompanying orders.

Respectfully,

MALCOLM E. NICHOLS, 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 Medical Examiner Service, Southern Division:

From the appropriation for C-9, Office, \$60, to the appropriation for B-39, General Plant, \$60.

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 Superior Court, Civil Session, General Expenses, A-1, Permanent Employees, Stenographers, 11 at \$3,500 a year, \$950, to the appropriation for Jail, F-7, Pensions and Annuities, \$950.

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 A-1, Permanent Employees, Deckhands, 26 at \$5.25 a day, \$750; Laborers, Janitors, etc., 15 at \$5 a day, \$500; Mechanics 21 (14) at \$6 a day, \$400; Quartermasters, 12 at \$6.50 a day, \$500; Tollmen and Gatemen, 29 at \$5.50 a day, \$750, to the appropriation for A-3, Unassigned, \$2,900.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Sewer Service:

From the appropriation for A-1, Permanent Employees, Laborers, 125 (107) at \$5 a day, \$300, to the appropriation for A-2, Temporary, \$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 Public Works Department, Paving Service:

From the appropriation for A-1, Permanent Employees, Chauffeurs, Teamsters, Laborers, 17 (29) at \$5 to \$5.50 a day, \$12,039.39, to the appropriation for A-1, Permanent Employees, Rodmen, 2 at \$1,100 to \$1,500 a year, \$39.39; B-14, Motor Vehicle Repairs and Care, \$2,500; B-42, Repairing Streets, etc., \$2,500; E-2, Highways, \$7,000.

From the appropriation for A-1, Permanent Employees, Inspectors, 38 at \$1,600 to \$2,000 a year, \$6,500; Engineers, Steam, 12 at \$6 to \$6.50 a day, \$4,500; Laborers, Feeders, Mechanic's Assistants, etc., 444 (432) at \$5 a day, \$2,500; B-6, Hire of Teams and Auto Trucks, \$12,000; B-39, General Plant, \$3,000; D-11, Motor Vehicles, \$4,000; E-13, General Plant, \$3,000; F-7, Pensions and Annuities, \$900; F-11, Workingmen's Compensation, \$1,800, to the appropriation for E-2, Highways, \$38,000.

From the appropriation for E-13, General Plant, \$250, to the appropriation for B-20, Disposal of Ashes, Dirt and Garbage, \$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 transfer in the appropriations for Municipal Court, City of Boston:

From the appropriation for B-29, Stenographic, Copying, and Indexing, \$400, to the appropriation for C-9, Office, \$300; C-10, Library, \$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 Public Works Department, Water Service:

From the appropriation for A-1, Permanent Employees, Laborers, Feeders, Mechanic's Assistants, etc., 444 (432) at \$5 a day, \$10,000, to the appropriation for B-14, Motor Vehicle Repairs and Cars, \$10,000.

From the appropriation for B-39, General Plant, \$100, to the appropriation for B-3, Advertising and Posting, \$100.

From the appropriation for B-39, General Plant, \$15, to the appropriation for B-12, Bond and Insurance Premiums, \$15.

From the appropriation for B-39, General Plant, \$300, to the appropriation for B-28, Expert, \$300.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

Daniel J. Buckley, for compensation for loss of clothing at City Hospital.

Paul C. Buckley and Antonio Patros, for refund on license for sale of merchandise.

John F. Bunker, for compensation for damage to clothing caused by defective rubbish can at 169 Portland street.

Marshall Bushnell, for compensation for damage to automobile caused by an alleged defect at 112 Allston street.

Catherine Colbert, for compensation for injuries caused by city truck.

Thomas J. Colbert, for compensation for injuries caused by city truck.

Maurice P. Downey, for compensation for damage to automobile by patrol wagon.

C. I. Felch, for compensation for injuries caused by an alleged defect at West and Washington streets.

Jennie A. Flanders, for compensation for injuries caused by an alleged defect at 41 Winter street.

Frederick J. Gaffney, for compensation for loss of clothing at Haymarket Square Relief Station.

Grace Gullifa, for compensation for damage to clothing on North Ferry.

Annie Keohan, for compensation for injuries caused by city truck.

Francis P. Kirk, for compensation for damage to automobile by city truck.

Rose Mahoney, for compensation for injuries caused by alleged defect at 18 Highland street.

Natalie Manolian, for refund on building permit.

Audrey McCaffrey, for compensation for injuries received in George Putnam School.

Mary Penta, for compensation for damage to clothing on North Ferry.

William F. Prout, for compensation for injuries caused by an alleged defect in Adams street.

Colin Twomsley, for compensation for injuries caused by city cart.

Jeremiah F. Coughlin, for compensation for damage to property at 20 Marine road, caused by leak in water pipe.

PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds in the amount of \$10,355.10, regular employees, October 1 to October 31, inclusive, and piece work, September 17 to October 20, inclusive, was received and approved.

APPOINTMENT OF GEORGE H. FOSS.

Notice of the appointment by the Commissioner of Public Works of George H. Foss as Division Engineer of Sanitary Division, Public Works Department, with salary at rate of \$5,000 a year, to take effect November 1, 1928.

Placed on file.

GAS MAIN LOCATION.

Notice was received from the Metropolitan District Commission of grant to the Boston Consolidated Gas Company to location for gas main in West Roxbury Parkway.

Placed on file.

EDISON COMPANY LOCATION.

Notice was received from the Metropolitan District Commission of order granting location to the Edison Electric Illuminating Company of Boston for wires, cables and conduits in Old Colony Parkway.

Placed on file.

CLOSING OF STORES ON ARMISTICE DAY.

Coun. DOWD offered the following:
Ordered, That the Chamber of Commerce be requested, through his Honor the Mayor, to ask the retail stores in the City of Boston to close on Armistice Day, November 12, 1928.

Coun. DOWD—Mr. President, in offering this order I do so because of the fact that it has been called to the attention of the public that different retail stores in Boston, notwithstanding the designation by the Governor of the State of November 12 as Armistice Day, a legal holiday, have stated unofficially that they intend to do business on that day, because of the fact that there are already too many holidays in this state. Inasmuch as this is the one day that is absolutely dedicated to the veterans of the World War, I am absolutely of the opinion that the merchants of Boston should not entirely disregard the significant meaning of Armistice Day, as they are evidently planning to do in keeping their stores open. I am very glad to see

that his Honor the Mayor has led the way in this matter by ordering the closing of all public buildings on that day, and I firmly believe that the merchants of the city should do likewise.

The order was passed under suspension of the rule.

KEROSENE TORCHLIGHTS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor request the State Fire Marshal to refuse to allow any kerosene torchlights to be carried in any street parade in the City of Boston.

Coun. DOWD—Mr. President, I have introduced this order which has just been read by the Clerk because I am fearful that if the State Fire Marshal allows any number of people to march with torches in a parade with perhaps several hundred or thousands of automobiles, we may witness a serious conflagration. It is known to all of us that the Fire Marshal has been very, very careful in the matter of allowing permits to individuals to do things which might cause a fire hazard, and I certainly feel that if there should be ten thousand, twenty thousand or thirty thousand torches carried in a parade with a large number of automobiles, with possible backfiring, a conflagration might ensue that would injure many people and destroy much property in the City of Boston.

Coun. WILSON—Mr. President, with reference to that order, while no doubt the Republican candidates will be very appreciative of the gratuitous publicity furnished by Councilor Dowd, I am inclined to think that if there is to be any excitement in this city it will not be on the evening of November 2, but will be when the ballots are finally counted on November 6.

Coun. DOWD—Mr. President, I desire to inform Councilor Wilson that Councilor Dowd's order does not mention Republicans or Democrats. I do not know at the present time anything about proposed parades in the city.

Coun. FITZGERALD—Mr. President, I think that is a very ridiculous order, and I trust that the Council will not allow itself to be set down as a body of jokers. I understand that there are several torchlight parades now in process, and I don't think the Council should interfere in a matter of this kind. I think it is outrageous to introduce such an order. I think it should be absolutely thrown out of court. I hope the Council will not go on record as opposing any torchlight parade. Democrats, as well as Republicans, may parade with torchlights, and I understand now that there is to be a parade Saturday evening.

Coun. DOWLING—Mr. President, I certainly think we ought not to make the Council any more ridiculous than is absolutely necessary. Personally, I don't know whether the gentleman from Roxbury has more fear of possible incendiarism from torchlights than from the remarks of some of the Democratic speakers—

Coun. DOWD—Mr. President, I rise to a point of order.

Coun. DOWLING—Mr. President, I do not yield at present. I believe I have the floor. So far as backfire is concerned, that is a thing that comes from such campaign speeches, and it occurs to me, from what I am able to gather, that the backfire that comes over the radio from one of the gentlemen in whom I know the member from Roxbury is much interested, is one of the most damaging things to the side he represents in the campaign. I do not oppose this order in order to make a political speech. I never made one, and perhaps if I did I would never be elected, myself. But it strikes me that the order is ridiculous, that this Council is elected to transact the business of the city, if we want to turn the Council into a circus, as some of the loud-mouthed speakers are doing for the Democratic campaign, well and good. But I think it is more in keeping with our job, if we don't attend strictly to city business, to at least not get into personal or party politics. We are here to do business and not to conduct political campaigns. I hope the order will not pass.

Coun. WARD—Mr. President, I don't believe this order meets with the sanction of any clear-thinking or clear-minded Democrat. Simply because party lines are brought into it, I don't think we should sit here as members elected to this body to do the city's business and do anything which will prove detrimental or an asset to

any one political party. I don't think any such publicity as may come from this order will help the party of which I am a member, because that party has enough issues and has a strong enough cause, so that it does not have to stoop to circulating around in any such way as this and attempting to stop members of the other party from parading. Certainly I am not going to be a party to voting to put a spoke in torchlight parades that may be under way. If the Republicans are planning to have such a parade, I don't believe, anyway, there will be torches enough there to light up a little side street.

Coun. FITZGERALD—Mr. President, I move that the order be indefinitely postponed.

Coun. DOWD—Mr. President, I am not favoring or opposing in this order either the Republican or the Democratic party. I would like to say, also, if there are any two members of the City Council who have helped to turn the City Council into a circus, they are the two gentlemen who have spoken on this question. I am clear-minded and clear-thinking, and for that reason I introduced the order. If we have in the City of Boston a torchlight parade of ten or twenty thousand people, with torches filled with gasoline or kerosene, and there are also in the parade a large number of automobiles, I still insist that there is an opportunity for disaster. Even if there should be likelihood of only one person being injured, that should be avoided. This is merely a request to the State Fire Marshal.

Coun. WARD—I would like to ask you one question, whether you have in mind a torchlight parade of the Republican party?

Coun. DOWD—Mr. President, I will answer that I do not have in mind any parade whatsoever, haven't in mind either a Democratic or a Republican parade. I simply do have in mind the possibilities of danger or disaster from this sort of thing. This is simply a request to the Fire Marshal. A search of the Council records will show that two of the gentlemen who have opposed this order have introduced much more ridiculous orders than they claim this to be. I am not indulging in party politics. I am simply presenting this order, so that his Honor the Mayor may request the State Fire Marshal to do as the order requests. The gentlemen of the Council can throw the order out, if they so desire. That is entirely within their province. But I again insist that it is not a ridiculous order in any shape or form.

Coun. Fitzgerald's motion to indefinitely postpone the order was carried.

NEWLAND STREET.

Coun. WARD offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway Newland street, between West Concord street and Rutland street, Ward 9.

Passed under suspension of the rule.

JITNEY ORDERS.

Coun. DOWD—Mr. President, if there is no objection at this time I would like to call up from the table Nos. 6, 7, 8 and 9 on the calendar.

President GREEN—The request of the gentleman is out of order.

Coun. DOWD—Then, Mr. President, I would move that we take from the table No. 6 on the calendar.

No. 6 is as follows:

6. Ordered, That a license be granted to the Boston and Maine Transportation Company, on the usual terms and conditions, to operate seven motor vehicles, other than street cars, for carrying passengers for hire, between the Boston-Cambridge line at West Boston Bridge and No. 3 Providence street, over West Boston Bridge, Charles street, Park square, Providence street, Church street, Boylston street, Charles street and West Boston Bridge, said license being granted as part of a route between Boston and Billerica and intermediate points.

Coun. Dowd's motion to take No. 6 from the table was declared lost.

Coun. DOWD—Mr. President, I move to take No. 7 from the table.

No. 7 is as follows:

7. Ordered, That a license be granted to the Boston and Maine Transportation Company, on the usual terms and conditions, to operate five motor vehicles, other than street cars, for carrying passengers for hire, between the Boston-Cambridge line at West Boston Bridge and No. 3 Providence street, over West Boston Bridge, Charles street, Park square, Providence street, Church street, Boylston street, Charles street and West Boston Bridge, said license being granted as part of a route between Boston and Fitchburg and intermediate points.

President GREEN—Is there any objection to taking No. 7 from the table? (Several members objected.)

The motion to take No. 7 from the table was carried by a rising vote.

Coun. DOWD—Mr. President, I would like to say just a word on No. 7. That is founded on a petition of the Boston and Maine Transportation Company to operate buses from Boston to Cambridge on the line to Fitchburg. I might say to the members of the Council that the Boston and Maine Company is already operating from Keene, New Hampshire, to Boston. Passengers who get on in New Hampshire are allowed to come into Boston, Park square, without disembarking; passengers who get on in Fitchburg, or any part of Massachusetts, are compelled to get off at Kendall square and take the Elevated into Boston. I contend, regardless of how you feel towards the Boston and Maine, that the people of Massachusetts are entitled to at least the same courtesy in that respect as the people of New Hampshire. Those coming from Fitchburg or other points in Massachusetts, and who are now compelled to get off at Kendall square and take the Elevated, should be allowed to come into Park square, the same as people from Keene, New Hampshire. Whether we like it or not, buses are the coming vehicles in the near future, and I see no reason why we should try to prevent people from coming here to Boston and helping out our merchants by trading here. I certainly think there can be no logical argument against that, however some members may feel towards the Boston and Maine. I will simply say, so far as I am concerned, that this order can be defeated, but defeating it means that you will not be allowing the merchants of Boston a fair deal. They are paying taxes and they should be at least allowed the privilege of having these people come to Boston and do business here, not stopping them in the outlying cities and towns. So I move that the license be granted.

Coun. WARD—Mr. President, I am not so much opposed to their operating a bus line as proposed, as I am to the unfair tactics that have always been used by the Boston and Maine Railroad. I have investigated and I find that employees of the Boston and Maine have been offered a job at 17½ cents per hour. I find that there is out in the town of Woburn a man employed by the Boston and Maine for forty-two years who was discharged and then told that he might go to work if the Board of Selectmen of the Town of Woburn would grant a permit that the Boston and Maine was looking for. A man came to me, in this very Council, and told me that if I would help to get this permit for the Boston and Maine he would get his job back. If that is the character of the tactics used by the Boston and Maine, I am going to stand in this Council and oppose the Boston and Maine on every petition they present to the body, if there is a possibility of allowing some other concern to go in and do the work. I do not like the tactics of the Boston and Maine, or the way they treat their employees, and I stand here opposed to the Boston and Maine receiving this permit, if it is possible to have some other concern do what is desired, some concern that will give a living and saving wage to its employees.

Coun. MURPHY—Mr. President, I voted in favor of taking No. 7 from the calendar. My reason for doing so was that I believe every transportation company should be given a fair hearing before this Council. I notice that, due to the position of the orders on the calendar, the Boston and Maine order comes just one ahead of the Eastern Massachusetts Street Railway Company order. Some time ago in this Council both of those petitions were put before the Council and apparently favorable action would have been taken on the Boston and Maine petition if it were not for the remarks I made in the Council that day. And I

say today, Mr. President, that I am opposed to the Boston and Maine Transportation Company receiving aid and sanction from this Council to operate buses for the carrying of passengers for hire between the Boston-Cambridge line at West Boston Bridge and No. 3 Providence street, over West Boston Bridge, Charles street, Park square, Providence street, Church street, Boylston street, Charles street and West Boston Bridge, because I believe—and I am saying this from my own convictions only—that No. 8 on the calendar is liable to be then defeated if a request is made to take it from the table. I believe that the Eastern Massachusetts Street Railway Company is entitled far in advance of the Boston and Maine to permission to carry passengers for hire over the state line, as proposed in No. 8 and No. 7 on the calendar.

Coun. PARKMAN—Mr. President, I rise to a point of order. The councilor refers to Nos. 7 and 8 on the calendar. As I read these orders No. 7 applies to a route between Boston and Fitchburg, and No. 8 to a route between Boston and Billerica. I don't understand that they are the same thing at all.

Coun. MURPHY—Nos. 7 and 9.

Coun. PARKMAN—No. 9 deals with Boston and Lowell. But, as I understand it, No. 7 is being considered at this time. No. 9 refers to a route between Boston and Lowell, and No. 8 to a route between Boston and Billerica, and I don't understand that the councilor's remarks have any bearing on the subject before us at all.

Coun. MURPHY—I want to say, Mr. President, that I am opposed to the granting of this petition of the Boston and Maine on the ground that the employees of the Eastern Massachusetts Street Railway Company are employees of a regular street railway transportation company; that those employees are receiving union wages, and enjoying union conditions, and if we believe in progress for the betterment of the workers, we surely must agree that those of us who have been elected by the working masses of this great city owe at least some consideration to those who are toiling every day and struggling for that ideal of the working men and women we hear so much about, not alone in Boston but all over America, the American standard of living. For that reason I am absolutely opposed to the granting of this petition to the Boston and Maine, and I hope those who come from strongholds where people are working for a living, who are elected to this body by the vote of such people, will stand here today and defeat this petition.

Coun. WILSON—Mr. President, perhaps it may be well for me to say a few words at this time, due to the fact that it was perhaps because of my request that both the Boston and Maine order and the Eastern Massachusetts order were laid on the table two or three weeks ago when reported. I understand that the Jitney Committee reported "ought to pass" on both, and it was due to me that action was not then taken. I was actuated in my position at that time by the fact that the resurfacing of River street, Dorchester, was held up, because, as I understood, the Eastern Massachusetts Street Railway Company owned the rails and was standing in the path of progress, preventing the resurfacing of the street. Therefore, I requested at that time that action be delayed until I could ascertain whether that was so, and find out who was to blame for holding up the Dorchester job. I said at that time that I should, until further notice, take the ground that any petitions of the Eastern Massachusetts should be laid on the table, not wanting to see the City Council grant any favors to a company that was standing across the path of progress in the Public Works Department of the City of Boston. I had no objection, or stated none at that time, to the Boston and Maine, and my brother asked, if the Eastern Massachusetts petition was to be laid on the table, that the Boston and Maine petition also be laid on the table. So they were both put on the table. On the 26th of October, last week, a hearing was held in the Street Commissioners' office on the whole question of River street resurfacing, and I went there to ascertain who was to blame for slowing down the job, to find out the whole story in relation to the rails. I may say here for the Eastern Massachusetts Company, that they convinced the Board of Street Commissioners, and also convinced me, that no action of the Eastern Massachusetts Street Railway Company has interfered with River street. The responsibility was not theirs. They made an agreement with the Elevated, involving a certain

amount of money, and the City of Boston, instead of going in and defeating the work as it had every right to do, held it up. Therefore, I have no objection to the Eastern Massachusetts order being taken from the table, and I shall vote for the order. I might say to my brother that when they come to his Honor the Mayor, it may be that the Boston and Maine order will be approved and the Eastern Massachusetts order disapproved. My own idea, however, is that both should be passed, that both should go to the corner office, where it may be that one will go through and the other will be thrown into the discard. I don't think our action will have anything to do with the final result.

Coun. DOWD—Mr. President, I might say that No. 7 has nothing to do with No. 8 or with No. 6. No. 7, dealing with the Boston and Maine, is a route which is in part an interstate route. The buses run into the City of Boston, carrying into the city people from New Hampshire, and all I am suggesting is that the same privilege be given to citizens of Massachusetts who come here from Fitchburg and other places in this state, to come into Boston and do business here. At the present time, under the state law, people who get on the buses in this state are compelled to get off at Kendall square. I ask any fair-minded man in the Council if people of Massachusetts, whether traveling on the Eastern Massachusetts or on the Boston and Maine should not be given the same consideration as people from New Hampshire, who, under the interstate law, are allowed to travel on these buses into the City of Boston? All that we are asking is that the company be allowed to carry people from Fitchburg and other points in Massachusetts into the City of Boston, giving them the same privilege of coming to Park square that is now accorded to people from New Hampshire, and not requiring them to get off at Kendall square.

Coun. SULLIVAN—Mr. President, so far as No. 7, dealing with the Boston and Maine Transportation Company, and No. 8, dealing with the Eastern Massachusetts Street Railway Company, are concerned, I am in favor of No. 7 and also of No. 8. I do not think we should make bones of one and flesh of another. If the Boston and Maine—

Coun. McMAHON—Mr. President, I think the gentleman is out of order. We are on No. 7 and not on No. 8.

Coun. SULLIVAN—I think No. 7 should be passed, along with No. 8.

Coun. WARD—Mr. President, when I referred to Nos. 7 and 8, my opinion was that there were two separate companies who were seeking that permit. I should have said Nos. 7 and 9, the mistake being my fault in reading the two orders. One is for a permit for the Boston and Maine, and the other for the Eastern Massachusetts. Am I right in my opinion now that in the case of No. 7 there is no opposition, no other bus company proposing to carry passengers along the same route. Am I right in that?

Coun. DOWD—Yes.

Coun. WARD—My main point is this, that I am opposed to the Boston and Maine, when it comes to their being against another company that pays a living and saving wage, as against the starving wage paid by the Boston and Maine.

Coun. McMAHON—Mr. President, I don't know anything about the interest that different members seem to take in the Eastern Massachusetts Railroad, but, from the suggestion that has just been made, I don't see that the Eastern Massachusetts has anything to do with No. 7. So, when it comes to a question of whether No. 7 should pass or should be defeated, why worry about the Eastern Massachusetts? I don't see why we should hold up one as against the other.

The order was passed.

Coun. DOWD—Mr. President, I would now move that No. 8 on the calendar be taken from the table.

The Council voted to take No. 8 from the table, viz.:

8. Ordered, That a license be granted to the Eastern Massachusetts Street Railway Company, on the usual terms and conditions, to operate six motor vehicles, other than street cars, for carrying passengers for hire, between the Boston-Cambridge line at West Boston Bridge and Park square, over West Boston Bridge, Cambridge street, Charles street and Park square, and for the purpose of turning in Park square, over Columbus avenue, Eliot street and Broadway, said license being granted as part of a route between Boston and

Billerica, and no local passengers to be carried in Boston or other territory served by the Boston Elevated Railway Company.

Coun. DOWD—Mr. President, now that No. 8 is before the body I want to state clearly my position, and, I believe, the position of the Jitney Committee, which reported "ought to pass" on all these four measures, with the possible exception of the third. No. 6, which you refuse to take from the table, is similar to No. 8. No. 9 is practically the same thing, with the continuation from Billerica to Lowell. I feel the same as Councilor Wilson. I say, why should the Jitney Committee of this Council refuse the permit to a utility company like the Boston and Maine or the Eastern Massachusetts to run buses? When the right is added to these companies to carry passengers, are we not interested in having people brought here to Boston to do business with concerns in Boston? Are we in Boston not interested in getting people to come to our stores and buy goods of our merchants? I know, as well as anybody, that after we pass the orders, his Honor the Mayor has the right to approve or reject. The Jitney Committee all realize, as I do, that the final selection, after all is said and done, is by the Mayor. But the Jitney Committee has reported that all of these pass.

Coun. WARD—Mr. President, I don't think I can come here and say I am willing to pass the buck to the Mayor. I am willing to stand here and take a position, stating my reasons for not voting for the Boston and Maine. I said before, and I reiterate, that the Boston and Maine offered 17½ cents an hour to laborers; and when they will go to a man and say, "You go to members of the Boston City Council, and if we get the permits you will get your job back," after they have dropped him, I simply say that I don't believe in tactics like that. I am willing to vote for anything that is necessary, but I am not desirous of evading the issue or of passing the buck to the Mayor. Where it comes to one organization being able to carry through a thing of this sort, I am with the organization that pays a living and a saving wage and that conforms to the rules that are recognized by labor as good and proper rules. I am not going to wear the collar of the Boston and Maine, and nobody can accuse me of voting for such an organization as the Boston and Maine against an organization that will pay its employees a living and a saving wage.

Coun. DOWD—Mr. President, I regret that the councilor from Roxbury got rather personal when he referred to any man wearing the collar of any corporation, in this Council. Personally, I cannot see why we should not allow people to come to Boston. The contention of the Jitney Committee is that every individual should have a right to come to Boston if he so sees fit. One would think from what Councilor Ward says that there is only one company in the entire state that should be allowed to come to Boston, and that is the Eastern Massachusetts Company. I am not against them. I am voting for them. But I assume at the same time that the Boston and Maine Railroad, paying the huge taxes it does to the City of Boston, is entitled to a little consideration; and I say to Councilor Ward that neither he nor any other member of the Council can accuse me of wearing any man's collar since I have been a member of the Council. The Jitney Committee have been absolutely fair. They have reported back to the Council in favor of giving both the Eastern Massachusetts and the Boston and Maine companies the right to operate, allowing more people to come to Boston so that the merchants of Boston will get the benefit.

Coun. WARD—Mr. President, I might make a prediction right here. There is no doubt in my mind that if both permits go before the Mayor the Eastern Massachusetts will be rejected and the Boston and Maine will pass. That is my prediction.

Coun. MURPHY—Mr. President, I rise at this time to talk in favor of No. 8 on the calendar, which is before us for discussion now. As I stated in my previous remarks on No. 7, I believe that every transportation company should be given a fair hearing before this Council. That was my reason for voting to take No. 7 from the table, and later to take No. 8 from the table. I hope the members of this Council, without any lengthy discussion, will see fit to do the same by No. 8, as they have by No. 7, and I want to go farther by saying that I hope when these two questions get before his Honor the Mayor, he will hear in mind the fact

that the company paying the best wages and giving the best conditions, taking the two companies, is the Eastern Massachusetts Street Railway Company. If he does anything else than sign the order of the Eastern Massachusetts, I say to his Honor the Mayor, before these orders reach him, that he is not doing his duty by the mass of the workers in Boston and Massachusetts. However, Mr. President, I have not quite the fear that some of the other councilors seem to have. I will not predict what is going to happen in the Mayor's office. The Mayor is human, the same as every man, and until he has the opportunity of looking these orders over and finally signing them, I am not going to pass judgment at this time upon his probable action, reserving that for the future. I do believe, however, that we are justified in demanding, regardless of who the man or woman in public life may be, if they represent Democratic Boston it means that they owe something to these struggling masses and are in duty bound to look to the interest of those who should have opportunity to live up to the best standard of American living at the hands of the company they are working for. I believe that ought to be the guiding star. When two transportation companies are willing to give the same kind of transportation, which will benefit the merchants of Boston, two such companies as those which we are now considering, I believe the choice should be given to the Eastern Massachusetts. I hope his Honor the Mayor will take these facts into consideration.

Coun. DONOVAN—Mr. President, as a member of the Committee on Jitneys, I heartily coincide with the views expressed by the chairman. We were very impartial in the hearing; in fact, made the Boston and Maine redraw and reword their order so that it would agree with the order presented on behalf of the Eastern Massachusetts Street Railway Company. We have been fair and impartial. I am not going to predict what the Mayor will do. But the committee did think it was fair to send the orders in at the same time, giving the same treatment to both companies.

Coun. KEENE—Mr. President, I wish to say to the members of the Council that whatever action his Honor the Mayor may take, in signing either one of the petitions, does not insure that that particular transportation company will get the permit. If the Mayor signs both of them, they will have to go to the Public Utilities Commission of Massachusetts and have a hearing there, and get a certificate. That is a matter provided for by the statute, which says that a transportation company must have the consent of the towns and cities where the terminals are, and the consent of the intervening towns and cities. In other words, if the Mayor signs either one, that does not mean that it will be granted. The question must be threshed out before the Public Utilities Commission.

The order was passed.

Coun. DOWD—Mr. President, I now move that we take from the table No. 9 on the calendar.

No. 9 is as follows:

9. Ordered, That a license be granted to the Eastern Massachusetts Street Railway Company on the usual terms and conditions, to operate six motor vehicles, other than street cars, for carrying passengers for hire, between the Boston-Cambridge line at West Boston Bridge and Park square, over West Boston Bridge, Cambridge street, Charles street and Park square, and for the purpose of turning in Park square, over Columbus avenue, Eliot street and Broadway, said license being granted as part of a route between Boston and Lowell; and no local passengers to be carried in Boston or other territory served by the Boston Elevated Railway Company.

The motion to take No. 9 from the table was carried.

Coun. DOWD—I might say, Mr. President, that No. 9 is very similar to No. 8, only that No. 8 provides for the running of buses to Billerica, and No. 8 continues on to Lowell.

The order was passed.

Coun. DOWD—Mr. President, I would like permission to make a statement.

President GREEN—If there is no objection the gentleman may make a statement.

Coun. DOWD—The members have been very fair in regard to Nos. 7, 8 and 9, Mr. President, and I now see no reason why No. 6 should be left on the table. I believe it is the duty of the Council to take No. 6 from the table and act upon it one

way or the other. I now move, therefore, a reconsideration of the vote refusing to take No. 6 from the table.

The Council voted to take No. 6 from the table. The order was passed.

A CORRECTION.

Coun. McMAHON—Mr. President, I rise to a question of personal privilege in reference to a misprint in the City Council minutes of October 22. On page 298, in the second column, under the heading "Exclusion of Commercial Vehicles," in the 14th line and the 21st line the word "Oakland" should be "Auckland." I rise at this time to have that correction noted.

President GREEN—The correction will be duly noted.

NATURALIZATION OF PROSPECTIVE CITIZENS.

Coun. WILSON offered the following:

Ordered, That the Board of Election Commissioners, through his Honor the Mayor, be, and said Board hereby is, requested to confer with the proper local officials of the United States Government and take such steps as may be necessary or advisable in order that prospective citizens desiring naturalization may be treated with ordinary courtesy and efficiency.

Coun. WILSON—Mr. President, very briefly I may state that last week a great deal was said with reference to alleged discourtesy in the office of the Election Department of the city, but an even more important matter for criticism, it seems to me, is the treatment received by some of our would-be citizens at the Federal Department in the post office building. Probably every member of the City Council in this last registration period has had something to do with taking prospective voters to the fourth floor of the Federal Building in the effort to get citizenship papers. I have in my personal experience found it not only almost impossible to get information in that department, but practically impossible to make any progress whatever with the crowd and the lack of system and of help there. The average poor, unfortunate alien who wants to acquire citizenship in the adopted land of his choice, is treated there with scant courtesy. I have heard for a number of years, as reported to me, that those who wanted to obtain their citizenship papers there found it practically impossible to make any progress. Therefore, I made a point of looking into the matter in the last period of registration. I very soon found that it was no wonder if the average person who goes to the post office building, having come here from Germany, Austria, Spain, or some other country, gets discouraged in his efforts to become an American citizen. I have therefore drafted this order to see if the Election Department, working through the proper sources, can be of some assistance in that regard.

The order was passed under suspension of the rule.

BRANCH LIBRARY IN WARD 21.

On motion of Coun. DOWLING, the Council took up under unfinished business No. 4 on the calendar, viz.:

4. Ordered, That the sum of one hundred thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Board of Trustees of the Boston Public Library, for a branch library building in Ward 21, and that to meet said appropriation the City Treasurer be, and hereby is, authorized to issue from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the city for said amount.

On October 15, 1928, the foregoing order was read once and passed, yeas 17, nays 0.

The order was given its second and final reading and passage, yeas 22.

RECESS.

On motion of Coun. DEVENEY, the Council voted, at 3.15 p. m., to take a recess subject to

the call of the Chair. The members reassembled in the Council Chamber and were called to order by President GREEN at 4.04 p. m.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President GREEN called up under unfinished business No. 3 on the calendar, viz.:

3. Action on appointments submitted by the Mayor October 22, 1928, of Sarah Rosenfield, Fannie E. Tamkin and Frank S. McNeil, to be Weighers of Coal, and Frank S. McNeil, to be a Measurer of Wood and Bark.

The question came on confirmation. Committee, Coun. McMahon and Motley. Whole number of ballots 18; yeas 18, and the appointments were confirmed.

MUNICIPAL AIRPORT.

Coun. SULLIVAN, for the Committee on Ordinances, submitted the following:

Report on message of Mayor and ordinance (referred October 8) establishing municipal airport—that same ought to pass.

Coun. SULLIVAN—Mr. Chairman, in regard to this proposed change in the ordinance, putting the airport under the Park Department, I will say that we had before the committee, Commissioner Long of the Park Department and he informs me and the committee that in order to get the airplanes out of the way this winter somebody has to be in authority to sign the leases, so that they can be put in hangars. The Park Department is well equipped and ready to meet the needs of the airport, with the loan of \$125,000 passed here some time ago for the grounds, buildings, and so forth, over there. There has been a contract issued for in the neighborhood of \$80,000 and the work of putting the airport in condition has commenced over there. I feel that the airport was held back by the state, because the state could not receive a proper lease, having in mind the number of years. They only wanted the lease for five years, but his Honor the Mayor, through his efforts, received a lease of twenty years. Now that we have the airport and have provided the money, and have put it under the jurisdiction of the Park Commissioner, it is time that the citizens of Boston and the public in general should give it support. The Chamber of Commerce has been very vitally interested in the airport and in the city doing its duty towards it. During public functions where the Mayor has appeared in the last six months he has been criticized in the matter of the airport. Now he has taken it up and has put a lease through, and has provided the superintendent to take care of it, and I say it is time for the Chamber of Commerce and the civic bodies of the City of Boston to wake up and support the airport and let us put the City of Boston on the map. We have had in the past month a sample of what the Germans could do, with their big Zeppelin coming over here and landing at Lakehurst, but in the newspaper discussion of cities which could afford a possible landing for that kind of airship Boston was never mentioned. I say it is now time for the citizens of Boston and organizations that have been knocking the Mayor for the last six months in regard to the airport to get together and see what can be done in the matter of aeronautics in the City of Boston, so that Boston may go ahead and make progress in this line.

Coun. BUSH—Mr. President, the order providing \$125,000 for the airport was passed without objection by the committee and without action on the same by the Committee on Finance, on the urgent request that immediate action be taken. That was some six weeks or two months ago. Up to this time nothing has been done in the matter. I simply wish to call attention to the manner in which a great many of these orders are rushed through under the cry of apparent emergency, when, in fact, no such emergency exists. This ordinance is intended to be passed by the body to place the control of the airport under the Park Department. In my opinion, the Park Department is not the proper department to be in control of the airport. I see no connection whatever between the airport and the Park Department. If we are to have control of the airport, it should be under a special commission and not under a department head who already has a great deal to

attend to. Placing this additional burden on him is not, it seems to me, the proper way to have the time given to this matter that it requires. I am not in favor of turning the airport over to the Park Department.

Coun. DOWLING—Mr. President, I am sure that no intelligent member of this Council is going to vote for this ordinance without more information than he has received. I move, therefore, that the matter lie on the table for one week, that we may have an opportunity to study it.

The ordinance was assigned to the next meeting of the Council.

PUBLIC LANDS.

Coun. DONOVAN, for the Committee on Public Lands, submitted a report on message from Mayor and order (referred September 25) for the release of part of two easements taken by Street Commissioners for sewerage purposes in private land off Hildreth street in Dorchester—that same ought to pass.

Coun. DONOVAN—Mr. President, this refers to easements taken by the Board of Street Commissioners in 1898 and 1909, respectively, the City of Boston paying to the different owners at that time \$650. There are now new owners of the property, and they have laid out and constructed at their own expense two new sewers, one for drainage and the other for sewerage on Hildreth street, more than compensating the city for the amount spent at that time. So it is the opinion of the Public Works Commissioner and of the Street Commissioners, as well as of your committee, that these easements should be released at this time.

Report accepted; order passed, yeas 22, nays 0.

FINANCE COMMITTEE REPORTS.

Coun. BUSH, for the Committee on Finance, submitted reports, as follows:

1. Report on message of Mayor (referred October 15) and loan order of \$125,000 for Long Island improvements—that same ought to pass.

Coun. BUSH—Mr. President, there was a meeting of the committee called for Friday at 2 p. m., but, there not being a quorum present, we were unable to act on the loan order submitted today and it became necessary to poll the committee, because of the fact that the boilers at the Long Island Hospital are now under construction, and to hold this matter up now will cause considerable inconvenience and perhaps danger to the inmates of the hospital by reason of the approaching winter. The chairman of the committee feels that he should state that this is not to be considered a precedent, and that other orders will not be submitted by the Committee on Finance in this manner. Some of the members of the committee who were present, although not constituting a quorum, did obtain the facts with reference to the Long Island Hospital. It seems that two high pressure boilers have been installed already at the hospital and that they intended to use four boilers that subsequently were found to be in such a condition that it would be very inadvisable to use them. This order provides \$54,000 for three new 66-inch boilers in order to provide the proper amount of pressure necessary for the new buildings, the new buildings being at some distance from the power plant. Further sums included are for furniture and equipment for men's dormitory, and cement and granolithic work for same, and for children's building, furnishings and equipment; also for trap lines and return mains, and for elevation of kitchen, the height of the kitchen at the present time not affording proper drainage. Then there are incidentals, bringing the total to \$125,000. With reference to the loan order and the appropriation order for the Brighton fire station, the committee has reported those as a matter of courtesy to the councilor from Brighton, because it feels that perhaps a further delay would be detrimental to the best interests of the community, by reason of resulting lack of proper fire protection, the engine house being in poor condition. The chairman of the committee would request, however, that the councilor from Brighton give to the Council such information in reference to that order as is in his possession at the present time.

President GREEN—The question is on accepting the report and passing the order for the Long Island Hospital.

Coun. WILSON—Mr. President, I want to say as a member of the Finance Committee and as one of the members not present, that I agree with the chairman of the committee that this by no means will serve as a precedent, and that in usual cases the committee should not be polled. As a matter of fact, that particular day was one of the days set for a meeting of the committee on investigation of the hospital, and there was also another meeting that I attended before the Street Commissioners on the question of River street, the Eastern Massachusetts matter.

Coun. McMAHON—Mr. President, I would like to give a little further information to the Council in regard to this Long Island matter. At that meeting the commissioner told us it takes at least two months for the boilers, after being ordered, to reach Boston. We felt that, having held it up as we had, if we did not act at once the patients and inmates there would not get the benefit that they are entitled to from proper heating. So we thought the best thing to do was to have a report today. As the gentleman from Dorchester says, it is not proposed to have the polling of the committee made a habit.

Report accepted, order passed, yeas 22, nays 0.

2. Report on message of Mayor (referred October 15) and order transferring sum of \$75,000 for fire station, Brighton, from appropriation for Municipal Building, Charlestown, and order for a loan of \$75,000 for the same purpose—that said orders ought to pass.

Coun. GALLAGHER—Mr. President, I would say that I have visited the fire station with the Fire Commissioner and Fire Chief and they both agreed that the house is in a most deplorable state. As a matter of fact, they told me that it was in worse condition than any other house in the Boston Fire Department. They have spent considerable money to keep the house alive. The walls are falling. At the present time the floors are anything but safe. They have been propped up half a dozen times, and the commissioner has told me within two weeks that unless something is done, unless work is started on it, they will have to condemn the building. It is one of the oldest houses in Boston, and it is, gentlemen, in frightful condition, entirely unfit for the men to be in.

Report accepted, order passed, yeas 22, nays 0.

EXECUTIVE COMMITTEE REPORT.

Coun. KEENE, for the Executive Committee submitted the following:

1. Report on message from Mayor and orders (referred today) making various transfers within department appropriations—that same ought to pass.

Report accepted; said orders passed, yeas 22.

LOAN FOR EXCHANGE STREET WIDENING.

President GREEN called up assignment on the calendar, viz.:

5. Ordered, That the sum of \$1,100,000 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 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.

The question came on giving the order its first reading and passage.

Coun. WILSON—Mr. President, I don't know how the other members of the Council feel on this particular order, but I certainly wish personally to place myself on record in some respects. Two things have particularly bothered me in connection with this very sizable loan order. The first was the large amount of the requested expenditure and the second was whether or not this improvement, a much-needed improvement on Exchange street would mean the sacrificing of proposed new streets in the residential streets of the city, particularly in the ward I represent. First and foremost, let me say that it is with the distinct assurance that it will not affect the proposed new streets in my ward, during the year 1928, and relying on that assur-

ance, that I vote for this particular street widening project. Three of those streets in my ward have been advertised, and I assume that they will at an early date receive the signature of the Mayor. The other question is that of possible expense. Naturally, in common with the other members of the City Council, I read with interest, and thought there was some logic in, the letter of the Finance Commission of the City of Boston. I went over their figures with some degree of care, and it was interesting to me to find that in a majority of instances the jury verdict was apparently substantially one and one-quarter times the size of the assessed valuation figure, with the possible exception of the striking case that has been referred to in Dorchester. Accordingly, I am satisfied, with an adequate Law Department to rely on, and with the probability of a square deal being given to the city by any Suffolk County jury, to now support the order. I am, by the way, much more willing to agree that a Suffolk County jury will get a fair deal than I would be to rely on some of the so-called real estate experts in that matter. I think we are more justified in relying on the average jury than on the average so-called respectable real estate operator's testimony, judging by the cases listed by the Finance Commission. I personally questioned the expenditure of this great amount of money, I will frankly admit, until I was convinced to the contrary, as a result of the scholarly, logical and reasonable figures given by Mr. Freeman, the expert for the City of Boston, who at some length and in great detail pointed out the fact that a fair figure for the widening job at this point would be \$1,725,000. He supported that not simply with theory but with detailed figures, and in a scholarly and scientific manner which convinced me that the project should go through. I believe it should go through, as I said, on the distinct understanding that we are not robbing Peter to pay Paul and with the guaranty that my ward will not suffer in its new streets as a result of this new and additional street widening.

The order was passed, yeas 20, nays 2, Coun. Bush and Parkman voting nay.

COST OF WIDENING WARREN STREET.

Coun. DOWLING offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of widening Warren street, from Cambridge street to Commonwealth avenue, Brighton, to a width of sixty feet.

Coun. DOWLING—Mr. President, I don't want to take much time of the Council, but I do want to impress upon the Board of Street Commissioners the importance of acceding to this request. The city is about to build a high school in the Brighton district that will cost in the vicinity of \$1,250,000. The site has already been selected, and it will probably be built on land owned by the city. Warren street runs from Cambridge street to Commonwealth avenue a distance of 600 or 700 feet, and one entire side of the street is owned by either the city or the state. It seems to me that this is an appropriate time for the city to undertake a widening that will be absolutely necessary within a few years. Therefore, I hope this matter will have the careful attention of the Street Commissioners.

The order was passed under suspension of the rule.

SIDEWALK ON GREENWOOD AVENUE.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Greenwood avenue, Hyde Park avenue to Metropolitan avenue, 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 suspension of the rule.

ANNUITY TO WIDOW OF JOHN F. HINES.

Coun. DONOVAN offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of John F. Hines, late

member of the Boston Fire Department, who died as a result of injuries received while in the performance of his duty, such annuity to continue so long as said widow remains unmarried, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

TICKET SPECULATORS.

Coun. BUSH offered the following:

Ordered, That his Honor the Mayor be requested to take such steps as are necessary to prohibit the practice of collusion between the theaters and the ticket speculators to the detriment of the public, whereby the theater-going public is annually bilked out of thousands of dollars.

Coun. BUSH—Mr. President and members of this honorable body, this is not the first time an order of this kind has been introduced in the Council. On October 30, 1922, a similar order was introduced by Councilor Moriarty and a reply was made by the Mayor, who was anxious to co-operate with the Council in stamping out this menace. As a result of that order an opinion was rendered by E. Mark Sullivan, the Corporation Counsel at that time. The Corporation Counsel's opinion was to the effect that the City Council had no authority to pass an ordinance with reference to a matter of this kind, and it went into the matter at some length, referring also to the legislative authority for curbing that kind of practice. That opinion is in the Council minutes of June 11, 1923.

At that time the then Mayor Curley called a conference of the theater owners to his office for the purpose of coming to some agreement with them whereby this practice would be at least, if not stamped out, curbed to some extent. The practice is running rampant again today, and it is impossible for the theater-going public to go to the box office of any theater in this city and obtain seats in the first twelve or fourteen rows of the orchestra of the theater. I had occasion recently to go to one of the theaters, and the only seats I could obtain were somewhere in the last few rows. I was forced to go to one of the ticket agencies, where I was able to procure tickets in the first eight rows. I noticed upon entering the theater, and throughout the entire performance that the theater was occupied only about one third to one half, and there were innumerable vacancies in the rear of the first twelve rows; and yet the box office told me they were unable to give me seats within that area. I have no objection to the legitimate use of the ticket agencies. They serve a useful purpose.

A great many people prefer to buy their tickets through a ticket agency, carrying an account with them which they pay monthly. That is a legitimate, brokerage business, for which the ticket agency renders a service for the premium it gets on the tickets. What I do object to, and what I think this Council ought to go on record as objecting to, is the practice of either the employees of the theater or the theater owners or managers themselves of operating in collusion with some of the ticket agencies and ticket speculators, selling out entire houses, or a large part of the best seats in the house, the public then being unable to obtain decent seats to any show in town without paying a premium on the tickets. I think something can be done, if the Mayor desires to do it, and if he will take the initiative. I believe if the theater owners are called to account some co-operation can be obtained from them in this matter. It is true that the Mayor's licensing authority does not permit him to revoke a license already granted, but he has the annual renewal of the licenses of these theaters, and has power in that way. The cases show that that power cannot be exercised at the whim or caprice of the Mayor, but it certainly cannot be considered a whim or caprice of the Mayor if he acts in a matter of this kind for the protection of the public at large. I firmly believe that his Honor can and ought to take some action with reference to this matter.

Coun. RUBY—Mr. President, I am in hearty accord with the councilor from Ward 12. If I remember correctly, some years ago the then Mayor of Boston, the Hon. John F. Fitzgerald, raised the same cry with reference to a certain theater, one of the best theaters in Boston, on Boylston street, because of their practice of completely selling out the best seats in that way, giving to agencies and sidewalk speculators the best seats in that theater. Hundreds and thousands of

people, living in Boston and coming from outside, and wishing to attend the performances, were unable to get seats. As a result of the action taken at that time, that practice was stopped. About a year and a half ago I presented an order asking that this same situation be investigated, as a result of my going to a certain theater in Boston to try to secure two tickets for an evening performance, at a moving-picture show. The picture then being shown, "The Big Parade," was at one of the leading theaters in Boston. At that time I went to the box office of the theater and was told in an early part of the evening that there were no seats; but a gentleman standing right at the entrance to the box office turned to me and told me that if I walked across the street into a radio store I could get all the seats I wanted. I went into that radio store and was able to buy two tickets, at a premium of 50 cents each. For that reason I felt convinced that the employees of that theater were in collusion with some one across the street. I asked for an investigation at that time, and the matter was referred to the Committee on Public Safety. I see now that this order asks the Mayor to take a stand, protecting not only residents of Boston but those coming from outside and desiring to patronize the Boston theaters. The patrons of the theaters living in Boston or coming to Boston have a right to be protected when there are tickets to be obtained. They have a right to purchase them in the theater, not being turned over to speculators who get 50 or 75 cents premium on them.

Coun. WILSON.—Mr. President, not wishing to lengthen the discussion, I will simply say that I am strongly in favor of Coun. Bush's order. I know it to be a fact that if you go to the box office of any reputable theater—say the Colonial Theater—as I have done on Monday morning, the day when the tickets go on sale, and are near the first of the line, it is absolutely impossible to get seats nearer than the fifteenth row, due to the fact that the entire orchestra is sold out in advance. I have also stood at a speculator's window—after I inquired at the theater box office and had been told that there were no seats and have gone to a place where I have been directed, a speculator's office—and heard him call what I knew to be the number of the box office at that theater, and get very good seats. I believe the licensing power is in a position where it can do what should be done in this matter,

protect the public, giving them at least an even break in the matter of theater tickets for an evening's entertainment.

The order was passed under suspension of the rule.

THE NEXT MEETING.

Coun. KEENE.—Mr. President, in executive session it was suggested that we meet on November 14, a week from next Wednesday. I find that unless we meet on Tuesday, November 13, we will probably be called in extra session to draw jurors for the December sitting. Consequently, I move that we adjourn to meet on Tuesday, November 13, at 2 p. m., and that the City Clerk send written notices to each member of the Council to that effect.

The motion was carried.

Adjourned, at 4.40 p. m., to meet on Tuesday, November 13, at 2 p. m.

A CORRECTION.

There should be the following correction in remarks of Councilor Bush at the meeting of the Council on October 22 [page 302, second column, on widening of Exchange Street].

In 22d line strike out "to \$2,000,000 up," so that the sentence will read: "This was subsequently amended at the hearing before the Committee on Municipal Finance to \$2,600,000, at the request of the proponents of the bill, who said they thought it could be done for that sum."

At the close of first paragraph of the remarks, same column, strike out \$100,000 and insert in place thereof, \$700,000, and change the final figure in the paragraph to \$1,800,000, instead of \$1,200,000, so that the last sentence in the paragraph will read:

"In his [the Mayor's] letter sent to the Council and published on the first page of the minutes on September 15, 1928, he states that there is an amount available for this purpose of \$700,000 from loans for highways, making of, which he intends to add to the \$1,100,000, making a total of \$1,800,000."

CITY OF BOSTON.

Proceedings of City Council.

Thursday, November 8, 1928.

Special meeting of the City Council in the Council Chamber, City Hall, at 1 p. m., for the purpose of drawing jurors. Jurors were drawn, in the manner prescribed by law, the Mayor absent, as follows:

Twenty-three additional traverse jurors, Superior Criminal Court, First Session, to appear November 13, 1928:

Frank V. Colson, Ward 1; Henry L. Curtis, Ward 1; Michael J. Griffin, Ward 6; William H. Donahue, Ward 6; Robert N. Miller, Ward 9; Kenneth Palmer, Ward 10; Daniel H. McLellan, Ward 11; Nathan Rothberg, Ward 12; William F. Breen, Ward 13; Edward J. Moore, Ward 13; James J. Flynn, Ward 14; Joseph L. Hern, Ward 15; John E. Joseph, Ward 15; Joseph McCaffrey, Ward 15; Charles T. Derry, 3d, Ward 18; William A. Gibbs, Ward 18; William J. Henderson, Ward 18; Arthur W. Holden, Ward 18; Anders G. Bergquist, Ward 19; Walter C. Durfee, Ward 19; Joseph S. Shelton, Ward 19; Frank J. McHugh, Ward 22; Frank W. Wilson, Ward 22.

Twenty-eight traverse jurors, Superior Criminal Court, First Session, to appear December 3, 1928:

George F. Neal, Ward 1; John W. Ruby, Ward 4; Harold V. Currie, Ward 5; Joseph O. Edwards, Ward 5; William A. Murray, Ward 5; Harper W. Poulson, Ward 5; Thomas F. A. Simpson, Ward 6; John Edmund Martel, Ward 8; George H. Hayden, Ward 9; James B. McCamby, Ward 10; Osgood Stiles, Ward 10; James F. Lawless, Ward 11; John M. Rowen, Jr., Ward 11; Elmer E. Eichorn, Ward 12; Philip L. Markell, Ward 12; Edward E. Stockbridge, Ward 12; Williard F. Lord, Ward 13; Horace C. Stuart, Ward 13; James Petkun, Ward 14; George A. Dannahy, Ward 15; Daniel Murphy, Ward 14; James E. Lynch, Ward 18; Charles H. Downey, Ward 19; Thomas E. Ashenden, Ward 21; Thomas F. Higgins, Ward 22; William W. Johnston, Ward 22; Charles C. Lamb, Ward 22; Patrick J. White, Ward 22.

Twenty-two traverse jurors, Superior Criminal Court, Fourth Session, to appear December 3, 1928.

Michael F. Ezekiel, Ward 1; Patrick J. Ryan, Ward 2; James F. Cassin, Ward 3; William M. Latremore, Ward 6; Souven Carlyle Mauradian, Ward 9; Charles E. Gallagher, Ward 10; Charles C. Totten, Ward 10; John H. Rooney, Ward 10; Frederick W. Schacht, Ward 11; George J. Sheppard, Ward 11; Ernest M. Swanson, Ward 11; Joseph R. Kane, Ward 15; Mathew V. Callahan, Ward 16; Alfred E. Cottuli, Ward 17; John J. Dodd, Ward 17; John D. Yule, Ward 18; Eric O. Olson, Ward 19; Robert C. Webster, Ward 19; Harold R. Gerlach, Ward 20; Edward E. Badger, Ward 21; Isaiah N. Simmons, Ward 21; Charles D. Rogers, Ward 22.

Thirty-two traverse jurors, Superior Criminal Court, Fifth Session, to appear December 10, 1928:

Joseph L. Russell, Ward 1; George F. Boland, Ward 3; William L. Cody, Ward 3; John P. Napier, Ward 3; Earl E. Barber, Ward 4; Roscoe L. Elliott, Ward 4; Frank R. Faust, Ward 4; Carroll Somers, Ward 4; John E. Brenner, Ward 6; William F. J. O'Mara, Ward 6; Stephen J. Thomas, Ward 6; William J. Dwyer, Ward 7; James J. Mulen, Ward 9; William B. Huber, Ward 10; Daniel J. Gallagher, Ward 11; James Larkin,

Ward 11; Joseph Payne, Ward 11; John D. Sullivan, Ward 11; Charles J. Mansfield, Jr., Ward 12; John J. McCarthy, Ward 12; Max Housman, Ward 13; Michael J. McWade, Ward 13; George J. Rooney, Ward 13; Arthur B. Corbett, Ward 14; Frank Salter, Ward 14; Timothy Joseph McSweeney, Ward 16; John A. Wragg, Ward 16; Frederick C. Clauson, Ward 19; Harold H. Martin, Ward 20; William J. Cleary, Ward 22; Francis P. J. Earls, Ward 22; Benjamin F. Huke, Ward 22.

Twenty-two traverse jurors, Superior Civil Court, First Session, October Sitting, to appear December 3, 1928:

George M. Broe, Ward 5; Alexander McLeod, Ward 5; Patrick J. Bellew, Ward 8; Charles A. Brown, Ward 10; William J. Corcoran, Ward 10; John S. Golden, Ward 10; George Wickstrom, Ward 10; Raymond Woodley, Ward 11; Adam S. Amrhein, Ward 12; Charles F. Hennessy, Ward 15; Lawrence E. Cantwell, Ward 16; Stephen S. Shaw, Ward 17; Kenneth A. Macaskill, Ward 18; Otto E. Vary, Ward 18; Laurence G. Wongburg, Ward 18; Daniel Bernard, Ward 19; Hans P. E. Hansen, Ward 19; Frank Kernann, Ward 19; Walter R. Kirk, Ward 20; George W. Priest, Ward 20; William Farnsworth, Ward 21; Harry Vickery, Ward 21.

Twenty-five traverse jurors, Superior Civil Court, Second Session, October sitting, to appear December 3, 1928:

Walter J. Hegnar, Ward 1; Frank F. Ross, Ward 1; Arthur Smith, Ward 1; James J. Kelley, Ward 2; Michele Celata, Ward 3; Edward C. Power, Ward 3; Thomas T. Connolly, Ward 4; George R. Collder, Ward 5; Edward R. Gray, Ward 5; John Larkin, Ward 10; Clement B. Cosgrove, Ward 11; Rasmus C. P. Rasmussen, Ward 11; Myer Shore, Ward 12; John J. Burke, Ward 13; Frank E. Whalin, Ward 13; John T. Johnson, Ward 16; James J. Crane, Ward 17; James S. Gillespie, Ward 17; J. Arthur Moriarty, Ward 17; Harry L. May, Ward 18; Walter E. Whitney, Ward 18; William F. Fitzgerald, Ward 19; James F. McCaffrey, Ward 20; Walter L. Morse, Ward 21; Israel M. Szathmary, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Third Session, October sitting, to appear December 3, 1928:

James F. Kelley, Ward 1; Charles H. Keyes, Ward 3; Wellington Holbrook, Ward 4; Franklin H. Palmer, Ward 5; John A. Evans, Ward 6; John H. McNulty, Ward 8; J. J. Kelleher, Ward 10; Emil J. Schneider, Ward 10; George Brown, Ward 11; Joseph T. Burke, Ward 11; James Clooney, Ward 11; Herbert B. Boynton, Ward 13; Patrick F. Flaherty, Ward 13; Charles M. Seavey, Ward 14; John F. Cronin, Ward 15; Robert B. Lyon, Ward 15; Richard J. Haskins, Ward 16; John P. J. Kidney, Ward 16; Carl Altot Eck, Ward 18; Frederick Juergens, Ward 18; Ralph S. Parker, Ward 18; William W. Sall, Ward 18; Robert McLindock Wilson, Ward 18; Kenneth H. Gay, Ward 19; John J. King, Ward 19; John T. Leonard, Ward 19; George McNeil, Ward 19; Charles E. Oman, Ward 22.

Twenty-two traverse jurors, Superior Civil Court, Fourth Session, October sitting, to appear December 3, 1928:

John J. Doolin, Ward 2; Patrick J. Lynch, Ward 2; Alfred G. Hutchings, Ward 3; Herbert F. Stevens, Ward 5; Patrick F. Herlihy, Ward 6; James Francis Kenney, Ward 8; Patrick H. Connolly, Ward 9; Frank W. Pfeiffer, Ward 10; Albert G. Stimler, Ward 9; George H. Brooks, Ward 12; Charles R. Hilton, Ward 14; Patrick Carr, Ward 15; William E. Brown, Ward 16; Arthur C. Spinney, Ward 17; Walter A. Mitton, Ward 18; Stanley J. Shute, Ward 18; George W. Harris, Ward 19; Abraham Richman, Ward 19; Howard W. Forbes, Ward 20; John McCormick, Ward 20; Howell D. Stevens, Ward 21; John P. Grace, Ward 22.

Twenty-five traverse jurors, Superior Civil Court, Fifth Session, October sitting, to appear December 3, 1928:

Robert L. Hutchins, Ward 5; John F. Masters, Ward 5; Jacob Goodman, Ward 6; Edward A. Stolph, Ward 6; Coleman J. Keely, Ward 7; Clarence E. Powers, Ward 7; Philip J. O'Hearn, Ward 8; Thomas J. Judge, Ward 10; Timothy F. Murphy, Ward 10; Harry Rosenthal, Ward 12; Jeremiah Donovan, Ward 13; Hyman Borofsky, Ward 14; Hugh B. McDermott, Ward 15; Walter M. Perry, Ward 16; Stanley Gillerist, Ward 17; Peter G. Rutherford, Ward 18; John F. Scherber, Ward 18; Charles E. G. Worth, Ward 18; John F. Greig, Ward 19; Walter E. Shedd, Ward 19; William D. Cottam, Ward 20; Albert C. Schell, Ward 20; Patrick J. Kilgariff, Ward 22; William E. Lee, Ward 22; Charles J. McAlinden, Ward 22.

Twenty traverse jurors, Superior Civil Court, Sixth Session, October sitting, to appear December 3, 1928:

David O'Keefe, Ward 1; John Creedon, Ward 2; Michael Conlon, Ward 6; Frederick E. Gass, Ward 8; Leo M. Smith, Ward 8; Adam H. Durweller, Ward 9; Herman Stegeman, Ward 11; Harris M. Robbins, Ward 12; Philip Lydon, Ward 13; John G. Wall, Ward

13; Jacob H. Broad, Ward 14; Francis Conway, Ward 15; William J. Hughes, Ward 15; William S. Patchell, Ward 16; Herbert Everett, Wells, Ward 17; Herman F. Conser, Ward 19; Joseph T. Goodwin, Ward 19; Louis W. Ratzel, Ward 19; Uriah M. Burton, Ward 21; John A. Costello, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Seventh Session, October sitting, to appear December 3, 1928:

Edward J. Callahan, Ward 1; James J. Johnson, Ward 1; John F. Lowther, Ward 1; Joseph F. Moore, Ward 6; Thomas H. Cummings, Ward 7; Edward J. Murphy, Ward 8; William J. Higgins, Ward 10; John L. Muir, Ward 10; William B. Daley, Ward 12; Frank J. Dolan, Ward 13; John F. Herr, Ward 13; Patrick J. Lynch, Ward 13; Michael J. McDonald, Ward 13; Edward C. Walsh, Ward 13; August Burgess, Ward 14; Joseph Cooper, Ward 14; William O'Connell, Ward 15; Timothy Mullane, Ward 16; Patrick J. Henry, Ward 17; Arthur J. McEachern, Ward 17; Ernest F. Koch, Ward 18; Harry M. Godden, Ward 19; Stephen Raulbach, Ward 19; Charles F. Durgin, Ward 20; Seavey P. Swan, Ward 20; Patrick J. Walton, Ward 22.

Adjourned at 1.55 p. m., to meet on Tuesday, November 13, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, November 13, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING presiding, in the absence of President Green, and all the other members present.

APPOINTMENTS BY THE MAYOR.

The following appointments by the Mayor were received, subject to approval by the Council, viz.:

Constables: Saul Henry Robinson, 38 Hosmer street, Dorchester; Frank Albert Connor, 20 St. Charles street, Ward 5; John Adams Dugan, 80 Leyden street, Ward 1; Albert B. Carmichael, 23 Milton avenue, Ward 17.

Weighers of Coal: Thomas Noyes, 68 Mt. Pleasant street, Somerville, for E. S. Morse & Co., 199 Medford street, Charlestown; P. Edwin Zaun, 26 Floyd street, Winthrop, and Thomas Kelley, 31 Smith street, Roxbury, with the Brotherhood Coal Company, 68 Devonshire street, Boston; Max Sheinfein, 214 Shirley street, Winthrop, with the East Boston Coal Company, 480 Orleans street, East Boston.

Severally laid over for a week under the law.

VETO OF LIBRARY APPROPRIATION.

The following was received:

City of Boston,

Office of the Mayor, November 7, 1928.

To the City Council.

Gentlemen,—I return herewith without my approval an order passed under date of October 29 by your honorable body providing for an appropriation in the sum of \$100,000 to be expended for a branch library building in Ward 21.

By withholding my approval upon the order I do not wish to be understood as having acted upon its merits, inasmuch as the extension of the library system is a matter to which the Board of Library Trustees have given a great deal of attention. The establishment of new municipal services, however, is subject to our borrowing capacity which can accommodate but a limited number of the demands made upon it. At the present time our right to borrow narrows the selection to projects whose consideration cannot well be postponed.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

VETO OF LICENSES TO EASTERN MASSACHUSETTS STREET RAILWAY COMPANY.

The following was received:

City of Boston,

Office of the Mayor, November 6, 1928.

To the City Council.

Gentlemen,—I return herewith without my approval two orders passed by your honorable body under date of October 29, 1928, as follows:

First, an order that a license be granted the Eastern Massachusetts Street Railway Company to operate six motor vehicles between the Boston and Cambridge line at West Boston Bridge and Park square as a part of a route between Boston and Billerica; and

Second, an order that a license be granted to the Eastern Massachusetts Street Railway Company to operate six motor vehicles between the Boston and Cambridge line at West Boston Bridge and Park square as a part of a route between Boston and Lowell.

The licenses, if approved, would operate to the disadvantage of the Boston & Maine Railroad, to which licenses were also granted for motor bus travel under date of October 29.

I have signed the orders granting licenses to the Boston & Maine and have withheld my signature on the Eastern Massachusetts licenses.

The Boston & Maine Railroad is the great common carrier for Northern and Western New England. It is my opinion that the successful operation of the railroad is so important for our industrial and commercial advancement that it should not be subjected to a form of competition which would take away its business and thereby tend to increase its rates for freight and passenger service.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

PAVING OF SCHUYLER STREET.

The following was received:

City of Boston,

Office of the Mayor, November 13, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your orders of October 15, relative to the repaving with smooth paving, Schuyler street, Maywood street and Savin street, Ward 12, and the resurfacing of K street, from Broadway to First street, South Boston.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, November 2, 1928.
To the Honorable the Mayor.

I return orders of the City Council, requesting certain street improvements, and report that at the present time we have no funds for carrying out these orders, the estimated costs being:

Maywood street, Ward 12, Blue Hill avenue to Warren street.....	\$15,600
Savin street, Ward 12, Blue Hill avenue to Warren street.....	16,700
K street, Ward 6, East First street to East Broadway.....	15,200
Schuyler street, Ward 12, Blue Hill avenue to Elm Hill avenue.....	17,200

Yours very truly,

JAMES H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

WAGES OF HOSPITAL PORTERS.

The following was received:

City of Boston,

Office of the Mayor, November 13, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Superintendent of the Boston City Hospital, in reply to your order of October 8, relative to providing in the budget for the ensuing year of a substantial increase in the wages of the transfer porters employed at the Boston City Hospital.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Hospital Department, November 8, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Mr. Mayor,—I am returning herewith the order of the City Council, that the Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to make provision in the budget for the ensuing year for a substantial increase in the wages of the transfer porters employed at the hospital.

This order was presented at a meeting of the Board of Trustees held on November 5 and referred to the budget committee of the trustees, and will be given careful consideration in making up the budget for the coming year.

Yours respectfully,

JOHN J. DOWLING,
Superintendent.

Placed on file.

RESURFACING OF RIVER STREET.

The following was received:

City of Boston,
Office of the Mayor, November 13, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of October 15, 1928, relative to the resurfacing of the Ward 17 end of River street and the continuation of work recently interrupted.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department, November 6, 1928.
To the Honorable the Mayor.

I return order of the City Council, dated October 15, requesting the Commissioner of Public Works to proceed as rapidly as possible with the resurfacing of the Ward 17 end of River street, and report that the department force will begin work on November 7. The Boston Elevated Railway has had a crew there putting in crossovers so that we might be able to bar out the paving blocks in the outbound track, which the railway will remove as soon thereafter as we require.

The Public Works Department will continue as rapidly as possible with the work of relaying the granite blocks.

Yours very truly,
JAMES H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

FOOTBRIDGE NEAR BUTLER STREET.

The following was received:

City of Boston,
Office of the Mayor, November 13, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Transit Commission, in reply to your order of September 5, 1928, relative to the approximate cost of constructing a footbridge and station over the Dorchester Rapid Transit near Butler street.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Transit Department, October 31, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—We return herewith order of the City Council, dated September 5, 1928, requesting the approximate cost of constructing a footbridge and station over the Dorchester Rapid Transit near Butler street.

It is estimated that it will cost \$23,000 for a five-foot passageway together with the necessary island platform.

It is assumed that the people in this vicinity will utilize the Milton Station, which is about a quarter of a mile from Butler street.

Very truly yours,
CITY OF BOSTON TRANSIT DEPARTMENT,
by THOMAS F. SULLIVAN,
Chairman.

Placed on file.

SALE OF OLD MATERIAL.

The following was received:

City of Boston,
Office of the Mayor, November 13, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Fire Commissioner, relative to the sale of old material, and respectfully recommend the passage of the accompanying order.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Fire Department, November 2, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—This department has on hand approximately six tons of old lead cable and one and one half tons of old iron in the Fire Alarm Shop. This material is estimated to be worth approximately five hundred (500) dollars.

I request that permission be obtained from the City Council to sell this old material.

Attached hereto is a copy of the last order of this kind.

Yours very truly,
E. C. HULTMAN,
Fire Commissioner.

Ordered, That the Fire Commissioner be, and hereby is, authorized to sell, after public advertisement, a quantity of junk belonging to the Fire Department, comprising old lead cable and old iron, valued at approximately five hundred dollars. Referred to the Executive Committee.

RESCISION OF LOAN ORDERS.

The following was received:

City of Boston,
Office of the Mayor, November 13, 1928.
To the City Council.

Gentlemen,—I transmit herewith five orders providing for the rescinding of authorization to borrow money under three distinct loan items. The following table indicates the loan orders concerned and the amounts which it is proposed to rescind:

Within Debt Limit:	
New Central Fire Station, October 19, 1926	\$100,000
Hospital Department:	
New Surgical Building, May 25, 1926	11,500
House Officers' Building, July 26, 1927	9,000
Outside Debt Limit:	
Hospital Department:	
New Surgical Building, May 25, 1926	23,000
House Officers' Building, July 26, 1927	18,000
	<u>\$161,500</u>

The amounts of money which are to be rescinded under these orders are no longer required because the work contemplated when the original authorization was made has been completed. Since there is no further need for the particular borrowing power still available in the above items, it is desirable that these accounts be closed on the financial records of the city. The accompanying orders will accomplish this purpose and I respectfully recommend their adoption by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

Ordered, That the right to borrow money outside the limit of indebtedness for House Officers' Building, under the loan order passed July 25, 1927, and approved by the Mayor July 26, 1927, be limited to \$290,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

Ordered, That the right to borrow money for House Officers' Building, under loan order passed July 25, 1927, and approved by the Mayor July 26, 1927, be limited to \$145,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

Ordered, That the right to borrow money for New Surgical Building, under the loan order passed May 24, 1926, and approved by the Mayor May 25, 1926, be limited to \$215,000 and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

Ordered, That the right to borrow money, outside the limit of indebtedness for New Surgical Building, under the loan order passed May 24, 1926, and approved by the Mayor May 25, 1926, be limited to \$430,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

Ordered, That the right to borrow money for New Central Fire Station, under the loan order passed October 18, 1926, and approved by the Mayor October 19, 1926, be limited to \$50,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

Referred to Committee on Finance.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, November 13, 1928.
To the City Council.

Gentlemen,—I am in receipt of the attached requests for transfers within departmental appropriations and respectfully recommend adoption of the accompanying orders by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, 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 West Roxbury Municipal Court:

From the appropriation for D 1, Office, \$10, to the appropriation for B-12, Bond and Insurance Premiums, \$10.

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 A-1, Permanent Employees, Physicians, 2 (3) at \$4,500 a year, \$600; Physicians, 4 (3) at \$3,500 a year, \$300; Physicians, 3 at \$3,000 a year, \$450; Clerks, 6 at \$25 a week, \$240; Clerks, 21 at \$22-\$24 a week, \$460; Clerks, 11 (8) at \$18-\$20 a week, \$700; Clerks, 3 at \$16-\$18 a week, \$200; Hospital Employees, 2 at \$35 a week, \$50; Social Service Workers, 16 at \$1,200 to \$1,600 a year, \$1,000, to the appropriation for A-2, Temporary, \$4,000.

From the appropriation for A-1, Permanent Employees, Social Service Workers, 16 at \$1,200 to \$1,600 a year, \$500, to the appropriation for F-11, Workingmen's Compensation, \$500.

From the appropriation for C-7, Furniture and Fittings, \$500, to the appropriation for B-14, Motor Vehicle Repairs and Care, \$500.

From the appropriation for C-7, Furniture and Fittings, \$500, to the appropriation for D-13, Chemicals and Disinfectants, \$500.

From the appropriation for C-7, Furniture and Fittings, \$1,000, to the appropriation for C-16, Wearing Apparel, \$1,000.

From the appropriation for E-1, Buildings, \$1,000, to the appropriation for D-16, General Plant, \$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 Hospital Department, Sanatorium Division:

From the appropriation for G-2, Special Investigations, \$95, to the appropriation for B-5, Cartage and Freight, \$50; B-15, Motorless Vehicle Repairs, \$35; C-6, Stable, \$10.

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, \$1,350, to the appropriation for B-22, Medical, \$700; B-39, General Plant, \$250; C-7, Furniture and Fittings, \$100; C-12, Medical, Surgical, Laboratory, \$100; D-5, Medical, Surgical, Laboratory, \$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 Police Department:

From the appropriation for B-1, Printing and Binding, \$1,000, to the appropriation for B-22, Medical, \$1,000.

From the appropriation for B-39, General Plant, \$1,665, to the appropriation for B-37, Photographic and Blueprinting, \$1,550; B-42, Music, Concerts, etc., \$115.

From the appropriation for C-9, Office, \$150, to the appropriation for C-5, Motorless Vehicles, \$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 Section:

From the appropriation for B-34, Jurors, \$1,100, to the appropriation for B-29, Stenographic, Copying and Indexing, \$1,000; B-39, General Plant, \$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 Office Expenses, Penal Institutions Department:

From the appropriation for B-14, Motor Vehicle Repairs and Care, \$150; C-4, Motor Vehicle, \$125, to the appropriation for D-11, Motor Vehicle, \$275.

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:

From the appropriation for Central Office, C-4, Motor Vehicle, \$100, to the appropriation for Central Office, B-4, Transportation of Persons, \$100.

From the appropriation for Long Island Hospital, A-1, Permanent Employees, Institution Hospital, 144 not exceeding \$1,200 per year, \$3,500; Internes, 6 at \$600 per year, \$1,500, to the appropriation for Long Island Hospital, A-1, Permanent Employees, Nurses, Student, 65 at \$600 per year, \$5,000.

From the appropriation for A-1, Permanent Employees, Optometrist, 1 at \$15 per day, \$465; Occupational Therapist, 1 at \$1,500 per year, \$293.11 Physician, Assistant Resident, 1 at \$1,200-\$1,500 per year, \$241.89, to the appropriation for B-39, General Plant, \$1,000.

From the appropriation for A-1, Permanent Employees, Nurses, Teacher of, 1 at \$1,400 per year, \$300, to the appropriation for D-1, Office, \$300.

From the appropriation for A-1, Permanent Employees, Carpenters, 2 at \$1,100-\$1,300 per year, \$100, to the appropriation for D-11, Motor Vehicle, \$100.

From the appropriation for A-1, Permanent Employees, Nurse, Operating Room, 1 at \$1,300 per year, \$300, to the appropriation for F-13, Industries, \$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 appropriation for Public Works Department (Bridge Service):

From the appropriation for B-39, General Plant, \$2,525, to the appropriation for D-8, Laundry, Cleaning, Toilet, \$25; E-3, Bridges, \$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 Welfare Department, Central Office:

From the appropriation for A-1, Permanent Employees, Visitors, 22 at \$1,600 to \$2,200 per year, \$690, to the appropriation for B-39, General Plant, \$100; C-3, Electrical, \$20; C-7, Furniture and Fittings, \$50; C-9, Office, \$80; D-1, Office, \$400; D-2, Food and Ice, \$10; D-8, Laundry, Cleaning, Toilet, \$20; D-16, General Plant, \$10.

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 D-4, Forge and Animal, \$300, to the appropriation for B-4, Transportation of Persons, \$300.

From the appropriation for B-18, Cleaning, \$1,000, to the appropriation for C-7, Furniture and Fittings, \$1,000.

From the appropriation for B-18, Cleaning, \$400, to the appropriation for D-8, Laundry, Cleaning, Toilet, \$400.

From the appropriation for C-1, Cable, Wire, etc., \$500, to the appropriation for E-10, Electrical, \$500.

From the appropriation for D-11, Motor Vehicle, \$3,000, to the appropriation for E-13, General Plant, \$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 transfer in the appropriations for District Court of Chelsea:

From the appropriation for A-1, Permanent Employees, Probation Officer, Juvenile, 1 at \$1,700 a year, \$1,074.33, to the appropriation for A-2, Temporary, \$1,074.33.

From the appropriation for B-39, General Plant, \$75, to the appropriation for B-4, Transportation of Persons, \$75.

From the appropriation for B-35, Fees, Service of Venires, etc., \$300, to the appropriation for B-28, Expert, \$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 Park Department, Cemetery Division:

From the appropriation for C-9, Office, \$3, to the appropriation for C-6, Stable, \$3.

From the appropriation for D-16, General Plant, \$100, to the appropriation for D-4, Forage and Animal, \$100.

From the appropriation for E-2, Highways, \$340, to the appropriation for C-13, Tools and Instruments, \$250; D-4, Forage and Animal, \$50; D-13, Chemicals and Disinfectants, \$40.

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 B-28, Expert, \$1,000, to the appropriation for B-6, Hire of Teams and Auto Trucks, \$1,000.

From the appropriation for C-16, Wearing Apparel, \$1,100, to the appropriation for B-6, Hire of Teams and Auto Trucks, \$1,100.

From the appropriation for B-42, Music, Concerts, etc., \$300, to the appropriation for B-8, Light, Heat and Power, \$300.

From the appropriation for E-10, Electrical, \$127, to the appropriation for B-16, Care of Animals, \$127.

From the appropriation for E-1, Building, \$1,000, to the appropriation for C-7, Furniture and Fittings, \$1,000.

From the appropriation for E-13, General Plant, \$900, to the appropriation for C-13, Tools and Instruments, \$900.

From the appropriation for D-10, Agricultural, \$2,000, to the appropriation for D-4, Forage and Animal, \$2,000.

From the appropriation for E-12, Parks and Recreational, \$2,000, to the appropriation for D-4, Forage and Animal, \$2,000.

From the appropriation for E-13, General Plant, \$500, to the appropriation for D-8, Laundry, Cleaning, Toilet, \$500.

From the appropriation for D-16, General Plant, \$100, to the appropriation for D-13, Chemicals and Disinfectants, \$100.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

Henry L. Abbott, for compensation for damage to automobile caused by an alleged defect at 67 Nottingham road.

Concetta Abramo, for compensation for injuries caused by an alleged defect at 71 Staniford street.

Felicia A. Banas, for compensation for damage to automobile by city truck.

Mrs. M. J. Benton, for compensation for damage to property at 9 Eliot street, Jamaica Plain, caused by employees of Park Department.

Fred E. Bowes, to be reimbursed for expenses incurred in digging sewer at 37 Union park.

Elizabeth A. Bradley, for compensation for injuries caused by an alleged defect at 703 Bennington street.

Charlotte C. Brenn, for compensation for damage to automobile commandeered by police.

Adolph G. Brugger, for compensation for damage to automobile caused by an alleged defect in Blackstone street.

Margaret Celeste, for compensation for injuries caused by an alleged defect at 148 D street.

John E. Counihan, for compensation for injuries caused by an alleged defect in Bexley road.

Mary A. Curran, for compensation for damage to property at 16 Barnes street, caused by overflow of sewage.

Michael Curran, for compensation for damage to property at 16 Barnes street, caused by overflow of sewage.

Arthur Dramis, for compensation for injuries caused by an alleged defect in Tremont street.

Edington & Co., Inc., for refund on refuse tickets.

Mary Elebrant, for compensation for injuries caused by police car.

Harry Feldman, for compensation for injuries on ferryboat.

Filing Equipment Bureau, for refund on refuse tickets.

Mary Fitzpatrick, for compensation for injuries caused by an alleged defect in Washington street.

Charlotte Freeman, for compensation for injuries caused by an alleged defect in Warren street.

B. Gottlieb, for refund on building permit.

Cosimo Lorino and Carlo LaMattina, for compensation for damage to property at 23 Clark street, caused by defective sewer pipes.

Frances Macale, for compensation for injuries caused by an alleged defect in Otis School yard.

Joseph F. Maloney, for compensation for damage to property at 333 Neponset ave., caused by backing up of sewage.

Francis Pelletier, for compensation for injuries caused by an alleged defect at 68 Poplar street.

Constantin Raftogianis, for refund on victualler's license.

Mrs. Mary J. Ridge, for compensation for expenses incurred in digging sewer in front of 270 Ninth street.

Rose Rosenbloom, for compensation for water taxes paid twice.

E. Sabakian, for compensation for damage to property at 18 Barnes street, caused by overflow of sewage.

Morris Sheffer, for compensation for damage to automobile by city truck.

Helen Silverman, for compensation for damage to property at 56 Devon street, caused by falling tree.

Charles J. Smith, for compensation for damage to car by branch of tree.

Richard J. Splaine, for compensation for injuries caused by an alleged defect in Tremont street.

Ellen J. Sullivan, for compensation for damage to automobile caused by car of Park Department.

Boris L. Thorner, for compensation for damage to property at 149-153 Harvard street, caused by defective sewer.

Marion J. Tracey, for compensation for injuries caused by an alleged defect in Ashmont street.

John P. Wall, for compensation for damage to automobile caused by an alleged defect at 97 St. Rose street.

William Welch, for compensation for damage to property at 16 Barnes street, caused by overflow of sewage.

Cora N. Wilson, for compensation for injuries caused by an alleged defect in Walnut avenue.

Lincoln Yalden, for compensation for damage to automobile by city truck.

Committee on Unclaimed Baggage.

Petition of Boston & Maine Railroad to sell unclaimed baggage at public auction during latter part of January, 1929.

PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds, for the period from November 1 to November 15, 1928, amounting to \$4,336.66, was received and approved.

CONSTABLE'S BOND.

The constable's bond of Hyman Charney, having been duly approved by the City Treasurer was received and approved.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings on petitions for storage and sale of gasolene, as follows:

November 19.

Harry H. Wiggin, 412 Medford street, Ward 2, 1,000 gallons.

November 26.

Cecilia A. Barrows, 600 Centre street, Ward 19, 1,500 gallons.

Cities Service Refining Company, 30 Hallett street, etc., Ward 16, 1,000 gallons.

William T. VanNostrand, 26 Alford street, Ward 2, 2,000 gallons.

Referred to the Executive Committee.

INTEREST IN CONTRACTS.

Notice was received from Cornelius O'Sullivan of interest in contract for flag controller sold to Boston public schools.

Notice was received from Joseph A. Tomasello, member of Board of Appeal, of interest in contract between A. G. Tomasello & Son, Inc., and City of Boston, *in re* work at Columbia Station, Dorchester Rapid Transit.

Severally placed on file.

NOTICE FROM DIRECTOR OF ANIMAL INDUSTRY.

A communication was received from Evan F. Richardson, Director of Animal Industry, with copies of orders relative to cattle diseases and cattle transportation.

Placed on file.

EXCHANGE STREET LOAN IN EFFECT.

Notice was received from the City Clerk that, under provisions of section 2 of chapter 486 of the Acts of 1909, the loan order of \$1,100,000, to be expended by Commissioner of Public Works for Highways, Making of, recommended by Mayor and filed with City Clerk September 10, 1928, not having been rejected or withdrawn within sixty days after said date, was in force on November 10, 1928, as if adopted by City Council.

Placed on file.

RECESS.

The Council voted, on motion of Coun. BUSH, at 2.35 p. m., to take a recess, subject to the call of the Chair. The members reassembled in the Council Chamber at 3.03 p. m., and were called to order by Chairman DOWLING.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following:

1. Report on message from Mayor and order (referred today) authorizing Fire Commissioner to sell, after public advertisement, old material belonging to Fire Department—that same ought to pass.

Report accepted; said order passed.

2. Report on message from Mayor and orders (referred today) authorizing various transfers within departmental appropriations—that same ought to pass.

Report accepted, said orders severally passed, yeas 16, nays 0.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Chairman DOWLING called up, under unfinished business, No. 3 on the calendar, viz.:

3. Action on appointments submitted by the Mayor October 29, 1928, of Esther Rubinstein to be a Weigher of Coal; G. Gladys Grages and Daniel J. S. McCurdy, to be Weighers of Coal and Weighers of Goods; Edgar F. Baker, to be a Weigher of Goods.

The question came on confirmation. Committee, Coun. Donovan and Keene. Whole number of ballots 15, yeas 15, and the appointments were confirmed.

TRANSFER FOR BRIGHTON FIRE STATION.

Chairman DOWLING called up, under unfinished business, No. 4 on the calendar, viz.:

4. 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 Municipal Building, Charlestown, Site and Plans, \$75,000, to the appropriation for Fire Station, Brighton, \$75,000.

Ordered, That the sum of \$75,000 be, and the same is hereby, appropriated to be expended under the direction of the Fire Commissioner for Fire Station, Brighton, 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 to said amount.

On October 29, 1928, the foregoing orders were read once and passed, yeas 22.

The orders were given their second and final reading and passage, yeas 17, nays 0.

LONG ISLAND BUILDINGS AND EQUIPMENT.

Chairman DOWLING called up, under unfinished business, No. 5 on the calendar, viz.:

5. Ordered, That the sum of one hundred and twenty-five thousand dollars (\$125,000) be, and the same is hereby, appropriated for Long Island, New Buildings and Additions, and Equipment and Furniture, all for Institutions Department purposes, and that to meet said appropriation the City Treasurer be, and hereby is, authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On October 29, 1928, the foregoing order was read once and passed, yeas 22.

The order was given its second and final reading and passage, yeas 18, nays 0.

RELEASE OF EASEMENTS, DORCHESTER.

Chairman DOWLING called up, under unfinished business, No. 6 on the calendar, viz.:

6. Ordered, That his Honor the Mayor be, and he hereby is, authorized in the name and behalf of the City of Boston, for the consideration in the sum of one dollar to execute and deliver to Samuel H. Lilly an instrument of release in form satisfactory to the Law Department of that part of two easements taken by the Board of Street Commissioners of the City of Boston for sewerage purposes in private land off Hildreth street in the Dorchester district of the City of Boston now owned by the said Samuel H. Lilly. The easements herein referred to were taken by the Board of Street Commissioners of the City of Boston on April 29, 1898, and on September 17, 1909, respectively.

On October 29, 1928, the foregoing order was read once and passed, yeas 22.

The order was given its second and final reading and passage, yeas 20, nays 0.

JITNEY REPORTS.

Coun. DOWD, for the Committee on Jitney Licenses, submitted the following:

1. Report on petition of Boston Elevated Railway (referred September 25) to operate motor vehicles between Columbus square and South Station—that license be granted.

Report accepted; license granted under usual conditions.

2. Report on petition of Boston Elevated Railway (referred October 8) to operate motor vehicles between Northampton and Washington streets and Washington and Kneeland streets—that license be granted.

Report accepted; license granted under usual conditions.

SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted a report recommending passage of order for allowance to soldiers and sailors and their families within the City of Boston. Report accepted; said order passed.

PAYMENT TO SOLDIERS' RELIEF COMMISSIONER.

Coun. MOTLEY offered the following:

Ordered, That there be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for the Soldiers' Relief Department, the sum of two thousand dollars, said sum to be expended, subject to the approval of the chairman of the Committee on Soldiers' Relief, or in his absence by any other member of said committee, by such commissioner in affording immediate relief to persons entitled to aid under chapter 115 of the General Laws, and acts in amendment thereof and in addition thereto.

Passed under suspension of the rule.

CONGRESS STREET BRIDGE.

Coun. BUSH, for the Committee on Finance, submitted the following:

1. Report on message of Mayor and loan order for \$300,000 (submitted October 1)—that same ought not to pass without prejudice.

Coun. BUSH—Mr. President and members of the Council, your Finance Committee met on last Friday in reference to this order, and five of the seven members of the committee were present. The committee had prior to that taken a personal view of the place where this bridge is located and had also obtained such evidence as was possible from the Board of Street Commissioners with reference to it, in a prior bearing after the defeat or rejection of the order by this Council. It further developed at this meeting of the Finance Committee that almost simultaneously with the meeting a batch of letters was received by the committee on the same day the committee met, with a communication addressed by the Mayor to the chairman of the committee, which communication I shall read to this body:

"Coun. Herman L. Bush, Chairman, Committee on Finance, Council Chamber, City Hall, Boston, Mass.

Dear Councilor Bush,—I inclose for consideration of your committee the following communications relative to an order introduced by me on October 1, 1928, and referred to your committee on the same date, providing for the rebuilding of Congress Street Bridge."

Then letters are inclosed from different concerns. The letters are all practically to the effect that the statements appearing in the paper had been read by the writers of these letters, to the effect that Congress Street Bridge was about to be restricted to the passage of trucks weighing not over four tons. That statement evidently aroused considerable interest and comment, and was apparently the reason why the letters were sent to the Mayor. It happens, however, that one of the letters starts off in this manner, a letter from the American Sugar Refining Company:

"Dear Mr. Mayor,—When you invited to your office for a conference a group, of whom I was one, representing various business interests and civic organizations who were interested in the rebuilding of the Congress Street Bridge, we were all much encouraged and felt that we had convinced you of the desirability of this program. Feeling that this was the case, I have not followed up the matter, and was recently surprised and disappointed to learn that the necessary action had not yet been taken to proceed with this work; and that unless something is done within a very short period, there is strong probability of an indefinite postponement."

An inspection of the letters—some of which were dated on the 1st, some on the 2d, some on the 3d and one on the 6th—indicated to the committee that they were solicited purely for the purpose of impressing the committee with the desirability of the order. The committee were

not entirely impressed with the manner in which the thing was staged, for it developed out of the score and odd letters received that only three were from establishments located in that particular area. The rest of them were from concerns located on Federal street, Summer street, one on Post Office square, and one at 40 Court street, and only three of them were actually located in the territory served by the bridge. The committee further discovered that just three weeks prior to the introduction into this body of the original order by the Mayor, a spur track permit had been granted by W. J. McDonald and Willard Welsh as agents for an undisclosed party to cross the street directly under the bridge, or 30 feet from the abutment.

The committee, accompanied by the bridge engineer, visited the site, and the bridge engineer told the committee that it would be necessary to steepen the grade of the bridge at that end in order to allow the track to cross the street at that level. The committee sent for the permit which was granted, or a copy thereof. The board of Street Commissioners did not appear in person but sent the permit to the committee, and a reading of the permit disclosed that no hours when freight cars might be shifted across that track in front of the bridge were mentioned. The statement was made by one of the members of the Board that an oral agreement existed between the members of the Board of Street Commissioners and the particular individuals to whom the permit had been granted that no cars would be shifted during the daytime. The committee could not, of course, take cognizance of that oral agreement, because not only is it not binding upon the individuals who are given the right under the agreement, but upon those individuals to whom the present ones might dispose of their right in this matter it certainly would have no binding effect, either moral or legal. Apparently the Mayor, when the committee rejected the order by a vote of 3 to 2, voting to report back "Ought not to pass without prejudice" became very much incensed and sent for the press and made a statement to the press which turned out to be a very vicious attack upon the Finance Committee. In this attack upon the committee, published in the Saturday morning papers, he termed the Finance Committee of the Council obstructionists and referred to the permit which he had granted to private individuals as a permit which was revocable at will. The chairman of the committee then, feeling that it devolved upon him to defend the committee against such an attack, gave a statement to the press repudiating the Mayor's attack and defending the committee's position. The statement contained words to the effect that the Mayor had granted this permit three weeks prior to the sending of the original order to this body and that, although in his statement in the press he said that the spur track would serve the entire district, that was not true; that it served only one group of individuals and only one piece of property. I also stated that the Mayor in granting that permit to individuals was making it possible to negative and impair the value of that bridge, by obstructing traffic, through the shifting of freight cars back and forth across the highway. This is obvious, goes without question, for the siding at that point is not big enough to accommodate more than two cars. This is a six-story warehouse. It is perfectly plain that, in order to enable the warehouse to do business, there would be a continued shifting of freight cars directly in the path of traffic on that bridge. The committee did not feel that there was no merit to the order. They felt that perhaps a new bridge might be advisable. But for the city to spend almost a million dollars on a new bridge and then have the Mayor, through his Board of Street Commissioners, grant a permit which would practically invalidate the efficiency of the bridge, was something that it seemed to the committee warranted the present rejection of the order. Upon the publication of that reply to the Mayor's attack, he came back in this morning's paper with a very specious argument and with some irritating comment, which I should like to analyze for your benefit. He says: "From a report made to me some time ago by Commissioner James H. Sullivan of the Public Works Department, I find that the commissioner appeared before the Committee on Finance and explained that the spur track had nothing to do with the reconstruction of the bridge, and that it would interfere in no way with the traffic passing over either the old bridge or the

new. Commissioner Sullivan further explained to the committee that the understanding between the City of Boston and the petitioner for the track permit was that the operation of the spur track was to be limited to the period between the hours of 6 at night and 6 in the morning."

The Mayor is entirely in error on that point. The Commissioner of Public Works never appeared before the committee, and any such agreement does not appear on the permit itself. If there is such an agreement it is a secret agreement and an oral one, which has no effect in law whatsoever. He also quotes the chairman of the Finance Committee as saying that the rebuilding of the bridge would be affected by the track. That is not the chairman's statement. That is the statement of the bridge engineer to the Committee on Finance. The chairman of the committee does not pretend to know any more about engineering than the Mayor does, but took the word of the City of Boston's bridge engineer on that subject. The Mayor's quotation from "Caesar's Commentaries" is very amusing, but hardly germane to the issue. I may not be as well acquainted with "Caesar's Commentaries" as the Mayor seems to be, but I certainly am just as well acquainted with city affairs as the Mayor pretends to be. He makes the further remark that the statement of the chairman of the Finance Committee was discourteous to the Mayor and unwarranted. Is the Mayor going on the assumption that "The King can do no wrong," and that he is above criticism, whether he is false to his public trust or not? That is not the opinion of the chairman of the Finance Committee. The Mayor is entitled to all commendation when he is acting in the public interest and for the public interest, and he is just as well deserving of condemnation when he acts against the public interest. In my opinion, in this particular case he has acted against the public interest. It further develops, gentlemen, that this Congress Street Bridge petition was originally presented to the Legislature by Ex-Mayor Curley in 1926. The petition contains a clause to the effect that, unless the City Council accepted it in the current year, it would become invalid. The City Council did accept it on October 25, 1926, over two years ago. The bridge was in just as bad condition two years ago as it is today, so what justification has the Mayor for waiting as long as he has before presenting the order? As a matter of fact, he was approached about ten months ago by Coun. Lynch on behalf of some interests in that locality to take steps looking to the carrying out of the project, and the Mayor then unqualifiedly and unequivocally said he would not spend \$800,000 on the construction of the new bridge, but that he would spend \$20,000 to repair the old one. How he happened to change his mind about it I don't know, and he has never explained. The fact remains, however, that just prior to sending up the order here he granted a permit for a spur track, a valuable franchise for a track which goes directly across in front of the bridge, to a private individual. That is as truly an obstruction of traffic as anything can be, and it benefits no one but the individuals who own the land on that side of the street. He also does not explain that the prior owner of that property had repeatedly made efforts to obtain the granting of a similar permit, but was never able to obtain it, although in the Mayor's statement of this morning he says:

"Let me say further that in the granting of spur track permits the procedure is governed by statute and in a manner to safeguard the rights of all citizens. . . . There is no plan on the part of the Mayor to give a special privilege to the petitioner for the track location at the expense of the public. It is the duty of the Mayor in every case where licenses are presented to him for his approval to give respectful attention to them and is not inconsistent with the public welfare to aid in the success of any legitimate business enterprise."

I claim, gentlemen, that his granting of this permit was inconsistent with the public welfare. This morning, upon arriving in the Council Chamber, I found this letter awaiting me, signed by F. L. Moore & Co., 308 Congress street, Lewis Flanders & Co., 310 Congress street, the Boston Forwarding and Transfer Company, 310 Congress street, and the Atlas Terminal Stores:

"November 10, 1928.

Boston City Council, Finance Committee, Herman L. Bush, Chairman.

Gentlemen,—We, the undersigned property owners and business men on Congress street, desire to protest against the granting of a permit for

a spur track to cross Congress street at a point close to the abutment of the bridge. This track will negative and impair the value of the prospective new bridge by obstructing traffic and causing congestion. We further protest that we were not notified of any hearing with reference to this matter and deem it an outrage to give private individuals a public privilege at the expense of the people to the detriment of the city."

I wonder what the Mayor will have to say to that? Sometime ago one of the papers referred to him as a tight-rope walker, who, just as you expected him to lose his balance and fall on his ear would straighten up and then go through the performance again; that it was that way with his auditorium and with Young's Hotel. I say to you that the Mayor is still attempting the tight-rope walk stunt, only this time he is futilely clutching at straws in order to maintain his equilibrium.

Coun. WILSON—Mr. President, although a member of the Finance Committee of the City Council, I have no desire to contribute to the exchange of pleasantries between his Honor, the Mayor, and the chairman of the Finance Committee of the City Council, except only as some of the literary shafts and repartee may reflect upon the Finance Committee, of which I personally am a member. The act of the Legislature authorizing a loan order of \$800,000 for the construction of a new Congress Street Bridge was talked over two years ago. The loan order came to this body in August of this year, together with a tax levy order in the sum of 10 per cent of the loan, or \$80,000. The usual haste was urged for the passage of that order, in view of the fact that the tax levy was to be determined, and I personally voted for the \$80,000 for that purpose only, and so stated on the record. Thereafter the Finance Committee considered the loan order itself, our theory being that the members of the City Council, at least in theory, are expected to consider the merits or demerits of every loan order with some degree of care and not merely to act the part of theater ushers, applauding every act, whether good or bad. It was thought advisable to consider the expenditure of \$880,000 in some detail, particularly comparing the length, construction and cost with corresponding details on the new Cottage Farm Bridge, showing what would seem to be a rather high cost for the shorter Congress Street Bridge project. Meanwhile, however, it became necessary to take action one way or the other unless the Council was to see the loan become effective through operation of law. I must take exception to the Mayor's characterization of the committee's report, "ought not to pass without prejudice," as a "funeral procedure which recognizes the worth of the order while denying its right to live." Neither the Mayor nor the Council is responsible for that hybrid in the city charter which would rush the Council into ill-considered action on loan orders on pain of having the orders automatically effective in sixty days unless otherwise disposed of. If a loan order is plainly proper or obviously undesirable, the Council accordingly disposes of it, but if, as in the case of this proposed bridge project, it requires further consideration, the procedure of the committee has invariably been to defeat it, but "without prejudice." Such action merely insures a later definite vote by the Council on the merits of the particular measure, without permitting evasion of full responsibility for the appropriating of the people's money. The present need for rebuilding this particular bridge is not the result of any sudden conflagration or any sudden destruction by flood or otherwise. The bridge still stands where it stood two years ago, in 1926, when the Legislature authorized the loan. The chief difficulty of the committee last Friday was with reference to the spur track privilege granted last summer, directly across the proposed improved traffic artery. It is a matter of some years since I personally studied up on Caesar's building of bridges, but at the meeting of the Finance Committee on Friday I was impressed by the argument that no modern Horatius should have superior bridge rights and that traffic over a new \$880,000 bridge should not be strangled during business hours by a private track squarely across the end of the bridge. I stated then, and I repeat at this time, that if operation of the spur track is limited to hours of light traffic, I would be in favor of the loan order. I took pains Saturday to inquire of the department which granted the track permit and was told that they believed

the hours of use would be restricted, but they were aware of no restriction to date and not aware of any understanding between Mr. Sullivan and the petitioner that operation was to be limited to night hours. I venture to say—and it is proven true today—that the very Boston firms which are urging completion of the bridge would be the most indignant protestants if day after day they found freight obstructions at the ends of the bridge after it was built. I see no reason for prolonged controversy between the branches of the city government if that is an understanding between Mr. Sullivan and the track owner limiting use of the tracks. I believe we should get in touch with the Street Commissioners, who have charge of traffic conditions, in regard to this matter. That can be done at once, done this afternoon. At the meetings of the committee I personally heard of no understanding or arrangement between Mr. Sullivan and the holder of this franchise to the effect that the track would be used only during the night hours. That was entirely news to me, until I came here today and read the story in this morning's paper. If this is a franchise that is irrevocable, I would naturally be against the loan order. I now understand that the right given is a revocable right, that it can be revoked at any time by the Board of Street Commissioners,—although I would like to have assurance of that fact from the Board of Street Commissioners. I also learned for the first time today, something which the Finance Committee did not understand prior to this time, that that is to be the attitude of the Street Commissioners, that it is to be treated as a revocable right. I don't know whether or not Mr. Sullivan, the Public Works Commissioner, comes into the picture, but I understand that it is the intention of the Street Commissioners to restrict the use of this spur track, where it crosses the traffic route to the night hours, that at least the use will be restricted during business hours. My suggestion, therefore, would be, and I believe this would have the support of the other members of the committee, that before we vote on the question of passing this proposed loan order we have Mr. Hurley, the chairman of the Street Commissioners, come in here—it will take only two or three minutes—and obtain his assurance that this is not an irrevocable license, which once given cannot be taken back, but is one that can be revoked if the grantee fails to obey the reasonable traffic restrictions of the department, and that it is understood that it shall only be used at times when street traffic, traffic across the bridge, will not be impeded. I move, therefore, Mr. President, that we send for Mr. Hurley, chairman of the Street Commissioners, and get that assurance.

The question came on Coun. Wilson's motion to send for Chairman Hurley of the Street Commission and obtain his assurance as to the revocability or irrevocability of the track franchise.

Coun. McMAHON—Mr. President, being one of the members of the Finance Committee and voting that the order should not pass, I will simply say that I did not know at that time that the use of the spur track could be regulated as has been suggested. I understood or was under the impression that when the spur track permit was given the owners could lock up the \$800,000 bridge at any time of the day. I have had experience coming over the Congress Street Bridge at different times of the day and particularly around noon-time have experienced delays by freight trains. So I thought it would be useless to put in a new bridge if that sort of thing was to be expected. Anybody who has had the experience I have had when the draw is open knows what a jam there can be there. So, as I say, I was under that impression on Friday, at the meeting, when I voted "Ought not to pass, without prejudice." Since coming here today I have received the information, the same as Councilor Wilson has, that the Street Commissioners have the right to revoke the permit at any time if the owners do not live up to their agreement—and I also understand that there is an agreement that they will not interfere with traffic. I understand—I may be mistaken, but we can have this confirmed by the chairman of the Street Commissioners—that it is intended to run these freight trains over this spur track in the night time, and not in the day time. For that reason I would like also to hear from the chairman of the Street Commissioners, and would also ask for a recess that we may do so, so that I may be assured of the situation in that respect.

Coun. SULLIVAN—Mr. President, I think

when this matter was before the committee, if I recollect clearly, Commissioner Sullivan was sent for, appeared before the Finance Committee, and, while he had no authority in the matter of this spur track permit, he made a statement, which lies pretty clearly in my mind, that they agreed verbally to operate it only between the hours of 6 p. m. and 6 a. m. He stated, while he had no authority in the matter, that he understood it in that way. That was stated by Commissioner Sullivan, who appeared before the Committee on Finance in the green room. At that time the order was rejected. In view of that fact, at the meeting last Friday I, being one of the members who appeared at the meeting, voted in favor of the passage of this order, with the understanding that the spur track would not be operated in the day time.

Coun. DONOVAN—Mr. President, I believe the matter of the spur track permit, in connection with Congress Street Bridge, is entirely out of our scope. As I look at the matter, if we vote in favor of the loan for the bridge, it will be up to the Street Commissioners to handle the track location and to make proper regulations in connection with it. I understand that they can rescind their action, if they wish to do so. In any event, that is a matter that is entirely in their hands. So, believing that the spur track matter is entirely out of our hands, I have taken that position on the order.

Coun. DOWD—Mr. President, as one of the two members of the Finance Committee who voted favorably on the loan order, I take exactly the position stated by Councilor Donovan. The matter of granting a spur track is entirely beyond the authority of this Council. That is a matter which lies within the authority of the executive branch of the city government. So I take that position at this time, although this is perhaps the first time I have risen in my speech, in the three years I have been a member of the Council, to say a word in behalf of such a loan order presented by the Mayor. I am absolutely convinced, however, and I believe every other member of the Committee on Finance is convinced that the new bridge is entirely necessary. It is very easy at the present time, if it is found desirable to revoke the permits that have been granted, to do so, as I understand it; and if there were no such permits in existence, and we fought the loan order, such a permit could be granted tomorrow. So I voted for the order in the Committee on Finance.

Coun. BUSH—Mr. President, Mr. Sullivan's recollection and my own seem to be very highly at variance. I am afraid I cannot agree with him in his recollection of what occurred. If the members of the Council are really interested in the matter of whether this spur track permit has any hearing on the expenditure of almost a million dollars for a new bridge, I think I am fully justified in calling to their attention the fact that the Mayor says the permit is revocable at will. If the permit is revocable at will, I say it should be revoked, and then, if he wants to hold a public hearing at which these people who are affected by it on the other end of the bridge can get an opportunity to be heard, such a hearing can and should be held. If he then cares to grant the permit in face of public opinion against it, so be it. But I believe action should be taken in that way instead of sneaking it over hothouse, then saying that the Council has nothing whatever to do with it and that the responsibility rests entirely on the Mayor and his Board of Street Commissioners. But when he sneaks the permit through a few weeks before he sends the order up here, without an opportunity for the public to know about it except through an obscure little notice in a newspaper which nobody can be expected to notice, and then looks to this Council to aid and abet him in granting a personal franchise, giving to private individuals rights that belong to the public, I say that this Council has no right to aid and abet him in such an act.

Coun. SULLIVAN—Mr. President?

Coun. BUSH—Mr. President, I have the floor yet, I believe. This spur track permit, whether the trains are run by day or night, unquestionably causes an obstruction to the entrance and exit of the bridge; and if the Council is interested in seeing that the taxpayers' money gets its full efficiency, full value, they now have the opportunity to compel the Mayor to revoke a permit granted in such a manner by withholding their

approval of this loan, leaving it to the Mayor to revoke that permit first. If that course is pursued, I will personally vote for the order myself. If this permit is revoked, and the order then comes in, I think enough of the order and of the necessity for a new bridge to vote for it myself. But I do feel that something has been put over on the public, and I, for one, am not going to be a party to it.

Coun. KEENE—Mr. President, I do not think it is fair for the councilor, even though he may have some petty grievance with the Chief Executive of this city, to make such statements as have been made by him, based upon innuendoes and suspicions. We have just heard the councilor say that the Mayor sneaked something over. I had supposed every member of this Council knew that the statutes and ordinances provide the method of procedure in connection with a license of this nature. The method called for public notice, and if public notice is not given the franchise is of no value. I presume, from what knowledge I have been able to gain, that a notice was given, that a hearing was held, and that at that hearing not one individual, not one corporation, appeared to object. It is true that the forwarding company referred to might object. We have here a letter addressed to the committee from a forwarding company. What is the business of a forwarding company? To take freight from a public terminal or a public warehouse to a man's place of business. Why wouldn't they object? I had supposed, also, that every member of the Council knew that after six o'clock at night you see no vehicles on that end of Congress street. It is a purely business and storage community, where taxpayers have spent thousands upon thousands of dollars to erect buildings for the storage of merchandise, and to erect places of business. Anything which will facilitate their getting their goods into and out of their warehouses, or getting raw materials from which to manufacture their product, if it does not inconvenience the public, should, it seems to me be encouraged. I believe it is about time that the City of Boston took a little interest in such matters. At that particular place some time ago the grade of the streets was changed, and I think the level of the proposed street is a foot and a fraction higher, because the War Department states that if a new bridge is put in there it desires a draw with a passing space of 75 feet. The bridge plans also provide, I believe, for a channel of 35 feet, which in itself necessitates the expenditure of a far greater sum of money in proportion than would be expended at the Cottage Farm Bridge or any bridge similar to that, because at the Cottage Farm Bridge they did not have to take into consideration depth of channel or provide a draw. The Mayor in his article took exception, I understood in the morning papers, to having it said that he was blackjacking the Council into doing something. I have heard that statement on the floor on many occasions, that he was blackjacking or forcing somebody into doing something. Personally I have never heard any councilor cite an instance of where he tried to do it. It seems to be one of the usual, customary thoughts in this body, if the Council do not agree with something that the Mayor asks for, to say he is putting the screws on, or putting on pressure. The facts of the case are that this is a bridge fifty-five years old, costing better than \$20,000 a year to retire, traffic on which is restricted to five-ton vehicles. Either the bridge should be repaired, rebuilt or closed up. I was in the Mayor's office and saw twelve to fifteen of our biggest business men telling him about the deplorable conditions there stating that two of our important industries have moved, because of the rotten condition of that bridge. After business hours, as I say, no traffic passes back and forth there. We have in front of the South Station, on Atlantic avenue, a freight car line where freight cars are moved back and forth, serving the business of this city. I want to ask the members of the Council whether or not they think a spur track would not increase the value of every piece of business property in the immediate vicinity? Certainly it would. There is a demand for that sort of thing in connection with the business of this city. It will not be run in a way that will interfere with traffic, so far as this proposed new bridge is concerned. The bridge now there is unsafe, in bad shape, the taxpayers want it fixed. They say it should be fixed. But we are told here today, "Let us force the Mayor to revoke the track lines." It appears to

me that the argument is silly. I think it is the duty of the Council to decide the question of the bridge on its merits. If the opinion of the members is, on the merits of the proposition, that the order should not pass, let them vote accordingly, but if they feel that it is in the interest of this city, and the taxpayers demand it, I say it is the duty of the Council to vote for the order.

Coun. PARKMAN—Mr. President, I want to put into the record here a statement from the *Boston Globe* this morning. If the Council will bear with me I will read it, because it seems to summarize in pretty fair fashion the various arguments in favor of the order.

"Joseph B. Russell, who was for more than forty years executive officer of the Boston Wharf Company, and was probably responsible for the redemption of this great property from what in the past was known as the 'South Boston Dump' and making it one of the largest and most prosperous business sections of Boston, yesterday said the refusal of the city to build a new Congress Street Bridge, 'to me is incomprehensible.'"

"In his discussion of the matter Mr. Russell said:

"With the many attractions offered by Cambridge to business enterprises, largely made possible by the hundreds of thousands of dollars spent by Boston in new bridges and improved highways in that direction, the action or nonaction of the Boston City Council, in not protecting its own similar business interests in South Boston by a new Congress Street Bridge, to me is incomprehensible."

"The present bridge is over fifty years old, unsafe and entirely inadequate for present days' demands. It serves a great warehouse and manufacturing section of the city, as well as the freight yards of the New Haven Railroad, and is the only direct and natural outlet to the city proper. Several business enterprises have already left this section, carrying with them their workers, many of whom were residents of South Boston, thus affecting not only the business section, but very materially the residential section. Can South Boston, and especially its real estate interests stand still and merely look on and see its residents and business attracted elsewhere—you might almost say, driven elsewhere?"

"While perhaps regrettable, the granting of a permit for a side track across Congress street I think is of little importance, serving, as is stated, a single building, the railroad making but two shifts a day, the permit revocable, and its use subject to regulation, I think the interruption to use of the street would be practically nil."

"The Boston Wharf Company, in which I am largely interested, and which has spent millions in the development of this section, alone pays each year in municipal taxes more than ten times the interest charges on the loan for this new bridge. I feel very sure that the chairman of the Board of Assessors will agree with me that bottling up a large part of its most valuable property will necessitate a revision of assessments, more costly to the City of Boston than the cost of the new bridge. I understand that nothing now stands in the way of the immediate reconstruction of this bridge but a vote of the City Council authorizing the loan. The money is all provided, the Mayor earnestly favors it, as do many great business interests. Will the City Council stand still and see enterprise after enterprise leave this section and go to where industry is wanted and helped? Certainly our South Boston councilmen ought to do their utmost to protect this section."

"If the Council refuses to pass the necessary vote to bring about the new bridge immediate steps should be taken to repair the present structure, that it may be used to its full capacity. This seems most wasteful, but certainly this section cannot be deprived of this outlet."

That clipping, Mr. President, gives the statement of a man who is obviously tremendously interested in the development of that section through his connection with the Boston Wharf Company, and sets forth in summarized form some of the most important considerations in favor of the construction of this bridge. In the first place, the lack of facilities over the channel has contributed, if not wholly at least partly, to the removal of certain industries from that section. In recent years the Pittsburgh Plate Glass Company has removed to Allston, the N. E. Confectionery Company to Cambridge, the First National Stores to Somerville and the Keitb Company to Brockton, with various other companies, employing, according to my rec-

ords here, something like 2,500 individuals as employees. In addition to that, there is the future development of that section to be thought of. There is A street, recently constructed and repaired, and the Old Colony Boulevard. There are several acres of unimproved land which proper outlets will help to develop. There are also one or two questions to be considered, as far as this bridge is concerned. We must either have a new bridge, or repair the old one. To have no bridge there at all is inconceivable. Therefore, it is simply a question of whether there will be a new bridge or an old one. Obviously, there must be continual repair of a fifty-year old structure. I believe the present bridge has reached such a stage that it is uneconomic to continue it. A new bridge is called for. We have also the question of the spur track interfering with the traffic over the new bridge. It seems to me Councilor Keene has presented that question to the Council absolutely, clearly and fairly, on the spur track matter. The Council has nothing whatever to do with the spur track permits. In attempting to interfere with that the Council is violating the words of the city charter which provides that the City Council shall not take part in any of the executive or administrative functions of the city. In addition to that, I understand that the spur track permit was granted in accordance with the statute, and that it must meet the requirements of the statute, that if it violates the requirements of public convenience and necessity the permit may be upset. Furthermore, if the Council votes to provide the money for the bridge, as had been stated here, even if the permit for the track has been revoked, after the conclusion of our action the permit may be granted over again. It is no argument for the chairman of the Finance Committee to say that only three of the firms which wrote to the Finance Committee in favor of the bridge are actually within a certain area at the end of the bridge. The bridge connects two parts of the City of Boston, and it is naturally to be supposed that the benefit of any bridge is not confined to one particular section where a concern may happen to have its factory or warehouse. The connection between two parts of the city is of importance to all people who have occasion to do business between those two parts of the city. Furthermore, it is no argument at this time to say that because there has been a delay in submitting the order since 1926, therefore we should delay still further. Obviously, a bridge two years older than it was in 1926 must have deteriorated. It is not fair to say that it is in the same condition now. If that argument were to prevail, there would be no need of ever constructing a new bridge. As I say, there are only these two conceivable alternatives for the Council at the present time,—one, to continually repair the old bridge at a continual annually increasing expense, the other to provide for a new bridge now. I am in favor of the passing of the order, and I move its passage now.

Coun. MAHONEY—Mr. President and members of the Council, I have been informed that on account of the unsafe condition of the Congress Street Bridge over Fort Point channel, Mayor Nichols has issued an order restricting the use of the bridge to loads of five tons or less, and that there is a possibility that its use will be entirely discontinued. I might say that the business of this section of the city has greatly increased in the past few years. A large volume of merchandise is moved daily through our streets, both from the warehouses located here and from the freight yards of the New York, New Haven & Hartford Railroad. This section is dependent on the bridges over the Fort Point channel to reach the main part of the city and it will be a serious handicap to the conduct of business here if the Congress Street Bridge is closed. Traffic will be obliged to move in a roundabout way through streets that are none too wide and are already badly congested during the rush hours. The only objection that seems to be raised is on account of a permit that has been granted for a spur track which crosses on one end of the bridge, but Councilor Lynch and myself, after a conference with the Board of Street Commissioners, have been assured that it can be revoked, or they will set the hours when freight shall run over this track. So I ask the members, in fairness to the merchants of my district and in fairness to me, as it means a big improvement for my district, to act favorably on this \$800,000 loan order.

Coun. ARNOLD—Mr. President, I believe the Council knows the facts in regard to this Con-

gress Street Bridge, and I believe anything further that might be said by other members of the Council would be only a repetition. I do not believe, either, that the Council is in any mood to listen to further attacks on the Mayor of Boston. I therefore move the previous question.

Coun. BUSH—Mr. President?

Chairman DOWLING—The previous question has been moved, and no debate is in order.

The main question was ordered.

Chairman DOWLING—The question now comes on Councilor Wilson's motion that we take a recess for the purpose of communicating with Mr. Hurley, the chairman of the Street Commissioners.

The motion to take a recess for the purpose of communicating with Chairman Hurley of the Street Commissioners with regard to the status of the spur track permit near the Congress Street Bridge was declared lost.

The Council voted to accept the report of the committee.

Chairman DOWLING—The question now comes on the passage of the order, and the Clerk will call the roll.

The order was passed, yeas 20, nays 1:

Yeas—Coun. Arnold, Deveney, Donovan, Dowd, Dowling, Fish, Fitzgerald, Gallagher, Keene, Lynch, Mahoney, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Ward and Wilson—20.

Nays—Coun. Bush—1.

Coun. WILSON—Mr. President, I rise to a question of personal privilege with reference to the ruling of the Chair. I asked for recognition from the Chair before the last ballot was taken, and the Chair did not recognize me.

Chairman DOWLING—The previous question, moved by Councilor Arnold, automatically shuts off debate.

Coun. WILSON—Mr. President, I merely rose to ask for information to which I or any other member of the Council is entitled.

Chairman DOWLING—The ruling was in accordance with Parliamentary procedure and was perfectly proper. Councilor Arnold moved the previous question. That motion was carried, and that motion automatically cut off debate and brought the question on the various motions before the House.

Coun. WILSON—Mr. President, as I understand it, the previous question brought about action on my motion that we take a recess and get in communication with the chairman of the Street Commissioners, but had nothing to do with the vote on the loan order itself.

Chairman DOWLING—The Chair does not so understand the situation, under our rules of procedure. The previous question brings an immediate vote on whatever motions are pending before the House and then on the main question. However, the gentleman has recourse to the judgment of the Council, if he desires to question the ruling of the Chair.

Coun. WILSON—Mr. President, may I make a statement at this time?

Chairman DOWLING—With unanimous consent, the councilor may make a statement.

Coun. WILSON—Mr. President, I will make the statement very brief. Regardless of the fact that there is an obvious desire to cut off debate, I believe it is our privilege to find out, when we can easily do so, whether it was the intention of the Street Commission to grant a revocable or irrevocable license for this spur track. I am surprised that two members of the committee are apparently taking the position that they are satisfied with the situation as they understand it, and that they are not interested in enlightening the others. It seems to me an entirely proper thing for us now, when we can so easily do so, solve the question whether the spur track is revocable or irrevocable. Particularly does it seem important to me that we should obtain such information when there is such direct connection between the passage of an \$800,000 loan order for the bridge and the granting of this spur track location directly across the end of the bridge. I feel that we are entitled to the information whether that permit is revocable or irrevocable, and I certainly say that I, as a member of the Committee on Finance, should be given the opportunity to find out for myself what the situation is, from the Board of Street Commissioners, whether that license is revocable or not, and that other members

here are entitled to the same information. So I move a reconsideration of the vote passing the order.

Coun. BUSH—And I second the motion, Mr. President.

The motion to reconsider the vote passing the loan order was declared lost.

Coun. WILSON—Mr. President, I doubt the vote and ask for a roll call. I merely wish the opportunity to get this information now, not a week or a year from now, and I think I am entitled to the information.

The Council voted to reconsider the passage of the loan order, yeas 11, nays 10:

Yeas—Coun. Busb, Dowd, Lynch, Mahoney, McMahon, Murphy, Murray, Parkman, Sullivan, Ward, Wilson—11.

Nays—Coun. Arnold, Deveney, Donovan, Dowling, Fish, Fitzgerald, Gallagher, Keene, Motley, Ruby—10.

Chairman DOWLING—The question now comes on the passage of the order.

Coun. WILSON—Mr. President, I now renew my motion that the chairman of the Board of Street Commissioners, Mr. Hurley, shall be sent for. It will take only a minute, and we are voting on an order that involves \$800,000.

Coun. WILSON'S motion, that a recess be taken subject to the call of the Chair, was carried at 4.13 p. m.

Recess.
In the executive committee meeting which followed Mr. Thomas J. Hurley, chairman of the Board of Street Commissioners, appeared and stated that the location granted for the spur track was revocable for cause.

The members reassembled in the Council Chamber and were called to order by Chairman DOWLING at 4.27 p. m.

Chairman DOWLING—The Council will now be in order. The question now comes on the passage of the order. Those in favor will say "Yes," when their names are called; those opposed "No." The Clerk will call the roll.

The Clerk called the roll, and the order was passed, yeas 20, nays 1.

Yeas—Coun. Arnold, Deveney, Donovan, Dowd, Dowling, Fish, Fitzgerald, Gallagher, Keene, Lynch, Mahoney, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Ward, Wilson—20.

Nays—Coun. Busb—1.

Coun. MAHONEY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to regulate the hours during which the spur track across Congress street in front of the bridge may be used, from six p. m. to six a. m.

Passed under suspension of the rule.

CARE AND MANAGEMENT OF MUNICIPAL AIRPORT.

On motion of Coun. KEENE, the Council took up assignment No. 7 on the calendar, viz.:

7. An Ordinance Concerning the Care and Management of the Municipal Airport.
Be it ordained by the City Council of Boston, as follows:

Section 1. The board of park commissioners shall have the care, charge and control of the municipal airport and shall construct, improve, equip, supervise, manage and regulate the use of the same.

Sect. 2. The board, with the approval of the mayor, shall appoint a superintendent who shall, under the direction of the board, have the care, management and supervision of the municipal airport. The superintendent shall receive as his annual compensation the sum of thirty-five hundred dollars.

The ordinance was passed.

ORDINANCE IN RE SOLDIERS' RELIEF DEPARTMENT.

City of Boston.

In the Year Nineteen Hundred and Twenty-Eight. An Ordinance Concerning the Soldiers' Relief Department.

Be it ordained by the City Council of Boston, as follows:

Chapter 31 of the Revised Ordinances of 1925 is

hereby amended by striking out the last sentence in said chapter and inserting in place thereof the following:

"The commissioner may appoint, subject to the approval of the mayor, an assistant commissioner who shall exercise the powers and perform the duties of the commissioner during his absence, and perform such other duties as the commissioner may determine, and a deputy commissioner who shall have such powers and perform such duties as the commissioner may determine."

Referred to the Committee on Ordinances.

PAVING OF MALDEN STREET.

Coun. DOWD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Malden street, from Washington street to Harrison avenue, Ward 8.

Passed under suspension of the rule.

INCREASE IN SALARIES, FIRE DEPARTMENT.

Coun. FITZGERALD offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to include in the budget for 1929 a sum sufficient to provide for an increase in salary of five hundred dollars each for the deputy chiefs and district chiefs of the Boston Fire Department.

Passed under suspension of the rule.

SIDEWALK ON MAPLE STREET.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Maple street (south side), from Pine street to Walnut 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.

PAVING OF OAKLAND STREET.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Oakland street, from Mattapan square to Richmond street, Ward 18.

Passed under suspension of the rule.

PAVING OF PROVIDENCE STREET.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Providence street, between Berkeley street and Clarendon street, Ward 4.

Coun. ARNOLD—Mr. President, just one word for the record. I simply wish to call the attention of the Mayor and the Commissioner of Public Works to the fact that much traffic has been diverted under the new plan through Providence street from other streets, resulting in a great handicap to those doing business in that particular part of my district.

The order was passed under suspension of the rule.

SIDEWALK, LA GRANGE STREET.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works made a sidewalk along La Grange street (west side), from Centre street to Vermont street, 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 suspension of the rule.

RESURFACING EAST EIGHTH STREET.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the resurfacing of East Eighth street, from K to N streets, South Boston, with smooth pavement.

Passed under suspension of the rule.

ARC LIGHTS, DORCHESTER STREET.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of two arc lights at the corner of Dorchester street and Old Colony avenue, South Boston.

Passed under suspension of the rule.

PRINTING OF MAYOR'S ARMISTICE DAY ADDRESS.

Coun. LYNCH offered the following:

Ordered, That the radio address of his Honor the Mayor on Armistice Day, 1928, be printed as a public document.

Passed under suspension of the rule.

ORDINANCE IN RE RESTRICTIONS ON PARK FRONTAGES.

Coun. LYNCH offered the following:

City of Boston.

In the Year Nineteen Hundred and Twenty-Eight. An Ordinance concerning Restrictions on Park Frontages.

Be it ordained by the City Council of Boston, as follows:

Chapter forty of the Revised Ordinances of 1925 is hereby amended in section twenty by striking out in the fifteenth, sixteenth and seventeenth lines of said section the words "and on the northerly side from Boston street to Marine Park, South Boston," and inserting in place thereof the words "and on the northerly side from Boston street to Dorchester avenue and from Buttonwood street to Marine Park, South Boston."

Referred to the Committee on Ordinances.

MORTON STREET EXTENSION.

Coun. WILSON offered the following:

Ordered, That the Public Works Commissioner, through his Honor the Mayor, advise the City Council forthwith concerning inquiry order on Morton street extension passed by the City Council on October 8, 1928.

Passed under suspension of the rule.

THE NEXT MEETING.

* Coun. KEENE—Mr. President, I move that when the Council adjourn it be to meet two weeks from today, Tuesday, November 27, at 2 p. m.

Coun. Keene's motion was declared carried.

Coun. WILSON—Mr. President, I move a reconsideration of that vote that we adjourn for two weeks.

Reconsideration was declared lost. Coun. WILSON doubted the vote and asked for the yeas and nays. Reconsideration prevailed, yeas 7, nays 5:

Yeas—Coun. Dowd, Dowling, Lynch, Mahoney, Murray, Ruhy, Wilson—7.

Nays—Coun. Arnold, Fitzgerald, Keene, Parkman, Sullivan—5.

Adjourned, on motion of Coun. RUBY, at 4.35 p. m., to meet on Monday, November 19, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, November 19, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING presiding in the absence of President Green. Absent, Coun. Deveney, Fitzgerald, Green, Keene and McMahon.

BOSTON JUVENILE COURT.

A communication was received from Frederick P. Cabot, Justice of the Boston Juvenile Court, setting forth revision of salaries of probation officers of said court from June 1, 1928.

Referred to the Committee on County Accounts.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearing to be held December 3 on petitions for storage and sale of gasolene, viz.:

Harry Quirk, 112 Tremont street, Ward 22, 1,000 gallons.

Standard Oil Company of New York, 150-158 Friend street, etc., Ward 3, 4,420 gallons.

Daniel P. Walsh, 1010 Morton street, Ward 17, 3,000 gallons.

John J. Van Wart, 467 Brookline avenue, Ward 4, 1,000 gallons.

Referred to the Executive Committee.

TRACKS ON P STREET.

A communication was received from the Board of Street Commissioners setting forth location granted to Boston Elevated Railway for tracks in P street, South Boston.

Placed on file.

TRACK LOCATION FOR WALWORTH COMPANY.

Notice was received from the Board of Street Commissioners setting forth location granted to the Walworth Company for tracks upon and across C street, West First street, East First street and all intersecting streets from the tracks of the New York, New Haven & Hartford Railroad.

Placed on file.

MINORS' LICENSES.

Chairman DOWLING submitted the applications for minors' licenses of twenty newsboys and six vendors.

Licenses approved by the Council.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

Lawrence C. Breed, for compensation for damage to automobile caused by an alleged defect in Tremont street.

Teresa Correnti, for compensation for damage to coat on ferryboat.

Mary Hart, for compensation for injuries caused by automobile of Fire Department.

Margaret L. Hennessey, for compensation for injuries caused by being struck by mounted police officer.

Maurice M. Hurlcy, for compensation for injuries caused by an alleged defect in Causeway street.

Ernest Klopffleisch, for compensation for injuries caused by defect in L Street Bath House.

Charles Linehan, for compensation for damage to automobile caused by an alleged defect in Causeway street.

Robert MacDonald, for compensation for damage to automobile caused by an alleged defect at 299 Corey street.

Caroline A. Moore, for compensation for injuries caused by an alleged defect in Tremont street.

Mrs. F. E. Moulton, for compensation for injuries caused by an alleged defect in Deckard street, Roxbury.

Mary A. Mulkeen, for compensation for injuries caused by an alleged defect at Washington and Roxbury streets.

Raymond G. Noble, for compensation for damage to truck caused by an alleged defect in Fairmount street.

Nicholas Pelosi, for compensation for injuries caused by an alleged defect at 57 Snow Hill street.

Abraham Polder, for refund on gasolene license.

William B. Pratt, for compensation for damage to automobile caused by an alleged defect in Brookline avenue.

Timothy Riordan, for compensation for damage to automobile caused by an alleged defect in Franklin Park.

United Sausage Company, for refund on refuse tickets.

Florence Williams, for compensation for injuries caused by an alleged defect at 335 Huntington avenue.

COMPULSORY AUTOMOBILE INSURANCE.

Coun. DOWD offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to take up with the State Insurance Commissioner the matter of increased rates for compulsory automobile insurance for 1929, with a view to the protection of the rights and interests of the citizens of Boston.

Coun. WARD—Mr. President, I would like to know, if the Council has no objection to answering, whether there might not be included in that same order something with reference to fire insurance rates? I believe there is a committee that the Mayor has appointed to look into the question of fire insurance rates. I think those rates are a matter of just as vital importance at this time as the automobile insurance rate.

Coun. DOWD—Mr. President, I would simply say personally that my order deals with compulsory insurance, as affected by the increased rate fixed by the State Commissioner. In presenting this order I do so because of the fact that, while I believe a raise may be justified, I see no reason why Boston should be compelled to suffer as she evidently will suffer from the increase. I have no objection to Coun. Ward's suggestion in regard to fire insurance rate, but my opinion personally is that that matter should require another order.

The order was passed under suspension of the rule.

RESURFACING OF WARD 17 END OF RIVER STREET.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be, and he hereby is, respectfully requested to instruct the Commissioner of Public Works to complete during the current season the resurfacing of the Ward 17 end of River street, namely, from Washington street, Dorchester, as far as Groveland street.

Coun. WILSON—Mr. President, in explanation of that order, allow me to say that early this spring, in a conference I had in the Mayor's office with the Mayor and Mr. Sullivan, if I remember correctly, it was agreed by Mr. Sullivan, in charge of the department, that River street should be resurfaced from Pierce square, Ward 17, to Mattapan square, Ward 18, and that the Ward 17 part, which is approximately a third, would be completed this year, and the Ward 18 end next year, so that the entire length of River street would be resurfaced and ready by the time when the new rapid transit line should reach Mattapan square. Due to the difficulty between the Boston Elevated Railway and the Eastern Massachusetts, the city was delayed, I admit, after first going in on August 13; but, now, after that dispute has been fixed up, I personally found out upon visiting River street yesterday that even now the only resurfacing by the city appears to be practically 1,200 feet, from Washington street along to Odd Fellow's Hall, on Morton street, although the arrangement was that the resurfacing should be done either to Sturbridge street or Groveland street. I presented the order at that time with the feeling that that resurfacing should at once be done.

The order was passed.

CONSTRUCTION OF LAURIAT STREET.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out, accept, and construct Lauriat street, from Woodrow avenue to Calender street, Ward 14, as a public highway.

Passed under suspension of the rule.

REPAVING OF REXFORD STREET.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Rexford street, Ward 18, with smooth paving.

Passed under suspension of the rule.

REQUEST FOR INFORMATION.

Coun. WILSON—Mr. President, may I ask at this time whether any response has been received from the Public Works Commissioner with reference to my order of October 8, concerning Morton street construction?

Chairman DOWLING—The Chair is informed by the Clerk that no message has been received.

Coun. WILSON—Mr. President, I simply make mention of the matter at this time due to the fact that over a month ago that order was introduced, seeking information in regard to the Morton street job. It was originally authorized under a bill introduced by Representative Lancaster in the Legislature, and the authorization for the job was put through as long ago as 1924. Over a month ago, as I say, I requested information as to why the demolition of buildings had stopped, and the work out there was not going on, while the street was left like an open prairie. I would like to know whether the reason is that the city is short of money or short of men. It does seem to me that construction work of that kind should not be left in its present condition through an entire winter, that some work should have been done at least on the Washington street end.

Later in the session Coun. WILSON said: Mr. President, may I ask whether we have received any report from the committee appointed to make a study of the new East Boston Tunnel last August?

Chairman DOWLING—The Chair has no information.

Coun. DONOVAN—Mr. President, although I am not chairman of that committee, I

would say that the committee held one meeting at which were present a representative of the Public Works Commissioner, Mr. Carty, and a representative of the Boston Chamber of Commerce, and we deferred further action until after the election. During the week I assume that the committee will meet again.

Coun. WILSON—Well, Mr. President, I simply did not wish to be faced with the millions of expenditure necessary for the East Boston Tunnel in the last week in December. I would also like to ask if there has been any report from the special committee on taxicab stands appointed April 2?

Chairman DOWLING—The Chair has no information in regard to that matter.

Coun. WILSON—I have an interest in that matter, Mr. President, because I spoke on the order when it was originally introduced. I would ask whether there has been any report, preliminary or final, received from the committee on use of streets in front of stations and hotels, that committee having been appointed April 2?

Coun. WARD—Mr. President, in answer to the inquiry of the watchdog of the minutes, I want to say that the committee felt that they wanted to present an intelligent report on the matter. I am on the committee. I don't know whether Coun. Parkman is on the committee or not. But I will be here another year anyway (laughter) and we will send our report in when we have the information and data we want and that we are trying to secure. I am making personal inquiries myself, and as soon as I get the necessary information will present an intelligent report to the Council.

RECESS.

On motion of Coun. SULLIVAN, the Council voted at 2.23 p. m. to take a recess, subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by Chairman DOWLING at 2.32 p. m.

SOLDIERS' RELIEF.

Coun. WARD, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of November, 1928.

Report accepted, order passed.

AUTOMATIC TRAFFIC SIGNAL.

Coun. DOWLING offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to provide for the installation of an automatic traffic signal at the intersection of Commonwealth avenue and Washington street, Ward 21.

Passed under suspension of the rule.

SPOT LIGHT ON COMMONWEALTH AVENUE, WARD 21.

Coun. DOWLING offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to provide for the installation of an electric spot light over the traffic officer stationed at the intersection of Commonwealth avenue and Warren street, Ward 21.

Passed under suspension of the rule.

PAUL REVERE STATUE.

Coun. PARKMAN, for the Committee on Parkman Fund, submitted the following:

1. Report on order (referred October 1) appropriating \$65,000 from income of Parkman Fund to be expended under direction of Park Commission for erection of statue of

Paul Revere, in park at City square, Charlestown,—that same ought not to pass.

Coun. PARKMAN—Mr. Chairman, the order which is before the body at the present time is quite similar to an order introduced into the Council on March 12 last. The committee at that time held a hearing at which were present the petitioners and also a representative of the Law Department and the Park Commissioner. After holding a full and deliberate hearing the committee reported back at that time "Ought not to pass," and the report of the committee was accepted and the order was rejected. The present order differs only in a few words from the order then introduced, and, so far as I can see, those words are not material. The original order read, "That his Honor the Mayor be requested to recommend an appropriation in the sum of \$70,000," and so forth, and the present order reads "that his Honor the Mayor be requested to forward to the Council an appropriation of \$65,000." The present order provides for \$5,000 less, but there is no material difference in the wording. One of the considerations which influenced the committee at that time in rejecting the order was that the Corporation Counsel's office advised us that the wording of the order was such as to amount practically to the origination of an appropriation by the Council, and, as such, was not permitted by the city charter. If that was true then, it is equally true now. I might say at this time that I am making this statement in full to the Council because of the persistence of the petitioners and the earnestness with which they have pressed the order. The order comes before us supported by various petitions from a number of organizations in the city, including the Old Charlestown School Boys' Association, Knights of Columbus Council No. 62, Paul Revere Chapter of the Daughters of the American Revolution, Bunker Hill Chapter of the Daughters of the American Revolution, Abraham Lincoln Post 111, Grand Army of the Republic, Charlestown Post 544 of the Veterans of Foreign Wars, the United Citizens League, Norumbega Woman's Club, Mothers' and Housemakers' Club of Charlestown School Center, and abutters on City square, including the Judge of the District Court, and the local bank. Because of the character of that support and the earnestness with which the petition is being pressed in the Council, it seemed to me advisable to go into the matter in detail, and, if possible, to lay both sides of the controversy before the Council for its decision. The request is that income from the Parkman Fund be used for the building of this statue. Of course, that question is the precise question that is before the Council, regardless of the merits of the erection of that statue in City square, Charlestown, so the question for the Council to determine is whether under the terms of the will the erection of a statue out of the income from the Parkman Fund is permitted. The Committee on Parkman Fund have considered the question from that point of view and have obtained the legal opinion of the Law Department. That opinion was furnished to the committee on October 31. I shall not read it to the Council at this time, but I will hand it to the Clerk for incorporation in the minutes after I have finished. In brief, the opinion states, in the first part, "that all orders of appropriation from the Parkman Fund must originate with the Mayor, and until such an order is submitted to the Council by the Mayor, the Council has no authority in the premises." It then goes on to consider the question of the merits, although the Corporation Counsel states that this consideration "is given with the understanding that it is solely academic, as there is nothing properly before your committee requiring legal advice." In the discussion of the question on the merits, the Corporation Counsel goes into the history of City square, Charlestown, and then goes into a definition of the word "park," taking up the question whether the

words as used by Mr. Parkman in the will is capable of including the plot of land in question. On that question, after a discussion of court decisions bearing on the interpretation of wills, the Corporation Counsel decides that the area in City square, Charlestown, does not come within the term "park" as used in the will. For that reason, therefore, it concludes that as a matter of law "Your committee must find that the plot of land at City square is not a park either in the generally accepted meaning of the term or in the intended meaning of Mr. Parkman in his will." The Corporation Counsel goes on still further to consider the question on the assumption that the plot of land there is a park and reaches the conclusion that still, under the terms of the will, the erection of a statue there does not come within the terms of the will, because "it is perfectly clear on the fact that the primary purpose of this proposed expenditure is not to improve a park but to render homage to Paul Revere." The petitioners have earnestly argued with the chairman of the committee and various other members of the committee and have submitted also a reply to the opinion of the Law Department. In that reply the petitioners argue in effect that the term "park" does cover the plot of ground in question and that the Corporation Counsel's opinion does not follow the decisions of the Supreme Court as to the interpretations of wills. That perhaps is a question for the Council to decide, whether they prefer to accept the opinion of the Corporation Counsel or the opinion of the petitioners on the question of law. As I have said, I wish to present the subject in full and absolute fairness, giving both sides, in view of the earnestness with which the matter is being pressed before this Parkman Fund Committee. I am aware that the petitioners feel that the chairman of the committee is biased and prejudiced in the premises, but the chairman will state here that he is attempting to maintain a completely unprejudiced and unbiased point of view in the matter. The chairman has referred the question to other members of the committee, and they have entirely independently apparently reached the same conclusion that the chairman has. The chairman has also taken the matter up with other members of the Council to get their point of view. So it is possible that the question may be presented here this afternoon from an opposing point of view. I wish to thank the Council for their patience in listening to me this afternoon, and to urge that they accept the report of the Parkman Fund Committee.

Coun. DONOVAN—Mr. President, I have listened very attentively to the remarks of Coun. Parkman with reference to the Parkman Fund. I would simply say at this time that I stated at the committee hearing in reference to the proposed statue, while there perhaps might be considerable merit attached to the direction of a statue to Paul Revere in City square, Charlestown, and while I thought it might be all right to beautify the district. I thought it was high time that the income from the Parkman Fund should be spent for the development of playgrounds in congested districts. In the section I represent we have three playgrounds—one at Orient Heights, where we are supposed to have a football field, although it is a foot under water a large part of the time, one at Wood Island Park, which comes within the parks specified under the Parkman will, and where there has not been a cent spent in the three years of my term of office, and in the third section we have a barren playground which it is high time should be fixed up. I say that something should especially be done in East Boston, where the statistics show that there are more school children than in any other section of the city of the same population. It is time that something should be done in that and other congested districts of the city. In the past few years we have voted to erect a schoolboy stadium in the Fens.

That is all right to beautify the Fens and I have no objection, but I think that some of this Parkman Fund money should be spent in the congested districts of this city. I certainly hope that in the ensuing year some of the money from the Parkman Fund will be spent in East Boston.

Coun. BUSH—Mr. President, I have nothing to say with reference to the merits of the order one way or the other, but I do recall the fact that the President of the Council introduced the order and is vitally interested in it, and in view of the fact that he is at present ill and unable to appear here, I move that this matter be laid on the table until such time as the President can have an opportunity to have his say in reference to this order in the presence of the Council.

Coun. Bush's motion to lay the report on the table was declared carried.

— October 31, 1928.

To the Honorable the City Council, City Hall, Boston, Massachusetts.

Gentlemen:

Your letter of October 11, 1928, states that the Committee on the Parkman Fund requested to be advised,—“as to whether or no the expenditure of \$65,000 from the income of the Parkman Fund for the erection of a statue of Paul Revere in the park at City Square, Charlestown, would come under the provisions of the will of the late George F. Parkman.”

Your committee must be cognizant of the rulings made by my predecessor in office, with which I concur, that all orders of appropriation from the Parkman fund must originate with the Mayor, and until such an order is submitted to the Council by the Mayor, the Council has no authority in the premises. See section 3 of chapter 486 of the acts of 1909; also opinion of former Corporation Counsel Thomas M. Babson, dated October 25, 1911, to Honorable John F. Fitzgerald, Mayor; opinion of former Corporation Counsel Joseph J. Corbett dated April 10, 1912, to Honorable John F. Fitzgerald, Mayor; opinion dated September 13, 1916, of former Corporation Counsel John A. Sullivan to your honorable body; and also my opinion dated April 15, 1926, to Honorable Horace Guild, City Councilor.

The consideration of your question, here submitted, is given with the understanding it is solely academic as there is nothing properly before your committee requiring legal advice.

Upon study, your question resolves itself into two parts,—First, whether as a matter of fact the situs of the proposed statue is a park; and secondly, if found to be a park, whether the erection of the statue could be considered as a maintenance and improvement of a park as intended by the testator.

The situs in question was formerly called Charlestown Square and on January 17, 1848, was named City Square. It is a plot of ground occupying 8,739 square feet of land and is now under the jurisdiction of the Park Department. This fact is of no significance. The Park Department has jurisdiction over many activities of the City. Among them might be mentioned public squares and grounds, cemeteries, playgrounds, reservations, parkways and boulevards, malls, bath houses, floating baths, gymnasia, all public music, statues, monuments, and fountains wherever situated, and at present before your body is an ordinance conveying its jurisdiction over the airport. The Park Department classifies lands under its jurisdiction as parks, playgrounds, public grounds and squares. In such definitions City Square has always appeared under the category of playgrounds and squares. The importance of this fact will be discussed later. There are many plots of land, under the control of the Park Department, some smaller, others larger than City Square. For example, City Hall grounds, Copley Square, Fort Hill Square, the Massachusetts Avenue Malls. All these, as City Square, are classed under playgrounds and squares and were thus classified in the lifetime of Mr. Parkman.

As regards the word “park,” in the English law it has been defined as an enclosed piece of ground, stocked with beasts of the chase, held by prescription as the king's ground. In this country it is defined as a tract of land kept in its natural state for the preservation of game, walking, riding or the like; a piece of ground in or near a city or town kept for amusement and recreation; in general connotation it suggests a tract of land of some size to which one may escape from the artificialities of city or town life.

See *Bennett v. Siebert*, 10 Ind. App. 369. *Laird v. City of Pittsburgh*, 54 Atlantic, 324, at 325.

McQuillin on Municipal Corporations, Vol. 3, section, 1153.

Is the word as used by Mr. Parkman susceptible of including the plot of land in question?

The provision of his will is found in the first codicil executed January 12, 1887, and worded as follows:—“I devise said residue to the City of Boston to constitute a fund, the income of which is to be applied to the maintenance and improvement of the Common and the Parks now existing and is not to be used for the purchase of additional land for park purposes. Any portion of said income which may not be required for the above purpose in any year is to be added to and invested as a part of said fund.”

From this provision it appears that Mr. Parkman desired the income of the trust to be used for the maintenance and improvement of the Common and of such Parks as were existing. This last phrase former Corporation Counsel Arthur D. Hill has ruled must mean those parks existing at the date of the codicil, arriving at such ruling from the intent of the testator. With this ruling I concur.

It may be well assumed that the proposed memorial is suitable, adequate and undoubtedly will become an ornament to its site but so far as it involves the use of the income of the Parkman Fund the controlling question presents itself,—Is such an expenditure authorized by the terms and conditions of the trust upon which the gift was made and accepted? It is fundamental that the income must be administered according to the intention of Mr. Parkman. This intention is disclosed by construing and interpreting the will. This is done by reading the words in the will in the sense in which the testator used them. (In doing this his words are presumed to have and are given their usual general meaning. While in *theory* the meaning of words is fixed and independent of the writer or user, yet in *fact* such meaning varies according to the circumstances concerning which they were written or uttered.) The true end of construction and interpretation is to make the meaning of the words coincide with the intent of the writer, and this intention may be gathered from,—“the instrument itself read in the light of attendant circumstances known to him or reasonably known to have been contemplated by him at the time it was made.” *Harvard College v. Attorney General*, 228 Mass. 396.

This is a well known canon of construction.

An examination of the will itself will display that the word “Parks” is capitalized. Why was this done and what was its purpose? Some reason compelled the choice between a capital and small letter. Was it not because in the mind of Mr. Parkman he contemplated only those large areas set aside as public parks that were predominantly known to our people as parks, such as Franklin Park, Wood Island Park and Marine Park? If any area was meant, however large, however small, however described, park or square, would not Mr. Parkman have written the word without the capital letter? Is this thought fortified by remembering that City Square was not listed as a Park but under public grounds and squares? He had in mind only those areas grouped as Parks by our Park Department.

Among other attendant circumstances may be cited that for a long time Mr. Parkman had been interested in our parks. As far back as October 29, 1877, by a will then

executed he devoted a large part of his fortune to the parks of our city. It may be reasonably assumed that such an interest over so long a period would have urged him to read and become acquainted with literature upon parks. On that subject a great authority at that time was F. L. Olmstead. Anything concerning the bibliography of parks by so eminent an expert would naturally have arrested and attracted the attention of Mr. Parkman. One year before the date of the codicil incorporating the trust provisions now under consideration Mr. Olmstead issued a report at considerable length on our park system. In that report appear detailed statements of the condition of our parks and their retrogression for lack of money; a very elaborate scheme for the maintenance and improvement of parks; followed by a somewhat philosophical discussion of parks and their use. A very significant sentence also appears therein,—"Spaciousness is of the essence of a park." This, too, leads to the conclusion Mr. Parkman had parks in mind as defined by Mr. Olmstead.

From the matter thus far developed it is my opinion that this plot of land does not possess the characteristics of a park; that it has never been so considered by the department to which its care is committed; that from the general circumstances surrounding Mr. Parkman and presumed to have been known by him when he wrote his will that he did not intend to mean by the word "Park" such a place as this and I conclude as a matter of law that your Committee must find that the plot of land at City Square is not a park either in the generally accepted meaning of the term or in the intended meaning of Mr. Parkman in his will.

As this is an academic discussion let us assume, for the purposes of the case, that City Square is a park. The next question is whether the expenditure is for the maintenance and improvement of a park. There can be no question that such an expenditure is not for maintenance. Is it for the improvement of a park? In answering that question, we may consider the purpose of this project. The petitioners have informed us that it was started some time prior to 1884 at which time a contract was made with a sculptor named Dallin to erect a statue of Paul Revere. The purpose at that time was not only to

perpetuate the memory of Paul Revere but also to commemorate the spot upon which, history claims, he stood awaiting the signal lighting of the lanterns in North Church. In 1884 it was planned that the City would make a certain appropriation in aid of this scheme which was to be supplemented by voluntary contributions. This was never consummated.

It is perfectly clear on the facts that the primary purpose of this proposed expenditure is not to improve a park but to render homage to Paul Revere. However laudable such purpose and homage may be, it should not be accomplished by the use of income from the Parkman trust funds. The placing of any monument in so small an area would result in dedicating the situs almost wholly as a mere resting spot for a monument and in no small degree detracting from its use as a park. We believe Mr. Parkman's mandate to us is to maintain and improve a park so that its utility as a park will be preserved or augmented.

You are, therefore, advised that the expenditure of the income of the Parkman Trust fund for this project would not come within the terms of the will.

Yours very truly,
FRANK S. DELAND,
Corporation Counsel.

THE NEXT MEETING.

Coun. RUBY—Mr. President, I move that when the Council adjourns it be to meet one week from tomorrow, on November 27, at 2 p. m. I make that motion because of the fact that one if not two orders are before the body, the time for the second reading of which will not have matured until a week from tomorrow. I would refer particularly to the Congress Street Bridge loan order, which cannot be acted upon, I understand, until a week from tomorrow. Therefore, I move that when we adjourn it be to that time rather than to a week from today.

The motion was carried.

Adjourned at 2.48 p. m., on motion of Coun. WILSON, to meet on Tuesday, November 27, 1928, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, November 27, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING presiding in the absence of President Green. Absent, Coun. Bush, Fitzgerald, Green and Murphy.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted appointments for position of constables for term ending April 30, 1929, viz.: Louis Cohen, 61 Glenway street, Dorchester; John Joseph Piscatelli, 183 Centre street; Abraham Goldberg, 37 Havelock street; Philip E. Lieberman, 83 Brighton street. Severally laid over a week, under the law.

REPORT OF EMPLOYMENT BUREAU.

The following was received:

City of Boston,
Office of the Mayor, November 27, 1928.
To the City Council.
Gentlemen,—Attached is a report from the Employment Bureau relative to the number of placements and registrations from August 6 to November 24, 1928.
Respectfully yours,
MALCOLM E. NICHOLS, Mayor.
City of Boston,
Employment Bureau, November 26, 1928.

	Placed.	Registra- tions.
August:		
6 to 11.....	57	79
13 to 18.....	99	103
20 to 25.....	78	98
27 to September 1.....	59	79
September:		
4 to 8.....	69	82
10 to 15.....	85	92
17 to 22.....	74	103
24 to 29.....	63	86
October:		
1 to 6.....	74	81
8 to 13.....	64	74
15 to 20.....	43	51
22 to 27.....	58	73
29 to November 3.....	54	74
November:		
5 to 10.....	51	82
13 to 17.....	82	98
19 to 24.....	51	122

Placed on file.

PROSPECTIVE CITIZENS DESIRING NATURALIZATION.

The following was received:

City of Boston,
Office of the Mayor, November 27, 1928.
To the City Council.
Gentlemen,—I transmit herewith a communication from the chairman of the Election Commissioners, in reply to your order of October 29, 1928, requesting that the Board of Election Commissioners confer with the proper local officials of the United States Government relative to the handling of prospective citizens desiring naturalization.
Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Election Department, November 26, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.
Dear Sir,—I am in receipt of order passed by the City Council under date of October 29, 1928,

in which it is requested that this Board confer with proper local officials of the United States Government and take such steps as may be necessary or advisable in order that prospective citizens desiring naturalization may be treated with ordinary courtesy and efficiency.

Permit me to write that I have communicated with the Bureau of Naturalization, and while we have no jurisdiction over this bureau, we are always glad to try and be of assistance to the City Council.

I have been informed by the person in charge of the Bureau of Naturalization that they at all times try to treat with courtesy and efficiency all prospective citizens. I was further informed that on days of naturalization that there are as many as fifteen hundred people that appear to be sworn in. Of course, those that come first receive the oath first.

I feel certain that the judge who sits on these cases does the best he can to take care of as many as possible. I think that this will answer the order passed by the City Council.

Respectfully yours,
BOARD OF ELECTION COMMISSIONERS,
FRANK SEIBERLICH, Chairman.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.
Allen's Boston Bead Store, for compensation for loss of beaded bags after fire in Room 304, 8 Winter street.

William M. Bailey Company, for compensation for damage to automobile by city team.

Daniel T. Buckley, for compensation for clothing lost at City Hospital.

Delia L. Carter, for compensation for injuries caused by an alleged defect in Swift street, East Boston.

Bridget Clougherty, for compensation for damage to property at 73 St. Francis de Sales street, caused by ash team.

Mary E. Derby, for compensation for damage to property at 10 Peacevale road, caused by city spraying machine.

Mary Doherty, for refund on lodging house license.

Donald H. Duffie, for compensation for damage to automobile by city truck.

John H. Dunn, Esq., for compensation for injuries caused by an alleged defect in Park street.

John B. Fouhy, for compensation for loss of eye caused by negligent treatment at City Hospital.

Albert Freedman, for compensation for injuries caused by an alleged defect in Causeway street.

Frank Gleason, for compensation for damage to property at 10 Peacevale road, caused by city spraying machine.

Mrs. Edward Johnson, for compensation for damage to property at 932 Harrison avenue, caused by ash team.

Charles Leveroni, for compensation for damage to automobile by fire apparatus.

Caroline A. Moore, for compensation for injuries caused by an alleged defect in Tremont street.

Richard H. Perkins, for compensation for damage to automobile by police car.

D. Rabaglio, for refund on unused refuse tickets.

Thomas Sacco, for compensation for damage to property at 6 Margaret street, caused by defective sewer.

David J. Segel, for refund on building permit.

Francis J. Sheridan, for compensation for damage to automobile caused by an alleged defect in Harrison avenue.

Joseph A. Sprissler, for compensation for loss of clothing at Ward 4 polling booth, Precinct 6.

E. J. Stevens, for compensation for damage to automobile caused by an alleged defect in Summer street.

United States Motor Transportation, for compensation for damage to truck by city truck.
Theresa Welch, for compensation for injuries caused by an alleged defect in Exchange street.
George P. West, for compensation for damage to car by city wagon.
Anna Zwick, for refund on garbage license.

Executive.

Petition of Mr. and Mrs. R. Gilbert for children under fifteen years of age to appear at P. A. Collins Hall, December 7, 1928.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway for license to operate motor vehicles between Granite Bridge Station on Granite avenue and Ashmont Station, Dorchester.

Petition of Boston Elevated Railway for license to operate motor vehicles between Ashmont Station and junction of Codman and Oakridge streets.

SALARIES OF PROBATION OFFICERS,
MUNICIPAL COURT.

A communication was received from Wilfred L. Bolster, Chief Justice of the Municipal Court, fixing compensation of probation officers.

Referred to Committee on County Accounts.

CONSTABLES' BONDS.

The constables' bonds of Julius Richmond and Abraham M. Hecht, having been duly approved by the City Treasurer, were received and approved.

APPOINTMENTS BY THE MAYOR.

The following appointments by the Mayor were received and placed on file, viz.:

Grafton D. Cushing, 20 Chestnut street, to position of member of City Planning Board.

James J. Mulvey, 40 Cobden street, Roxbury, to position of Election Commissioner.

COTTAGE FARM BRIDGE.

Notice was received from his Honor the Mayor appointing James H. Sullivan, Commissioner of Public Works, to be a member of commission to have control and charge of managing bridge between City of Boston and City of Cambridge known as Brookline Street—Essex Street—Cottage Farm Bridge.

Placed on file.

PAY ROLL, REGISTRY OF DEEDS.

The pay roll of Registry of Deeds, for the amount of \$9,214.65, piece work from October 23 to November 17, regular employees, November 16 to November 30, inclusive, was received and approved.

RETIREMENT OF CITY CLERK DONOVAN.

The following was received:

November 27, 1928.

To the Honorable City Council.

Gentlemen,—With sincere regret I announce to the members of the City Council that I have made an application to the Boston Retirement Board to be retired from the position of City Clerk of the City of Boston, and that the retirement has been voted and will take effect at the close of business November 30, 1928.

I have taken this action for the reason that I have not been in good health for some time, and my present condition is such that I do not feel physically capable of properly performing the duties of the office.

My service of almost seventeen years as City Clerk has been an extremely pleasant experience on account of the courteous and considerate treatment accorded me by the several mayors under whom I have served and by the various heads of departments and employees with whom I have been associated, and especially because of the sincere friendships which I have formed with the members of the former City Council of nine members and the present City Council of twenty-two members; friendships which I trust and believe will continue unimpaired during my remaining years.

Respectfully,

JAMES DONOVAN, City Clerk.

Placed on file.

In connection with the above communication Coun. PARKMAN offered the following:

Resolved, That the members of the City Council sincerely regret that the ill-health of the Hon. James Donovan, the City Clerk and Clerk of the City Council, has impelled him to seek retirement from the position which he has held for the past seventeen years.

During his public career he has occupied the offices of member of the Common Council, Representative in the General Court, Senator in the General Court, member of the Governor's Council, Secretary and President of the Democratic City Committee, Superintendent of Lamps, Superintendent of Streets and City Clerk. The duties of these several offices, both appointive and elective, he has discharged with ability and integrity. He has loomed large in the political affairs of the city and the state during the past half century as a man of vision, who has tried at all times to keep the level of politics on a high plane, and as a friend or opponent who has accepted defeat without re-primination and victory without undue exultation.

The office of City Clerk, with which the members of the City Council are most familiar, he has administered with conspicuous ability and with due regard to the interests of the public and of the city.

We trust that the loss we sustain by his retirement will be counterbalanced by a speedy improvement in his health, and that he will enjoy a well-earned vacation.

On motion of Coun. PARKMAN the resolution was adopted by a unanimous rising vote.

RECESS.

On motion of Coun. PARKMAN the Council voted at 2.25 p. m. to take a recess, subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by Chairman DOWLING at 2.32 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following:

1. Report on petition (referred today) of Mr. and Mrs. R. Gilbert for children under fifteen years of age to appear at P. A. Collins Hall, December 7, 1928,—that permit be granted.

Report accepted; said permit granted under usual conditions.

ELECTION OF CITY CLERK.

Coun. RUBY—Mr. President, I move that we now proceed to the election of a City Clerk for the remainder of Mr. Donovan's term, the term of the new City Clerk to begin with December 1, 1928.

The motion was carried.

The Clerk called the roll, and the members as their names were called announced their choice for City Clerk, as follows: For Wilfred J. Doyle—Coun. Arnold, Deveney, Donovan, Dowd, Dowling, Fish, Gallagher, Keene, Lynch, Mahoney, McMahon, Motley, Murray, Parkman, Ruby, Sullivan, Ward, Wilson—18.

Mr. Wilfred J. Doyle was declared unanimously elected City Clerk for the balance of the uncompleted term. (Applause.)

Chairman DOWLING—The usual modesty of the City Clerk Elect places the burden upon me of expressing his feelings in the matter. He asks me to express to the Council his deep and sincere appreciation of the confidence shown in him by the vote just taken. (Applause.)

FINANCE COMMITTEE REPORT.

Coun. SULLIVAN, for the Committee on Finance, submitted report as follows:

1. Report on message of Mayor and order (referred October 15) authorizing loan of \$350,000 to be expended for new fire station, West End district,—that same ought to pass.

Report accepted; said order given its first reading and passage, yeas 16, nays 0.

The order will take its second reading in not less than fourteen days from date.

APPROPRIATION FOR SOLDIERS' RELIEF
DEPARTMENT.

Coun. MOTLEY offered the following:

Ordered, That there be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for the Soldiers' Relief Department, the sum of \$2,000, said sum to be expended, subject to the approval of the chairman of the Committee on Soldiers' Relief, or in his absence by any other member of said committee, by such commissioner in affording immediate relief to persons entitled to aid under chapter 115 of the General Laws, and acts in amendment thereof and in addition thereto.

Passed under suspension of the rule.

PAYMENT OF SOLDIERS' RELIEF.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Soldiers' Relief be authorized to pay those on the semi-monthly relief rolls of that department on Wednesday, November 28, 1928.

Passed under suspension of the rule.

PAYMENT OF PENSION ROLLS.

Coun. McMAHON offered the following:

Ordered, That the City Auditor be authorized to allow for payment and the City Treasurer to pay the retired employees on the pension rolls of the City of Boston on Wednesday, November 28, 1928.

Passed under suspension of the rule.

LIGHTING SYSTEM, SEDGEWICK
STREET.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to rearrange the lighting system on Sedgewick street, Ward 19.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON JITNEY
LICENSES.

Coun. DOWD for the Committee on jitney Licenses submitted report as follows:

Report on petition (referred October 1) of Boston Elevated Railway Company for license to operate motor vehicles between Mattapan square and Pierce square.

Coun. DOWD—Mr. President, I simply want to state for the benefit of the members of the Council that the territory covered by that includes Coun. Wilson's district, and that this meets with his approval.

Report accepted, licenses granted on the usual conditions.

LOAN FOR CONGRESS STREET BRIDGE.

On motion of Coun. KEENE, the Council took up, under unfinished business, No. 5 on the calendar, viz.:

5. Ordered, That under authority of chapter 157 of the Acts of 1926 the sum of \$800,000 be, and hereby is, appropriated, to be expended by the Commissioner of Public Works for Congress Street Bridge, and that to meet said appropriation the City Treasurer be 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.

On November 13, 1928, the foregoing order was read once and passed, yeas 20, nays 1.

The order was given its second and final reading and passage, yeas 16, nays 0.

SALARIES OF PROBATION OFFICERS.

Coun. MAHONEY moved that No. 7 be taken from the table, viz.:

7. Ordered, That the salaries of the probation officers of the Boston Juvenile Court, as determined by the Justice of said court, to date from June 1, 1928, be, and the same hereby are, approved, viz.:

First and chief probation officer, \$2,800 per annum.

Second male probation officer, \$2,500 per annum.

Third male probation officer, \$2,500 per annum.

Fourth female probation officer, \$2,250 per annum.

The motion was carried and the order was passed.

MERIDIAN STREET BRIDGE.

Coun. DONOVAN offered the following:

Ordered, That the sum of \$500,000 be, and the same hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, for the widening and reconstruction of the Meridian Street Bridge, and that to meet such expense 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.

PATIENTS AT WEST ROXBURY HOSPITAL.

Coun. WILSON offered the following:

Ordered, That the Trustees of the City Hospital be requested, through his Honor the Mayor, to advise the City Council as to the number of patients who have been accommodated at the West Roxbury Hospital since October 1, 1928, at which time the Council voted a transfer to place in the buildings an engineer, four firemen, a coal passer and four watchmen for the remaining months of the year.

Coun. WILSON—Mr. President, I merely offer that order at this time so that we may obtain information in regard to the matter. As the Council will probably remember, we had a rather spirited debate on the first of October with reference to the expenditure of \$7,500 to put a small army of attendants in the vacant building at West Roxbury. At that time, I believe, some of the speakers said that the City Hospital was proposing to place patients out there at an early date. Therefore, in the interest of the other members of the Council, as well as my own, I would like to know what progress has been made in the last few months, and whether or not there are any patients there except perhaps one or two of the sick firemen.

The order was passed under suspension of the rule.

CONFIRMATION OF EXECUTIVE
APPOINTMENTS.

Chairman DOWLING called up under unfinished business No. 4 on the calendar, viz.:

4. Action on appointments submitted by the Mayor November 13, 1928, of Thomas Noyes, P. Edwin Zaun, Thomas Kelley and Max Sheinfeld, to be Weighers of Coal.

The question came on confirmation. Committee, Coun. Parkman and Gallagher. Whole number of ballots 13, yeas 13, and the appointments were confirmed.

CONFIRMATION OF A. B. CARMICHAEL.

Coun. RUBY—Mr. Chairman, for the Special Committee on Constables, I desire to call up from No. 3 on the calendar the name of Albert B. Carmichael, to be constable, and trust that the name will be acted upon at this time.

Coun. Ruby's motion to take up from No. 3 on the calendar the appointment of Albert B. Carmichael to be a constable, said appointment being submitted by the Mayor with three others on November 13, 1928, was declared carried.

The question came on confirmation. Committee, Coun. Ward and Ruby. Whole number of ballots 13, yeas 13, and the appointment was confirmed.

REPAVING I STREET.

Coun. MAHONEY offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth pavement I street, Ward 6, from East First street to Broadway.
 Passed under suspension of the rule.

APPOINTMENT OF ELECTION OFFICERS.

Coun. WARD offered the following:
 Ordered, That the Board of Election Commissioners be requested, through his Honor the Mayor, to consider and report to the City Council what change, if any, can be made, by legislative enactment or otherwise, in the method of appointing election officers so that more accurate returns may be made of the votes cast at primaries and elections.

Coun. WARD—Mr. President, on the last primary day and last election day I believe there was evidence in the City of Boston of a failure of the antiquated system now in vogue of choosing election wardens, inspectors and clerks. That system is a heritage that has been handed down from the past, and there is no question in my mind that today the system has developed into a corrupt one, as has been brought out in some of the recent recounts. In the primary election, for example, we remember that there was one man who asked for a recount. He had won the election by well over a thousand votes, but the recount showed over five hundred irregularities or errors made by the men behind the booths. At the last election recount in Boston we found that same condition prevailing. I believe the Republican candidate for President gained a little over five hundred votes in the recount. That, of course, does not mean that there were that number of irregularities on that day, but meant a turnover of about two hundred fifty votes; and there was one precinct in a ward of the Back Bay where by the recount a Democratic candidate in Boston made a net gain of 110 votes. If such a condition prevails in many of the precincts in this city, I say it is time for a change in the system. I heard of a case this morning where a man was brought into court for violation of the election laws. The judge issued the warrant, saying there was cause for it, but it seems that the law was not recognized by the clerk, who took his instructions from the Election Commissioners. The Court stated that the Election Department had gone beyond its scope

in making a law that was not on the statute books. I would rather have the Election Department adopt some system whereby we may get qualified men behind the rails, not allowing the condition which exists at the present time to continue,—such a condition, for instance, as that I have referred to in Ward 4, Precinct 9, where there was a difference of 110 votes in the recount. I would suggest the possibility of drawing the election wardens, inspectors and clerks by the same system by which we draw jurors, and that might help the situation somewhat. But at this time there is certainly imperative need for a change in the system of appointing or selecting wardens, clerks and inspectors.

Coun. WILSON—Mr. President, while I may agree with some things that the newly elected senator has said, it occurs to me that perhaps the best way to increase the accuracy of the count of votes cast at primaries or elections is to get away from the antiquated system of opening the polls at six o'clock in the morning and not closing them until eight o'clock at night, keeping all the election officers there for fourteen hours, and then compelling them to go into the hours of the morning before they can complete counting the ballots. That is more of a strain than should be expected of our election officers. So I would suggest to the new senator that as part of his services in the next Legislature he try to see to it that the law in the City of Boston which opens the polls so early should be changed so as to comply with the system in other cities and towns which are more in line with modern ideas and practices. I claim now, as I have claimed during the several years I have been a member of this body, that you cannot expect men and women to work fourteen hours in an election booth, while the vote is being cast, and then to count the ballots away into the morning hours, and then look reasonably for an accurate and correct job.

Coun. WARD—Mr. Chairman, the suggestion made by the councilor from Dorchester may be all right, but my order does not deal with the time of opening or closing the polls, but simply with the question of the honesty of the men behind the rail. That is all that my order deals with, simply the question of honesty. I say that these irregularities may have happened intentionally or otherwise.

The order was passed under suspension of the rule.

Adjourned, at 2.50 p. m., on motion of Coun. McMAHON, to meet on Monday, December 3, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 3, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING presiding in the absence of President Green, Absent, Coun. Green, Mahoney and Motley.

JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, the Mayor absent, as follows:

Thirty-two additional traverse jurors, Superior Criminal Court, First Session, to appear December 10, 1928:

John T. Conway, Ward 1; James F. Arena, Ward 3; Joseph Iossa, Ward 3; Alvan W. Clark, Ward 4; Paul George, Ward 5; Paul G. Chapman, Ward 8; Benjamin T. Dexter, Ward 9; John D. Keefe, Ward 10; Bernard F. Vandermarsh, Ward 10; Francis D. Chubbuck, Ward 12; James F. Walsh, Ward 12; Edward F. Devitt, Ward 13; Coleman F. Foley, Ward 13; William H. Murphy, Ward 13; Samuel Cohen, Ward 14; Joseph A. Sullivan, Ward 13; James L. McDevitt, Ward 14; John D. McNeill, Ward 15; John J. Murphy, Ward 15; Redmond J. Murphy, Ward 16; Frank J. Lynsky, Ward 18; Henry O. Quigley, Ward 18; Job Lyons Hatfield, Ward 19; Henry R. Lowerison, Ward 19; Herman Popp, Ward 19; Francis A. Reynolds, Ward 19; Carl M. Lundstrom, Ward 20; Frank P. Pickett, Ward 20; Frank P. Leary, Ward 21; David J. Cusack, Ward 22; James A. Hendricks, Ward 22; Bertram G. Purchase, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, First Session, January Sitting, 1929, to appear January 7, 1929:

Harry B. Weiner, Ward 1; William H. Cunningham, Ward 2; Frederick Philip Shedd, Ward 4; James Hayes, Ward 5; Thomas N. Metcalf, Ward 5; Ralph L. Frost, Ward 6; William H. Hickey, Ward 6; Albert P. Hutchinson, Ward 6; Walter G. McGinnis, Jr., Ward 6; Frank S. Sampson, Ward 6; Xavier Walsh, Ward 6; John C. Goehring, Ward 9; Joseph C. McAleer, Ward 10; Wilhelm Subting, Ward 10; John P. Keady, Ward 11; John Lee, Ward 11; Myer Lasoff, Ward 14; Louis Morse, Ward 14; David W. Morley, Ward 15; James F. Stack, Ward 15; Thomas Baxter, Ward 16; Theodore Bliss, Ward 19; Phineas Johns, Ward 18; Rudolph Munz, Ward 18; John H. Thompson, Ward 18; Richard A. Topham, Ward 18; William P. Cotter, Ward 19; R. Irving Scherer, Ward 20; Harry B. Turner, Ward 20.

Seventeen traverse jurors, Superior Civil Court, Second Session, January Sitting, 1929, to appear January 7, 1929:

Walter S. Edmands, Ward 5; David M. Weston, Ward 5; Frank D. King, Ward 9; William C. Feran, Ward 11; John H. Hennessey, Ward 15; William R. DeLong, Ward 17; Thomas A. Ryan, Ward 17; Charles A. Woodsome, Ward 17; Justus A. Hatfield, Ward 18; Albert Johnson, Ward 18; Hugh McNamee, Ward 19; Edwin G. A. Sandstrom, Ward 19; William M. Smythe, Ward 19; John J. Sweeney, Ward 19; William Wilmot, Ward 19; Daniel Hayes, Ward 22; Henry J. Winn, Ward 22.

Twenty-four traverse jurors, Superior Civil Court, Third Session, January Sitting, 1929, to appear January 7, 1929:

Joseph Cooke, Ward 1; Charles R. Crouse, Ward 1; Hector J. Grant, Ward 4; Robert M. Edwards, Ward 5; Henry Cook Ward 11; David Orlov, Ward 12; Dennis Patrick Coffey, Ward 13; Jacob S. Savitz, Ward 14; Roy B. Hidden, Ward 17; Charles F. Bere, Ward 19; William J. Brennan, Ward 19; John G. Frech, Jr., Ward 19; Michael J. Hynes, Ward 19; Frank D. Mackenzie, Ward 19; Joseph M. Murphy, Ward 19; Frank B. George, Ward 20; Walter Dawson, Ward 20; Joseph W. F. Whall, Ward 20; Donald C. Alexander, Ward 21; Joseph

Wagner, Ward 21; Henry G. D. Belluche, Ward 22; Elmer H. Berry, Ward 22; Edward J. Brophy, Ward 22; Thomas B. White, Ward 22.

Twenty-four traverse jurors, Superior Civil Court, Fourth Session, January Sitting, 1929, to appear January 7, 1929:

James J. Mericantante, Ward 3; Alexander D. Chisholm, Ward 5; Thomas W. Holmes, Ward 5; Augustus E. Glennon, Ward 7; James Hally, Ward 7; Herbert J. Phillips, Ward 7; John C. Stuhl, Ward 7; John F. Sullivan, Ward 7; James J. O'Brien, Ward 8; Oscar Kumin, Ward 10; Warren E. Smith, Ward 11; Thomas E. Cranc, Ward 12; Samuel Wax, Ward 12; James Bailey, Ward 13; William A. Kennedy, Ward 13; Peter P. Shea, Ward 13; Walter Finch, Ward 14; Francis O. Follen, Ward 16; Peter V. McFarland, Ward 17; Thomas Meighan, Jr., Ward 18; S. Lawson Smith, Ward 18; Harry C. Black, Ward 20; Jacob Weber, Ward 20; Eugene A. Houghton, Ward 21.

Twenty-four traverse jurors, Superior Civil Court, Fifth Session, January Sitting, 1929, to appear January 7, 1929:

Philip F. Hamilton, Ward 1; Brenton B. Lavers, Ward 1; Thomas M. Norton, Ward 1; Walter R. Jones, Ward 2; John J. McCarthy, Ward 2; Aurin O. Batchelder, Ward 3; David Fitzgerald, Ward 3; William W. Cutler, Jr., Ward 5; James F. McCarron, Ward 6; Patrick J. O'Brien, Ward 7; Thomas J. Tracy, Ward 10; James H. Connors, Ward 12; Frederick Kenney, Ward 12; Benjamin Rotti, Ward 12; John F. Donahue, Ward 13; Francis L. Trainor, Ward 13; Abraham S. Cohen, Ward 14; John E. Driscoll, Ward 17; David B. Edmonds, Ward 17; Robert J. Carmichael, Ward 19; Charles H. Watson, Ward 20; George H. Hayden, Ward 22; Richard McDonough, Ward 22; Cornelius D. Sbeehan, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, Sixth Session, January Sitting, 1929, to appear January 7, 1929:

John J. Cronin, Ward 1; James C. O'Shea, Ward 1; Michael Waldron, Ward 1; Everett M. Treworgy, Ward 3; George McComb, Ward 4; March C. Bennett, Ward 5; Frank A. Johnson, Ward 6; Rolins Burrill, Ward 9; James P. Murphy, Ward 9; Joseph J. Morss, Ward 10; Fr. Louis Kloeefel, Ward 11; Robert E. Paul, Ward 11; Edward F. Burns, Ward 13; George L. Holmes, Ward 13; John A. Elliott, Ward 14; John L. McGee, Ward 14; Edmond T. McGrath, Ward 15; John J. Sullivan, Ward 15; William F. Clark, Ward 16; Frederick W. Gustafson, Ward 16; Arthur J. Hall, Ward 17; William J. Bresnahan, Ward 19; Robert Ciriack, Ward 19; Edward J. Lang, Ward 19; Michael S. Manning, Ward 19; Augustus Dornhofer, Jr., Ward 20; William A. McDonnell, Ward 21.

Twenty-six traverse jurors, Superior Civil Court, Seventh Session, January Sitting, 1929, to appear January 7, 1929:

Daniel J. Keefe, Ward 1; John T. Stanton, Ward 1; Patrick J. Doherty, Ward 2; Joseph H. Maloney, Ward 2; Clayton W. Thomas, Ward 4; Patrick T. Farrell, Ward 6; Frederick J. Kelly, Ward 6; Thomas J. Monahan, Ward 6; James Mc. Wilson, Ward 6; Michael J. A. Cady, Ward 7; Edward W. Dougher, Ward 8; Jacob Leibhaeber, Ward 10; Edward T. O'Connor, Ward 10; William H. Curran, Ward 11; William H. Reardon, Ward 13; Frank Dobson, Ward 14; William L. Hoeffing, Ward 14; Andrew Donovan, Ward 15; Terence E. Feely, Ward 15; Frederick S. Griffin, Ward 15; John J. Wickham, Ward 15; Frank P. Trotman, Ward 16; Nicholas P. Tangney, Ward 17; Charles J. Gormley, Ward 19; Irving W. Martin, Ward 22; Albert J. Fitzpatrick, Ward 22.

Coun. KEENE in the chair.

LEASE OF OLD FRANKLIN SCHOOLHOUSE
YARD LOT.

The following was received:

City of Boston,
Office of the Mayor, November 28, 1928.
To the Honorable the City Council.
Gentlemen,—Inclosed find an order authorizin

his Honor the Mayor, in the name and behalf of the City of Boston, to execute and deliver to Athanasios Balkanis a lease in form satisfactory to the Law Department of a part of the premises known as Old Franklin Schoolhouse Yard Lot, situate on Washington street near Dover street in said Boston, for a term of three years beginning on the date of the passing of this order, at a rental of six hundred dollars per annum, payable in advance in equal monthly installments of fifty dollars each. The premises herein referred to is to be used for the purpose of operating a cigar and tobacco store and lunch room and the said City of Boston shall have the right to cancel and terminate said lease at any time by mailing or delivering to said lessee, his executors, administrators or assigns, at the premises, a written notice of not less than ninety days of its intention so to do.

The Superintendent of Public Buildings of the City of Boston in a letter dated October 9, 1928, has requested that the premises herein referred to be leased for the term and upon the conditions herein stated.

Respectfully submitted,
MALCOLM E. NICHOLS, Mayor.

Ordered, That his Honor the Mayor be, and he hereby is, authorized, in the name and behalf of the City of Boston, to execute and deliver to Athanasios Balkanis a lease in form satisfactory to the Law Department of a part of the premises known as Old Franklin Schoolhouse Yard Lot, situate on Washington street near Dover street in said Boston, for a term of three years beginning on the date of the passing of this order, at a rental of six hundred dollars per annum, payable in advance in equal monthly installments of fifty dollars each. The premises herein referred to is to be used for the purpose of operating a cigar and tobacco store and lunch room and the said City of Boston shall have the right to cancel and terminate said lease at any time by mailing or delivering to said lessee, his executors, administrators or assigns, at the premises, a written notice of not less than ninety days of its intention so to do.

Referred to Committee on Public Lands.

EASEMENT IN MINCHIN COURT, DORCHESTER.

The following was received:

City of Boston,
Office of the Mayor, December 1, 1928.
To the Honorable the City Council.

Gentlemen,—Please find inclosed an order authorizing his Honor the Mayor, in the name and behalf of the City of Boston, to execute and deliver to Martha H. Minchin, Mary J. Minchin, Lila M. Brown and Ella P. Minchin, or to those persons claiming title under them, an instrument of release, satisfactory in form to the Law Department, of an easement granted to the City of Boston by Joseph Minchin September 12, 1890, to lay, use and maintain water pipes in Minchin court, a private way running between Geneva avenue and Dorchester avenue, situated in that part of Boston called Dorchester.

The instrument granting the easement herein referred to is recorded with Suffolk Registry of Deeds, Book 1958, page 253, and contains the following words:

"also the right to maintain said pipe or pipes in said premises so long as the city shall continue to furnish water through the same."

The Commissioner of Public Works in a letter dated November 28, 1928, states that the property formerly supplied by this water pipe has been abandoned and the buildings removed. The pipe has no interest in the pipe in question. He recommends that the release herein requested be granted and says that in his opinion one dollar would be an adequate consideration.

I recommend the passage of the inclosed order.

Very truly yours,
MALCOLM E. NICHOLS, Mayor.

Ordered, That his Honor the Mayor be, and he hereby is, authorized, in the name and behalf of the City of Boston, for the consideration of one dollar to execute and deliver to Martha H. Minchin, Mary J. Minchin, Lila M. Brown and Ella P. Minchin, or to those persons claiming title under them, an instrument of release, satisfactory

in form to the Law Department, of an easement granted to the City of Boston by Joseph Minchin September 12, 1890, to lay, use and maintain water pipes in Minchin court, a private way running between Geneva avenue and Dorchester avenue, situated in that part of Boston called Dorchester.

Referred to the Committee on Public Lands.

SPOT LIGHT ON COMMONWEALTH AVENUE, WARD 21.

The following was received:

City of Boston,
Office of the Mayor, December 3, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner, in reply to your order of November 19, 1928, relative to the installation of an electric spot light over the traffic officer stationed at the intersection of Commonwealth avenue and Warren street, Ward 21.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

November 30, 1928.

Ida Hibbard, Chief Clerk,
Office of the Mayor.

Dear Madam,—In reply to your note of November 21, inclosing an order passed by the City Council on November 19 providing for the installation of an electric spotlight over the traffic officer at Commonwealth avenue and Warren street, Ward 21, I wish to state that I have had investigation made of the matter and Captain Laffey reports that his officers covers this location only between 3.45 and 6 o'clock p. m. each day.

He has not a sufficient number of officers at his disposal to cover it for an increased period and in my opinion, it would not be practical to go to the expense of installing a spotlight at this location for such a short period of time.

It is also doubtful if the Edison Electric Illuminating Company would accept a contract for such work at this season of the year; which statement is borne out by our past experience.

I am returning herewith, for your files, the original order of the City Council, copy of which has been kept at this office for our files.

Yours respectfully,
HERBERT A. WILSON,
Police Commissioner.

Placed on file.

APPOINTMENT BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, December 1, 1928.
To the City Council.

Gentlemen,—Subject to confirmation by your honorable body I appoint the following as weigher for the term ending April 30, 1929:

Of Coal: Charles A. McCawley, 31 St. Margaret street, Dorchester, for Metropolitan Coal Company, 20 Exchange place, Boston.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Laid over a week under the law.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

Arand Spring Company, for compensation for damage to property at 227 Brighton avenue, caused by city truck.

Margaret Burnett, for compensation for damage to automobile by City Hospital ambulance.

Jeanne C. Coyle, for compensation for injuries caused by an alleged defect in Washington street.

Guerino DiMuzio, for compensation for injuries received on ferryboat.

John J. Doherty, for compensation for injuries caused by an alleged defect at 108 Heath street, Roxbury.

John J. Johnson, for refund on unused refuse tickets.

Leonard J. Kanter, for compensation for damage to automobile by fire apparatus.

Catherine F. Levins, for compensation for injuries caused by an alleged defect in Union Park street.

Mrs. Catherine Shone, for compensation for injuries caused by an alleged defect at 1218 Commonwealth avenue.

Mary Boyd, for compensation for damage to property at 2 Rockford street, Roxbury, caused by ash truck.

Executive.

Petition of Herman Sulgen for children under fifteen years of age to appear at Huntington Chambers Hall on December 10, 1928.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held on December 17 on petitions for storage and sale of gasolene, viz.: Boston Elevated Railway, 500 Geneva avenue, Ward 16, 4,000 gallons.

Referred to the Executive Committee.

ACTING SINKING FUNDS COMMISSIONER.

Notice was received from his Honor the Mayor of appointment of Charles J. Fox, Budget Commissioner, to be an acting Sinking Funds Commissioner.

Placed on file.

LOCATION FOR EASTERN MASSACHUSETTS STREET RAILWAY COMPANY.

Notice was received from the Board of Street Commissioners of location granted to Eastern Massachusetts Railway Company of tracks on Ashland and Oakland streets, being sixteenth location.

Placed on file.

RINGING OF GONG IN FIRE ALARM BOXES.

Coun. WILSON offered the following:

Ordered, That the Fire Commissioner, through his Honor the Mayor, be, and he hereby is, respectfully requested to install such electrical devices on fire alarm boxes in the City of Boston as will insure the ringing of a warning gong in the box as and when the hook in the box sounding the alarm is pulled.

Coun. WILSON—Mr. President, during the week commencing November 26, if I am correctly informed, out of ninety-nine fire alarms in the City of Boston, forty-four were false alarms, and of the forty-four false alarms thirty in that one week were in the Dorchester district. There is apparently some fanatic or somebody who is against the Fire Department, making it his or their business to go around and pull in false alarms, and that can be done, because last August the gongs at the fire boxes, which rang when the handle was moved, were removed from every fire box in the City of Boston. I think personally there may have been some reason for doing that, because of the fact that people ringing in alarms believed for some unknown reason that the alarm was rung in when they heard this gong on the box. On the other hand, the fact that the gong has been removed makes possible the ringing of false alarms. The result of such false alarms is, as I say, such an occurrence as the ringing of thirty such false alarms in one week in the Dorchester district. That means not only expense to the Fire Department but a positive menace, if during the time when those false calls are summoning the apparatus out on a wild goose chase a real fire occurs. It occurs to me that it cannot take such very great electrical or engineering ability to still retain some gong for the fire alarm box; that the present handle can be used, but that when the hook is pulled there will be an alarm that will be sounded, and that there will be the double advantage of preventing these false alarms to a great extent and incidentally letting the man who has pulled down the hook know that he has sounded the alarm at the firehouse. For that reason I have introduced

the order at this time providing that we combine the alarm on the box with the present system, which, under the present conditions, is certainly not working out satisfactorily.

The order was passed under suspension of the rule.

EASTERN MASSACHUSETTS STREET RAILWAY PETITIONS.

Chairman KEENE—The Chair is in receipt of two petitions which the Clerk will read.

The Clerk read the petitions as follows:

Petition of Eastern Massachusetts Street Railway Company to operate six or less motor vehicles. Termini: Park square, Boston, and Billerica.

Route: From the Boston-Cambridge line over West Boston Bridge, Cambridge street, Charles street, across Boylston street, into Park square; also on Columbus avenue, Eliot street, and Broadway for the purpose of turning in Park square.

Stopping places: Park square and on Charles street near the corner of Boylston street. No local passengers to be carried in Boston or other territory served by the Boston Elevated Railway.

Petition of Eastern Massachusetts Street Railway Company to operate six or less motor vehicles. Termini: Park square, Boston, and John street; Lowell.

Route: From the Boston-Cambridge line over West Boston Bridge, Cambridge street, Charles street, across Boylston street into Park square; also on Columbus avenue, Eliot street and Broadway for the purpose of turning in Park square.

Stopping places: Park square and on Charles street near the corner of Boylston street. No local passengers to be carried in Boston or other territory served by the Boston Elevated Railway.

Coun. WARD—Mr. President, I move that the petitions be referred to the Executive Committee.

Coun. Ward's motion was declared lost, and the petitions were referred to the Committee on Jitney Licenses.

Later in the session Coun WARD said:

Mr. President, I would like to ask the reconsideration of the vote referring the petitions of the Eastern Massachusetts Street Railway Company to the Jitney Committee.

Coun. WILSON—Mr. President, I would like the councilor's reason.

Coun. WARD—Mr. President, the reason is that the petitions have already been before the Jitney Committee. The Jitney Committee had them and reported them out two weeks ago, and there is no need of leaving them in the Jitney Committee two or three weeks. These are not new but old petitions.

Coun. McMAHON—Mr. President, I would like at this time to hear from the Jitney Committee.

Coun. DOWD—Mr. President, as an individual member of the Jitney Committee, I will say that I have no objection to having these referred to the Executive Committee, unless the Eastern Massachusetts Company may have some more information that it desires to present to the Jitney Committee. In that case, I think these petitions should go to that committee. Otherwise, I am willing that they should be referred to the Executive Committee, inasmuch as the Jitney Committee has held several hearings and there is nothing more they can do in the matter.

Coun. RUBY—Mr. President, I would like to ask what the recommendation of the Jitney Committee was when it reported on these two petitions?

Chairman KEENE—The committee reported back, "Ought to pass."

Coun. RUBY—Then, how do we get these matters now? Was there any action taken on the report of the Jitney Committee at that time?

Chairman KEENE—The Council voted to accept the committee's report, "Ought to pass," but there was a veto by the Mayor. The petitions are now refiled.

Coun. RUBY—And these are really two new petitions?

Chairman KEENE—You are correct.

Chairman KEENE put the question on Coun. Ward's motion to reconsider the vote referring the two petitions to the Committee on Jitney Licenses. The Chair, being in doubt, a rising vote was taken, and reference to the Committee on Jitney Licenses was declared reconsidered, 8 to 1.

Chairman KEENE—The question now comes on reference of the petitions in question to the Executive Committee, which requires a two-thirds vote.

The petitions were declared, by a rising vote, referred to the Executive Committee.

Coun. McMAHON—Mr. President, do I understand that the two-thirds means two-thirds of those present?

Chairman KEENE—Of those present and voting.

Coun. WILSON—I understand, Mr. Chairman, that every councilor present must vote on any question, or leave the Council Chamber. I raise that question not on this particular motion, but generally.

Chairman KEENE—You are undoubtedly correct, but yet you are wrong. (Laughter.)

Coun. WILSON—I will see you outside, Mr. President! (Laughter.)

PAYMENT OF MONTHLY PAY ROLLS.

Coun. LYNCH offered the following:

Ordered, That the City Auditor be authorized to allow for payment and the City Treasurer to pay the monthly pay rolls of employees on or before December 21, in anticipation of Christmas. Passed under suspension of the rule.

ARC LIGHT, WARD 7.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light at the corner of Dorchester and Telegraph streets, Ward 7. Passed under suspension of the rule.

ARC LIGHT, WARD 6.

Coun. LYNCH, for Coun. Mahoney, offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light at the corner of Baxter and D streets, Ward 6. Passed under suspension of the rule.

ANNUITY TO WIDOW OF MARTIN J. CALLAHAN.

Chairman KEENE, for Coun. Mahoney, offered the following:

Ordered, That an annuity of six hundred dollars be allowed and paid to the widow of Martin J. Callahan, late member of the Boston Fire Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said widow remains unmarried, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

ADDITIONAL LIGHTS, WARD 20.

Chairman KEENE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of additional lights at Centre and Corey streets, Ward 20.

Passed under suspension of the rule.

RECESS.

The Council voted at 2.40 p. m., on motion of Coun. MURRAY, to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by Chairman KEENE at 3.13 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. DOWLING, for the Executive Committee, submitted reports as follows:

1. Report on petition (referred today) for children under fifteen years of age to appear at Huntington Chambers Hall on evening of December 10, 1928,—that permit be granted.

Report accepted; permit granted on usual conditions.

2. Report on petitions of the Eastern Massachusetts Street Railway Company (referred today) for petition to operate motor vehicles between Park square and Billerica and Park square and Lowell,—that licenses be granted.

The report was accepted and the licenses were declared granted. Coun. DOWLING doubted the vote and asked for a rising vote. The Council stood divided, and the licenses were declared granted, on the usual conditions, 8 to 2.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. DOWD, for the Committee on jitney Licenses, submitted reports as follows:

1. Report on petitions of Boston Elevated Railway (referred November 27) for license to operate motor vehicles between Granite Bridge Station on Granite avenue and Ashmont street, Dorchester, over Granite avenue, Adams street, Codman street, Dorchester avenue to Ashmont Station,—that license be granted.

2. Boston Elevated Railway (referred November 27) for license to operate motor vehicles between Ashmont Station and the junction of Codman and Oakridge streets, Dorchester, over Dorchester avenue and Codman street,—that license be granted.

Coun. DOWD—Mr. President, I might say to the members of the Council that both these permits cover territory represented by Coun. Fish and Wilson, and that both those councilors are agreeable to the granting of the petition.

Coun. FISH—Mr. President, with regard to the proposed bus route between Granite Bridge Station on Granite avenue and Ashmont Station, Dorchester, in my ward, I am in favor of it. It is the only direct route that the people around Cushing Hill have to Codman square by way of Peabody square. I have received a petition signed by 300 people who wish to have this petition of the Elevated granted.

Coun. WILSON—Mr. President, in regard to the line between Ashmont Station and the junction of Codman and Oakridge streets, I might say that that petition was put in by the Elevated at my request, following the receipt of a petition signed by almost all the people about Codman Hill, and in the rest of the area covered by this route, requesting that this be granted as being the most direct route down to the Ashmont terminal. As a result of that, the petition was introduced by the Elevated, and I trust that it will be granted.

The reports were accepted and licenses were declared granted on the usual conditions.

APPROPRIATION FOR SOLDIERS' RELIEF DEPARTMENT.

Coun. BUSH, for Coun. MOTLEY, offered the following:

Ordered, That there be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for the Soldiers' Relief Department, the sum of two thousand dollars, said sum to be expended, subject to the approval of the chairman of the Committee on Soldiers' Relief, or in his absence by any other member of said committee, by such commissioner in affording immediate relief to persons entitled to aid under chapter 115 of the General Laws, and acts in amendment thereof and in addition thereto.

Passed under suspension of the rule.

SIDEWALK ON GENEVA AVENUE.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Geneva avenue, both sides, from Columbia road to Blue Hill ave-

nue, 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 suspension of the rule.

EXPENSE OF ENGROSSING RESOLUTIONS.

Coun. PARKMAN offered the following:

Ordered, That the expense of obtaining an engrossed copy of the resolution of the City Council upon the retirement of City Clerk James Donovan be charged to the Reserve Fund.

Passed under suspension of the rule.

RICHARDS AVENUE, WARD 18.

Coun. MURPHY offered the following:

Ordered That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Richards avenue, Ward 18, as a public highway.

Passed under suspension of the rule.

ASTORIA STREET, WARD 14.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Astoria street, Ward 14, as a public highway.

Passed under suspension of the rule.

BRIDGE OVER WEST NEWTON STREET.

Coun. ARNOLD offered the following:

Ordered, That the bridge over the railroad tracks on West Newton street be named and known as the William J. Conlon Bridge, in honor of the distinguished citizen of that name, recently deceased, who resided in that vicinity for many years, and whose public spirit manifested itself in unceasing activities for the improvement of the district.

Coun. ARNOLD—Mr. President, it is with great pleasure that I present this order, at the suggestion of many of the friends of the late Representative Conlon. This bridge abuts property that was owned by Mr. Conlon for some years. He was very much interested in the group of citizens about the particular environs of this bridge, and it is at their suggestion that I am presenting this order, which I hope the Council will pass.

Coun. DOWLING—Mr. President, I have no desire to enter into any controversy with the gentleman from Ward 4, or to raise any objection to the spirit of the order. But I expressed my feeling in regard to this sort of order in the Executive Committee. It seems to me the naming of a bridge for no matter how worthy a gentleman—and I agree with the councilor from Ward 4 that the gentleman named in the order was an estimable citizen—is ridiculous. It is but one step from that to putting in orders here each week naming some particular hydrant along our public ways for a bartender. The idea, so common here a few years ago, of naming public squares and intersections of

streets after deceased soldiers, was probably originally inspired by a good motive but it developed into the cheapest kind of political chicanery that we have ever seen. There was no blame to be attached to this Council in that connection, but to previous Councils. Men who never did any war service, but were as far away from bullets as they could possibly get, covered themselves with glory by coming in and offering orders to name the intersections of streets for successive war veterans, perpetuating in that way the memories of individuals who took part in successive wars, of which I happened to participate in one; and on each Memorial Day we have had a wreath and a flag placed at such street intersections over the crossing of the sign. A month after the wreath and the nice starry flag have been placed there we have seen that wreath and that flag on the ground, covered with mud, dust and grime, the most revolting sight imaginable to one who has ever worn the uniform. That is why I speak on this matter. The naming of streets and bridges ought to have back of it some more laudable motive than political aspirations. I do not mean to impugn the purpose or the motive of the councilor from Ward 4 in offering this order. I do not mean to insinuate that he proposes to name this bridge for any political purpose. But it is only a step from this to the naming of other bridges and to the naming of hydrants for any hod carrier or horse driver who may come along. I knew the gentleman referred to in this order. He was an estimable citizen. He served his district in the Legislature, and was named by the present Mayor for a position in the cabinet of this administration. I have not a thing against Mr. Conlon. I have nothing but the greatest admiration for him. I knew him as well as, and perhaps even better than, the gentleman from Ward 4. I believe if he knew that this bridge was to be named for him he would be the first one to object, and that he would turn over in his grave, if he could, and ask that the order be not passed. I hope the Council will not make the mistake of naming bridges in any such way because, as I say, the next thing will be to name hydrants for some bartender.

The order was passed under suspension of the rule.

THE NEXT MEETING.

Chairman KEENE—The Chair would state, in reference to adjournment, that there is on our calendar an order for a loan of \$350,000 for a fire station in the West End, filed October 15, 1928, which was read once and passed on November 27, 1928. That will go into effect after December 14, 1928. If we should vote to adjourn to one week from today, that will not complete the fourteen days provided for by the law between the first and second reading and passage of such orders. That is, the necessary time will not then have elapsed. If we are to have an opportunity to vote on this order again, the earliest date when we can do so will be one week from tomorrow, Tuesday, December 11. Therefore, if there is no objection, the Chair will put the question in this form, that it is moved that when the Council adjourns it be to meet on Tuesday, December 11, at 2 p. m.

The Council voted that when it adjourns it be to meet on Tuesday, December 11, at 2 p. m.

Adjourned at 3.24 p. m., on motion of Coun. RUBY, to meet on Tuesday, December 11, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Friday, December 7, 1928.

Special meeting of the City Council, held in the City Council Chamber, City Hall, at one o'clock p. m. for the purpose of drawing jurors. President GREEN in the chair and a quorum present.

Jurors were drawn in the manner prescribed by law, the Mayor absent, as follows:

Twenty-two grand jurors, Superior Criminal Court, to appear January 7, 1929:

William C. Haberer, Ward 4; Walter H. Baker, Ward 5; Edward F. Swan, Ward 6; Archibald T. Hadley, Ward 7; Konrad Schreffler, Ward 7; John J. Walsh, Ward 7; John J. Reilly, Ward 8; Joseph A. Kelley, Ward 10; Herbert A. Stillings, Ward 11; Michael J. O'Connell, Ward 13; George Fitton, Jr., Ward 14; Samuel Lunin, Ward 15; Patrick J. Dowling, Ward 16; John L. Askin, Ward 17; Joseph R. Crawford, Ward 18; Ludwig A. Brauneis, Ward 19; Charles H. Degan, Ward 19; Bernard C. Dwyer, Ward 19; William L. Sanders, Ward 19; Patrick J. Sullivan, Ward 19; William Butler, Ward 22; David Webster, Ward 22.

Twenty-eight traverse jurors, Superior Criminal Court, First Session, to appear January 7, 1929:

Walter F. Bibber, Ward 1; William E. Kincaide, Ward 1; John William Turvanen, Ward 1; Rocco A. Pucillo, Ward 3; Michael Conway, Ward 5; James Langeley, Ward 4; Lawrence Huley, Ward 5; Maurice A. Crowley, Ward 6; Timothy J. Mahoney, Ward 6; Daniel J. Hilliard, Ward 7; James J. Shea, Ward 7; Walter C. Wayne, Ward 9; Charles A. George, Ward 11; Richard Maguire, Ward 12; Thomas Frain, Ward 13; Joseph D. Driscoll, Ward 16; LeRoy Batchelder, Ward 17;

Edward C. Langtry, Ward 17; Charles H. Sargent, Ward 17; James Chisholm, Ward 18; Melville A. Morris, Ward 18; Michael G. Cody, Ward 19; Charles B. House, Ward 19; Albert G. Grow, Ward 20; James C. Hermitage, Ward 20; William C. Dwyer, Ward 22; Michael J. Kelly, Ward 22; William P. Reilly, Ward 22.

Thirty-two traverse jurors, Superior Criminal Court, Third Session, to appear January 7, 1929:

John J. Roe, Ward 1; Daniel J. Collins, Ward 2; Edward M. Fidler, Ward 2; David H. Kelton, Ward 2; Arthur Nichols, Ward 4; Francis W. Paine, Ward 5; Clarence T. Burkmeier, Ward 9; David P. Edgerton, Ward 9; Samuel H. Perkins, Ward 9; John J. Ahearn, Ward 11; Harry A. Gray, Ward 12; Max Kaplan, Ward 12; Charles B. Prager, Ward 12; Chester G. Bowen, Ward 14; Joseph C. McIntyre, Ward 15; William J. Sullivan, Ward 16; John F. Tarr, Ward 16; John L. Sinclair, Ward 17; Gustaf T. Eklund, Ward 18; Franklin C. Johnstone, Ward 18; Arthur F. Norton, Ward 18; Timothy J. Sullivan, Ward 18; William P. Murray, Ward 19; Joseph Reid, Ward 19; Roderick N. Shaw, Ward 19; Charles A. Brauneis, Ward 20; Edwin L. Lovejoy, Ward 20; Henry Patrick Murphy, Ward 20; Wellington A. N. Stone, Ward 20; James B. Gaylord, Ward 21; Henry E. Lyon, Ward 21; Joseph R. Taytasac, Ward 22.

Twenty-two traverse jurors, Superior Criminal Court, Fourth Session, to appear January 7, 1929:

Michael Cicco, Ward 1; Daniel F. McCluskey, Ward 1; David M. Cleary, Ward 2; Arthur J. Roberts, Ward 4; James H. Spencer, Ward 6; Edward H. Willock, Ward 7; Francis S. Clancy, Ward 9; William H. Dolan, Ward 10; James J. Conway, Ward 11; Walter E. Sawyer, Ward 11; William H. McLain, Ward 13; Albert A. Lyons, Ward 15; Charles G. Shaughnessey, Ward 15; Timothy F. Bradley, Ward 16; Willard T. Simpson, Ward 16; Thomas S. Davie, Ward 18; William M. Hoar, Ward 18; Ira Lewis, Ward 18; John T. Marshall, Ward 19; Arnold Brockington, Ward 20; Arnold H. Coan, Ward 20; George G. Howe, Ward 21.

Adjourned at 1.45 o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, December 11, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN presiding. Absent, Coun. Murray.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted appointments for term ending April 30, 1929, as follows:

Weigher of Coal: John J. Morris, 47 Medford street, Charlestown, with Glendale Coal Company, Charlestown.

Measurer of Bark and Wood: Frank Moran, 8 Nawn street, Roxbury, with Batchelder Brothers, Boston.

Constable: John A. O'Halloran, 17 Sargent street, Ward 13.

Severally laid over a week under the law.

VETO OF LICENSES TO EASTERN MASSACHUSETTS STREET RAILWAY COMPANY.

The following was received:

City of Boston,

Office of the Mayor, December 10, 1928.

To the City Council.

Gentlemen,—I return herewith, without my approval, two orders passed by your honorable body under date of December 3, 1928, as follows:

First, an order that a license be granted the Eastern Massachusetts Street Railway Company to operate six motor vehicles between the Boston and Cambridge line at West Boston Bridge and Park square as a part of a route between Boston and Billerica; and

Second, an order that a license be granted to the Eastern Massachusetts Street Railway Company to operate six motor vehicles between the Boston and Cambridge line at West Boston Bridge and Park square as a part of a route between Boston and Lowell.

These orders are similar in form to those returned without my approval to your honorable body on November 6, 1928, and I find no reason in the present instance for departing from the action taken by me on that date.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

VETO IN RE PROBATION OFFICERS' SALARIES.

The following was received:

City of Boston,

Office of the Mayor, December 3, 1928.

To the City Council.

Gentlemen,—I return herewith without my approval the order passed by your honorable body on the 27th ultimo fixing salaries for the probation officers attached to the Boston Juvenile Court. My reason for such action is that the schedule presented in the order is not in conformity with the increases provided in the county budget which was passed by your honorable body on March 26, 1928, and approved by me on the following day.

The budget provides a \$100 increase for each of the four officers concerned. I am informed that a communication was received from Judge Cabot at the Council meeting of November 19, in which he requested that the increases for the probation officers of his court be fixed in conformity with the budget. I am in accord with this recommendation and stand ready to approve an order in which the salaries of the officers concerned are fixed at the rates provided in the budget.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

METHOD OF APPOINTING ELECTION OFFICERS.

The following was received:

City of Boston,

Office of the Mayor, December 10, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Board of Election Commissioners, in reply to your order of November 27, 1928, relative to a change in the method of appointing election officers, so that more accurate returns may be made of the votes cast at primaries and elections.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Election Department, December 4, 1928.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I am in receipt of order passed by the City Council under date of November 27, 1928. Permit me to say that the appointment of election officers is fixed by the General Laws, chapter 54, section 11, as amended by chapter 204 of the Acts of 1923. The law provides that the Election Commissioners shall appoint, between the first and fifteenth of August, election officers to serve for one year.

The law provides that they must be selected so as to equally represent the two principal political parties. As this amendment was passed in 1923, I see no need of any change in the law relative to the same.

The Board at all times is willing to accept recommendations of people who would make efficient election officers, and will gladly appoint such persons, provided there are existing vacancies.

We receive many recommendations of people who are not qualified to serve, and it is getting harder each year to obtain the services of competent people. The Board feels that the only way this situation can be relieved is by introducing voting machines in the City of Boston.

I do not believe that the Legislature should make any changes regarding the same.

Respectfully yours,

BOARD OF ELECTION COMMISSIONERS,

FRANK SEIBERLICH, Chairman.

Placed on file.

REPORT OF EMPLOYMENT BUREAU.

The following was received:

City of Boston,

Office of the Mayor, December 10, 1928.

To the City Council.

Gentlemen,—I transmit herewith a report of the number of registrations and placements through the Employment Bureau for the week ending December 1, 1928.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Boston, December 5, 1928.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Your Honor,—Pursuant to the City Council orders, inclosed please find the number of registrations filled directly through this Bureau for the week ending December 1, inclusive:

Registrations, 84; placements, 72.

Very truly yours,

AUGUSTUS SEAVER,
Assistant Secretary to Mayor.

Placed on file.

USE OF PRIVATE VAYS FOR PARKING OF VEHICLES.

The following was received:

City of Boston,

Office of the Mayor, December 11, 1928.

To the Honorable the City Council.

Gentlemen,—By the provisions of chapter 319 of the Acts of 1928 cities and towns are authorized to prohibit or regulate "the leaving of vehicles unattended within the limits of private ways furnishing means of access for fire apparatus to any part of a tenement house or apartment house as defined in section two of chapter one hundred forty-five" of the General Laws. The purpose of this legislation was to enable municipalities to

prevent the parking of vehicles in the passageways in the rear of apartment houses and thereby eliminate a very dangerous fire hazard. Both the Fire Commissioner and the Police Commissioner of the City of Boston have recommended that an ordinance enabling the enforcement of the provisions of this legislation be presented to your honorable body. I am, therefore, inclosing for your consideration an ordinance which aims to accomplish this purpose.

Very truly yours,
MALCOLM E. NICHOLS, Mayor.

An Ordinance Prohibiting the Use of Private Ways for the Parking of Vehicles.

Section 1. No person, firm or corporation shall leave a vehicle unattended within the limits of a private way, which furnishes a means of access for fire apparatus to any part of a tenement or apartment house as defined in section two of chapter one hundred and forty-five of the General Laws. This section shall not apply to any person using a vehicle to deliver merchandise to a tenement or apartment house as described herein.

Section 2. Any person, firm or corporation violating the provisions of this ordinance shall be subject to a penalty not exceeding twenty dollars for each offence.

Referred to the Committee on Ordinances.

PARKMAN FUND APPROPRIATIONS.

The following was received:
City of Boston,
Office of the Mayor, December 11, 1928.
To the City Council.

Gentlemen,—I am advised that there is available in the income of the George F. Parkman Fund \$63,062.54. The Board of Park Commissioners have submitted to me a proposal calling for the expenditure of this amount for various park improvements. The detail in connection with this program appears in the letter herewith attached. I accordingly submit the necessary appropriation order and respectfully recommend its adoption by your honorable body.

Respectfully,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, December 6, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—You are respectfully asked to request the City Council to transfer the remaining balance of \$63,062.54 from the income of the George F. Parkman Fund for the following purposes:

Animals, birds, etc. \$5,000 00
It is necessary for the department to have a fund on hand to purchase animals that come at opportune times. It is desirous to have the sum of \$5,000 to purchase these animals that come during winter months.

Arnold Arboretum, fencing. \$5,000 00
This amount is asked for the purpose of fencing in the most valuable collection of evergreens in the United States. A number of fires have been started in this location, and the Arboretum authorities have requested that the fencing be done as soon as possible.

Franklin Park, improvements, repairs to buildings, grading, planting, etc. \$10,000 00
The wire cages around the Bird House have disintegrated to such an extent that it is absolutely essential that same should be rebuilt as soon as possible. The elephant house also needs a great many repairs, plastered walls, etc., and for that reason we are asking the sum of \$10,000.

Washington Park, Roxbury, permanent walks, grading, etc. \$10,000 00
This park is now in poor condition and is in need of permanent walks, grading, etc., which will require the sum of \$10,000.

Fens' Improvements, completion of improvements, including boys' stadium, grading, etc. \$33,062 54
The balance of the income, amounting to \$33,062.54, will be required for the building of running tracks, jumping boxes, shot-put boxes,

fencing, loaming, sodding, etc. This will be the last amount asked for the completion of this large improvement in the Fens.

Respectfully yours,
WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$63,062.54 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:

Animals, birds, etc.	\$5,000 00
Arnold Arboretum, improvements.	5,000 00
Franklin Park, improvements.	10,000 00
Washington Park, Roxbury, improvements.	10,000 00
Fens, improvements.	33,062 54
	\$63,062 54

Referred to the Committee on Parkman Fund.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Mary A. Blong, for compensation for injuries caused by an alleged defect in Bowdoin street.

Arthur C. Burr, for compensation for damage to automobile by city truck.

Mrs. Edith Clarke, for compensation for loss of clothing at City Hospital.

William J. Conley, for reimbursement for judgment against him on account of his acts as a fireman.

Mrs. Annie F. Coughlin, for compensation for injuries caused by an alleged defect in Massachusetts avenue.

Mary E. Counihan, for compensation for injuries caused by city truck.

Mary E. Coyne, for compensation for damage to car by city car.

Francesco DeBeneditto, for compensation for injuries caused by an alleged defect at 21 Ferry street.

Charles S. English, for compensation for damage to automobile by city team.

R. W. Farnsworth, M. D., for compensation for damage to automobile in City Hospital yard.

Florence Marino, for compensation for loss of ring at Haymarket Square Relief Station.

Alice McAteer, for compensation for injuries received in polling place, Precinct 3, Ward 1.

James F. McGregor, for refund on refuse tickets. John Populo, for compensation for injuries caused by city car.

Ada Tarsis, for compensation for injuries caused by an alleged defect at 2055 Columbus avenue.

Samuel D. Waxman, for compensation for damage to automobile by fire apparatus.

Maurice S. Benjamin, for compensation for damage to car by city truck.

Mabel A. Coogan, for compensation for injuries caused by an alleged defect near 23 Iona street, Roslindale.

Arthur W. Ridley, for compensation for damage to car by city truck.

Raymond R. Dugdale, for compensation for damage to automobile by city truck.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway to operate motor vehicles between O and Eighth streets and Washington and Kneeland streets.

Executive.

Petition of John H. Harrigan for children under fifteen years of age to appear at Grover Cleveland School Hall on evening of December 14.

PAY ROLL, REGISTRY OF DEEDS.

Register of Deeds William T. A. Fitzgerald submitted pay roll of Registry of Deeds, certifying that work of regular employees covering period from December 1 to December 15 had been performed to the amount of \$4,279.86.

Approved by the Council and ordered paid.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearings to be held December 24 on petitions for storage and sale of gasoline, viz.:

Arlington Rubber Company, 26 Clayton street, Ward 13, 1,000 gallons.

John J. Reardon, 581-587 Centre street, Ward 19, 3,000 gallons.

Twentieth Century System, Inc., 720 Beacon street, Ward 5, 1,000 gallons.

Referred to the Executive Committee.

BOND OF INDEMNITY.

A communication was received from the Metropolitan District Commission inclosing bond of indemnity to City of Boston under contract with Security Fence Company of Somerville for erecting fence at Chestnut Hill Reservoir.

Placed on file.

TRACK LOCATION FOR WALWORTH MANUFACTURING COMPANY.

Notice was received from the Department of Public Utilities of hearing to be given December 20, on petition of Walworth Manufacturing Company for location of tracks across C street at grade in South Boston.

Placed on file.

LOCATION TO EASTERN MASSACHUSETTS STREET RAILWAY COMPANY.

Notice was received from the Board of Street Commissioners of location granted to Eastern Massachusetts Street Railway Company for right-hand crossover in Ashland street, West Roxbury, southeasterly of Washington street.

Placed on file.

SALARY, COURT OFFICER, CHELSEA COURT.

A communication was received from Samuel R. Curtis, Acting Justice of the District Court of Chelsea, fixing the salary of John F. Sullivan, court officer of District Court of Chelsea, at sum of \$2,400 per annum, to take effect January 1, 1929.

Referred to the Committee on County Accounts.

PAYMENT TO SOCIAL LAW LIBRARY.

Coun. BUSH offered the following:

Ordered, That there be allowed and paid to the Proprietors of the Social Law Library the sum of one thousand dollars for the maintenance and enlargement of said library; said sum to be charged to the appropriation for County of Suffolk, Social Law Library.

Passed under suspension of the rule.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Coun. RUBY, for the Special Committee on Constables, called up, under unfinished business, Nos. 1 to 4 on the calendar, viz.:

1. Action on appointments submitted by the Mayor September 25, 1928, of Joseph Rosen, Arthur L. Whitney and Philip E. Bloom, to be Constables.

2. Action on appointment submitted by the Mayor October 1, 1928, of Irving Honigsberg, to be a Constable.

3. Action on appointments submitted by the Mayor November 13, 1928, of Saul H. Robinson, Frank A. Connor and John A. Duggan, to be Constables.

4. Action on appointments submitted by the Mayor November 27, 1928, of Louis Cohen, John J. Piscatelli, Abraham Goldberg and Philip E. Lieberman, to be Constables.

The question came on confirmation. Committee, Coun. Sullivan and Deveney. Whole number of ballots 13, yeas 13, and the appointments were confirmed.

President GREEN, under unfinished business, called up No. 5 on the calendar, viz.:

5. Action on appointment submitted by the Mayor December 3, 1928, of Charles A. McCawley, to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Ward and Fish. Whole number of ballots 14, yeas 14, and the appointment was confirmed.

NEW FIRE STATION, WEST END.

President GREEN called up under unfinished business No. 6, viz.:

6. Ordered, That the sum of \$350,000 be, and the same is hereby, appropriated to be expended under the direction of the Fire Commissioner for New Fire Station, West End District, Building, 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 the city to said amount.

On November 27, 1928, the foregoing order was read once and passed, yeas 16, nays 0.

The order was given its second and final reading and passage, yeas 16, nays 0.

RECESS.

The Council voted, at 2.18 p. m., on motion of Coun. DONOVAN, to take a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by President GREEN at 2.56 p. m.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. DOWD, for the Committee on jitney Licenses, submitted reports as follows:

1. Report on petition of Fred C. Woodward (referred September 5) for license to operate two buses from Boston-Dedham line on Spring street, West Roxbury, to Boston Elevated Railway terminal—that license be granted.

Coun. DOWD—Mr. President and members of the Council, this petition is for a license to continue a present line of buses, now running from Needham, into Spring street, from the Dedham line, over from 500 to 800 feet on the Boston side. Such a license was given to another concern on a different line, a short time ago. District Councilor Keene approves of this, as does the Boston Elevated Railway.

Report accepted; license granted on usual conditions.

2. Report on petition (referred today) of Boston Elevated Railway to operate motor vehicles between O and Eighth streets and Washington and Kneeland streets—that permit be granted.

Report accepted; license granted on usual conditions.

3. Report on petition (referred October 22) of Boston Elevated Railway to operate motor vehicles between Andrew square and junction of D and Summer streets—that permit be granted.

Report accepted; said permit granted on usual conditions.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted reports as follows:

1. Report on petition of John H. Harrigan (referred today) for permit for children under fifteen years of age to appear at Grover Cleveland School Hall on evening of December 14—that permit be granted.

Report accepted; said permit granted on usual conditions.

2. Report on order (referred February 6) that annuity of \$600 be allowed to widow of John M. McLaughlin, late member of Fire Department—that same ought to pass.

Report accepted; said order passed.

3. Report on message from Mayor and five orders (referred November 13) rescinding loans for various purposes—that same ought to pass.

Report accepted; orders passed, yeas 18, nays 0.

REPORT OF COMMITTEE ON
ORDINANCES.

Coun. SULLIVAN, for the Committee on Ordinances, submitted reports as follows:

1. Report on ordinance relative to park frontages (referred November 13)—that same ought to pass.

Report accepted; said ordinance passed.

2. Report on ordinance relative to Soldiers' Relief Department (referred November 13)—that same ought not to pass.

On motion of Coun. DONOVAN the ordinance was laid on the table.

3. Report on ordinance concerning junk dealers (referred April 9)—recommending passage of ordinance in following new draft, viz.:

An Ordinance Concerning Junk Dealers.

Be it ordained by the City Council of Boston, as follows:

Section 1. No person dealing in junk or second-hand articles shall store or keep for sale or sell any junk or second-hand articles on any premises, either land or buildings, unless said premises have been approved for such purpose by the health commissioner, the fire commissioner and the building commissioner, nor shall any person continue to use any such premises for said purposes after notice of disapproval by any of said officers.

Section 2. Any person violating this ordinance shall be punished by a fine not exceeding twenty dollars for each offense, and a separate offense shall be regarded as committed for every day during which such violation shall be continued.

The question came on accepting the report and passing the ordinance in the new draft.

Coun. WILSON—Mr. President, although I am a member of that committee I regret to say that I was a little late at the meeting at which this matter was taken up, and would appreciate an explanation of it. Do I understand that it is necessary now to obtain the consent of three departments every time such a business is to be opened in any district?

Coun. SULLIVAN—Mr. President, I will say in regard to that ordinance that at the present time the Police Commissioner has the authority to approve junk licenses. The situation is this, that junk dealers are moving in from other sections, other cities, and getting permits here which are detrimental to the localities where they put in their junk shops. In conference with the Health Commissioner he thought it was good policy, in the interest of the health of the people, to have the fire captain or the Fire Commissioner pass on questions of fire hazards, and also to have the approval of the Police Commissioner, which is now required. This does not take any power away from the Police Commissioner, but adds the other commissioners, so that they may also pass on these other questions that may be involved in placing junk shops in certain localities. At the present time a junk shop can be placed in the district of any councilor, in spite of the fact that there may be objection to the same if the approval of the Police Commissioner is obtained, in spite of the fact that the shop might be detrimental to the territory or district. I think myself that the approval of these other commissioners adds to the protection to the localities where junk shops are sought to be established.

Coun. WILSON—Mr. President, do I understand that that would include dealers in second-hand automobiles?

Coun. SULLIVAN—Mr. President, I will give Coun. Wilson the information he desires. If he thinks second-hand automobile places are junk shops, very well.

Coun. McMAHON—Mr. President, am I to understand that under this ordinance people now engaged in the junk business will be automatically cut out, unless they get the O K of the three commissioners?

Coun. SULLIVAN—Mr. President, I suppose that the present junk shops will continue in business, but that new applicants will require the approval of the three departments.

Coun. McMAHON—Mr. President, I am not satisfied with the information that the chairman of the committee has given me in that matter. If he is kidding, I am not kidding. If I cannot get further information than that, I might as well sit down. I want to know whether a man now doing business absolutely must stop, shut down his business and get out, unless he can get the O K of the three commissioners? If that is so, I would

simply say that I think a man now desiring to engage in that business has enough to do in getting the O K of the Police Commissioner. I know in a lot of districts it is hard enough for men to get the O K of the captain for things not as tough as the junk business. I would simply say that for one, Mr. President, I am not satisfied with the information we have obtained from the chairman of the committee, and that I would like to know something more about the matter.

Coun. MAHONEY—Mr. President, may I ask the chairman of the committee who first submitted this ordinance?

Coun. SULLIVAN—Mr. President, the Clerk can give the gentleman the information as to who submitted the ordinance.

President GREEN—It reads that the original ordinance was submitted by Coun. Sullivan.

Coun. RUBY—Mr. President, I think that this ordinance involves a very serious proposition. I do not think we should without due care and consideration vote to pass an ordinance of this kind. Under the present system, as I understand it, there must be approval of the Police Commissioner, who, when a permit is asked for, assigns the matter for investigation to the police captain in the district, and an investigation is made. Seriously, we know what some of us have had to contend with in various matters with which the Police, Health, Fire and other departments have had to do. We have an investigation on now where a committee is still working on the taxicab proposition. We have other committees that have been out on other matters. I say, if the method now in operation is working satisfactorily, and I think it is, because there is not an overabundance of junk shops in all parts of the city, it may be a good thing to let well enough alone. I think the Police Commissioner has this proposition well in hand and is doing what ought to be done in matters of this kind. But it will be almost impossible for a man to get a license or permit if he has to go to the Police Commissioner and get his approval, and then to the Health Commissioner and the Fire Commissioner to get their approval. I, for one, am not in favor of the ordinance as presented, with the amount of information we have received this afternoon. I trust that the ordinance will not pass.

Coun. DOWD—Mr. President, before I vote to change any ordinance I want to find a reason why the ordinance is going to be changed. To my mind, the chairman of the committee introducing this ordinance has not given to the Council a real argument why the ordinance should be changed, in the first place. In my opinion, the Police Commissioner is doing a really good job in connection with that work. If there is to be any further power given, I don't see why it is necessary to give it to the Board of Health, because that Board has power enough today in its line in matters of this sort, as the Fire Commissioner has in matters that concern the fire hazards of the city. I am satisfied that the Police Commissioner is doing a really good job in these matters.

Coun. KEENE—Mr. President, if there is no objection I would suggest that the matter lie on the table until the various members have an opportunity to go into the details of the proposed ordinance.

The motion to lay the matter on the table was declared carried. Coun. SULLIVAN doubted the vote and asked for a rising vote. The Council stood divided, and the motion to lay on the table was lost.

Coun. PARKMAN—Mr. President, unless some argument is advanced for the passage of this ordinance, unless some reason is given to the Council for it, I cannot see why we should act favorably upon it. I have listened to the discussion here this afternoon, and the chairman of the committee, to my mind, has advanced no argument why the proposed ordinance should be passed.

Coun. SULLIVAN—Mr. President, while the Police Commissioner in the past has been given jurisdiction over this matter of junk shops, the fact remains that there is a health menace and that there is a fire menace connected with them at the present time, and, therefore, I can see no reason why the Health Commissioner and the Fire Commissioner should not have some jurisdiction over junk shops which people may desire to locate in certain localities. If the gentlemen want any information, I will simply say that that is all the information I have been able to get. There is a feeling that such places should be approved by the Fire Commissioner and the

Health Commissioner, and that such approval is justified. I also have a legal opinion on the question, to that effect.

Coun. FITZGERALD—Mr. President, this matter was brought up in the Committee on Ordinances some time ago, and was laid over at my request. I think the councilor will find that the Fire Department now has plenty of authority to hold up junk shops if it sees fit to do so.

Coun. WARD—Mr. President, I would ask if that would not hold good so far as the Health Department goes, too? I believe if the junk establishments are a health menace, the Health Commissioner can go in and take action.

President GREEN—Can the chairman of the committee give the gentleman any information on that point?

Coun. SULLIVAN—He has had it all, Mr. President.

Coun. WARD—I have no information, Mr. President.

Coun. BUSH—Mr. President, I would like to have the ordinance read again.

(The Clerk read the proposed ordinance.)

Coun. DOWLING—Mr. President, we have heard the ordinance re-read, and nobody paid any attention to it, as I thought would be the case, and I now move that the matter be referred back to the Committee on Ordinances.

Coun. RUBY—Mr. President, I think some of us are serious on this proposition. I know I am, and I don't think it ought to be referred back to the Committee on Ordinances. I really feel that the Police Commissioner today is handling the proposition as well as it can be handled, and, as has been suggested by the councilor from Ward 3 the Fire Commissioner can always step in matters coming within his jurisdiction, as can the Health Commissioner, of course, under the present ordinances. Both of those heads of departments have very broad powers in matters coming within their jurisdiction at the present time, and I believe that the ordinance as it stands on the books today is sufficient. I do not believe this ordinance should be referred back to the committee. We are now coming to the end of the year's work, and we ought to try to dispose of all matters that we can. This is one matter, I think, that we can and ought to dispose of at this afternoon's session.

Coun. MAHONEY—Mr. President I would ask the chairman of the committee if he has any objection to withdrawing the ordinance as amended, and letting the matter stand as it does today?

Coun. SULLIVAN—Mr. President, I think the matter might as well be put to a vote, either making or breaking it today?

Coun. MAHONEY—Mr. President, I would move that the ordinance stand as it always has.

Coun. Dowling's motion to recommit the ordinance was declared lost.

The ordinance reported by the committee was rejected.

COASTING ON WARD 15 STREETS.

Coun. McMAHON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to include Leedsville and Ellet streets, Ward 15, in the list of streets on which coasting is to be permitted during the present season.

The order was read a second time, and the question came on its passage.

Coun. McMAHON—Mr. President, I took up the paper this morning and saw "Police seek to curb coasting." We probably have got over our coasting days, but if you will come out to my section of Dorchester, you will find a good many hills where there might be coasting by the youngsters of the present day. In spite of that fact, as I go through this list, I find just three streets in my entire ward where coasting is to be allowed. Two of the streets are at one end of the ward, and when it comes down to the lower section of my ward there is only one street. I feel that the Police Department and the Street Commissioners could do a better job, especially in Ward 15, than they have done. Leedsville and Ellet streets have two good hills. There has always been coasting there, and I know of no particular reason why they should want to curb the coasting in that particular section of the ward, unless it is to keep the men of the Police Department elsewhere, doing something else. As one of the City Councilors, I feel that the City of Boston is big enough to have policemen stationed at the few streets where children are

allowed to coast these winter days. I realize that automobile and other traffic is dangerous, but these streets I have mentioned—and I could probably mention four or five more, especially the street where I live myself—are streets where there is no crossover traffic. The youngsters could coast on the street where I live, and on other streets, without danger. In that section, for practically three-fourths of the ward they give one street, and to one-quarter of the ward they give two streets. I feel that, having in mind the notice in the morning papers, the thing should be changed over, and that in Ward 15, the Fields Corner section at least should have two more streets where coasting will be allowed. I hope the Council will pass the order this afternoon.

Coun. FITZGERALD—Mr. President, I noticed the same thing that has been referred to by the councilor in the papers this morning, and I have also noticed that few streets have been set aside for coasting in Dorchester and various other sections of Boston. It looks as though the automobilists are going to rule the day and also as though an opportunity was going to be given to officious police officers to bring a large number of boys into court and put the stigma of a court record upon them. I know what conditions are in the section I come from, which contains 60,000 people. There is no section of the country so densely inhabited as the West End section of Boston, not even the East Side section of New York, and still they have set aside only four or five streets in that section for coasting. I think they have dug up some old blue law which does not allow the youngsters to take out their sleds on Sunday. It is all very well to say that the police will overlook some of these things, but you must remember that it is common in the crowded tenement sections, where people live in large numbers, to bring people into court for trivial offences. For violation of coasting regulations, for example, they will be brought into the Juvenile Court, and it will give these social workers a chance to draw their salaries, keep these youngsters under the eye of the probation officers, visit their homes, and that sort of thing. Boys, for instance, are thrown into court for such a trivial offence as selling newspapers over hours. Of course, it gives these social workers a chance to have their card systems and records kept, and to get an easy living. These boys no doubt will be brought into court in wholesale numbers, if this present opportunity is afforded for that sort of thing. Picture men taking out their children on a Sunday, the only chance when they have to go out with their children in many cases, pulling them about on a sled, and then being hauled into court. Why, down in the West End they even started a movement against those who were washing their steps on the Lord's Day, bringing them into court. You wouldn't think that sort of thing was possible, but it was done, Mr. President. They were brought into court because an officious officer saw fit to do it, acting under some old time blue law. I think probably some old statute is invoked in this case. In fact, it seems to be plainly stated in the papers that that is the case. I don't know why the Street Commissioners, acting in conjunction with the police, should draw up this rule. It is certainly going to work havoc, and it should be repealed. Just think of arresting youngsters for taking out a sled on the Lord's Day! A fellow who would put that sort of thing into operation should be retired, in this enlightened age, the twentieth century. He should be made to resign his office, as unfit. I don't know who he may be, and don't care. Any man who would promulgate an order of that sort, saying that anybody who took a sled into the street on the Lord's Day should be brought into court, should be removed from office. We all know what happened here with boys at the time of the Revolution, Mr. President. What are these people thinking of, stopping boys from coasting? Who was the czar who promulgated it? Whoever he is, he should be made to retract. If there is a blue law which will allow action of this sort, we should take pains to have it repealed. But don't say that they will not arrest any boys, because they will. Don't say that they will not bring them into court, because they will be brought into court. The whole thing is absolutely wrong, Mr. President. People have no opportunity today to coast except on a few streets. And still we have these great playground reformers and experts continually crying for something to be done for the people because there is not room for children to play in the streets. And yet they now say that the streets shall be totally abandoned.

All boys and girls, Mr. President, do not come from rich families and cannot have automobiles, and it is the natural desire of every red-blooded child to take a sled out and coast in the winter. Now, there are very few streets in my section where that will be allowed. I am not talking about outlying sections, out in the open spaces, but about the crowded districts of this city. I say that they should not be deprived of this right. I hope that whoever is responsible for this proposed action will take notice, and that the City Council of Boston will pass a resolution today condemning anything of that sort.

Coun. RUBY—Mr. President, I am glad that the councilor from Ward 15 (Coun. McMahon) brought in this order, and I was glad to hear the remarks of the councilor from Ward 3 (Coun. Fitzgerald), because I have a similar order asking that two streets in my district be set aside for coasting. In a district like mine, stretching from Blue Hill avenue on one side to Walk Hill street, Mattapan, on the other, they have designated less than 200 feet of streets for coasting—Wells street, from Harvard street to Nightingale street, not a block in length; and, as has been said, if children in other parts of the ward go out coasting on the streets Sunday they are apt to be prosecuted. We have just permitted special justices to be appointed in the Boston Municipal Court, and I don't think we can afford to spend any more of the county's money for additional judges in the Juvenile Court, which is the court to which these cases would probably come, because 99 per cent of the persons using sleds for coasting are children from the age of five or six to twelve or thirteen. I was privileged on Sunday last to dig out of my woodshed, as was probably done by a great many other married men, a sled for my children, and they went onto Browning avenue, a street adjoining my residence, and coasted on that street in the afternoon. If the police had enforced the law last Sunday I would have had to appear in the Dorchester Court Monday morning to defend my two children because they took their sled out on the street and coasted. I suppose if this law, rule, or whatever it is, were carried out to its full extent, when my youngster put on his skis and slid down Browning avenue Sunday, he would have committed another violation of the law. Regardless of our religious beliefs, I believe in these days of broad tolerance in matters of religion and in the enjoyment of the Sabbath Day in any manner in which the individual sees fit—whether Catholic, Protestant, or any other denomination,—there will be little sympathy for any law, or for the enforcement of any law against children coasting on Sunday. How many children nowadays have any other time in which they can engage in this laudable sport? The average child is obliged to go to school mornings and afternoons until four o'clock, and by that time the sun has gone down, and most children are expected to go into their homes. They have no opportunity to enjoy this recreation on other days and, therefore, must of necessity pick Sunday. Are we going to say that coasting will not be allowed on Sunday, but that groups of older boys will be allowed to go into the athletic fields and play football and baseball, and that we will also permit the man who has taken up the game of golf as his form of recreation—and it is not a poor man's sport—to go to his golf course, probably at two o'clock in the afternoon and play until six on Sunday, but compelling the little fellow or the little girl to stay indoors on Sunday, when the snow is on the ground, because of some law that somebody has dug up, which says that the children are not permitted to use the streets? Personally, it is my opinion that every member of this body knows his own district, with all due respect to the heads of departments, better than any of the heads of departments, and I think the members of this body are best able to judge what streets in their sections, if any, should be laid aside for coasting purposes. I think our opinion should have been asked, Mr. President, so that you or I or other members of this body, might have been able to suggest to the Street Commissioners or the Police Department just what streets ought to be set aside. This is a serious matter in this respect. With all due respect to our efficient and able Police Department, there are always a few who like to see themselves in print and who would like to pull in some kid on the street for coasting on Sunday. Of course, when that happens there will frequently be an inquiry made through the councilor representing the district, and when he asks for information he will be told by the captain, and justly so,

that "that is the law; we are performing our duty. If the law must be changed, go to those responsible for making the law or the rule, and have it changed, the ordinance, blue law, or whatever it is." But, personally, I think this is the time to stop such an admittedly ridiculous thing as selecting, in the congested areas of Boston, one street out of 400 or 500 in a district, and saying that that is the only place where coasting is to be permitted and that it must be done on other days than Sundays. I sincerely trust that those responsible for such a situation will see the foolishness of it and will send out word to the police captains of the various districts to ignore this blue law and permit the children to coast on such streets as are reasonably safe for them. I can appreciate the fact that there may be a dangerous section of the city in every ward, and that it is well to keep the children off the streets there. That is all right. But when they want to coast on a side street, where conditions are perfectly safe, I say it is unfair to say to them, "You must not coast there, and you must not coast anywhere on Sunday."

† Coun. SULLIVAN—Mr. President, before this meeting was called a man came from my section, Savin Hill, and said that there was only one street allotted there, Dana street, which goes down from a slight elevation, for coasting. This man wanted coasting allowed on Grantian way, from 130 to 190, there being there a real decline which afforded better coasting. For information I called up to find out what method would have to be adopted to get permission for coasting allowed on that street. I called the Street Commissioners, and they said permission would have to be obtained from the police captain of the district, and the Street Commission has to approve it and the Mayor has to approve it. So it may be possible to get permission to coast on that street by next spring or summer!

Coun. WILSON—Mr. President, it occurs to me that if the city authorities who have jurisdiction in the matter would gather themselves together and interest themselves in the matter of playgrounds, they might be able to provide at least one playground for the Dorchester ward that I represent, so that if the children are not able to play on the streets anywhere, they may at least have recourse to the playgrounds. My suggestion would be that in the Dorchester district, in the ward I represent, we be given at least one playground for the children to go to.

Coun. MCMAHON—Mr. President, while I don't like to talk twice on the same matter, I would like to add a word at this time. While this may seem like a small thing to some, if they think my order over and look into this general matter somewhat, they will realize that something should be done, especially on the Sunday end of this coasting proposition. There is not one married man here, practically, who can go out with his youngsters, with a sled, and have the youngsters enjoy a little coasting on Sunday. And let me tell you something: the way things are going through my district today, a young fellow or a boy has not much chance if he commits the slightest infraction of one of these rules against the use of the streets. I have had experience of the thing in the court out in my district. For instance, young boys will throw a football across the street. They are arrested. They do not simply speak to the boys' folks, but they are taken to the station house sometimes by the police, and they go to court. They are fined. While they may not take it seriously at the time, it is quite apt to have later results, as we in this body have had occasion to see in the last year or more. Men working for the city, under the civil service, have been up against what I call a calamity. Perhaps they forgot to put down on their civil service papers the fact that they had been arrested for some such technical violation of the law as would be represented by violating the coasting regulation, and that makes a court record against them and comes up later to plague them under the civil service. And there are going to be these court records, Mr. Chairman, for violation of this coasting regulation in my district, if these youngsters will coast on streets which are forbidden to them. They are absolutely sure to be arrested and will probably go to court. And we all know what is apt to happen later in such cases in connection with the civil service, if a man has violated the coasting rule, we will say, or if he is arrested for an ordinary drunk case, and six or eight years later goes before the civil service. It then becomes serious, and you cannot do anything, because

the czar of the civil service today will go to the window if you are talking to him, look out, and finally turn around and simply say, "It is too bad." But nothing is done to help the poor fellow out. So in this case if some youngster is arrested and later on, when he has forgotten all about it and has not put it down on his civil service papers, it is brought out, the members of this body know what is going to happen to him. If I had had time to look up the statute in regard to this Sunday coasting, I would have had an order prepared upon it. But, as I say, today you can skate, you can play baseball, you can play football, you can indulge in practically any sport you wish on Sunday, but the sport which any youngster can indulge in without being educated or taught to do it, coasting, is forbidden. My own street in Dorchester is, I think, one of the best streets in Dorchester for coasting, but if I went out next Sunday coasting with my children, as likely as not I would be arrested, would have to go to the station house, and the following week the case would be brought up in the courthouse. I say that none of us, and none of the youngsters should be subjected to that sort of thing. I trust that the Council will take favorable action upon this order and I certainly trust that, through some action by the Police Commissioner, the Street Commissioners and the Mayor, the present rule will be changed, so that coasting will be allowed on Sunday just the same as any other day.

Coun. WARD—Mr. President, I have listened to the remarks this afternoon, and it seemed to me that Joe Keene of the Roxbury Court might have made this rule. But I have found that the rule was made by the Board of Street Commissioners. So it might be well to ask the chairman of the Board to come over here, and possibly we can get him to rescind the order, if it is his work. Therefore, I suggest that it might be advisable to send for the chairman of the Board of Street Commissioners, asking him to come over here.

Coun. McMahon's order was passed.

ADDITIONAL LIGHTS ON MAIN STREET, CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of additional street lights on Main street, Charlestown, between City square and Thompson square.

Passed under suspension of the rule.

DESIGNATION OF STREETS FOR COASTING.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to designate and set aside certain streets throughout the city, where convenient, for the purpose of coasting on sleds, week days and Sundays, and that police officers be assigned for the adequate protection of the coasters using said streets.

Coun. MURPHY—Mr. President, I hope this matter, which has been discussed under the order offered by Coun. McMahon, will be treated in a broad way. I believe in a matter of this kind we have to deal with the entire city and not with one district. We all realize that the remarks made here this afternoon were absolutely correct, but I want to qualify, as far as I am concerned, as an individual, stating clearly my position in the matter. I was coasting last Sunday with my children, and the Police Department, through the records of the Boston City Council, can take notice that next Sunday I will be coasting with my children, and they can do just as they please about it. My children are going to have an opportunity to enjoy honest, open-air recreation, that is going to prevent their being candidates for tubercular camps provided for rundown children. I believe myself it is time that his Honor the Mayor, the Police Commissioner, any of those who may be concerned in this matter, should realize that they must do all that is possible to encourage honest, decent, up-building recreation, which will allow the youth of our city to enjoy themselves in a way

that will help build up their frames, so that when the country may call for them they will be better and stronger men and women, able to respond to the call of duty on behalf of this great nation, and acquit themselves with credit.

The order was passed under suspension of the rule.

AUTOMATIC TRAFFIC SIGNAL LIGHTS.

Coun. MOTLEY offered the following:

Ordered, That the Street Traffic Advisory Board be requested to install automatic traffic signal lights at Egleston square, Washington and Green streets, and Arborway and Washington streets, Forest Hills.

Passed under suspension of the rule.

INCREASED PAY FOR LABORERS.

Coun. DEVENEY offered the following:

Ordered, That all department heads be directed by his Honor the Mayor to include in their budgets for the coming year a sum sufficient to provide for an increase in wages of fifty cents per day for all laborers in the city service.

Coun. DEVENEY—Mr. President, in offering this order I am hopeful that something will be done this year for the city laborers. In my district there are quite a number of city laborers, with large families, who are finding it practically impossible to support their families on the \$30 wage that they receive, and the 4 per cent deducted each week is an additional hardship on them. It seems to me, with the increase in taxable property which will result from the construction of buildings that is going on about the city, there will be ample opportunity this year to take care of these laborers.

Coun. MURPHY—Mr. President, at the time of passing the last budget I spoke in regard to the Mayor taking action under the next budget in the way of increasing compensation for laborers, scrub-women, cleaners, those known as the regular laborers of the city. So I hope when this order of Coun. Deveney's—which is endeavoring to give at least something, although, in my opinion, not enough, to the laborers—is brought to the attention of his Honor the Mayor, he will give it careful consideration to the extent of investigating in order to find out for himself how, in the name of Heaven, the American family, so called, of five can exist on \$30 a week. I say it cannot be done and give to our children the kind of clothes, the kind of home and the kind of education that is necessary in order to fit them to confront this world today. I hope this will not be just a passing gesture, but that notice of it will be taken to the extent that the City of Boston will be able to say that there have been two increases in one administration for the lowest paid employees of the city.

The order was passed under suspension of the rule.

WARD 14 STREETS FOR COASTING.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to include Browning avenue and Kingsdale street, from Bernard street to Wales street, Ward 14, in the list of streets on which coasting is to be permitted during the present season.

Passed under suspension of the rule.

TRAFFIC SIGNAL SYSTEM ON BLUE HILL AVENUE.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to provide for the installation of a traffic signal system on Blue Hill avenue, from Grove Hall to Walk Hill street, Dorchester.

Coun. RUBY—Mr. President, I have introduced this order in the hope that when the traffic department makes its report this section referred to in the order will be included because of the fact, as I understand it, that Commonwealth avenue and Blue Hill avenue for their entire length have been classified by the traffic department as

through streets at the present time, and there are now being erected on the side streets from Blue Hill avenue stop poles indicating that those coming out of the side streets must stop before entering Blue Hill avenue. But the full benefit cannot be derived from the new regulations unless traffic signal towers are erected in that section, so that the traffic congestion that occurs in the spring, summer and fall of the year, will be properly taken care of.

Coun. BUSH—Mr. President, I would like to amend the order to the extent of including the distance from Dudley street to Grove Hall.

President GREEN—If there is no objection, the order will be so amended.

The order was amended by striking out "Grove Hall" and inserting in place thereof "Dudley," and as amended was passed under suspension of the rule.

CONCRETE STAND, FRANKLIN FIELD.

Coun. RUBY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to include in their budget for 1929 a sum sufficient to provide for the erection of a concrete stand with a seating capacity of 2,000 on Franklin Field and also for the laying out of a new baseball diamond on said field.

Coun. RUBY—Mr. President, for three years I have endeavored to secure for that section of Boston a proper baseball field. There are at the present time on that cow pasture known as Franklin Field eighteen so-called unused, delapidated baseball diamonds, not one of which is suited for a properly conducted baseball game. Some time ago, when the Park Commissioner was at Franklin Field, taking part in an athletic event, I pointed out to him what I thought would be a proper spot, away from that part of the field that is generally flooded for skating,—and where there would be no difficulties in the way of constructing the stand—for the building of a concrete stand that would seat at least 2,000 people. In the summer, on Saturdays and Sundays, 10,000 people are in the habit of watching certain baseball games between St. Leo's parish and other teams of the district, and during the football season there are football teams who play on the field, also attracting large numbers of spectators. If a concrete stand were constructed there, such as is enjoyed in other sections of Boston, I think the men, women and children of one of the largest wards in Boston, as well as the outsiders who come in to watch the games on Saturdays and Sundays, would be permitted to enjoy the sport in a proper manner.

The order was passed under suspension of the rule.

CHRISTMAS FOOD BASKETS.

Coun. MURPHY offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Overseers of the Public Welfare to provide, in so far as it is compatible with law, a Christmas food basket for each family who are regularly in receipt of relief from the city and for such other families as they may find to be in need.

Coun. DOWLING in the chair.

Coun. MURPHY—Mr. President, I have presented this order for the reason that I believe at Christmas time there should be some centrally located place where the poor will be taken care of. At the present time our newspapers and various organizations throughout the city are doing a splendid work in trying to raise funds in various ways for the purpose of giving to those sadly in want something for Christmas. I believe, however, there is no better way to take care of the poor of the city than to have it come from the tax rate, so that the people of the city generally may pay their just share towards taking care of those who are unable to provide for themselves. We can picture to ourselves in any part of Boston on Christmas morn children who will look with sad eyes at the little clothes line in the kitchen or back room, wherever it may be, when they find their stockings hanging empty. In many places, also, the table supposed to provide the Christmas feast will be sadly wanting because the head of the house is out of employment or possibly has

died. So I hope this order will be given very careful consideration to the end that no family in the City of Boston and no child in the City of Boston will be in want on Christmas Day of a substantial dinner and some toys, making them realize that they are living in this great country of wealth that we hear so much about.

The order was passed under suspension of the rule.

RETENTION OF ELEPHANT KEEPER FLEISCHER.

Coun. WILSON offered the following:

Ordered, That the Park Commissioner, through his Honor the Mayor, be, and he hereby is, respectfully requested to reconsider the recent retirement of Johann Fleischer, elephant keeper at Franklin Park, and to retain his valuable services.

Coun. WILSON—Mr. President, this may seem a very small matter, after the very important matters we have been considering this afternoon, but it is an important matter for the thousands of school children who tossed in their pennies twelve or fourteen years ago to make the purchase that has made this particular part of the Zoo possible. I understand that the keeper who has taken care of these particular animals over a long period of years has been automatically retired, due to some mistaken impression apparently, that the civil service rules of the department fail to provide for his continuance in his present job after the age of seventy, and I understand that he is to be retired with the magnificent salary of \$5 a week! I understand on credible authority that the Mayor and the City Council can have this man retained in the position he now occupies, on account of the peculiar nature of his employment, and that it might be a serious matter, so far as these elephants are concerned if his present employment should cease. I trust, therefore, that he will be allowed to retain his position. It seems to me the fact that he has reached the age of seventy in that particular job should not deprive the City of Boston of his services. It is not a question of depriving him of his livelihood. In my short experience in City Hall I have seen many employees in the city departments from thirty to thirty-five years of age who had apparently been dead for ten or fifteen years! This man, I am credibly informed, is performing a needed service in the job he is filling. I understand that the civil service department at the State House will allow his retention, on account of the fact that his job is of a peculiar nature and that he is needed there. Therefore, I ask the passage of the order.

The order was passed under suspension of the rule.

RESURFACING WASHINGTON STREET, DORCHESTER.

Coun. WILSON offered the following:

Ordered, That the Public Works Commissioner, through his Honor the Mayor, be, and he hereby is, requested to provide in his 1929 budget for the resurfacing of Washington street, Dorchester, especially between Park street and Talbot avenue, in view of the unsafe and dangerous condition of said highway as originally pointed out in order of the City Council passed March 28, 1927.

Passed under suspension of the rule.

REQUESTED REPORT FROM EXPERT LIGHT INVESTIGATOR.

Coun. WILSON offered the following:

Ordered, That the present expert light investigator authorized by vote of the City Council on July 16, 1928, be, and he hereby is, requested, through his Honor the Mayor, to advise the City Council in detail forthwith concerning request made in Council order unanimously passed September 5, 1928.

Coun. WILSON—Mr. President, I wish very briefly to merely make the point that we have too many orders brought into this body—including, no doubt, orders presented by myself—that are offered, passed, and then forgotten. But when we are dealing with an important matter such as is referred to in the order I have just offered, the

entire question of the rental of electric light poles of the City of Boston, I believe when such orders are introduced—and they have been introduced by myself and others this year, last year and at other times it is but proper that we should ask for a report from such a man as has been employed in this particular case by the City of Boston, ostensibly to make a survey of the entire subject. Therefore, I trust that the order will be passed, and that we will be advised accordingly.

The order was passed under suspension of the rule.

AUTOMOBILE INSURANCE RATES.

Coun. WILSON offered the following:

Ordered, That the Corporation Counsel of the City of Boston, through his Honor the Mayor, be, and he hereby is, respectfully requested to advise the City Council forthwith what steps, if any, have been taken in behalf of the citizens of Boston in response to City Council order unanimously passed on November 19, with reference to recent unfair automobile insurance rates promulgated by the Insurance Commissioner for the Commonwealth of Massachusetts.

Coun. WILSON—Mr. President, despite the fact that the newspaper headlines are now largely devoted—and quite properly, perhaps—to the condition of the King of Great Britain, nevertheless the fact remains that the people of the City of Boston, if not of the entire State of Massachusetts, are still very deeply interested, through their pocketbooks, in the question whether the people of this city and the rest of the state are to pay extortionate prices for automobile insurance. Therefore, I merely put in this order at this time supplementing Coun. Dowd's excellent order of November 19, to find out, if possible, what steps officials of the City of Boston are taking to remedy the situation, at least as far as the City of Boston is concerned.

The order was passed under suspension of the rule.

MORTON STREET EXTENSION.

Coun. WILSON offered the following:

Ordered, That the Public Works Commissioner be requested to advise the City Council forthwith in response to City Council order unanimously passed on November 19 with reference to completion in Ward 17 of the so-called Morton street extension.

Coun. WILSON—Mr. President, this particular job is the very expensive job, I will admit, on the so-called Morton street extension, which in a way parallels the new Southern Artery. The Legislature of the Commonwealth at least three years ago authorized the passage of loan orders which made this job a possibility, and the Morton street work has been carried into Ward 17 to Washington and Richmond streets, houses have been demolished, and the land left like an open prairie and there the thing seems to have stopped. It seems to me, with the danger particularly in the winter months at street intersections, and having in mind the safety of our streets and the convenience of the citizens, that the city should finish a job when once started; that instead of commencing the work on Morton street, getting to a certain point and then going off on work three miles away, perhaps coming back later to finish the Morton street work the work which has been started should be carried to a conclusion. The people of my district, particularly in the vicinity of Morton street, are interested in knowing when, if ever, this work is to be completed.

The order was passed.

PROPOSED STATUE TO PAUL REVERE, CITY SQUARE.

On motion of Coun. GREEN, it was voted to take from the table No. 7, viz.:

7. Ordered, That his Honor the Mayor be requested to forward to the City Council an order authorizing expenditure of \$65,000 from the in-

come of the Parkman Fund, under the direction of the Park Commission, for the erection of a statue to Paul Revere in the park at City square, Charlestown.

Coun. GREEN—Mr. President, I just want to say that I introduced this order at the behest of that venerable old gentleman in the back room, and I am willing to abide by the committee's report, which I think is absolutely all right.

Coun. PARKMAN—Mr. President, some weeks ago I presented a report of the Parkman Fund committee on this order and at the same time laid before the Council the opinion of the Corporation Counsel with regard to the question whether or not the Paul Revere statue came within the terms of the Parkman Fund will. The suggestion, or rather the expressed opinion of the Corporation Counsel, was that the erection of a statue in City square, Charlestown, did not come within the terms of the will, and at that time, out of courtesy to the gentleman from Charlestown, who was not present, the order was laid on the table. I am not going into the details of the Corporation Counsel's opinion, as the Council is familiar with it, and it is a matter of record; but I do want to lay before the Council a memorandum which was presented to me by the earnest petitioner for the order, in order that the Council may have before it today the other argument which has been presented. I would preface the reading of this memorandum by saying that in the opinion of the petitioner this is not an opinion, but is the law (reading):

"To the Honorable the City Council.

"In answer to the request of the Committee on the Parkman Fund to be advised 'whether or no the expenditure of \$65,000 from the income of that fund for the erection of a statue of Paul Revere in the park at City square, Charlestown, would come under the provisions of the will of the late George F. Parkman,' I have to report as follows, viz.:

"The only questions that arise are whether the plot of ground at City square is a 'park,' in the sense intended by the testator when he left a certain part of his estate to the City of Boston 'for the maintenance and improvement of the Common and the parks now existing,' and whether, if that plot is a park, the proposed statue would be an improvement thereof.

"Numerous decisions of the Supreme Court have established the rule that words in testamentary documents must be given their familiar and popular meaning, unless it appears that they are in some way restricted.

"In the present case, the only restriction to the word 'parks' is that it should apply to the parks then existing.

"Taking the word in the familiar sense, there can be no doubt that the little plot in question, inclosed as it is by a fence, planted with grass and flower beds, and surrounded with benches for public use is a park and that it existed as such in 1887, the date of the edicil.

"There can be as little question that the placing of the proposed statue in that plot would be a great improvement of its appearance.

"I, therefore, answer that the expenditure in question would undoubtedly come under the provisions of Mr. Parkman's will."

That is not signed, but the statement has been handed to me, and I understand that it was written by one of the petitioners, Mr. Robert Sprague Hall. I am unable to argue on that, and I believe that Mr. Hall feels that no argument is required as that statement represents the law on the subject, whereas the statement of the Corporation Counsel is his opinion of the law. But I am entirely willing to leave it to the Council to decide the entire question on its merits. I would, therefore, merely urge the Council to accept the report of the Parkman Fund committee and to reject the order.

The report was accepted and the order was rejected.

GRAMPIAN WAY AS COASTING STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to include Grampan way, Ward 13, in the list of streets on which coasting is to be permitted during the present season.

Passed under suspension of the rule.

PAYMENT TO SOLDIERS AND SAILORS.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of December, 1928.

Report accepted; said order passed under suspension of the rule.

RESURFACING WARD 12 STREETS.

Coun. BUSH offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor,

to include in the 1929 budget an amount sufficient for the purpose of resurfacing Elm Hill avenue, Bower, Munroe and Homestead streets, Ward 12.

Passed under suspension of the rule.

THE NEXT MEETING.

On motion of Coun. SULLIVAN, it was voted that when the Council adjourn it be to meet on Monday, December 17, at 2 p. m.

Adjourned, on motion of Coun. WILSON, at 4.04 p. m., to meet on Monday, December 17, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 17, 1928.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair. Absent, Coun. Murphy.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted appointments for the term ending April 30, 1929, as follows:

Weighers of coal and measurers of wood and bark: Merrill Crockett, 86 Eutaw street, East Boston; Ira Thompson, 30 Beacon street, Chelsea; Ahner Beaver, 350 Prospect street, Norwood, all with the City Fuel Company, Boston; Albert Levitt, weigher of coal for Crystal Coal Company, 1313 Columbus avenue, Roxbury.

Severally laid over a week under the law.

FIRE ALARM BOXES.

The following was received:

City of Boston,

Office of the Mayor, December 17, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Fire Commissioner, relative to the installation of such electrical devices on fire alarm boxes in the City of Boston as will insure the ringing of a warning gong in the box as and when the hook in the box sounding the alarm is pulled.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Fire Department, December 11, 1928.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council on December 3, 1928:

Ordered, That the Fire Commissioner, through his Honor the Mayor, be, and he hereby is, respectfully requested to install such electrical devices on fire alarm boxes in the City of Boston as will insure the ringing of a warning gong in the box as and when the hook in the box sounding the alarm is pulled.

In City Council December 3, 1928. Passed.

Attest:

W. J. DOYLE, City Clerk.

The department has recognized for some time the desirability of having attached to our fire alarm boxes a device which will give an audible and visible signal when a fire alarm box is pulled. I have taken this matter up with the leading manufacturers of fire alarm equipment without obtaining the results I desired.

At present the fire alarm division of this department is experimenting with a device which we hope to perfect shortly, which will answer the purpose of the order of the City Council.

As soon as I have the device perfected and the cost of manufacture and installation determined, I will immediately advise you.

Yours very truly,

E. C. HULTMAN,
Fire Commissioner.

Placed on file.

LIGHTING SYSTEM ON SEDGWICK STREET.

The following was received:

City of Boston,

Office of the Mayor, December 17, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in

reply to your order of November 27, 1928, relative to the rearranging of the lighting system on Sedgwick street, Ward 19.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, December 11, 1928.

To the Honorable the Mayor.

I return order of the City Council, requesting a rearrangement in the lighting system of Sedgwick street, Ward 19.

Sedgwick street is a residential street where the lighting is done by gas lamps. It appears to be adequately lighted and no better arrangement could be made with the present gas lamps. Similar conditions exist on hundreds of other streets throughout the city.

Yours respectfully,

JAMES H. SULLIVAN,

Commissioner of Public Works.

Placed on file.

PATIENTS AT WEST ROXBURY HOSPITAL.

The following was received:

City of Boston,

Office of the Mayor, December 17, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Board of Trustees, Boston City Hospital, in reply to your order of November 27, 1928, relative to the number of patients who have been accommodated at the West Roxbury Hospital since October 1, 1928.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Hospital Department, December 10, 1928.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—At a meeting of the Board of Trustees held on December 7, the order of the City Council, "That the Trustees of the City Hospital be requested, through his Honor the Mayor, to advise the City Council as to the number of patients who have been accommodated at the West Roxbury Hospital since October 1, 1928, at which time the Council voted a transfer to place in the buildings an engineer, four firemen, a coal-passer and four watchmen for the remaining months of the year," was given careful consideration, and on behalf of the trustees I would state that the appropriation requested at that time was to keep the buildings sufficiently warm to prevent deterioration, and to employ watchmen to guard the property and prevent stealing until such time as the trustees were able to determine upon the best uses for these buildings. In their study they have given and are giving, at their meetings, careful consideration to plans for the best use of the West Department. No patients have been admitted as yet.

Yours respectfully,

JOSEPH P. MANNING,

President, Board of Trustees.

Placed on file.

CONVALESCENT HOME.

The following was received:

City of Boston,

Office of the Mayor, December 17, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the trustees of the Boston City Hospital, in reply to your order of October 8, 1928, relative to the advisability of converting the former Veterans' Hospital at West Roxbury into a convalescent home.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Hospital Department, December 10, 1928.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—At a meeting of the Board of Trustees held on December 7 the order of the City Council, "That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to consider the advisability of converting the former Veterans' Hospital at West Roxbury into a convalescent home" was given careful consideration

and is to be further studied in that no mistake may be made in deciding on the proper use for the West Department.

Yours respectfully,
JOSEPH P. MANNING,
President, Board of Trustees.

Placed on file.

RELIEF STATION IN DORCHESTER.

The following was received:

City of Boston,
Office of the Mayor, December 17, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the trustees of the Boston City Hospital, in reply to your order of October 8, 1928, relative to the providing of a relief station in Dorchester similar to the one at East Boston.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Hospital Department, December 10, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—At a meeting of the Board of Trustees held on December 7 the order of the City Council, "That the City Hospital Trustees be requested, through his Honor the Mayor, to provide for a relief station in Dorchester similar to the one at East Boston" was presented, and I was instructed to state that this matter is being very carefully considered by the trustees, and that they will reply to the same at a later date.

Yours respectfully,
JOSEPH P. MANNING,
President, Board of Trustees.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named, viz.:

Claims.

H. G. Bolster, for compensation for damage to car by city employees.

Joseph J. Curley, for compensation for injuries caused by an alleged defect in City Hall avenue.

John DeMasi, for refund on building permit.

Maria DeRosa, for compensation for injuries caused by an alleged defect at Winter and Washington streets.

Joseph Durso, for compensation for damage to property by city truck.

S. Gordon, for compensation for damage to automobile by fire engine.

Thomas B. Kane, for compensation for damage to automobile by city truck.

Minnie Keller, for compensation for damage to property at 954 River street, Hyde Park, caused by use of premises for sewer construction.

John Marder, for compensation for damage to property at 83 Dover street, caused by city truck.

James W. McEnany, for compensation for damage to car by city car.

Mrs. William J. O'Neil, for refund on water bill.
William Pastan, for compensation for damage to automobile by city cart.

E. C. Pate, for refund on refuse tickets.

J. Jay Saklad, for compensation for damage to automobile caused by an alleged defect in Blue Hill avenue.

John J. Scarry, for compensation for damage to property at 218 Adams street, caused by excavating street.

Elizabeth L. Sheeran, for compensation for injuries caused by an alleged defect in Huntington avenue.

Thomas J. Tobin, for compensation for injuries caused by an alleged defect in Columbia road.

R. W. Chase, for compensation for damage to automobile caused by fire apparatus.

Executive.

Petition for children under fifteen years of age to appear at places of public amusement, viz.:

Dorothy M. Wagner, East Boston High School Hall, December 14.

Committee on Jitney Licenses.

Two petitions of Medway and Dedham Bus Lines, Inc., to operate six motor vehicles from Dedham-Boston line at Spring street to Park

square, via Spring street, Centre street, Belgrade avenue, Corinth street, Washington street, South street, Centre street and Columbus avenue.

APPROVAL OF CONSTABLE'S BOND.

The constable's bond of Abraham Goldberg, having been duly approved by the City Treasurer, was received and approved.

REGISTRY OF DEEDS PAY ROLL.

The pay roll of Registry of Deeds to the amount of \$2,841.39 covering the period from November 19 to December 8, was received and approved.

REPORT OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. FITZGERALD, for the Committee on County Accounts, submitted report as follows:

1. Report on communication (referred November 27) from Justice of Municipal Court of Boston fixing salaries for probation officers, effective January 1, 1929, recommending the passage of the following:

Ordered, That the salaries of the probation officers of the Municipal Court of the City of Boston as determined by the Chief Justice of said court, be, and the same hereby are, approved to take effect January 1, 1929, viz.:

First assistant probation officer (1), \$3,200 a year.
Second assistant probation officer (1), \$3,000 a year.
Male deputy probation officers (2), \$3,100 a year.
Female deputy probation officers (2), \$2,600 a year.
Male probation officers (15), \$3,000 a year.
Female probation officers (8), \$2,500 a year.

Report accepted; order passed.

2. Report on communication from Justice of Boston Juvenile Court (referred November 19) revising salaries of probation officers to date from June 1, 1928,—recommending the passage of the following:

Ordered, That the salaries of the probation officers of the Boston Juvenile Court, as determined by the Justice of said court, be, and the same hereby are, approved to take effect from June 1, 1928, viz.:

First and chief probation officer.. \$2,800 per year.
Second male probation officer... 2,500 per year.
Third male probation officer.... 2,400 per year.
Fourth female probation officer.. 2,200 per year.

Coun. FITZGERALD—Mr. President, I might state that some time ago that order was in here and the Mayor vetoed it. But he said that if the judge would send him a new order, an increase of \$100, he would sign it. The original order called for an increase of \$200.

Report accepted; order passed.

REMOVAL OF CHAIRMAN OF CIVIL SERVICE COMMISSION.

Coun. DOWD offered the following:

Ordered, That the President of the Boston City Council be, and hereby is, authorized to call a conference of the members of the Massachusetts Legislature and of the elective officials of the City of Boston, said conference to wait upon his Excellency the Governor and request him to ask for the resignation of, or remove immediately, the present chairman of the Civil Service Commission.
Referred to the Executive Committee.

INCREASED WAGES FOR SKILLED MECHANICS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to provide in the budget for 1929 a sum sufficient to provide for an increase in wages of all skilled mechanics in the employ of the City of Boston.

Passed under suspension of the rule.

INCREASED WAGES FOR SCRUBWOMEN.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to provide in the budget for 1929 a sum sufficient to provide for an increase in wages of all scrubwomen in the employ of the City of Boston.

Passed under suspension of the rule.

ADDITIONAL TRAFFIC OFFICERS, CAMBRIDGE AND CHARLES STREETS.

Coun. FITZGERALD offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to place additional traffic officers on Cambridge street and Charles street, Ward 3, daily, from 8 a. m. until midnight.

Passed under suspension of the rule.

DISCHARGE OF CIVIL SERVICE EMPLOYEES.

Coun. RUBY offered the following:

Ordered, That a committee of three be appointed by the President to confer with the Governor and Council for the purpose of obtaining, if possible, some action to prevent the Commissioner of Civil Service from carrying out his announced program of discharging employees now in the service, for mistakes, errors or alleged inaccurate statements in their civil service applications.

Referred, on motion of Coun. RUBY, to the Executive Committee.

PROPOSED AMENDMENT OF CHAPTER 31.

Coun. DEVENEY offered the following:

Ordered, That the Corporation Council be requested, through his Honor the Mayor, to file a bill in the Legislature at the incoming session to provide for the amending of section 17 of chapter 31 of the General Laws so that any person convicted of a felony instead of a "crime" shall not be appointed or employed or retained in any position to which said chapter applies.

Coun. DEVENEY—Mr. President, this is an order that affects every councilor in the body. Each and every one of us has had some experience in the last six or seven months with Mr. Goodwin, who is Commissioner of Civil Service at the State House—

President GREEN—If the gentleman will pardon the interruption, but an agreement was made by the other councilors who have introduced practically facsimiles of the order just introduced, that all these matters be referred to the Executive Committee, and with your consent the order will be so referred.

Coun. DEVENEY—Very well, Mr. President. I was not in the Council at the time.

The order was referred to the Executive Committee.

ACCEPTANCE OF CHAPTER 136.

Coun. WARD offered the following:

Ordered, That sections twenty-one to twenty-five, inclusive, of chapter 136 of the General Laws, as amended by the law proposed by initiative petition and adopted at the election November 6, 1928, said law being entitled "An Act to Permit Certain Sports and Games on the Lord's Day" be, and the same hereby are, accepted.

The order was declared referred to the Executive Committee.

Coun. FITZGERALD—Mr. President, I don't see why that should be referred to the Executive Committee.

President GREEN—For the information of Coun. Fitzgerald, I will say that this matter has to go to the Executive Committee, under the rules, unless the rules are suspended.

Coun. FITZGERALD—I think the rules should be suspended, Mr. President, and that the matter should be decided in open Council. There has been a good deal of criticism in reference to the matter, a good deal of talk since it was passed by the people, a good many charges, a good many things said that, in my opinion, are

not just right, and certain people have been openly charged with being vitally interested in this matter. This is the place to settle the thing, right here in the open Council, not in executive session. The Council knows I have been opposed to these executive sessions ever since I came to the Council, for the reason that they are not executive sessions. Only the press are allowed to be present, and they put down what they see fit, and the public are excluded. Many things are said which are sometimes unjust, sometimes seriously and sometimes in a joking way. Members of the Council have been ridiculed. Don't let any member of the Council think for a minute, if they go into executive session on this matter, that everything they say, whether serious or not, will not be published by the newspapers. If there is anything to be said here, pro or con, let it be said in the open Chamber by everybody. The time has come to put a stop, I believe, to having these so-called executive sessions. They should be stopped, Mr. President, because they are not executive sessions. Matters that could be well taken care of here are referred there, and the time of the Council is wasted. Sometimes hours are wasted there when we could put through here promptly matters that are referred to that so-called executive session. It is not an executive session, Mr. President. Every member of the body who has served in the Legislature knows what an executive session means, and when they have an executive session up there nobody is allowed in but members of the committee. It is time now that the members of this Council asserted themselves and showed that they have backbone and courage. Members of the Council have been ridiculed, and stuff has been published that ordinarily would not have been published if said on the floor of the Council. There is a great interest in this matter. I have been approached on the matter. I attended a meeting last evening and was compelled to listen to insinuations by a young man as to why the bill was being held up in the Council, why it was not passed. If there is anything to be said as to why this bill should not be passed, we ought to say it right here. Over my own signature I sent a circular asking the voters of my ward to vote on this matter, and I spoke for it at several meetings before the election; and I am now prepared to vote on the question here. I ask that the rule be suspended, and that the matter be acted upon here, in open session, and not in executive session.

The rule was declared suspended.

Coun. DOWLING—I now move, Mr. President, that the matter be laid on the table.

Coun. Dowling's motion to lay on the table was declared lost. Coun. DOWLING doubted the vote and asked for the yeas and nays.

The motion to lay on the table was carried by roll call, yeas 11, nays 9.

Yeas—Coun. Bush, Deveney, Donovan, Dowd, Dowling, Lynch, Mahoney, McMahon, Ruby, Sullivan, Wilson—11.

Nays—Coun. Arnold, Fish, Fitzgerald, Gallagher, Green, Keene, Murray, Parkman, Ward—9.

Coun. RUBY—Mr. President, I rise to a question of personal privilege at this time, if there is no objection on the part of the body.

President GREEN—The Chair hears none. Proceed, Coun. Ruby.

Coun. RUBY—I thought there might be an opportunity to discuss this question here for a few moments. I have been interested in athletics in Boston probably as long as any member of this body, and am today interested in athletics. I have been trying to—

President GREEN—The Chair will state that you are not speaking on a question of personal privilege and will have to rule you out of order.

Coun. RUBY—Mr. President, I ask unanimous consent to make a statement.

President GREEN—Is there objection?

(Coun. Parkman and Wilson objected.)

President GREEN—There being objection, the gentleman cannot proceed at this time.

EXPENSE OF PREPARATION OF LIST OF STREETS.

Coun. MAHONEY offered the following:

Ordered, That the expense incurred by the Street Commissioners for the preparation of the List of Streets, Avenues, Places, etc., not exceeding \$800, be charged to the Reserve Fund.

Passed under suspension of the rule.

GYMNASIUM IN COLUMBIA ROAD
MUNICIPAL BUILDING.

Coun. SULLIVAN offered the following:

Ordered, that the Park Commissioner be requested, through his Honor the Mayor, to arrange to keep the gymnasium in the Columbia Road Municipal Building open mornings during the week.

Coun. SULLIVAN—Mr. President and members of the Council, this order is put in to help the men who want to use the gymnasium in the municipal building mornings to do so. In the past week there was a letter received from the Department of Public Buildings requesting that it be closed. I have had a great many requests to see if it could be kept open in the morning, so that boys could play handball and enjoy the gymnasium. I trust that his Honor the Mayor will make arrangements, through the Public Buildings Department, to have that kept open mornings for the benefit of the people of my district.

The order was passed under suspension of the rule.

RECESS.

On motion of Coun. BUSH, the Council voted at 2:39 p. m., to take a recess, subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President GREEN at 4:04 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted reports as follows:

1. Report on petition (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Dorothy M. Wagner, East Boston High School Hall, December 14, that leave be granted on usual conditions.

Report accepted; leave granted on the usual conditions.

2. Report on order (referred today) that President of Council call a conference of members of Legislature and elective officials from Boston to request the Governor to ask for resignation of present chairman of Civil Service Commission—recommending passage of the order in the following new draft:

Ordered, That the President of the Boston City Council be, and hereby is, authorized to call a conference of the Boston members of the Massachusetts Legislature and of the elective officials of the City of Boston, said conference to wait upon his Excellency the Governor and request him to take appropriate action with reference to the manner in which civil service provisions are now being carried out by the State Civil Service Commission.

The report was accepted, and the question came on the passage of the order in the new draft.

Coun. RUBY—Mr. President, I don't want to appear to be opposed to this order. I am interested in just one thing, and that is immediate action for the benefit of the employees of the City of Boston who may at the present time be affected by the recent investigation that the Civil Service Commissioner has been making. I presented an order today, upon which the Executive Committee has unfortunately reported "Ought not to pass," an order which would have permitted this Council, if they wanted to do the job, to immediately, tomorrow morning, wait on his Excellency the Governor and ask him to recommend to the commissioner—who, after all, is his appointee—the change or modification of the rules, so that the result which we are after at the present time might be realized without any delay. If we are to pass this order in its present form, it means that the President of this body calls a conference of the Boston members of the Legislature and the elective officers of the City of Boston, and that is going to take time and is going to mean an unnecessary delay, with the result that the investigator for the Civil Service Commissioner may go through 2,000 or 3,000 names, make a report to the Civil Service Commissioner, order the discharge of men, to be followed by their discharge, and those men will then be out of a job, by the time we might have accomplished our purpose. I don't believe there should be any delay in a

matter of this kind. I am not making this fight because this is not my order that we are now considering. I don't care, so far as an order accomplishes the purpose we have in mind, what member of the Council may offer it. But it ought to be the kind of order under which the committee could start working tomorrow morning, so that the committee could appear before the Governor and Council who, I understand, meet Tuesday or Wednesday, and have the matter put up to the Governor and Council as speedily as possible. In the way proposed in this order, however, it seems to me there will be delay after delay, and we will find, when we begin to think we are getting somewhere in the matter, that our work is accomplishing nothing because the work of the Civil Service Commissioner will have been accomplished. We can then simply be sorry. If he is determined to go through with the work on which he has started, it will be over in a week. Over in Cambridge, I understand, about one hundred and seventy men in the Public Works Department were fired overnight because of this same drastic rule that he is trying to put in force in Boston, and I have information from the office of the Commissioner of Public Works in Boston that men will be discharged if they neglected to answer the question whether they had been convicted of a crime "Yes" when they have been guilty of a parking violation. For that reason, Mr. President, I say it is important that we should get immediate action. So far as the order under which we act is concerned, I don't care whether it is offered by Councilor Ruby or any other councilor. A committee ought to be appointed, and I think it is proper that the Mayor of Boston should be a member of that committee and that a committee of the Council should act with his Honor the Mayor. Then, if his Honor the Mayor does not feel inclined to wait on the Governor, at the present time, the committee of the Council could themselves go to his Excellency the Governor and the Governor's Council—and I understand that the Governor's Council makes the rules under which the civil service is governed—and we could get action in one day. I don't see any necessity for the President of this body calling together in conference the Boston members of the Legislature, to act with elective officials of the City of Boston on this question. The members of the Legislature do not play any part in this, unless we are unsuccessful in immediately getting a modification or cancellation of the order promulgated by the Civil Service Commissioner. Then the Boston members of the Legislature can and will be resorted to, as our representatives in the Legislature, in the attempt to get legislation which may help us to settle this question properly in the next Legislature. But today we are confronted with one problem, and that is, trying to get the Civil Service Commissioner to modify his expressed intent to get rid of every man in the employ of the City of Boston who may unconsciously, inadvertently or innocently have answered "No" a question that they should have answered "Yes." That is the only thing that interests us now, and I still maintain, Mr. President, that the order presented by me, calling for immediate action on the part of this body, is an order through which we will get quicker action than through the order on which the committee has reported "Ought to pass."

Coun. DOWD—Mr. President, I understand that Councilor Ruby's main objection to the order as reported is on the ground of time, that time will be lost. If I recollect correctly, only an hour ago the gentleman put into this Council an order asking that his Honor the Mayor be requested to confer with the Governor and Council for the purpose of taking some action to stop the carrying out of the present program of dismissing employees, under the civil service, and in executive meeting he saw that the temper of different members of the Council was that some action should be taken immediately, and he then amended his order to read that there should be a committee of three members of the Council appointed by the President to act in the matter. I say, Mr. President, that it would not hurt my feelings in the least to go up as a member of a City Council committee to the Governor of this state and ask him to remove this Civil Service Commissioner, because it apparently does not hurt the feelings of that Civil Service Commissioner, who was thrown out of New York and who has recently landed in Boston, to discharge at this time of year a large number of employees of the city who have children of tender age depending on them for support. So, when

we are told that it would be a mistake to ask for his discharge, I say it would not be. I say it is a duty I owe those who elected me to this office to go forth and do battle at this time for these employees. Just think, Mr. President, of the fact that a man may have been arrested fifteen or twenty years ago for some little misdemeanor, breaking glass or shooting craps, being held up against him at this time, when it comes to his holding employment in the city's service! If they are going to enforce that sort of thing, I say to the Governor and to Mr. Goodwin, why not start in with the heads of departments at the State House? I dare say 90 per cent of them at some time during their life have been arrested for some minor matter. But, oh, no, the commissioner does not do that. He comes down into Boston, and whom does he pick? He picks the laboring man, who toils eight or ten hours a day for \$30 a week. He picks him, and wants him discharged for some little misdemeanor. Let us look right at our own membership. There are possibly some of us who during our lives have been arrested for violation of the automobile laws, breaking windows, or some little thing we may have done as children. Why should we have any feeling, therefore, when it comes to asking the Governor of the state to remove Mr. Goodwin? My order calls for immediate action. There is no reason in the world why the President of the Council, if this order is passed tonight, may not send out letters to every member of the House of Representatives and every member of the Senate, representing Boston, because he must bear in mind that we are starting a fight in order to modify the civil service rule, and that in carrying that fight to a successful end we must have the aid of the men who sit up there in the Legislature. I know only too well that this is only the start. I know only too well that we are going to get no definite action through our call on the Governor. It must be accomplished finally through legislative action, and in order to do that we must stir them up as we are stirred up by the action of Mr. Goodwin. An order that a committee of three or five members of the City Council be appointed would not carry out my wishes. I say to every member of the Council that when this order passes they should march in a body to the State House and demand action, on behalf of the laboring men of the City of Boston. I am speaking to all the members of this Council to pass this order, so as to allow the President to call for a conference of every Boston member of the House of Representatives and of the Senate, and every member of the City Council and, if we see fit to make an appointment with the Governor and to call upon him, request him to curtail Mr. Goodwin's actions, and if Mr. Goodwin does not curtail them there is only one thing left for the Governor to do, and that is, ask for his resignation.

COUN. FITZGERALD.—Mr. President, on this matter I don't think the chairman of the Civil Service Commission should be singled out. We should also remember that there are three members of the commission and that the other two are equally responsible with the chairman—more so, in fact, because they have two votes to his one. We are supposed to be represented on the commission by a Democrat. Whether that Democrat has done anything or not, I don't know, but we are supposed to have a Democrat on that commission, a representative of the party whose heart beats most strongly for the ordinary man. So there are two men on the commission besides the chairman, and everybody has a right to appeal to the full board. What has Mr. Harlow been doing? What has the distinguished member from another part of the state been doing? There are three members of that commission, Mr. President. The time is ripe now for Boston to have its own Civil Service Commission. We would have had one two or three years ago, if somebody had not said, "Don't disturb a good fellow." That is the trouble,—these "good fellows" have to be protected, these gentlemen who walk around with immaculate attire. Don't harm them! That is the situation, when you sift it down. These fellows who play cards together, who go to fights together, want to protect each other! Don't disturb them! That is the reason why we did not get a civil service commission for Boston some time ago, and it is the reason why places like Fall River and Springfield have not had their own commissions. They have their own civil service commissions in New York City, in Chicago, in Philadelphia and other large cities, and why shouldn't Boston have

its civil service commission? If we want to do any real constructive work here, Mr. President, let us not stop at the particular matter we have here in hand now, but let us go farther. But this is an important matter, a big matter, and it should be attended to. As Councilor Dowd says, those poor employees who have been dropped and who are in danger of being dropped, have their wives and little children. These gentlemen make their investigations and bring in their reports,—these men without a heart, some of them without a soul. They would take the bread and butter out of the mouths of these poor fellows, some of whom have been working for the city eight or nine years or more, and who have children dependent upon them. As I say, Boston ought to have its own civil service commission, appointed by the Mayor. That is what we ought to go on record for here, presenting a solid front to the Legislature and showing them that the city government of Boston are a unit for the appointment of their own civil service commission to run the affairs of this great metropolitan city, that should take its place with such cities as New York, Chicago, Philadelphia, Cincinnati, and all the big cities of the country, who have their own locally appointed civil service commissions. I hold no brief for the chairman of this commission, but we should not let the other two gentlemen who are members of this commission go unnoticed. They should be included in our condemnation, because the chairman could not move without their consent. They are the ones that I blame, and not Goodwin. They are the ones who are the cause of throwing these men out of employment, and not Goodwin alone, because he has only one vote. The responsibility is largely theirs, and they cannot lie out of it. They may have some friends here. But those two men are the ones I blame, and not Goodwin entirely, because he could not turn a finger without their assent, any more than Foxcroft could when he was on the commission. He thought he was a bigger man than the Governor and he was removed, and a distinguished gentleman from Cambridge was named. At that time Harvey N. Shepard, a sturdy old Democrat on the board, fought the others. There was no such business as this. So, as I say, McMahon and Harlow must take some of this blame. Harlow is more to blame than anybody. Why didn't he speak out, our local representative, Mr. President? So we cannot put the blame on Goodwin alone. We are told that they have to follow the law. Certainly, they have to follow the law, but they have certain rights and certain latitude, and they can give a man a hearing. Certainly no such action as has been taken in these cases was ever intended when the commission was created, and it was never intended that men should be thrown out summarily without even a hearing, in the dead of winter. As I say, Mr. President, I hold no brief for the chairman of this commission, but he is not to be blamed solely in this matter, because he could not do anything without the consent of those two gentlemen who are his associate members on the commission. Eugene N. Foss was elected Governor of the Commonwealth on the civil service issue. When Democratic appointments were voted down, Mr. Foss made an issue of it in the Commonwealth, and the people responded and elected him Governor. And it can be done again, Mr. President, because the people are sympathetic to these poor employees who are being treated in this way, and nobody wants this sort of thing to go on. Harlow was secretary under Foss and knows the fight that was made, and knows the whole situation. When the other two gentlemen on the commission tried to rule things with an iron hand, Harvey N. Shepard fought them, but now, in these cases, there is not a word from Harlow and not a word from McMahon. They are the ones I blame, and they ought to take the responsibility. This committee, if it means business, should wait on the Governor and Council Wednesday. I don't forget that a few years ago the Governor's Council allowed the Civil Service Commissioners to change the rules in regard to sending down a certain required number of names. I didn't hear any hullabaloo about that. They said, "Amen" to the recommendation. The chairman shouldn't be made to bear the brunt of it all, but the other two gentlemen should bear their share for interference with the power of the Mayor of the city in these matters, turning down appointments, making investigations through various agencies that remind us of the regime of darkest Russia. It was that sort of thing in the

old days that elected Foss Governor of this Commonwealth, and this sort of thing can elect another Democratic Governor, Mr. President. But today men elected Governor of the Commonwealth are people who pussyfoot about and who are afraid to make an issue of matters important to the people. Fall River has felt the sting of this sort of thing as has Lowell and other cities in the Commonwealth, besides Boston. In Cambridge 166 men were discharged outright, men who had worked from five to eight years for the city, and they were turned right out, Mr. President. I don't know what the Mayor of Cambridge may try to do about it, but they have all been discharged. Springfield, too, has felt it, and Worcester and Lowell. I say that this thing can be made one of the burning issues of a strong campaign. I say, let all the members of this Council, let those representing the people of this city, go before the Governor and Council on Wednesday and demand proper treatment in this matter. They can make proper rules and regulations. The statutes give them that power. There are some kind-hearted men there, whose hearts no doubt beat for the poor and downtrodden, and they should listen. But this rule should be amended, and the thing should not stop there, Mr. President. Boston should have its own Civil Service Commission.

Coun. WARD—Mr. President, regardless of what the gentleman from the West End says, the real man responsible for conditions today is the chairman of the Civil Service, Mr. Goodwin. No such man in the history of Boston, to my mind, has ever before foisted on the citizens of this city in any such position—a man who is, I might say, a contemptible cur, who must be so characterized in view of what he has done since his appointment to the Civil Service Commission. I say that it is a one-man board, and the chairman of that commission passes upon every man who goes in there. I have gone to the Civil Service Commission with men, and he has turned them down cold-bloodedly. Gilbert, another pussyfoot there who ought to be thrown out, sends a letter saying that the chairman will interview you on such a date, and you go before the chairman of the Civil Service Commission and he looks at you in that brutal way, Mr. President. I don't believe that any of the kings of the darkest ages had as brutal a heart as Goodwin. Councilor Deveney and I went up there in executive session in the interest of a man who fought overseas in the World War. He was married and had eight children, and we told the chairman of the commission so. He said, "That doesn't matter to me." Councilor Deveney said, "When that man went overseas fighting for you and me, no commission looked up his court record." "Well," he said, "that doesn't make any difference to me. That man is through, and my word is law." I say that no man ever appointed to a position of that kind has incited greater feelings of revenge in the hearts of people than that man. A man who has worked for ten, fifteen or twenty years for the city is told, by this man, because he committed some little offence years ago, "You are not a fit man to work for the City of Boston." That is the sort of thing that excites and encourages radicalism, Mr. President, leads a man to go out with a gun. If a man is trying to support his family and is treated in that way, a red-blooded man, you can't blame him for doing it. I certainly am in favor of the order that Councilor Dowd has presented, and I believe in going to the Governor and his Council, and fighting the issue out with them. I believe we should take up this issue. It is a fight for the people. The press are taking it up. I know how the *Post* feels. This commission turned out the man working in the Park Department taking care of the elephants, and in answer to all appeals the Civil Service Commission said, "No, we won't grant anybody's request. That man is through. I know how the *Globe* feels. I think it is our duty to do all we can to arouse the community in a matter of this kind. If we cannot do anything else, let us try to arouse the people to such a pitch that Governor Fuller will act and will discharge this man for the sake of the city and the state.

Coun. SULLIVAN—Mr. President, I believe three orders were put in to take care of this matter, and that we agreed in executive session that we would report back as we have here today. I think if we handle this question as a real legislative matter and handle it in a businesslike, gentlemanly manner, we will get real service from the Governor of the Commonwealth, and that the Governor's

Council will co-operate with you in protecting these poor men who are being thrown out of employment on account of some misstatement in their application for civil service. When it comes to referring back to previous ages as the councilor from Ward 3 (Councilor Fitzgerald) has done, in regard to the action of this commission in the past and its membership at different times, I am not interested in that. I think the councilors from Ward 12 and Ward 8 were both sincere in the orders they offered. I think they want action, and that is what I want. This civil service trouble has hit some of the men in my district. Now, let us handle the thing in a gentlemanly manner and appoint a committee who will give us action immediately.

Coun. WILSON—Mr. President, just a word. I have listened with interest to the remarks of the various members of the Council, and there is much to be said for their various arguments. I feel that the order which has been introduced and which is before us for action, which, as I understand it, looks to the removal of no man without a hearing whether he be an ordinary employee or a department head, is an excellent one, and no doubt the President of the board will act with due speed and there will be a conference with his Excellency the Governor at the State House next Wednesday. On the other hand, to give the Civil Service Commissioner his due, as I read the act, practically all the actions of the Civil Service Board are under an act of the Legislature, and the thing that surprises me is not the fact that the Civil Service Board are now so harshly carrying out the provisions of the law as that the representatives of the people of Massachusetts in the Legislature should ever have allowed the law to go through in the first place because, as I read the statute under which Mr. Goodwin and his two fellow members are acting, they have no discretion in the matter. As I read the act, it is a fact that if a man is a habitual drunkard, he is out for good,—which may be all right,—but it is also a fact that if a man is convicted of drunkenness once in the past year, we will say, it is not within the discretion of the Civil Service Board to ignore that so far as his obtaining or retaining work is concerned, unless he is made an outlaw for a year, and it is then within the jurisdiction of the Civil Service Commission to again restore him to citizenship. It seems to me, in addition to bringing this before the Governor, that the publicity we are arousing in the matter would naturally result—and that this is the real issue—in wiping out what has been done in the past, wiping out a section of an act which never should have been passed.

Coun. FITZGERALD—Mr. President, the thing I am most against here is the arbitrary manner in which they are doing things. The matter has been threshed out in the Legislature, and they modified the act to this extent. It was argued out, there was a long and bitter fight, and by a close majority they finally decided that in the case of an offence committed by a boy under sixteen years of age it shouldn't affect him for anything except an application for membership in the Police Department or in the prison service. It is no easy matter to have laws like this repealed. The thing to do, however, is for Boston to have her own civil service commission. If we have our own commission, and the members act in a reasonable manner, there will be no trouble. But you will find that it is not an easy matter to repeal that law, because the thing has been threshed out in the Legislature many times. There are some men here who know about that. The only exception made, as I say, in regard to a boy under sixteen, and then the conviction goes against him if he is applying for the police or prison service. I want to say again, in reply to the gentleman from Dorchester, that the three members of the Civil Service Commission are equally to blame. If he does not remember the issue in this state over the previous Civil Service Commission at the time I have referred to, I remember it, and remember it well. It was threshed out and made a campaign issue in this Commonwealth. Many men here perhaps are new in the game and don't know the things that went on that caused that fight to be made at that time. But I remember and others here, I think, remember the names of Foxcroft and Warren, on that commission. They were hughahos all over the Commonwealth. As I say, all three members of the Board should be removed, because the chairman of the commission alone is not to be blamed here. He must

have concurrent action on an appeal with the other members. He may sit there alone as a judge, under the organization of the state department that gave so much power to one man, but on appeal they can override him, and when they do not do so, they are saying "Amen" to his acts. The time is now ripe, Mr. President, when there should be a change. It is time that action should be taken by the Legislature. But in these cases that we are referring to, we cannot blame this one man who is acting as chairman, alone. He came here for the express purpose of representing the National Civil Service Association. He had been in New York, and I think in other places, and he came here to do the job, the same job that he has done in other large cities. He cannot be removed unless the Governor and Council assent. But the thing to do is to change the law, Mr. President. Of course, there have to be certain safeguards. We are not here to break down the law. We are here to say that it shall be enforced impartially and with reason and sound judgment, and that no man should be allowed to suffer at the hands of an arbitrary board. But those other two men on the board, in my opinion, are even worse than the chairman.

The report was accepted, and the order passed under suspension of the rule.

3. Report on order (referred today) that the Corporation Counsel file a bill providing for amending of section 17 of chapter 31 of General Laws—that said order be referred to the Committee on Legislative Affairs.

Report accepted; said reference ordered.

4. Report on order (referred today) that committee be appointed to confer with Governor and Council to prevent Commissioner of Civil Service from carrying out program of discharging employees now in service for mistakes, errors or alleged inaccurate statements in their civil service applications—that same ought not to pass.

Report accepted; said order rejected.

REINSTATEMENT OF DAVID M. CLEARY IN FIRE DEPARTMENT.

Coun. GREEN offered the following:

Resolved, That the City Council of the City of Boston approves the enactment of legislation to authorize the temporary reinstatement, for purposes of retirement only, of David M. Cleary as a member of the Fire Department of the City of Boston.

Referred to the Executive Committee.

PAYMENT TO SOLDIERS AND SAILORS.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in City of Boston for month of December, 1928.

Report accepted; said order passed.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. DONOVAN, for the Committee on Public Lands, submitted report as follows:

1. Report on communication from Mayor and order (referred December 3) for release of easement on land on Minchins court, Dorchester—that same ought to pass.

Coun. DONOVAN—Mr. President, this constitutes an instrument of release, dealing with a situation that has arisen in Minchin court, Dorchester, in connection with buildings and water pipe that has since been removed. In the opinion of the Commissioner of Public Works there is no objection to this action being taken.

The report was accepted, and the order was passed. Yeas 20, nays 0.

ANNUITY TO ALBERT F. SINGLE.

Coun. MURRAY offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation authorizing

the City of Boston to pay an annuity to Albert F. Single, a former member of its Fire Department, who was permanently incapacitated from injuries received while in the performance of his duty.

Passed under suspension of the rule.

INCREASE OF PENSION TO EDWARD J. SULLIVAN.

Coun. LYNCH offered the following:

Resolved, That the Boston City Council favors the enactment of legislation to increase the pension of Edward J. Sullivan, a retired employe of the City of Boston.

Passed under suspension of the rule.

APPROPRIATION FOR SOLDIERS' RELIEF DEPARTMENT.

Coun. MOTLEY offered the following:

Ordered, That there be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for the Soldiers' Relief Department, the sum of five thousand dollars, said sum to be expended, subject to the approval of the chairman of the Committee on Soldiers' Relief, or in his absence by any other member of said committee, by such commissioner in affording immediate relief to persons entitled to aid under chapter 115 of the General Laws, and acts in amendment thereof and in addition thereto.

Passed under suspension of the rule.

PAY ROLLS OF SOLDIERS' RELIEF DE- PARTMENT.

Coun. MOTLEY offered the following:

Ordered, That authority be, and hereby is, delegated to the Soldiers' Relief Commissioner, subject to the approval of the chairman of the Soldiers' Relief Committee, or in his absence subject to the approval of any member thereof, to so modify the pay rolls of the Soldiers' Relief Department that additional names may be added thereto with appropriate amounts to be paid, and increases in amounts to be paid may be made in such cases as to said commissioner may seem proper. This authority is limited to the pay rolls for the month of December, current, and to continue only to the final account of this fiscal year.

Passed under suspension of the rule.

INQUIRY ON EAST BOSTON TUNNEL MATTER.

Coun. WILSON—Mr. President, may I inquire whether the tunnel report is coming in here today, particularly in view of the recent dissension between the city and state governments?

President GREEN—Will the chairman of the Special Committee answer?

Coun. KEENE—Mr. President, the committee had planned to meet in executive session this week, at which time we would have the evidence submitted at the last session, and we will then be able to report at the next meeting of the Council. It has been suggested or understood, I believe, that the Council will meet on the Thursday after Christmas.

Coun. WILSON—Mr. President, I shall try to be very brief. I would merely like to say that I regret very much that an important piece of proposed legislation in which this city is so deeply concerned, as I stated as long ago as the 9th of November, left until not only the few last weeks of the month of December, but until the very last week of the month. Very frankly I cannot agree with the Governor of this Commonwealth when he referred on December 15 to chapter 380 of the Acts of 1928 as a "magnificent piece of legislation." Nor can I agree with his Honor the Mayor the full distance in his December 5 speech, to the effect that the act is wholly unsuitable. For example, any land damage disputes must eventually be decided by a Suffolk jury whether the disgruntled property owner refuses a figure offered by a new state commission or a figure offered by the Boston Street Commission. I resent the

constant interference with Boston home rule by the Massachusetts Legislature as much as any man, but I feel it is a rank injustice to the people of East Boston to wait until the very last week of December to find no merit whatever in an act of Legislature, approved as long ago as June 8. An excellent time for constructive criticism of the tunnel project by city experts,—whether administrative, engineering or financial—was last spring on Beacon Hill. We have an aggressive and fully manned Law Department when needed, and in recent years a special legislative counsel, presumably with the sole duty of making the voice of the city heard at the State House when so directed. Representatives from East Boston, appearing before the special committee of the City Council last week, well commented on the fact that they assumed the tunnel project had some reasonable chance of success considering that not one word of official criticism or disapproval had been uttered during the past six months, and with the Boston Chamber of Commerce warmly supporting their cause. From what I know of the subject I am inclined to believe the custom of other cities should be followed and a toll charge made for vehicles. The people of East Boston, of course, believe there should be no tolls, even for vehicles. But at least they went up to the hearings at the State House and said so. Although they lost, legislation was at least passed, authorizing a tunnel. And now, quite properly, they can say to the Boston city government, which includes the members of the Boston City Council,—if you also had axes to grind, why didn't you offer suggestions six months before the act was passed instead of destructive criticism six months after the act was passed. The matter has been before this body since last spring, and the people of East Boston have some reason to assume that stagnation at least did not mean overwhelming objection to the act at the very last moment. I feel that Councilor Donovan has had every right to assume some degree of support. My own inquiry was late enough, but at least on November 19, a month ago. I urged against the delaying of any report until the very last weeks of the year. It is now to be put over until the very last week. I realize that a majority of this body very likely will vote down the project of an East Boston tunnel as provided in the present act and that the Mayor is already committed against acceptance even assuming the order should reach him. But the Mayor has made the excellent point that unless or until the Council takes affirmative action the measure is not even before him for his official action. It is very evident that the Legislative act in its present form was passed last June with the express intention and desire that it should be defeated here in December. That is the talk

on the street and a reading of the act as passed by the Legislature and approved by the Governor makes it very plain that they made it as stiff as possible. I protest against the manner in which the people of East Boston, which district I do not primarily represent, have been tossed around since January of this year all along the line. I believe it is high time that the state government and the city government stop shadow-boxing in separate rings in a matter of this importance to the consequent detriment of the people of East Boston in particular and the people of the entire city in general in this or any other matter involving the expenditure of millions of dollars for a great public improvement.

Coun. DONOVAN—Mr. President, as one of the members of the special committee appointed by the chairman, and as one who has been heartily in favor of the proposed tunnel or bridge, I regret that the matter has practically become a political football between the Governor and the Mayor. But I have been and am in favor and in hope of having this body memorialize the Legislature in favor of the tunnel. There is no question in the minds of all concerned that there is dire need of an East Boston tunnel, and I believe, whether the Mayor vetoes it or not it is the duty of the Council to accept the act and let the blame rest with the Mayor of the city, if he is to veto it. But I certainly do not think that the Council should go on record as opposing the project, because the action of the Legislature shows that they felt, in passing the act, that they were meeting the wishes of the people of this city and of the metropolitan district. I certainly trust that at the next meeting of the Council, on December 27, the Council will vote to accept the tunnel act.

Coun. RUBY—Mr. President, I rise to a point of order. I don't think that we have the East Boston Tunnel Act before us at the present time and, therefore, I believe that debate upon the matter should be withheld. That is a matter that will come up before us for debate and action later.

Coun. KEENE—Mr. President, I think Councilor Ruby is right. There is before us at the present time no order concerning this matter which would cause it to be a subject for debate. A committee has been appointed to consider the question, and will report later, at which time the matter will be before the body for debate and action.

President GREEN—The point of order is well taken.

Adjourned, at 4.55 p. m., on motion of Coun. DEVENEY, to meet on Thursday, December 27, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Friday, December 21, 1928.

Special meeting of the City Council in the Council Chamber, City Hall, at 12 noon, pursuant to the following call:

City of Boston,

Office of the City Clerk, December 20, 1928.
To the Members of the City Council.

Gentlemen,—You are respectfully requested to assemble in the City Council Chamber, City Hall, on Friday, December 21, 1928, at twelve o'clock noon, for the purpose of taking action on the order for the acceptance of the Sunday Sports Law, so called.

By direction of the President.

WILFRED J. DOYLE,
City Clerk.

President GREEN, in calling to order, said: The Council will be in order, and the Clerk will call the roll.

The Clerk called the roll, and the following members were present: Coun. Arnold, Fish, Fitzgerald, Gallagher, Green, Keene, Murray, Ruby, Ward—9.

Coun. ARNOLD—Mr. President, I move that the City Messenger be instructed to obtain a quorum.

The President directed the City Messenger to see if he could find and obtain the attendance of any other members of the Council.

City Messenger Leary retired, and presently returned and reported that he was unable to obtain a quorum.

President GREEN—The City Messenger says that there are no members in the corridor, the Chair sees less than a quorum present in the Chamber, and the Council stands adjourned to meet on Thursday next at 2 o'clock p. m.

The Council stood adjourned, at 12.15 p. m. to meet on Thursday, December 27, 1928, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Thursday, December 27, 1928.

Adjourned regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair and all the members present.

VETO—PARK FRONTAGE ORDINANCE.

The following was received:

City of Boston,
Office of the Mayor, December 22, 1928.

To the City Council.

GENTLEMEN,—I return without my approval your ordinance concerning restrictions on park frontages. It is the opinion of the Park Department that the area between Dorchester avenue and Buttonwood street should remain restricted, to which I concur.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

Placed on file.

COLUMBIA ROAD GYMNASIUM.

The following was received:

City of Boston,
Office of the Mayor, December 26, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of December 17, 1928, relative to the keeping of the gymnasium in the Columbia Road Municipal Building open mornings during the week.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Park Department, December 21, 1928.
Hon. Malcolm E. Nichols,
Mayor of Boston.

Dear Sir,—I have your memorandum of December 19, with inclosure, order from the City Council that the Park Commissioners make arrangements to keep the gymnasium in Columbia Road Municipal Building open mornings during the week.

In reply I desire to say that the Board of Park Commissioners will make a careful study of the needs of the district, and if, in the opinion of the Board, the wants of the public necessitates the opening of this building during the mornings, a request will be made in the budget for the year 1929, for the number of men who will be required to operate same.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

REGISTRATIONS IN EMPLOYMENT BUREAU.

The following was received:

City of Boston,
Office of the Mayor, December 26, 1928.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Employment Bureau relative to the number of registrations and positions filled by the Bureau for the weeks ending December 8, 15, and 22.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Employment Bureau, December 24, 1928.

Weekly Reports to the City Council.

December 3 to December 8, inclusive, 100 registrations; 74 positions filled.

December 10 to December 15, inclusive, 99 registrations; 94 positions filled.

December 17 to December 22, inclusive, 52 registrations; 23 positions filled.

AUGUSTUS SEAVER,
Assistant Secretary in Charge.

Placed on file.

MORTON STREET EXTENSION, WARD 17 END.

The following was received:

City of Boston,
Office of the Mayor, December 27, 1928.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of October 8, 1928, relative to the construction of the Ward 17 end of the Morton street extension.

Respectfully yours,
MALCOLM E. NICHOLS, Mayor.

City of Boston,
Public Works Department, December 14, 1928.
To the Honorable the Mayor.

I return order of the City Council, dated October 18, 1928, requesting information relative to the construction of Morton street, from Codman street to Druid street, and from Druid street to Washington street, and submit the following:

Amount of appropriation..... \$357,500 00
Payments to October 31, 1928..... 254,399 45

\$103,100 55

Estimated cost of construction from
Druid street to Washington street.. 71,200 00

\$31,900 55

Paid by Public Works Department:

J. C. Coleman & Son.. \$143,425 90
Wall, Singarella..... 17,303 23
Catch-basins, Singarella..... 2,091 00
Capone..... 8,557 31
Bills and pay rolls..... 24,829 35

\$196,206 79

Street Commissioners.. 19,000 00
Forest Hills awards,
etc..... 39,192 66

\$254,399 45

Estimate..... 71,200 00

325,599 45

Appropriation..... \$357,500 00
Total expenditures..... 325,599 45

Balance..... \$31,900 55

Codman street to Druid street, not laid out.
Estimated cost of construction..... \$75,000 00
Damages..... 3,722 84

\$78,722 84

Balance..... 31,900 55

\$46,822 29

It is therefore necessary to provide approximately \$50,000 to complete the section, between Codman street and Druid street, when that section is laid out by the Board of Street Commissioners.

The money is available for the section between Druid and Washington streets, as appears above. The buildings have been removed, the roadway rough-graded and the water mains laid some time ago. Bids were opened on December 13 for the sewer on the north side, and it is expected that the work will be in progress very soon.

There are sufficient funds to finish the section between Druid and Washington streets, and it is hoped that the section between Druid and Codman streets will be laid out on the new lines without delay, in order that the entire length between Codman street and Washington street might be included in one surfacing contract.

Yours respectfully,
JAMES H. SULLIVAN,
Commissioner of Public Works.

Placed on file.

RELEASE OF RESTRICTIONS,
550 TREMONT STREET.

The following was received:

City of Boston,
Office of the Mayor, November 28, 1928.
To the Honorable the City Council.

Gentlemen,—Please find inclosed an order authorizing his Honor the Mayor, in the name and behalf of the City of Boston, for the consideration of the sum of one dollar, to execute and deliver to John Jansky, owner of the premises numbered 550 Tremont street, an instrument of release in form satisfactory to the Law Department of the following restrictions contained in a deed of the aforesaid premises given by the City of Boston to Charles J. Fox, dated July 28, 1856, recorded with Suffolk Registry of Deeds, Lib. 704, Folio 101:

- No. 1. The front line of the building which may be erected on the said lot shall be placed on a line parallel with and five feet back from the said Tremont street.
- No. 2. The building which may be erected on the said lot shall be of a width equal to a width of the front of the said lot.
- No. 3. No dwelling house or other building except the necessary outbuildings shall be erected or placed on the rear of the said lot.
- No. 4. 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 be used or occupied for any other purpose or in any other way than as a dwelling house, apothecary shop, dry goods, grocery or provision store, for the period or term of twenty years from the first day of August, A. D. 1853.

Mr. Jansky states that he desires to develop his property and the restrictions herein referred to prohibit him from doing so. He further states that the said restrictions are no longer necessary because of the change in the neighborhood and surroundings.

An instrument of release of the restriction numbered one of the accompanying order, similar in form to the one requested by Mr. Jansky, was given to Charles J. Fox by the City of Boston by vote of the Board of Aldermen, approved by the Mayor April 24, 1902. This release affected the premises numbered 552 on Tremont street, situate on the opposite corner on the same side of the street as the premises owned by Mr. Jansky and released restriction numbered one only.

MALCOLM E. NICHOLS, Mayor.

Ordered, That his Honor the Mayor be, and he hereby is, authorized, in the name and behalf of the City of Boston, for the consideration in the sum of one dollar, to execute and deliver to John Jansky, owner of the premises numbered 550 Tremont street, an instrument of release in form satisfactory to the Law Department of the following restrictions contained in a deed of the aforesaid premises, given by the City of Boston to Charles J. Fox, dated July 28, 1856, recorded with Suffolk Registry of Deeds, Lib. 704, Folio 101:

- No. 1. The front line of the building which may be erected on the said lot shall be placed on a line parallel with and five feet back from the said Tremont street.
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- No. 3. No dwelling house or other building except the necessary out buildings shall be erected or placed on the rear of the said lot.
- No. 4. 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 be used or occupied for any other purpose or in any other way than as a dwelling house, apothecary shop, dry goods, grocery or provision store, for the period or term of twenty years from the first day of August, A. D. 1853.

Referred to Committee on Public Lands.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named:

Claims.

John Christy, for compensation for damage to property at 52 Dover street, caused by defective sewer pipes.

Morris Eyles, for compensation for damage to automobile by city truck.

William E. Grohe, for compensation for damage to automobile by city wagon.

James Keaney, for compensation for damage to automobile by police car.

Hattie Komenski, for compensation for injuries caused by an alleged defect at 50 Congress street.

James P. Lellis, for compensation for loss of clothing at locker building, Franklin Park.

Margaret E. McKenna, for compensation for damage to automobile caused by an alleged defect at Austin and McGee streets.

Anne H. Quinn, for compensation for injuries caused by snow from roof of City Hall.

Mrs. Mary Reilly, for compensation for injuries caused by an alleged defect in Scollay square.

Helen Rohan, for compensation for injuries caused by an alleged defect in River street, Hyde Park.

Cyrus Sargeant, for compensation for damage to property at 18 Pineknay street, caused by leak in water pipe.

Abbie Shea, for compensation for injuries caused by an alleged defect in Public Garden.

Barney Tocio, for compensation for damage to merchandise at 11 Commercial street, caused by city team.

Angelina Ventola, for compensation for damage to truck by city truck.

Ruth E. Whitcomb, for compensation for injuries caused by snow from roof of City Hall.

Charles F. Williams, for compensation for damage to automobile by city truck.

Executive.

Rev. David H. McDonald, for children to appear at Francis Parkman Hall on December 30, 1928.

Jitney Licenses.

Boston Elevated Railway for a license to operate motor vehicles between the junction of Bowdoin and Hancock streets and Savin Hill Station, on Savin Hill avenue, Dorchester, over Hancock and Pleasant streets and Savin Hill avenue.

SALARIES OF JUVENILE COURT OFFICERS.

A communication was received from Justice, Frederick P. Cahot, of the Boston Juvenile Court fixing the salaries of the probation officers in said court, dating from June 1, 1929.

Referred to the Committee on County Accounts.

APPOINTMENT OF SECOND ASSISTANT
ASSESSOR.

Notice was received from the Assessing Department of the appointment on December 21, 1928, of Edward W. Sawyer, 51 Moreland street, Roxbury, as second assistant assessor.

Placed on file.

CERTIFICATION OF ELECTION COMMISSIONER
MULVEY.

A certificate was received from the Commissioners of Civil Service of approval of the appointment of James J. Mulvey, 46 Cohden street, Roxbury, to the position of Election Commissioner of the City of Boston.

Placed on file.

CERTIFICATES OF APPOINTMENT BY
MAYOR.

Certificates were received of appointments by the Mayor of W. Irving Bullard, 486 Beacon street, Boston, member of the Board of Zoning Adjustment.

Frank Brewster, 54 Commonwealth avenue, Boston, member of the Board of Zoning Adjustment.
Placed on file.

LEASE OF BUNGALOW TO THOMAS J. ROBERTS POST.

The following was received:

City of Boston,
In School Committee, December 17, 1928.
Whereas, The bungalow of the old Colonial Club property is now vacant and not in actual use for school purposes; it is hereby

Ordered, That the City Council be requested to authorize the School Committee, in the name and in behalf of the city, to lease to the Thomas J. Roberts Post, a duly authorized Post of the American Legion, the bungalow of the former Colonial Club property on Park street, Dorchester, such occupancy to be discontinued at the will of the School Committee.

The preamble was adopted and the order passed.
A true copy.

Attest:

ELLEN M. CRONIN, Secretary.

Referred to Committee on Public Lands.

EXTENSION OF TIME, TRACK LOCATION.

Notice was received from the Board of Street Commissioners of extension of time for the completion of the work of laying a double track curve in Blue Hill avenue, Dorchester, from and connecting with existing double track northerly of River street and leading to premises at or near Mattapan square, on the easterly side of Blue Hill avenue and on the southerly side of River street, being the 64th location granted to the Boston Elevated Railway.

Placed on file.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from Joseph A. Tomasello, a member of the Board of Appeal of the City of Boston, in accordance with the provisions of section 8 of chapter 486 of the Acts of 1909, that A. G. Tomasello & Son, Inc., a Massachusetts corporation, of which corporation he is an officer and stockholder, has entered into a contract with the City of Boston for snow and ice removal in District No. 6.

Placed on file.

HEARINGS ON GASOLENE PETITIONS.

Notice was received from the Board of Street Commissioners of hearings on petitions for storage and sale of gasolene, as follows:

On December 31, 1928.

David O. French *et al.*, 874 Dorchester avenue, Ward 7, 3,000 gallons.

Carl A. Peterson, 65 Green street, Ward 19, 1,000 gallons.

Boston School Committee, 550 Parker street, Ward 4, 1,000 gallons.

On January 7, 1929.

William P. Corbett, 14 and 16 Kilmarnock street, Ward 14, 2,000 gallons.

Mary Agnes Cuddy, 17 Brookdale street, Ward 19, 1,000 gallons.

Placed on file.

RESOLUTION FAVORING SUNDAY SPORTS BILL.

A resolution was received from Orient Heights Post No. 54 of the American Legion, that said post is in favor of the so-called Sunday Sports Bill and urging the members of the Boston City Council to do all in their power to aid its passage.

Placed on file.

COMMENDATION OF MAYOR'S ATTITUDE ON TUNNEL BILL.

A resolution was received from the East Boston Betterment Association commending his Honor the Mayor on his refusal to sign the bill to establish a tunnel in East Boston, as the adoption of said bill would cause uncalled for taxation, and the bill in its present form is against all principles of home rule.

Placed on file.

CONSTABLE'S BOND APPROVED.

The constable's bond of John A. Duggan, having been duly approved by the City Treasurer, was received and approved.

PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds, from November 19 to December 15, 1928, amounting to \$5,191.80, was received and approved.

MINORS' LICENSES.

President GREEN submitted the applications of twenty-nine newsboys and nine vendors for minors' licenses.

The licenses were severally approved.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President GREEN called up under unfinished business Nos. 1, 2 and 3 on the calendar, viz.:

1. Action on appointment submitted by the Mayor December 11, 1928, of John A. O'Halloran to be a Constable.

2. Action on appointments submitted by the Mayor December 11, 1928, of John J. Morris to be a Weigher of Coal, and Frank Moran to be a Measurer of Wood and Bark.

3. Action on appointments submitted by the Mayor December 17, 1928, of Merrill Crockett, Ira Thompson, and Abner Beaver to be Weighers of Coal and Measures of Wood and Bark, and Albert Levitt to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Sullivan and Motley. Whole number of ballots, 19; yeas 19, and the appointments were confirmed.

FINAL ACTION ON LOAN ORDERS.

President GREEN called up under unfinished business No. 4 on the calendar, viz.:

4. Ordered, That the right to borrow money, outside the limit of indebtedness for House Officers' Building, under the loan order passed July 25, 1927, and approved by the Mayor July 26, 1927, be limited to \$290,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

Ordered, That the right to borrow money for House Officers' Building, under loan order passed July 25, 1927, and approved by the Mayor July 26, 1927, be limited to \$145,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

Ordered, That the right to borrow money for New Surgical Building, under the loan order passed May 24, 1926, and approved by the Mayor May 25, 1926, be limited to \$215,000 and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

Ordered, That the right to borrow money outside the limit of indebtedness for New Surgical Building, under the loan order passed May 24, 1926, and approved by the Mayor May 25, 1926, be limited to \$430,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

Ordered, That the right to borrow money for New Central Fire Station, under the loan order passed October 18, 1926, and approved by the Mayor October 19, 1926, be limited to \$50,000,

and that the authorization to borrow in excess of said amount for said purpose he, and the same hereby is, rescinded.

On December 11, 1928, the five foregoing orders were read once and passed, yeas 18, nays 0.

The orders were given their second and final reading and passage, yeas 19, nays 0.

LAYING OUT RADCLIFFE STREET.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept as a public highway Radcliffe street, from Vassar street to Carmen street, Ward 14.

Passed under suspension of the rule.

LAYING OUT COVENTRY STREET.

Coun. WARD offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Coventry street, Ward 9, as a public highway.

Passed under suspension of the rule.

FLOODING ALMONT STREET PLAYGROUND FOR SKATING.

Coun. MURPHY offered the following:

Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to flood the Almont street Playground, Mattapan, Ward 18, for skating.

Passed under suspension of the rules.

THE SUNDAY SPORTS BILL.

On motion of Coun. DOWLING, the Council voted to take from the table No. 5 on the calendar, viz.:

5. Ordered, That sections twenty-one to twenty-five, inclusive, of chapter 136 of the General Laws, as amended by the law proposed by initiative petition and adopted at the election November 6, 1928, said law being entitled "An Act to Permit Certain Sports and Games on the Lord's Day," be, and the same hereby are, accepted.

Coun. DOWLING—Mr. President, there is some seriousness and there is some comedy in the situation that confronts us this afternoon, and it is entirely within the range of possibility that there is a great deal of misunderstanding in connection with the unpleasant, if not sensational, controversy that has arisen over the so-called Sunday Sports Law and its adoption by the City Council. Although it may be wearisome to most of you, it may be enlightening to the public if I am allowed to put into the records, in their chronological order, what I might call the important events in the history of the Sunday Sports Law from the time it was submitted to the people. The Sunday Sports Law, in a very much condensed form, and for that reason not easy of interpretation, was voted upon by the people at the State Election held on November 6, or, as a gentleman by the name of Charles F. Adams says in a newspaper interview printed yesterday, seven weeks ago. Now I ask you to remember that this Mr. Adams, who has a very large financial interest in the adoption of the proposed law, is apparently of the opinion that it ought to have been accepted by the City Council seven weeks ago, immediately after the people had voted upon the question. The official canvass of the vote taken at the State Election, which is a legislative if not a constitutional requirement, and which is done by his Excellency the Governor and the members of the Governor's Council, was not announced until December 5, which was three weeks ago yesterday, so that Mr. Adams, who knows all about "fixing" sports, "hagging" prize fights and mismanaging professional baseball clubs, and who assumes to know all that there is to know about the orderly procedure of legislative enactments, unnecessarily worked himself into a state hording on nervous exhaustion because the City Council had not pulled his chestnuts out of the fire, which it could not have done had it wanted to. On December 17,

one week ago, an order was presented to the City Council asking for the adoption of the Sunday Sports Law. The order was presented by the gentleman from Ward 9, who has been a warm personal friend of mine during our three years' service here, and who, I am bound to assume, at least feels friendly towards Mr. Adams, and who has long been an open advocate of Sunday baseball. But at that time the City Council had not been officially informed, either by the Secretary of State, or by the Governor's Council, or by any other officials or person, that the proposed law had been accepted by the people, nor was there in the possession of any member of the City Council, so far as I have been able to learn, either a plainly printed or certified copy of the law which we were asked to accept. An attempt was made to railroad this order through under a suspension of the rules, which is the sharpest practice that can be employed, in spite of the fact that most, if not all of the members, knew nothing about the actual provisions of the proposed law. In order to preserve my rights, and for the purpose of affording me, and other members of the Council, an opportunity to at least read the proposed law once, I moved that the matter be laid on the table, and that action was taken by a vote of 11 to 9. And that, Mr. President, is what all this hullabaloo is about. Mr. President, there is not a sane, reasonable, fairly intelligent man within the hearing of my voice, including several members of this Council who are lawyers, who could read through once and give a fairly good digest or a worthwhile opinion as to the context of the Sunday Sports Law, and if I should attempt to read it—which I am not going to do—some of you might think I was reading the valedictory address of a graduate of a state hospital. There is neither sense, reason nor logic, nor anything else in it, to enable an intelligent man—and I think I am as intelligent as the average man—to give other intelligent men even a remote idea of the contents of the Sunday Sports Law, so called. After ten hectic days which have been filled with charges and counter charges, statements and interviews, criticisms and recriminations, we still have with us, in its pristine glory, the so-called Sunday Sports Law, the sponsors of which were the professional baseball interests of this country, operating under the name of the Outdoor Recreation League of Massachusetts. This alluring and innocent-sounding title appears on the political literature which the professional baseball interests sent broadcast through the Commonwealth prior to the last State Election, a copy of which I have here in the shape of an expensively-printed 32-page pamphlet. On page 5 of this pamphlet appear the names of the officers and directors of the Outdoor Recreation League of Massachusetts, and not one of them, in any public manner or utterance that I have come across, has indicated a particle of interest in the controversy in which we have become involved. The only name I have heard in this connection is that of Charles F. Adams, who is known best through his connection with professional sports, both as a part owner of one of the two professional baseball teams in this city, and as the owner of a professional hockey team. Until this Sunday Sports Law came into the City Council, and became a subject of controversy—if not scandal—we were getting along fairly well; proper allowances were being made for any shortcomings on this floor, or on the second floor of City Hall; no one excepting his Excellency the Governor was paying particular attention to the personal habits or the mistakes of his Honor the Mayor; and even members of the City Council were being treated with ordinary courtesy and respect. In a general, but in no particular way, we were quite a happy family, and while some of us were not as important as we might have thought we were, and didn't know any more than we ought to know, there was no general complaint or interference on the part of the health authorities, the police, or the courts. We followed our usual pursuits in the day time, and we spent our evenings on the radio or at the "movies." We have laughed at Charlie Chaplin and his tricky feet; we have shrunk in terror at the actions of Lon Chanoy in his disguise as the fiend incarnate; we have experienced the thrills of passion and love with Pola Negri and the late Rudolph Valentino; and we have wept bitter blinding tears with Al Jolson in his pathetic and beautiful delineation of "The Singing Fool." But what a moving picture! What a hair-raising, nerve-

racking, four-reel thriller we have taken part in the past ten days, just because Charles F. Adams of Framingham, and other remote places, ran amuck, shouting "Stop thief! I've been robbed!" Oh, for a Sennett, or a Griffith, or a Hammerstein, to film this travesty, and a Warner to supply the accompaniment of the vitaphone! I don't know Charles F. Adams, professional sports promoter, and I don't want to know him. I do know, however, that he is not actively interested in the moral welfare, and the health, and the happiness, or the religious training of more than 100,000 boys who gather on the public playgrounds to engage in healthful recreation, because I have never heard of him being on a public playground. If the political pamphlet which he and his associates sent to the voters of Massachusetts in support of the Sunday Sports Law is a fair thing on which to base an estimate of the sincerity and straightforwardness of Charles F. Adams, he is a demagogue and a charlatan, for that pamphlet was a cunningly-devised and befogging appeal to voters who might easily be influenced in favor of opening up the public playgrounds to the children and the amateur athletes on Sunday, allowing them to take up collections and otherwise obtain money with which to carry on their harmless sports and games. Charles F. Adams is a professional baseball man, with possibly more than \$1,000,000 invested in that sport, and the subject nearest to his heart—professional baseball—received scant mention in his campaign pamphlet which, I believed, fooled a large number of voters in this Commonwealth. It was largely an appeal to the voters to open up the public playgrounds on Sundays, for the ostensible purpose of giving the children, the young man, the amateur players, and the tired workers, an opportunity to engage in healthful recreation. I did not waste my vote on this matter at the State Election, Mr. President, because I was among those who voted "No," because I knew that it was a Sunday professional baseball project, in which I am not now, and never have been in favor. At the present moment, and much against my honest personal convictions, I believe that I am going to vote for the adoption of an order which accepts an act of the Legislature legalizing the playing of professional baseball on and in privately-owned parks on Sundays, but it would require only a word of encouragement to make me change my mind, for I resent with my whole heart, and my whole soul, the blackguard statements, the blackhand innuendoes and the black-jack methods which have been employed by Charles F. Adams, representing the professional baseball interests of this country, to force its adoption. I resent just as strongly the gutter sentiments expressed by the Mayor of this city in one of his delirious periods, when he, possibly taking his orders from someone higher up (as he is frequently suspected of doing), injected himself into this controversy. Indeed, this matter might never have reached the proportions of a controversy—much less a scandal—if Mayor Nichols had been giving his attention to the sadly-neglected duties of the Mayor's office, to which he sometimes devotes as much as two hours a day. I want to make my position as clear as I possibly can, and I respectfully ask the newspaper men to quote me correctly on this one point, for I have the courage to take what may seem to some to be an unpopular position on a public question, and at the same time the faith to believe that the people admire courage, integrity and self-respect in their public officers. If I could vote against legalizing the playing of professional baseball in privately-owned parks on Sundays, without sacrificing the opportunity for the youth, the young man, and the amateur baseball players to engage in their healthful games on public playgrounds, and at the same time take up collections or otherwise obtain money with which to carry on their sports and games, I would gladly do so. I believe that such a vote would meet with the approval of a vast majority of the voters of my district, in whom I am most concerned, notwithstanding an almost two to one vote in favor of the abortive proposition submitted to the people at the last State Election, which made it necessary for them to accept the vicious professional baseball clause in order to obtain the harmless provisions surrounding the playing of amateur games. Such a vote, I believe, would be a suitable and satisfactory rebuke to the professional baseball promoters of the type of Charles F.

Adams, who have shown that they will stoop to any methods, and resort to any measures, in order to appropriate the Sabbath to their own selfish use. Now, I have said that there probably would not have been any controversy, or any scandal, over this matter of Sunday sports, if our psychopathic Mayor had not interfered or taken it upon himself to seek a little notoriety which, in his condition of mind, he may have thought could be converted into personal glory. St. Malcolm, mounted on one of the steeds belonging to the four horsemen, galloped into the arena, and holdly brandishing the whip that he has used on many other occasions, commanded that all follow him—possibly in the direction of a state hospital. "I'll be the Robin Hood in this picture," he proclaimed, "or there'll be no picture." And straightway, disregarding the fact that the City Council was to meet today, and undoubtedly adopt the Sunday Sports Law, he commanded the President of the Council to call a special meeting for Friday, December 21.

President GREEN—Onc moment; I must correct you.

Coun. DOWLING—Allow me to continue, please, Mr. President, and make your explanation afterwards. That will be agreeable to me. I am under quite a little nervous strain, and you seem composed.

President GREEN—I simply thought it might help you, and might expedite matters.

Coun. DOWLING—I shall be glad to have you explain a lot of things a little later, Mr. President. We all know what happened; there was no meeting for there was no reason for holding a special meeting. There wasn't only one call for this special meeting, but there were two calls, and possibly his Honor the Mayor, or the President of the Council, will explain why one of those calls was prepared at the Copley-Plaza Hotel, where Charles F. Adams, professional baseball promoter, is said to maintain a secret and probably wet headquarters. I am familiar with the English language as it is spoken in Charlestown, and I am familiar with the diction of the President of this Council, and I am just as sure that the President of this Council did not dictate the spurious call for a special meeting of this Council as I am that I am not the author of the Ten Commandments or the Sermon on the Mount. Now, whose fine Italian hand appeared in this call for an entirely unnecessary special meeting? Did Charlie, or Ernie, or Bobbie, tell Malcolm to tell Tommy to call this special meeting? Or did Adams tell Charlie, or Ernie, or Bobbie, to tell Malcolm to tell Tommy to call the meeting. I would wager my soul that President Green did not dictate the call for the meeting which appeared over his signature under date of December 19, for it is not his language. It is the language of a business man with a smattering of legal knowledge, and the terms employed in the call suggest a familiarity with the making of contracts, such as I suppose Charles F. Adams makes on some occasions. Let's have the truth of the whole matter; let's know the names of all the men who have been to the Copley-Plaza Hotel in this connection. Tell us, someone, why a special messenger was sent from the Copley-Plaza Hotel to City Hall, with instructions to obtain official stationery of the City Council, so that one of the two calls for this special meeting might appear on the stationery of the President of the Council. Let us have a lot of information; let us place all of the cards on the table; let us know what interest, if any, Charles F. Adams or Judge Fuchs had in the resolution that was presented to the City Council on September 5, which resolution sought to have the Council go on record in favor of Sunday professional baseball two months before it was submitted to the people for their approval. I might very well inquire of Judge Fuchs at this time whether anything was paid by him, or whether anything was demanded from him, in connection with the introduction of the Sunday baseball resolution in this Council last September. I might ask him if any one promised him that such a resolution would be adopted. And if it happens that he has no information bearing on this matter, I might ask the same questions of Charles F. Adams, who has lived to regret an unfortunate investment of possibly a million dollars in professional baseball. Neither Judge Fuchs nor Mr. Adams will deny that the professional baseball interests had a political campaign in full swing last September, if they are in their right minds, and if they are at all inclined

towards telling the truth, for the Sunday baseball resolution, if it had been adopted by the City Council, was to have occupied a prominent position in a thirty-two page booklet of a political nature which was being prepared for distribution among the 4,000,000 voters of Massachusetts. Let Mr. Adams and Judge Fuchs tell us, or tell the public, how much money they spent, and how active they were politically, in bringing about the defeat of ex-Senator Bilodeau of Dorchester, who voted against Sunday baseball while a member of the State Senate, and how much encouragement, financial and otherwise, they gave to a man by the name of Jackson, one of the paid announcers at one of the professional baseball parks—a man without an ounce of brains—who was their selection for Senator Bilodeau's seat in the Senate. I am as completely and thoroughly disgusted with the controversy and all that has arisen from it as any man can be. I am fifty-four years of age. I spent the best part of thirty years of my life around this hall as a newspaper man, and the past three years as a member of the Council. I challenge any men in the employ of the city to say that at any time, under any circumstances, for any reason or purpose, I have asked them to do anything for me that was at all improper. I ask the wide world to look at my character. I feel, Mr. President, that the statements attributed to Charles F. Adams are a direct reflection on my personal character and integrity, as a member of this body, and, if I could dismiss from my mind for the moment that right that I believe the young people of this city have to use the public playgrounds on Sundays, I would vote against Sunday professional baseball or football.

Coun. MAHONEY—Mr. President, I ask at this time to have printed in the city records a statement made in the *Boston Globe* on Monday, December 24, by Bob Quinn of the Red Sox: "Never approached regarding Sunday sports," says Quinn.

The following statement was issued last night by Bob Quinn, president of the Boston Red Sox: "I wish to state most emphatically that no person or persons ever approached me, either directly or indirectly, relative to approval of the Sunday sports measure. When the measure was tabled several newspaper men asked me for a statement, but I refused to be drawn into the matter, as I felt that legislative matters of this kind generally take such a course, so I felt sure that in due time the measure would be approved. Consequently, I gave it no further notice."

Mr. President and members of the Council, I want this statement printed in the *City Record*, to show the press and the citizens of Boston what different types of men those interested in the Red Sox and those interested in the Boston Braves, are. I might also quote for the record the following heading and despatch, reported in part, which appeared on page 1 of the *Boston Post* on Saturday, December 6, 1924. It started on the first page with a four-column head in the four leading columns of the paper, and then jumped to page 14. The heading was as follows:

"SUNDAY BALL BRIBERY FUND.

"Judge Fuchs of Braves says a man asked him to contribute to \$100,000 'pot' to be used in putting measure through Bay State Legislature next year. Solicitor stated bill could not pass if Legislature were not 'greased.' Rumored that heads of both clubs would be asked for contribution. Under the date of New York, December 5, Fuchs made the claim that a man approached him and stated that the bill for which 25,000 people had petitioned must be 'greased through' the State Legislature to the tune of \$100,000. The lobbyist said that on payment of that sum the measure could pass; otherwise, it faced hard sledding. That night at the Republican Club in New York Judge Fuchs was reluctant to discuss the matter but finally did admit the truth of the rumor which was first heard in Hartford, a short time previously, at the meeting of the minor leagues. This followed some more third person matter, and then the following quoted statement by Judge Fuchs:

"The proposition was made to me one day this week," said Judge Fuchs, who is stopping with Christy Matthewson, president of the Braves. "I was very much astonished and can assure you the interview was a very short one. The man didn't get any money from me nor any

promise of any. I told him that unless the bill could pass on its merits it wouldn't pass at all as far as I was concerned. The Braves are not in the bribery market. We believe in Sunday baseball and naturally would be glad to have it legal in Massachusetts, but if bribery is the only means to accomplish our end, it will never be accomplished. Neither Mr. Matthewson nor myself will stand for any crooked work either inside or outside the Legislature. We are trying to build up a winning team and are anxious to make money with our Boston outfit, but not by any crooked work. I made this so clear to the gentleman who approached me that I judge his ears tingled." The despatch then went on to say that Judge Fuchs declined to make known the identity of the man who approached him."

The *Boston Globe* of the same date printed a similar story on page 1 in the two leading columns of that page. In the *Boston Evening Globe* of the same date, December 6, there appeared an interview with Judge Fuchs secured by telephone from New York, in which he denied the whole story and classified it as "the bunk." On page 1 of the *Boston Post* of Sunday, December 7, there appeared a two-column head, which read:

"FUCHS DENIES BRIBERY TALE."

The story went on to relate that Senator Eben S. Draper had demanded a legislative investigation into the story and that Senator William I. Hennessey had demanded that District Attorney O'Brien conduct a grand jury investigation into the matter. It continued that Judge Fuchs stated that there was no truth in the report and was amazed to learn that any such thing had been printed. He declared he would make every effort to ascertain the identity of the writer and the name of the person who sent it to Boston. In its own behalf the *Post* printed that it had bought the story from the *New York Herald-Tribune*, who queried them on it. Subsequently the story was sent out from New York over the Associated Press wires. They probably, the *Post* said, secured it from its member paper, the *New York Herald-Tribune*. The *Herald-Tribune* is one of the most reliable newspapers in the United States. Its sporting editor is William McGeehan, an authority on sports and one man whose reputation for exposing fakes, bribery and frame-ups in sports has long since been established. The facts contained in my remarks were secured this day from the files of the *Boston Post* and the *Boston Globe* in the file room of the Boston Public Library. Were it possible, I would present the papers themselves, but such things are not permitted. I merely bring them up at this time so that the members of this body may see what happened in a previous instance and ponder over whether or not the same thing is being attempted in this instance. An official of the Braves has cast reflections on this honorable body. As yet no name has been mentioned. In the previous instance no name was mentioned, and the statement was denied. So I wonder what is going to happen next. I might say that I have always been interested in Sunday sports, but I do think something should be done in the matter of the concessions. In New York, under the concessions which have been given, they are charging the public the exorbitant price of 15 cents for tonic refreshment, and I think if the local interests here are to be given these franchises some assurance should be given of proper treatment of those who will patronize the games. I try to use common-sense, Mr. President, in all matters coming before this body, and I refuse to do anybody's bidding. I am simply interested in the people whom we represent, and am not interested in the Boston Braves, the Boston Bruins or the First National Stores.

Coun. RUBY—Mr. President, this order was presented December 17. A member of this body presented the order for the adoption of the Sunday Sports Act, and at that time the President of the body, acting within his rights and under the rule, immediately referred the order to the Executive Committee—something which is in accordance with our rules and something which follows the regular method of procedure in this body. Objection was raised, and debate on the question, because of our parliamentary procedure, was necessarily prohibited. Immediately after the tabling of that order I rose to a question of personal privilege, and I am going to read as far as I got at

that time from our proceedings. I thought there might be an opportunity to discuss this question here for a few moments, at that time. I said:

"I have been interested in athletics in Boston probably as long as any member of this body, and am today interested in athletics. I have been trying to"

And at that point, acting within their rights, two members of this body raised a point of order, and I was not permitted to continue. I had intended at that time—and I wish parliamentary procedure might have permitted me to have done so—to explain my position in the matter, which I think was the position of more than a majority of the members of this body, on this particular question, and had I been within my parliamentary rights, as a matter of procedure, and had been allowed to continue, all this unnecessary publicity might have been avoided. I simply wanted to know at that time, as I expressed to the representatives of the press immediately upon leaving this very room, that, having been interested in athletics, having been so interested for the last twenty-five years, I wanted to make sure that if Sunday sports were adopted by this body and were allowed by law in this city, no possible increase in the prices charged for admission should be made in connection with sports carried on under this Sunday Sports measure. I have what I think is reliable information that in some of the western cities of this country where Sunday sports have been adopted, for a time at least certain of the everyday prices were increased. I have heard at one time and another from the Celtics, the world's champion basketball team, in whose games I have officiated a number of times at the Boston Arena, at Mechanics Building and in the leading basketball halls of New England, have been informed by the men of that team, that in Cleveland, where professional basketball is permitted on Sundays, both afternoon and evening, and where upwards of 11,000 and 12,000 people witness each game on every Sunday, that the prices on Sunday are materially increased over the usual prices on weekday evenings when the game is played. I was also told by the member of the Council who introduced this order for the adoption of the Sunday Sports Act that he was under the impression that in Chicago, when the Sunday Sports Law first became a law, for one month there had been an increase in the price of some of the cheaper section seats on either the American or the National League baseball grounds. For those very reasons I was anxious to see that no increase in the prices on Sunday should take place here, and it would have been impossible on December 17 to have received that information authentically, even had we been able to have some representative either of the Boston Nationals or of the Boston American League baseball teams, or some member of the National Commission, invited here to give us that information. I told the representatives of the press that that was, from my then knowledge of the law, the only objection I then had to hasty action. I wanted to be sure that this was not a bill that would exploit unnecessarily the people of Boston and the people of my district. Nobody in my section of the city questions my stand on Sunday sports, but I wanted to make sure what the attitude of those conducting these sports would be in that respect towards the people. Unfortunately, at that time I did not know—and I am frank enough to tell you so now, Mr. President and gentlemen—that these organizations would have to come back to us for another permit for Sunday baseball. But it was for that reason that I desired that information. On the date of December 18, one day after our meeting, I received the following letter:

Boston National League Baseball Company,
Braves Field, Boston, December 18, 1928.
Hon. Israel Rihy, 73 Tremont Street, Room 520,
Boston, Mass.

Dear Sir,—It has been suggested to me that you desire definite information and pledges on the question of prices for admission to hall games at Braves Field, in the event that we are permitted to have Sunday games here. I desire to place on record the Boston Braves to the effect that the prices will be the same on Sundays as they are on week days and Saturdays.

Very truly yours,

M. FUCHS, President.

Within two minutes after the receipt of this letter—and the press can hear me out in this—I presented the original to every member of the press in this building and said that those of us who wanted to be sure that there would be no increase in prices would now be satisfied that that objection had gone by the board, and that I was in favor of the immediate adoption of the Sunday Sports Act. I then tried to get a copy of the act. I am a member of the Bar and I believe that we at least who are such, and I am sure that all of the members of the body in this room, whether members of the Bar or representing some other profession or business, ought to be well versed in and have a knowledge of every proposition upon which we are acting. And that, Mr. President, brings back to my mind the time, for example, when there was a tremendous sentiment in Boston against the spending of \$1,000,000 for the improvement of the Chronic Hospital and Almshouse at Long Island, when the newspapers in Boston were some against and some in favor of that improvement on Long Island, and we took a number of weeks to decide that question, in my opinion, a question of tremendously more importance from the point of view of the general welfare of the public than Sunday sports, because, after all, I wonder how many of the people of Boston who talked so unmercifully of the members of this body for postponing action for one meeting on this matter can point out where any harm could be done by such action; and I wonder how many of the people who now seem so much exercised over the sports measure gave thought to the question of urgent necessity in the spending of a million dollars at that time for that improvement at Long Island? People came to me at that time, criticized me, and said that if I ever voted to spend \$1,000,000 on Long Island, instead of bringing those poor unfortunates to the mainland, I would never be elected to hold another office. But I voted for that million dollars, Mr. President; those buildings are completed, and any men and women of our city who have had occasion or who may have occasion to go to Long Island will see the wonderful improvement there. And that was a question to which we gave, as we should give, proper and due consideration. On the question of purchasing snow ploughs for the city, involving an expenditure of over a quarter of a million dollars, was there any pressure brought to hear on us to pass that under suspension of the rule? On the question of spending \$8,000,000 in three years for the extension of the Boston City Hospital, was there any cry to pass that immediately under suspension of the rule? On the matter of the East Boston Tunnel—and I hope we will get to this today—I am going to say something, because there has been a reflection upon us that has come to my notice on that matter, and I will refer to it at the proper time. How much pressure was brought to hear upon us to pass that under suspension of the rule? But when the Sunday Sports Bill comes before us, only comparatively a few days ago, a bill meeting with the approval, in my opinion, of every member of this body, and when we simply desired to obtain proper information in regard to the bill, referring it to the Executive Committee so that we would have a chance to get a copy of the law and look at it, we all know what happened. I went to the State House this morning, Mr. President, and asked the gentleman in Room 418, the Legislative Document Room there, if I could please have twenty-five copies of House Bill 213. He said, "Good Lord, my young man, I couldn't give you one copy, because practically the entire supply was exhausted last spring when that measure was presented to the Legislature." I told him that I was a member of the Boston City Council and that I was going to be called upon to vote on the matter this afternoon, and he said, "Wait a minute," and he went into the private office hack of the main room and brought out a book containing all the enactments of the House at the last session, and tore out House Bill 213 and gave it to me. Mr. President, I have read House Bill 213, and I wonder how many members of this body, as well as people in Boston generally, have done so. Most of us have known very little about the Sunday sports measure, have not even had an opportunity to read it, and yet many people are bold enough to say that, "It is the duty of you fellows who are public officials to be informed on all these matters." My answer to that is this, that I feel it to be my duty, as I think it is the duty of every member of this body, to familiarize myself with a certain order, act or message, when it is officially presented to us. As has been explained by one of the coun-

eilors, the act could only have come to us officially in any event two or three weeks ago. All we asked for was an opportunity to look into this thing. I have always favored Sunday sports, am with them today and always have been with them. I have learned more about this Sunday sports measure within the last ten days than I could ever have known before, and I say this, without criticism of anybody, that in my opinion this act has more holes in it than any legislative act every passed by any legislative body in the history of Massachusetts, because it gives certain powers, takes away certain rights, and nullifies the Amateur Sports Bill, after we pass a vote accepting it. I am convinced of that by just this passage: "and that in cities and towns"—I am now quoting—"in which amateur sports or games are permitted under existing law, such amateur sports or games may be held until the proposed law is accepted." I say when we accept the present law the Amateur Sports Law ceases to exist. All well and good,—anybody who wants a permit, I hope, will be able to get it on public playgrounds from our Park Commissioner. I hope our Park Commissioner will now agree, as he has never agreed before, to permit the taking up of collections on every baseball park owned and controlled by the City of Boston, under his jurisdiction. It has up to now not been permitted on Franklin Field, in my district, and when I wanted to see enough money raised so that expenses for a visiting team could be met I had to take the police officer on a phony walk and talk about something I didn't know about, so that his attention would be distracted from those young fellows who were trying to collect \$6 or \$7 to pay a team's expenses. I hope the Park Commissioner will now permit those young hoys who want to defray expenses to take up a collection unmolested by the police in various sections of Boston. I hope the management of these baseball parks will do as Councilor Mahoney has well suggested. There is the question of the price of refreshments, and they are going to have these extra baseball games now on Sunday, and I can prophesy from my limited knowledge of athletics that those Sunday games will be pretty well patronized. I say to the owners of these teams, "Don't increase the concession price." If I am correctly informed, \$40,000 is paid at each baseball park for the concession. With Sunday baseball those having the concessions would have ten or fifteen more games a year, which would probably be equal to forty or fifty games on week days. I certainly hope, instead of increasing the price, that they will decrease the price of hot dogs, for instance, from 15 cents to 10 cents, and then the profit will probably be 200 per cent. Let them decrease the price of the bottles of tonic from fifteen cents to a dime. They have the smallest bottles of tonic that are bottled in Massachusetts today. Let them decrease the price of the ice cream cones from 15 cents to a dime, so that the man who works six days a week—and we have been led to assume that the Sunday Sports Bill is in the interests of the workman, the bookkeeper, the motorman, the conductor, the mechanic—can go to the game and enjoy it with his children, and can obtain refreshments at a nominal price. Then, and not until then, will we be satisfied that this Sunday Sports Bill is a bill which will really meet the wishes of the men in whose interest presumably it was passed, giving the workman a chance to have two or three hours of recreation at a reasonable cost. Let the price be within the reach of the workman, and then nobody in Boston will have a chance to complain of the action of this honorable body.

Coun. SULLIVAN—Mr. President, being one of those members who voted to lay this matter on the table at the last meeting, I made a statement in the papers last week to the effect that I intended to come in here today, December 27, and vote in favor of Sunday sports, in favor of the passage of the order pending here in this Council. I have always been ready and willing to do my duty towards the people of my ward and I intend to carry on the good work during my term of office. My position on the Sunday Sports Bill remains unchanged. I am still in favor of Sunday baseball. I don't know what all the noise is about, but I do know that I have been endeavoring to protect the people from an increase in the price of admission to Sunday games and also to secure a reduction in the price of refreshments sold at the hall parks. Some months ago I made a statement in this Council that the

Sullivans have a backbone as true as steel and would not be driven into anything until they knew the facts. I entered the City Council as a man and I intend to remain a man, true to my oath of office.

Coun. McMAHON—Mr. President, as one of the councilors who voted to lay the matter on the table, I am not going to make any excuses for my attitude or for my vote to lay it on the table. I am, however, going to say a few things to the press and to the public at large in regard to the attempt that has been made, in my own case and in the case of other councilors sitting in this body, to jam this Sunday Sports Bill down our throats. It is very interesting to take up the paper and read the different statements from day to day by leaders, so called, in the City of Boston, especially those who have a very selfish motive of their own, not on behalf of the people of Boston. Things that have been done in connection with this Sunday Sports Bill have not been done from the point of view of health and recreation, but just in a personal grafting way, and when I say that I mean it. I will take the Sunday Sports Bill as it was handed to me last Friday afternoon, after I returned from a meeting at the State House in connection with the civil service, where a question very important to every workman and every young fellow in the City of Boston who might have or might wish to have public employment, was under consideration, and was hooked into a meeting here. Instead of coming in here, as I supposed, to attend a meeting on the civil service, I was told that it was a small gathering, as the result of a call for a special meeting on the Sports Bill. I am not the only councilor who was camouflaged into coming in here. It was only by accident, when I called up on the 'phone, that I realized that there were any such steps being taken in this matter. There was an intimation to councilors that they had to come in here, that if a man didn't he would never be elected again to hold public office. I am not, as I said before, making any excuses for voting to lay the matter on the table; but, as one member of the Council, representing Ward 15, I would like to ask the President of this body where this notice of December 19 was made up, to call a special meeting of this Council for last Friday, December 21, at 12 noon?

President GREEN—I might say for the information of the councilor that I will explain that when I take the floor.

Coun. McMAHON—Mr. President and members of this Council, I think it is time for recognition of the fact that when there is a meeting to be held here every councilor should have a fair chance to be present, not having simply the select few. I, as one member, got a notice eventually. They say I could not be located. Still, I was in my place of business from eight o'clock in the morning until 12 o'clock that day. As I happened by accident to come in here, I found out what was going on, and, as one of the councilors, I cannot let this thing go through without having something to say. Probably back two or three months ago there was a resolution brought into this body with regard to the Sunday Sports Bill, before the people of Boston had a chance to cast their ballots for it. In this body there were certain individuals very much opposed to it. A resolution was brought in, but it was never acted upon. I would like to know, if the Chair can inform me later in his statement, and can give me the history of the resolution, how it was brought in here and why it was not presented to this body in time? As I had no campaign to run last fall, although I may have one next fall, I did not use the Sunday Sports Bill to help myself. Let me state here that a year from now the people of Boston will probably be called upon to listen to the eleven men who laid this bill on the table so that they could get a good, fair idea of what was in the bill. I say here this afternoon that a year from now the people of Boston may have some further light on this matter. It is amusing to read the communication from the officials of the Boston Braves to one of the councilors here, which convinces him and some others that the prices will not be raised. I will agree with the statement from the Braves or the Red Sox that the price will not be raised on the tickets, but I simply say here, you try to buy a ticket to any Sunday baseball game later on, and see if you can get one at the box office. It will be like going to the Boston Garden and trying to get a ticket to a hockey game or a fight, tonight. You can go to the box office, where you will find that you can't buy a ticket, but you can go around the corner or

step up the street a ways and get tickets from one of the boys, paying the tariff on it. So I am not convinced that the public will not be gypped when they go to Sunday hall game. I feel, as other councilors do, that this law has been passed by the state, and that it is now up to the different cities and towns to act under it. It has been accepted, for instance, by the city of Revere. I understand that Revere has passed the Sunday Baseball Bill. I say that the owners of the Boston Sox or Braves should be sent with their teams to a city like Revere, as they could probably furnish them with the style of basehall that they want. Boston is a good hall town, and is ready and willing to support good hall teams, and I feel that there is no good reason why we should not have two of the best teams in the League. But what do we get? We simply get what they send to us, Mr. President. If they have a good man, they sell him away from Boston. I think if Fuchs and others, the managers of these teams, would guarantee a couple of good basehall teams in Boston, there would be no trouble about getting this bill through or about having a satisfied public. Before I sit down I would like to remind the people here, when reference is made to the price to be paid at basehall parks, in this or other big cities where the poor working man is going to be given an opportunity to see hall games, that unless the managers are very careful he will not go there often. But there is one danger. After we have passed this measure today, it will be the opening wedge to spoil the amateur and semi-pro hall games on our playgrounds in the City of Boston. I say that because I have had a little experience in this matter in the last two or three weeks or the last month. When they were assured that this bill was going to pass, they started forming clubs all over the City of Boston, and when you look at the officers in charge you begin to wonder why they took such an interest all of a sudden in these boys' clubs. When you go a little further, you find the nigger in the woodpile, the man behind the scenes. I have in my district one of the biggest and best attended playgrounds in the City of Boston. They have had the biggest basehall crowds that you could find in the City of Boston; and I can see the day coming when, if that team wants a permit to play on a playground, they will be pretty apt to be out of luck, not having a permit issued to them, for the simple reason that they are not the right gang, cannot get a permit with a right to collect on Sunday, and I tell you certain selected teams will be the teams that will use the playgrounds of the City of Boston, just certain teams, and they will be the only teams that will be able to get them. Somebody may say in answer, "How does he know?" Well, if they had had the experience I did two years ago, when I went before his Honor the Mayor and the Commissioner of Parks, they would understand more than they do about this matter. And they were very fair to me in my section. I told them that we had between 6,000 and 8,000 people watching a hall game and that they could not get along unless they were able to pass the hat and make a collection. I was opposed by the Sunday School crowd, and the churches were bitterly opposed to it. The matter was put up to the Park Commissioner and his Honor the Mayor. I sat down with the Mayor and Commissioner Long and some of the other commissioners and they agreed with me that they would not prosecute any cases that the police would hand over to them for passing the hat or selling any souvenirs on a week day, or a week day night. We got the commissioner and the Mayor to approve that, to say that they would not bother. It was very nice of them, and it went along very well. Nobody overdid it; nobody got insulted while anyone was collecting. But, let me tell you, as soon as this bill is adopted by this Council, the noise will start, and when the people of the district who attend these afternoon games and Sunday games go there looking for the old familiar teams, it may or may not be the team that they have enjoyed watching, and they may have a different feeling in regard to the matter. I say that I have never been opposed to a Sunday sports bill, but I am speaking of certain things here today, Mr. President, and nothing will stop McMahon from saying what he thinks on any proposition that may be presented before this body. I would like to be sure and to know that men so interested in this Sunday Sports Bill are ready to show to their constituents, the people of Boston, that they are just as ready to put other things over, and get them through quickly, as they have been on this bill. For instance, when the report which is to

be made as a result of the City Hospital investigation comes in here next Monday, what action are the members of this body to take? I certainly trust that the committee will see that their meeting is held tomorrow, so that the report of that committee can be put into this Council by the thirty-first day of December.

Coun. DOWD—Mr. President, as I look at this matter, the proper subject for argument or discussion today is the bill itself. But there are other things that have been forced into the issue. I hardly think this is the place or time to discuss Charles Francis Adams or his spectacular charges, inasmuch as Councilor Mahoney has pointed out, in his quotation from the newspapers of four years ago, that at that time this same crowd of blackjacks or hi-jackers said that they could get the bill through the Legislature with money, and for the last ten days they have been threatening to name the man who approached them down here. Councilor Dowling made the statement that at today's meeting he would introduce an order asking the District Attorney to investigate the charges, but, fortunately or unfortunately, that is not necessary. The Supreme Court has ordered Mr. Charles Francis Adams to answer under oath, and Mr. Charles Francis Adams is going to be mighty careful what he says under oath before the Finance Commission at their meeting next week. That is not the matter to be considered today. The matter to be discussed by us is the acceptance of the Sunday Sports Act. We have heard some argument by the councilors about prices. Let me give them a suggestion—that when Mr. Adams appears before the City Council two or three months later for his license for the Boston Braves, we go back to the old basis on which the National League came to Boston years ago, 25 and 50 cents basehall. I, as one councilor, will absolutely fight for restrictions in the license which will not allow them to charge more than 25 and 50 cents at the most on Sunday, in order that the working man may be able to get benefit out of the Sunday Sports Bill. The same principle should be applied to the concessions, restricting them when the permit is issued. If the councilors are sincere in asking protection for the poor people in those respects, that is the time for protection, when they come before us for licenses, and not today. Today we are interested in accepting the mandate of the people. I feel that I was sent to the City Council as the representative and attorney of my people. I am not under the impression that I was sent here to act as a tool for either the Mayor, the Boston basehall magnates, or anybody interested in financial matters. During my three years in the Council no individual can question my vote on any matter that has come before the Council. Two weeks or ten days ago I voted to lay this matter on the table because I assumed that this was a deliberative body, that simply because the people of this city and of this state voted for Sunday sports, marked their ballots "yes," it did not follow that they knew what the bill was, and it did not preclude us from looking into the matter. Let us assume, for instance, that one of the provisions of the bill allowed the basehall magnates to increase the prices to be charged for tickets to the games by 25 per cent. What would be the result? Would the laying of the matter on the table be proper or not? I say, in all fairness to every member of the City Council, that I believe there were not two individuals in the entire Council who ever saw the bill, and that was my reply to the press, to one paper in particular that has been absolutely unfair in the matter, that has not presented our side of the story. I ask them today, in justice to the great masses of the people of Boston, to present the case as it really is. I ask any member of this Council to point out to me one act of the Legislature which has required our acceptance, which, when it first came before this body, was not referred to the Executive Committee or laid on the table. Let me remind you that when the question of acceptance was first presented to the body the President ruled that it ought to go to the Executive Committee, and that our City Clerk ruled that it was the usual procedure to send such matters to the Executive Committee, thus allowing members of the Council to study them, and not to be hi-jacked or hi-jacked, or coerced by anybody, Boston basehall magnates or anybody else. Mr. President, why should we here in Boston pay a dollar for tickets to hockey

games and other such sports, whereas in Pittsburgh and other large cities the price is less? Boston has been bunced by these sportsmen, and I don't need tell you what they have done to baseball. I might point to Ruth and others, whom we have lost, to the fact that two weeks ago Myers, one of the best players on one of our Boston teams, was sold. I say that the eleven members of this Council who voted to lay this matter on the table acted in good faith, that we have no apologies to make to anybody in the City of Boston for our vote. I say that it was laid on the table in the orderly procedure of business in this Council and that there is no earthly reason why the matter should be given the publicity it has and in the way it has been given, because of that action. The baseball schedules—as we are all familiar with them—are not made up until the first of February, and we have ample time. Both Mr. Adams and Judge Fuchs knew that the Council would pass the bill at the proper time, and that the action taken was exactly the action that should have been taken. I agree with Councilor Ruby that the bill is the worst legislative bill that was ever drawn up. There is many a loophole in it. How about the young man who plays on amateur grounds? Is he to be deprived of his pleasure? That is why we laid the matter on the table, that we might study it. Councilor Ruby is satisfied with Judge Fuchs' letter or statement that he will not raise the price on Sunday, and I realize that that is Judge Fuchs' position in the matter. I do not think, however, that this body, a deliberative and legal body, ought to recognize any facts not put before it in a legal manner. If we have Sunday baseball, perhaps in a matter of a few years Judge Fuchs may sell his team, and then how will it be with his statement that the price of tickets for Sunday baseball will not be raised? I am voting today for Sunday baseball because I will have an opportunity to study the bill before definite action is taken later on, and because I am carrying out the wishes and the mandate of the people of my district; but I can say that I will not allow myself to be coerced or blackjacked by the Boston baseball magnates or by the Mayor of Boston. One word more, and I am done. During three years in this Council we have had three special meetings on matters of importance. I introduced an order here ten days ago for the Boston senators, representatives and members of the City Council to call on the Governor of Massachusetts in an effort to stop Mr. Goodwin from investigating and discharging employees of the City of Boston for what might be considered trivial reasons. We went up there at 11 o'clock in the forenoon, and the special meeting here, called to act on this matter, was set for 12 o'clock. I consider that 17,000 employees of the City of Boston are more important than any baseball bill which may be passed here today and I stayed at that meeting in the Governor's office, with other councilors, senators and representatives, until such time as Mr. Goodwin gave his assurance that no permanent employee now in the employ of the City of Boston will be discharged. I have no apologies for not attending the special meeting here. If I had leisure I would not have attended, anyway, because it was a mandate, an order by the Mayor of Boston for me to be here in my seat at the dictation of the baseball magnates, to pass their bill immediately. This bill will be passed today. There is no need of anybody worrying about Mr. Adams naming anybody, because the statement made by Councilor Mahoney is ample ground for the public to realize that Mr. Adams is merely attempting to blackjack us, as he attempted to blackjack the Legislature four years ago. His refusal to answer yesterday shows absolutely that he had no grounds for his statement. He has shown that he has no wish to talk under oath, but simply desires to make a stump speech. But, in any event, so far as Mr. Adams is concerned, the matter is entirely out of our hands. The Supreme Court has ruled that he must answer, and if he names a man, a member of this Council, without any proof, when Mr. Adams comes in here for a permit for the Boston Braves I say it is our hounden duty, in protecting the interests of the people of Boston, to follow the old precedent that has been referred to years ago, and make a condition that we shall have 25 and 50 cent games.

Coun. DEVENEY—Mr. President, I have very little to say after what the other speakers have

said. Ten days ago I voted to table this order, because I believed I was not sufficiently familiar with the provisions of the bill. A few days later a special meeting was called, I don't know by whom, but at least we were notified to come here and be in our seats. I considered that the meeting was nothing more than a joke, called by the Mayor of Boston in an effort to whip us into line and blackjack us into voting for this bill. A few days later the Mayor came out in a public statement, from which I drew the impression that he regarded us as nothing but a crowd of burglars, looking for Christmas gifts. Let me say that the gifts I received for Christmas came as the result of honest effort, but I dare say the gifts the Mayor received may have been from quite a number of bloated contractors whom I have seen around the Hall.

Coun. BUSH—Mr. President, I have no apologies to make for my action on this matter. I justly resented the effort to force this order through the Council, to force us to take immediate action, as I believe the Council to be a deliberative assembly, and that all matters referred to it should be properly considered and deliberated upon. I resented the Mayor's effort to force action in this Council and in effect to make the Council the tail of his kite, through a special meeting. When the Mayor comes out with such an indiscreet statement as he has, for which he has no foundation in fact, I would simply call his attention to the well-known maxim of the law of equity, that he who comes into equity must come with clean hands. But there is a matter of far more serious consequence than any of these matters that the councilors have spoken of here today, and that is the fact that the honor of this Council, individually and collectively, has been impugned. I resent, personally, that imputation, and I feel that every member of the Council should resent it with me. Until this fiasco occurred, I bore an unblemished reputation, and I now feel that I am an object of suspicion, and I don't blame the public. Mr. Adams has made certain statements. It is my belief, contrary to the views of the press, that the City Council is not the proper body to investigate those statements. It is an absurdity for the City Council to investigate itself, when the attack upon it is comprehensive and includes the whole Council. The charges of Mr. Adams should be made before a proper legal tribunal, under oath, and he must either substantiate those charges by the proper kind of proof or stand convicted as a liar and a cheat, a blackguard and a blackmailer. It seems that the Supreme Court has now decided that he must testify before the Finance Commission. I hope that such testimony will be presented in public, so that the public will have the proper viewpoint of the Council's stand in this matter, equal to the amount of publicity that has been given to the charges made by Mr. Adams, which have blackened the name of the Council.

Coun. WILSON—Mr. President, I will be briefer than usual, perhaps, but I cannot let this opportunity pass without going on record for the benefit of those few constituents in Ward 17, who, should I decide to run for public office at another election, may have my statement in cold print, so that they can pull it out and see how I stood on the Sunday baseball measure. I agree with much that Councilor Dowling has said with reference to the Sunday Baseball Bill. I am convinced in my own mind that the circulars sent throughout the Commonwealth of Massachusetts and paid for by professional baseball interests distorted the facts and misled the people of the Commonwealth into the belief that the schoolboys were being deprived of an opportunity to get fresh air on Sunday. I will be just as frank in my statement as Councilor Dowling was—and I admire him for his stand—in order that there may be no misunderstanding about my position because of my vote in this body when the bill came before us. I am very glad of the opportunity to express my personal convictions in this matter. I voted "No" on the referendum. For the benefit of those who want to know my personal convictions in this matter, I repeat that I voted "No" on the ballot; but, unfortunately, I am in no position to vote according to my personal convictions here today, because, according to my conception of government, being an elected representative of the people, I am bound by the three to one majority in the City of Boston and the 6,700 to 4,000 in my ward in favor of the bill. I must, therefore, vote today

on the bill against my own personal vote on the ballot, because the majority in that vote disagreed with me, and because only four precincts of the whole 339 in the City of Boston voted as I personally voted on this matter on election day. I voted here to table the Sunday baseball measure at our last meeting, just as any man—with due regard to those who vote the other way—of intelligence should vote, to table any order which he had not as much as even read. It was not even a question of giving further study to the bill. I had not, Mr. President, even as much as read the bill. And then came the comedy of errors, including the meeting or attempted meeting of Friday last. I did not attend Friday's meeting, and I had no intention of doing so. I did not respond to the first notice, sent out from the Lord knows where, or the second notice, sent out. I have been given to understand, from the vicinity of Copley square. I did not pay attention to a notice I received from some concern, under date of December 19, for me to "take notice that a special meeting of the Boston City Council has and is hereby called at its chambers at the City Hall on Friday, December 21, at 12 o'clock noon, and you are hereby notified and requested to personally attend, that matters of public moment and interest will be presented and voted on," whatever that means; and the notice says at the bottom, in legal phraseology, "this 19th day of December, 1928, 11 o'clock a. m.," although the envelope that the notice came in, with a special delivery stamp, was postmarked one o'clock the following morning. I don't know who sent the notice out, and I don't care, because I did not come. A charge has been made, which is supposed to involve at least one member of the Council, and we have been told that when such a charge is made by a man named by Charles Francis Adams, by a man of his standing, some attention should be paid to it. I would like to know from someone who does know, who Charles Francis Adams is, where he comes from, where he was five or ten years ago. A man of his standing? Until he got in right on sports in the City of Boston, I never heard of him by that name. And when I hear or read his statements in the public press with reference to the poor working men of Boston and their desire to breathe fresh air, I wonder how much interested he really is in fresh air? On such occasions as I have been before the Park Department fighting for playgrounds for my district, I have never seen Mr. Adams or any of his friends fighting for parks and playgrounds for the people of Boston, in the interest of the little kiddies, or otherwise. The only times I have heard anything from him has been when he wanted Sunday baseball to fill his pockets, getting more money from the people of this city. As far as fresh air is concerned, our people can get plenty of good, fresh air in Dorchester, on Franklin Field and other park and playgrounds; but, as a matter of fact, the only fresh air that Mr. Adams has ever been interested in is the fresh air on the other side of the clicking turnstiles of his ball parks. I repeat, Mr. President, that the people of this city can get just as good, fresh air out where I live as they can on the Braves Field baseball park, and I don't mean maybe! So I have no apology to make to Mr. Adams for the position I have taken. I don't know who he is, except from reading about him in the newspapers. Possibly the Sunday fresh air might benefit a few of the men, clerks and others, working for him, who are paid wages of \$12 a week for ten, twelve or sixteen hours a day's work, in the general outfit he runs. I don't know whether those people will be able to attend the Sunday ball games and get a little fresh air of their own, or not. As I say, however, I have no apology to make today. I have stated how I voted on the ballot, for the benefit of the visiting firemen who may wish to know and for the benefit of those of the public who may desire information I will say that I am going to vote in accord with what seems to be the express mandate of the people. I do feel, however, that such proposed measures as the East Boston Tunnel, the City Hospital investigation—concerning a matter which strikes at the life and health of every man, woman and child in the City of Boston,—even the taxi situation across the street, in which our friend the senator is interested, are, in my opinion, 100 times more important than our being whipped into line on this matter by Mr. Adams' friend, the administration. I say that those measures should have been disposed of, and, unless I am outvoted by the

majority of the members of the Council, so far as I am concerned this matter could stay on the table today, next month, until after the election of a President on the second Monday in January. If I had the votes to back me up I would not vote to pull it off the table even if every newspaper in Boston carried me on the front page as the man Adams will name—which he won't. The reason I make that statement is this! Last Monday morning, when I was out in Dedham trying a case in the Dedham Court, a message came from an office in town, I suspect from Mr. Adams himself, that if I voted to table or voted to do otherwise than accept the Boston Sunday Baseball Act that afternoon, my name, with the names of others who took the same attitude, would be blasted in every newspaper in the City of Boston. In other words, Monday morning, before the order was even presented, I was instructed not to oppose it or to table it, to take other action than to adopt it, or I would rue the day I did. After that you couldn't have got me to vote in any other way except to table it, even if I had to be brought up here on a stretcher to do it. That is all I have to say about Mr. Adams, Mr. President.

Coun. DONOVAN—Mr. President, I, too, voted to lay the matter on the table, and I am not apologizing for my vote on that day. I believe the Press has created an erroneous impression in the minds of the people of Boston by saying that a vote to lay a matter of this kind on the table is a vote against the bill. I do not know, Mr. Adams or Judge Fuchs, and I believe for us to mention anything with reference to Mr. Adams' statement would be to honor him. So I think the best thing that can be done is not to dignify it by saying anything at all about it. I want to repeat what has already been said, for the benefit of the members of the Press, that the members of this body have yet to receive copies of the Sunday Sports Law. We are practically unable to procure them at Room 418, State House, and if it were not for the methods employed by one of our members we would still not know what the Sunday Sports Law contains.

Coun. FITZGERALD—Mr. President, a good deal of discussion has taken place on this question today. I come from a section of the city where the young men do not get an opportunity to play on nearby ball fields. They have to go quite a distance for that opportunity. I hope the time is not far distant in the future when they may have a place in that crowded section and may have an opportunity to play Sunday ball. There is only one other opportunity to obtain recreation offered to them, the beaches not being open the year round, and that is the chance on Sundays to go and see a baseball game. The only place for them to go, naturally, would be to the games offered by one of the large leagues. Boston should certainly feel proud of her two baseball teams. If my memory serves me right, I have never known one of those teams to ever be charged with a baseball scandal. I may be wrong, but that is my belief. It has never been charged that the Boston Nationals or the Boston Americans ever threw a game, that I recollect. I may be wrong. As I understand it, the breath of scandal has never been connected with either one of those clubs. If so, I now await an answer or a denial of that. Twenty-five years ago the Boston American baseball team came into Boston. An honest citizen, born in Charlestown, a man, sir, who served this country in time of war, an honest man, invested his money and backed up the Boston Americans. He went, and Bob Lamin came in and took his place, and we all know the struggle he had. We know how passes were freely used, how he sent out word to every minister of the Gospel, irrespective of who he might be, should be passed at the gate. Then came another man, from Indianapolis, and he had his troubles. I am sick and tired of the talk against men who come from outside to invest their capital here. What is the matter with these Boston men, that they do not invest their own capital? Every great improvement we try to get is stopped; there is always a hue and cry against it. Where is this Boston capital? Why don't Boston capitalists take a chance? Many of them are loaded down with money. Who are the men who fix these prices? They are men who are furnishing the capital to run the sporting world today, and these men who are furnishing their money have a right to be protected, and that protection should be accorded them. We find this man Quinn coming here from Indianapolis, and he has had a

hard road, but he has turned it off with a smile, waiting for the day when the sun might shine brightly. Anybody who has followed this thing knows that there has been a continuous struggle there, that they have lost plenty of money. But this man is doing his best, and he is going to make his home in Boston. Let us face this thing as it ought to be faced. Why should these other people want to do all these things? The people are interested in having Sunday baseball. Of course, the franchises are going to be worth money. This Sunday baseball is going to be something of value. But these people have taken a chance, and a man who takes a chance is entitled to a reasonable profit for doing so. A man buys property for instance. He thinks a public improvement is going through, and he is willing to take a chance. He has a right to profit by it. He may hold the key to the situation. But, after all, if he invests his money he has a right to get a safe return, and nobody has the right to criticize. Once we had a Mayor of this city, Thomas N. Hart, who lived to a ripe old age. Some men in the old Board of Aldermen were fighting to protect a few tip cart drivers out in Roxbury, fighting to keep them employed. Those were the early days when gas and electric light were coming into being and beginning to get into common use. He advised these men, "Why don't you invest your money in those things, put your money in them?" There were shrewd men in Boston politics in those days, and some of them took their opportunity, although some of them have been cursed since because they saw and took advantage of the opportunity. Why haven't Boston men invested money in baseball in this city? We know how the Taylors, Boston born and bred, were criticized. And now they criticize men because they come from outside the Commonwealth and invest in these sports. This question at the last meeting of the Council was laid on the table. The members of the body had a right to consider it, and had a right to lay it on the table so that they might consider it. They had a right to consider it. Mr. President, it was their prerogative. They wanted to read the bill, and they had a right to have that opportunity. But the mistake they made was to keep silent, not offering one word. But, of course, they had a right to lay the matter on the table, every member of the Board, and they should not have been criticized for it. Every man here owes the duty to himself to obtain information on matters upon which he needs information, and nobody should be criticized for so doing. They are now being criticized and have been criticized unjustly. We don't know what brought about this agitation, don't know the source of the statements that have been made. We have no solid proof in the matter. This may not come from the men who are being blamed, at all. It may come from others. It seems to me that men with their money and capital invested are not going to come in and criticize a body which has only had this matter before it a little more than a week, for not acting. Certainly no harm could come from a delay for that reason. That is absolutely ridiculous. But I am one of those who believe in the welfare of this city and in its progress. I do not believe in criticizing men because they place information before the people when a battle is on. We read about the expenditures of both political parties in the recent campaign. Is there any doubt that millions were spent on both sides? Is there any practical man here who doubts that? If so, I would like to know it. Of course, they spent money to bring issues before the people. Who paid for the radio? Was it free? The Lord's Day League spent thousands upon this matter, and they had a right to present their case, bringing it before the people in a proper, legal, legitimate way, and nobody has a right to criticize them for so doing. When the Amateur Sports Bill was passed by the Legislature, I now charge that thousands upon thousands of dollars were spent in connection with that. Where do these little boys we plead for so much get the right to play? They are deprived of that right, Mr. President. Who has the right to use the city's playgrounds? The boys who ought to use them are deprived of the right, and we are commercializing the thing Sunday after Sunday and desecrating the Lord's day. Money is spent by the ones who see those games. When you say 25 cents, I guess they spend more than 25 cents at these football and baseball games in this city. Nobody knows the situation better than the gentleman from Dorchester (Councilor Ruby), who, as he says, has been identified with

baseball and other sports. I have been identified for more than twenty-five years with amateur sports in this city. It is impossible for the youngsters to do anything today. They are crowded out, crowded from one section to another. When you talk about men playing for the love of it, amateur sport is being murdered in this city. Young men are sent on the road to ruination, taken away from laudable occupations in which they ought to engage. They become lazy, desire the limelight, and are pushed about by this one and that one. No more do we see the Faulkners, the Hosmers—I could name any number of them, the oldtime boat pullers and those who played amateur baseball for the honor and glory of it, men who organized, got together, made contributions to buy their own uniforms. Why, the situation today is a public scandal. Members of the body know that what I say is true. Let us stop crying about these boys, because they don't get the opportunity. A large amount of money should be spent today to furnish playgrounds for the children, who cannot have an opportunity to play safely on account of automobile traffic. We ought to have playgrounds for them all over the city. If these men are going to use our parks and playgrounds and make thousands and thousands of dollars for that use, let them pay for the use of the grounds, and the money received for letting our public parks can be placed in a fund for the purchase of small playgrounds for the benefit of the mothers and children, youngsters under twelve and fourteen, where they can be near their folks. But today I would like to ask gentlemen in different sections of the city what opportunity the mother with her little babies has to get into some of the parks and playgrounds that were built for the children's use, but which are now being used by these organized clubs? They haven't an opportunity, Mr. President. Now, I say, gentlemen, that the issue has been placed before us, to pass this proposition and end this controversy for all time. The public at large should know that the members of this Council have been criticized unjustly. They had a right to vote to lay the matter on the table, and they should not be criticized for so doing. Every member of the body, every councilor here, has acted in accordance with his honest opinion and belief. When I spoke here at the last meeting it was my intention to get the thing settled and out of the way. I thought there would be debate on the question. I was opposed to reference to an executive session that was not really an executive session. Every member of the body knows my position on that matter. I stated it then, and I will state it now, although I have been criticized for it. I have always been against these so-called executive hearings, because they are not executive hearings; and I now say to the people of Boston, and I want it clearly understood, that the Council cannot seem to do anything in the matter. If we attempt to hold executive sessions, we bring down on our heads the wrath of the press. But I ask anyone, how can you come to an honest understanding and reach a proper conclusion without some sort of executive session? The only way you can have a real executive session is behind closed doors, and if the newspaper men are allowed in there the public should be allowed in. If this sort of thing is to be continued, you should have these so-called executive sessions out in the open Council Chamber, like the regular meetings of the body, and let people come into the galleries and know what is going on. I could argue this matter of executive sessions before any intelligent body of men and women in this city, and I believe they would all agree that the only way to arrive at an understanding of any matter is in an executive session, behind closed doors, where men can have their differences, can state them, and can iron them out privately. I do want to say again, however, in defense of my colleagues here, that I believe every one of them had an honest motive in taking the position he did, and that it was his privilege, and that condemnation of the members of this body, individually or collectively, for the action they took, was absolutely un called for and never should have taken place.

Coun. BUSH—Mr. President, I simply wish to raise a point of correction. The previous speaker referred to the silence of the members at the time when the order was laid on the table. Quoting Rule 15, "A motion to adjourn shall be in order at any time, except on an immediate repetition, or pending a verification of a vote; and that motion, the motion to lay on the table,

the motion to take from the table, and the motion for the previous question, shall be decided without debate."

Coun. WARD—Mr. President, for years I have been interested in Sunday baseball. It has never been from a mercenary motive. I want to say here that when I discussed and argued for the passage of that Sunday baseball resolution in the Council, I did not have any fight to speak of before the Senate. The vote was 24,000 to 6,000, and I want to say that I never used the Sunday baseball issue as a wedge in my contest for the Senate. I simply felt, when I introduced this order at the last regular meeting, that I was keeping my faith with the people and that it was mandatory on my part. When I read the bill over I was probably blinded to what the bill might have meant, because I did not care what the bill meant. The vote upon it was an order of the people, and it was simply for us to carry out the order of the people. I realized that those who voted to lay the bill on the table looked at the matter in a different light from what I did. Some wanted to discuss the question of prices, for example. But I did not feel that the acceptance of the act called for any regulation of prices at the present time. I want to say here that I believe every member of the Council had an honest motive in voting to table the order. They had their opinion on it and I had my opinion. I have always been an advocate of Sunday sports and have fought for them for years. I hope the members of the Council this afternoon will carry out the mandate of the people by accepting this act.

Coun. KEENE in the chair.

Coun. GREEN—Mr. President, I did not think I would need to take the floor this afternoon to defend my attitude on the Sunday Sports Bill, but after the vicious and unwarranted attack by the councilor from the pork barrel district I rise at this time in my own defense to say, Mr. President and members of this honorable body, that the Mayor of Boston never authorized me to call a special meeting of this Council. I also wish to say that at no time did I meet Mr. Adams or Judge Fuchs. I called the special meeting on my own initiative. I exercised that prerogative as President of the Boston City Council. When I came here this afternoon I thought that some gentlemen were going to be fair on this Sunday Sports Bill and not drag the name and character of people, especially his Honor the Mayor of this great city, through the muck and the mire. If there is nobody of the Mayor's own flesh and blood who will stand on the floor and defend him, a little Irish boy from Charlestown rises at this time in his defense. Nobody can question the honesty or integrity of the Mayor of Boston. The Mayor of Boston at no time asked me to do anything in regard to this Sunday sports measure and I rise in his defense at this time. I never had a talk with Mr. Adams or with Mr. Fuchs. The people in the district that I represent at the present time voted 95 per cent in favor of the Sunday Sports Referendum on election day. I came in here under their instructions and voted for the passage of that act. I am going to vote the same way this afternoon, and I feel that every member of this body will do the same thing. This is an honorable body, and I feel proud to preside over it. I do not think there is any man in this city who can point a finger of scorn at any member of the body. Every time I have taken the floor I have said nice things about the body, and I want the councilor from Brighton (Councilor Dowling) to drink this in. The unfair attack you made on the President of the Council this afternoon and the unfair attack you made on his Honor the Mayor of Boston this afternoon are going down for all time in the records of the City Council. It only bears out what I have been wondering about for a long, long while. Everybody within hearing of my voice remembers when the Boston blackJack was floated on the streets of Boston, that a certain member of this honorable body was supposed at that time to be violating the mail of the members of this Council. He was supposed to come here under the darkness of the night, paid by the Julian Eltinge of newspaperdom, the biggest boklup man who ever came into this city, to find out what he could about the councilor from South Boston, to find out what he could about the councilor from Roxbury and the councilor from the West End, and so on. He was a Judas Iscariot in a body of twenty-two men. You remember the items about

"Temporary Tommy." I could almost point my finger at the gentleman in this body who sent out that literature that made the tears run down the cheeks of my dear old mother and that almost broke the hearts of my good sisters. But you have never yet—and the Greens have been representing the people in the City Council of Boston and the Massachusetts Senate and House of Representatives over a period of forty-four years—known a Green to ask for an investigation. Oh, no, Mr. President. Nobody can say that I asked for an investigation. Nobody can say that I wanted Mr. Adams to come before the Council. My statement to every newspaper in Boston explains that. I said, "I will never bring him here unless twelve members of this honorable body vote to bring him in." I will stand as I have always stood, 100 per cent be-man. I would rather leave that chair with the respect of twenty-one members and go through the streets of Charlestown with my head up than occupy that seat for another year. And I want to say to the gentleman from Brighton, I am ashamed of you. You ought to hang your head in shame. A little Irish boy from Charlestown has to rise in defense of one of your own, because of the things you have said about that man,—a man who was elected Mayor of Boston in a city where the Irish Catholics predominate. That is testimonial enough for that gentleman. And, Mr. President, if you will allow me to do so, I have one more statement to make. I did send out that letter, I did send that letter out from a hotel in Boston. But, Mr. President, I never went out of this chamber and did things alone. If that gentleman in his seat over there, with a cane, and the gentleman from Roxbury wish to make a statement, they will tell you that I sat in that room and dictated that letter calling the special meeting. I never did anything without first consulting some of the members of this body. Some of the members did not desire the meeting. I have nothing against them for that. Some of them did. I exercised my prerogative, and I called the meeting. I did send out that message. I plead guilty. I sent it out undictated by anyone, in the presence of two members of this honorable body, and I have no apology to make to the synthetic councilor from Brighton or any other member of this body.

Coun. McMAHON—Mr. President, I did not think I was coming here this afternoon to hear a great speech by our President in protection of the great big man who is Mayor of the City of Boston. I say to the President of this body, let him take a message from me. I am not a synthetic councilor from Brighton, either. I would like to ask a question of our beautiful little Irish boy from Charlestown, and I do not wish to use the cloak of the race I come from when I get up in this Council, either. I would like to have him answer me. President Green, when, in the history of the three years I have sat in this Council, was there ever before a notice, a call for a special meeting, sent from any hotel in this city?

President GREEN—For the information of the gentleman, I will say that before I sent out my notice it was ten minutes after five o'clock, and the City Clerk's office was closed. I tried to get at the City Clerk and the Clerk of Committees, which Mr. Doyle will bear me out, I think, is the proper procedure, and send out a registered letter. I wanted to be sure that the members would be here, and so I sent out a letter of my own.

Chairman KEENE—For the information of the members of the Council, the Chair would call attention to Rule 20 of the Council, which provides that any member when speaking shall refrain from mentioning any other member by name, and shall not indulge in personalities or make charges against another councilor. Let us see that we confine ourselves to the rule.

Coun. McMAHON—Mr. Chairman, I do not intend to stand here and take anybody by the throat. But when I ask a question and am not satisfied with the answer, I shall say so. But the notice I received has on it these words: "This 19th day of December, 1928, 11 o'clock a. m." That is much before 5 o'clock p. m. Another thing,—we have the United States Government, which delivers our mail, and a special delivery stamp was put on this, and it says, "December 20, 1 a. m." That is in the morning. That is why I asked the question, and I am not satisfied with the answer I got. When I came here I was one of the councilors who spoke. And when his Honor

the Mayor of Boston, or anybody else, says that I am one of twenty-two members of this body who is looking for a Christmas tree on this Sunday sports matter, I simply say to him that when I am looking for anything from Christmas trees it is in my own home. There is where I had my tree, and I did not play the Santa Claus act, either. I was neither looking for gifts nor handing them out, Mr. President. And I am apologizing to nobody for the action I have taken. As far as the other twenty-one members of this body are concerned, they can speak for themselves. I am not speaking for anybody from Brighton or anywhere else, but simply for Tom McMahon, of Ward 15, and I say that I am not satisfied with the answer I received in regard to the sending out of the call for that special meeting. I wish it to go on the records that I still feel that the meeting was not called fairly. As far as the meeting at which the bill came before us was concerned, a motion was made to lay it on the table, and on that motion debate was not in order. I say that the only member who gave the President assurance that a special meeting should be called was the one who introduced the order. He was the one who gave him that assurance and assistance, and tried to sneak this through at a special meeting.

Coun. MURRAY—Mr. President, after hearing the remarks that have been made I will simply say, as the point has been raised, that I stayed out here until about five o'clock on the 19th, with four or five other members of the Council, waiting to find out if a special meeting was to be called. I was informed at about twenty minutes of five that there would be no special meeting called, and then, at about five minutes past five, I was notified to come to a hotel in Boston. I was there asked what I thought of having a Council meeting on Friday. I then said, as I say now, that I did not believe it was necessary. But it was two to one against me; they thought it was necessary and so the call was sent out. But four or five of us sat around in the green room until nearly five o'clock waiting for word as to whether the special meeting would be called, and the word we got then was that no meeting would be held. As I say, fifteen or twenty minutes later I got a call to come to a hotel. I didn't know what it meant or who would be there. I went there, however, and I was outvoted, two to one. I said, I don't believe the meeting should be called. I don't believe the members will be there, as there will be this meeting at the State House. The meeting was called, however, and I was here. The reason why I shall vote for this bill is because the people have voted for it, and the people have sent me here to represent them. I come here from Jamaica Plain, also the Mayor's district, but I don't care about that. In voting for this bill I am voting with the people of my district. I voted not to lay on the table, and I shall vote today for the passage of the order.

Coun. MOTLEY—Mr. President, having been unfortunately absent from the meeting a week ago Monday, and also having been detained at the Governor's office on Friday last, when the special meeting was called, I am now somewhat anxious to vote on this question, and so I move the previous question.

Coun. WILSON—Mr. President, without reflection—

Chairman KEENE—No debate is allowed on the previous question.

Coun. WILSON—Mr. President, I wanted to ask a question.

Chairman KEENE—You cannot do so without unanimous consent.

Coun. WILSON—The boys don't want to hear the question asked, Mr. President?

Chairman KEENE—You may ask unanimous consent.

Coun. WILSON—Mr. President, I will ask unanimous consent, in order to clear up a hazy question in my mind.

Chairman KEENE—The Chair hears no objection. Proceed.

Coun. WILSON—Mr. President, I would like to ask, concerning the proceedings in the now famous hotel room—where I don't know—whether the call there sent out was the result of a three or four hour conference in the Mayor's office?

Coun. WARD—Mr. President, I came here to the Council, I believe, Wednesday morning, and five or six councilors were present in the green room. They were discussing the question of

whether or not a special meeting should be called. There were six members of this body there, I believe, and they all agreed that a special meeting should be called. That was ten o'clock in the morning, and the President of the body made up his mind, I believe, at ten o'clock in the morning to call a special meeting. The only reason why his mind was changed was because the gentleman from the West End came in and asked the President not to call a special meeting. I don't know of any conference in the Mayor's office. I don't suppose there is any member who goes to the Mayor's office less often than I do, and I think the councilor from Dorchester knows that.

Coun. MURRAY—Mr. President, in answer to the question of the gentleman from Dorchester (Councilor Wilson) I will say that I sat in the green room all day, from the time I came, at about half past ten in the morning, until five o'clock, and at no time did I talk with the celebrated Mr. Adams or with the Mayor of Boston. As I have said, some of us waited around until nearly five o'clock to see whether there was to be a special meeting, and when I left I understood that there was not to be one. As I have said, after going I received a message. I didn't know where I was going, but I went there.

Coun. MURPHY—Mr. President. Chairman KEENE—No debate is in order. The gentleman may request unanimous consent.

Coun. MURPHY—Mr. President, I request unanimous consent to make a statement.

Chairman KEENE—If there is no objection, the gentleman may proceed.

Coun. MURPHY—Mr. President and members of the Council, I believe this afternoon we have not dignified this body the way it should be dignified. Charges, counter charges, rumors and every conceivable kind of scandal have been referred to by innuendo and in every other way. The special meeting which is the occasion for the privilege which I am talking under now, was called, I believe, last Wednesday. I came to the City Council upon a call which I received from the City Messenger to the effect that there was going to be a hearing at the State House on civil service, concerning individuals who might be disqualified for holding positions in the City of Boston. When I arrived a part of the hearing at the State House was over, and at 20 minutes past twelve I arrived here at the Council Chamber, to find that there had not been a quorum present at the special meeting that was scheduled, and that the meeting had accordingly adjourned. I sat in the so-called green room on Wednesday, from 20 minutes past twelve until five o'clock in the afternoon, waiting to hear the official word that a special meeting of this Council was to be called on Friday. About five minutes of five Councilor Murray, who had made inquiries, received a call and was told that there was going to be no special meeting of the Council. I then proceeded home. I did not receive a notice of the special meeting later, but I did see it referred to in the press. But, from the conversation I had had with the other councilors assembled around the building on the previous day it was pretty nearly the unanimous opinion that the calling of a special meeting was positively unwise. We have heard about the mandate of the people. Mr. President, I know of no man in the City of Boston who has worked harder night and day throughout the city in conjunction with those who favor Sunday sports than I have, and on November 6 I cast my vote in favor of the bill. Today I am going to cast my vote in the same way that I cast it on November 6, supporting what is now known as the mandate of the people. I did not intend to speak on this question, and when I arose did not realize that one of my colleagues had moved the previous question. But, in defense of those who have stood here for their convictions, let me say, Mr. President, that if those men who voted for reference of this matter to executive session felt that it needed careful consideration on their part, they were justified in so voting. That opportunity was denied them, and the only way in which they could then seek for investigation of an important matter of this kind, and the only thing left for them to do, was to vote to lay it on the table. They did that in the ordinary procedure of this Council. They were perfectly justified in doing that, and I am only sorry that members of this body allow themselves to be influenced by their feelings to the extent that they forget the dignity to which this

Council is entitled. I have made no statement until today. I have had reporters calling on me and asking, "What are you going to do on the Sunday Sports Bill? What is your opinion of the statement of his Honor the Mayor? What is your opinion in regard to calling a special meeting?" I have, however, maintained, as I think a member of this body ought to maintain, the dignity of a man who has been honored by election to this position. I say now that we have a duty to perform this afternoon. We will have plenty of time later to discuss the various things that have been mentioned—admission fees, and so on,—but the only thing for us to do now is to dignify ourselves by voting unanimously in favor of the adoption of this bill.

The main question was declared ordered.

Chairman KEENE—The question is on the passage of the order, and the Clerk will call the roll.

The order was passed, yeas 22, nays 0:

Yeas—Coun. Arnold, Bush, Deveney, Donovan, Dowd, Dowling, Fish, Fitzgerald, Gallagher, Green, Keene, Lynch, Mahoney, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Ward, Wilson—22.

Nays—0.

Coun. FITZGERALD—Mr. President, I move that we take a recess subject to the call of the Chair.

Coun. Fitzgerald's motion, that the body take a recess subject to the call of the Chair, was declared carried.

Coun. WILSON—Mr. President, I doubt the vote. I suppose, in view of the fact that the boys have got through this simple matter of the baseball bill, they now want to go home, and that we will not have a quorum to act on such an important matter as the \$30,000,000 East Boston Tunnel project! I doubt the vote, Mr. President.

Coun. FITZGERALD—Mr. President, I withdraw my motion.

JITNEY REPORTS.

Coun. DOWD, for the Committee on jitney Licenses, submitted reports recommending that leave be granted on the following petitions:

Boston Elevated Railway Company (referred March 19, 1928) to run jitneys between Park square and the junction of Shawmut avenue and Dover street.

Boston Elevated Railway Company (referred August 20, 1928) to run jitneys between the junction of Commonwealth avenue and Exeter street and the Cambridge line.

Coun. DOWD—Mr. President, I simply desire to state that both routes go through Coun. Fitzgerald's district, and, I understand, meet with his approval.

Reports accepted, permits granted on the usual conditions.

TRAFFIC TUNNEL TO EAST BOSTON.

Coun. KEENE submitted the following:

The special committee appointed by the President for the purpose of making a study of the advantages of the proposed new traffic tunnel to East Boston over the present ferry system, having considered the subject, respectfully reports in favor of a vehicular tunnel with provision for foot passengers.

Report accepted.

Coun. DONOVAN offered the following:

Ordered, That chapter 380 of the Acts of 1928, entitled "An Act to Provide for the construction of a Vehicular Tunnel between Boston Proper and East Boston and for the Creation of a Tunnel District," be, and the same hereby is, accepted.

Coun. DONOVAN—Mr. President, in view of the fact that I am suffering from laryngitis, I shall be very brief, but I would be remiss in my duty today as councilor representing the City of Boston if I did not stand on the floor and urge the passage of this act. During the four hearings we held on the matter we did not find one person who objected to this traffic tunnel. The Chamber of Commerce, Mr. Harriman of the Metropolitan Planning Board, the Bethlehem Steel Company, the Boston and Albany Railroad—one of the largest taxpayers of the city—were represented here and advocated the adoption of this bill. There may be loopholes in the bill, but the Mayor of Boston can at any time appeal to the Legis-

lature and have the bill amended. I do wish to state here today, however, that it is obvious that East Boston needs a tunnel. While the matter has been made a political football, due to the fact that the Mayor does not agree with the Governor or the Governor with the Mayor, I understand, nevertheless, that no feeling exists between the incoming Governor and his Honor the Mayor and, if there is anything objectionable in the bill the Mayor can have amendments made to the act by the next Legislature. Therefore, I know of no reason why this body should not today adopt the measure. The Mayor of Boston says he does not want this particular bill, although he favors a tunnel to East Boston. He says he will go to the Legislature next year and advocate the passage of a proper bill. We who have served in the Legislature cannot foresee what the Legislature may do. I do believe, however, that it is up to the members of the Council at this time to state to the House of Representatives and the Senate that we are in favor of a vehicular traffic tunnel to East Boston.

President GREEN—The order will be referred to the Executive Committee.

Coun. BUSH—Mr. President, I object to reference to the Executive Committee.

President GREEN—Under the rules, the matter goes to the Executive Committee.

RECESS.

On motion of Coun. FITZGERALD, the Council voted at 4.52 p. m. to take a recess subject to the call of the Chair. The members re-assembled in the Council Chamber at 5.05 p. m., and were called to order by Coun. DEVENEY.

EXECUTIVE COMMITTEE REPORTS.

Coun. KEENE, for the Executive Committee, submitted the following:

(1.) Report on the petition of Rev. David H. McDonald (referred today) for children to appear at Francis Parkman Hall on December 30, 1928—that the permit be granted on the usual conditions.

Report accepted, said permit granted on the usual conditions.

(2.) Report on the order (referred December 3, 1928) that an annuity of \$600 be allowed and paid to the widow of Martin J. Callahan, late member of the Boston Fire Department, who died from injuries received in the performance of his duty, such annuity to continue so long as said widow remains unmarried, and to be charged to the appropriation for Fire Department, Pensions and Annuities—that said order ought to pass.

Report accepted, said order passed.

(3.) Report on order (referred today) that chapter 380 of the Acts of 1928, entitled "An Act to Provide for the Construction of a Vehicular Tunnel between Boston Proper and East Boston and for the Creation of a Tunnel District," be, and the same hereby is, accepted—that the same ought to pass.

Coun. KEENE—Mr. President, I would like to express my opinion upon one or two items in the proposed legislation. I am in favor of the proposed tunnel. I think that the present system is rather antiquated. I appreciate the fact that the citizens of East Boston have been fighting for a good many years to get proper transportation facilities, but it would seem to me better business to go to the incoming Legislature and ask for the enactment of legislation placing the money which is to be borrowed for the construction of the proposed tunnel upon a different financial basis. His Honor the Mayor in his address made mention of the procedure or method by which the money is to be raised, and I have had several conversations with Mr. Carven, the City Auditor, who has held that office for many years, who has acquired a world of knowledge, and whose opinion in the matter should be given careful consideration.

Under the proposed bill the borrowing of the money is by a serial debt, that is, if the bonds are for a period of forty years, it is divided into forty payments, and the proportional payment and the interest on the indebtedness are to be raised and paid each year. Now, in the construction of all of our subways and our other two tunnels, the money was raised on a serial debt plan,—I do not mean a serial debt, but on a sinking fund provision whereby a certain amount of money was set aside, a reserve, so to speak,

and placed in a depository, and those reserve payments, plus the accumulated and accrued interest, took care of the bonded indebtedness at the expiration of the years during which the obligations were to run. It is a safe proposition throughout that it will require or consume approximately three years for the construction of the tunnel. That means that during the first year, the second year and the third year, the proportional part of the entire indebtedness, plus interest, must be paid by the towns and cities which are to pay the expense of its construction. Those payments must be made before any income is received from the tunnel whatsoever; so that that money must come out of your tax levy. It is a sizable amount and might embarrass whoever is Mayor of the city at that time. There is one other bad provision in the present bill which calls for the payment of deficits in proportion to the population. I presume, of the various cities and towns interested, but no provision is made so that that deficit can be charged to maintenance expense and taken out of the payments only in case the tunnel operates at a profit; that is, assuming that three, or four, or five hundred thousand dollars had accumulated of deficit, and, under the rules of the bill, a surplus appeared for one year, to be sure you could distribute the surplus to the various cities and towns as their proportion might appear, but under the provisions of the bill your toll surplus is governed by your receipts less your maintenance expense. There is a blind situation there, and, although I feel, certainly, that they should have a tunnel and as quickly as possible to construct one, still, it would seem to me that the city going into a partnership with the other cities and towns on these conditions might be embarrassed. In other words, I would much prefer to see a bill drafted which would take care of those features and then come down from the Legislature and put in force, than to take this bill and accept it and then take your chances of going back to the Legislature and correcting it. I want to express this thought again, that I am in favor of the tunnel but I do not like the present bill, and I think that further legislation should be had which would be more advantageous for the city and at least put it on a sound business basis.

Coun. BUSH—Mr. President, the main reason and the one upon which the Mayor has laid the greatest stress as to why he does not care to accept this act is that it violates the idea of home rule in Boston, and that the commission who will have charge of the construction and maintenance of the tunnel will be a commission appointed by the Governor rather than the Transit Commission or a commission appointed by the Mayor. That objection may or may not be sincere on the part of the Mayor, and his motives may be of the highest, but I am not convinced that a state commission, even at an annual salary of \$45,000 a year, will not build this tunnel cheaper and better than the city will build it itself. The people of East Boston and the business interests of the City of Boston have waited a long time for this act, and at last the many different and conflicting opinions have been more or less reconciled, and the result is this bill. It seems to me that this Council should not enter in any way into the controversy between the Mayor and the Governor as to the relative opinions on the demerits of the bill but should now accept the act and place the responsibility directly to the Mayor for the further acceptance and approval.

Chairman DEVENEY—The question comes on the passage of the order, and the Clerk will call the roll.

Coun. WILSON—Mr. President.

Chairman DEVENEY—Councillor Wilson.

Coun. WILSON—It will be short. I simply wanted to speak in favor of the measure, due to the fact that I was necessarily absent from the room. I heard the suggestion by the councillor from the West Roxbury district, something to the effect that it might be well to go before the next Legislature for this necessary legislation. As I stated last week on the floor of this Council, the Legislature to have consulted on this matter was last year's Legislature, when they were passing the bill last spring, and the time to have made the comments and the criticisms, some of it well merited, on this particular act was last spring, seven or eight months ago. And, as I also stated before, it is my opinion and strong conviction that, before the City of Boston tries to annex Cambridge in theory, they accomplish the annexation of East Boston in fact, and, accordingly, I shall absolutely vote for the passage of this order.

Chairman DEVENEY—The question comes on the passage of the order. Those in favor will say "aye," those opposed "no," and it is a vote.

Coun. MAHONEY—Mr. Chairman, I ask for a roll call.

Coun. BUSH—Mr. Chairman, I doubt the vote and ask for a roll call.

Chairman DEVENEY—The Clerk will call the roll on the passage of the order.

The roll was called and the order passed, yeas 22, nays 0.

FILING COMMITTEE REPORTS.

Coun. RUBY—Mr. Chairman, may I make a suggestion at this time, if I am in order,—that, at the next meeting of the Council, which I understand is the regular meeting on next Monday, all committees, if possible, file their reports so that we may clean up the entire calendar for the year. And I refer to the Special Committee appointed on the investigation of the taxicab situation, and I make that statement because some time this afternoon I received a telephone communication from the Independent Taxicab Company, asking me just what was being done, and I said that I would ask that a report, if possible, be presented at the next meeting, as well as all other committees that are outstanding at the present time, so that we may be able to clean the calendar.

SAVIN HILL PLAYGROUND LOCKER BUILDING.

Coun. SULLIVAN offered the following, viz.:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to keep the locker building on the Savin Hill Playground open on Sundays during the skating season.

Coun. SULLIVAN—Mr. Chairman, the reason for putting this order in is that I have had complaints from people in my district in regard to the locker building not being open on Sunday and their losing their shoes over there when they have changed from walking shoes to their skating shoes, and I hope his Honor the Mayor will see to it that the locker building is open.

Passed under suspension of the rule.

Adjourned, at 5.19 p. m., on motion of Coun. MOTLEY, to meet on Monday, December 31, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 31, 1928.

Regular meeting of the City Council, in the Council Chamber, City Hall, at 2 p. m., President GREEN in the chair and all the members present. President GREENE called Coun. Keene to the chair.

VETO OF EAST BOSTON TUNNEL BILL.

The following was received:

City of Boston,

Office of the Mayor, December 28, 1928.

To the City Council.

Gentlemen,—I return herewith, without my approval, order passed by your honorable body accepting chapter 380 of the Acts of 1928, entitled "An Act to Provide for the Construction of a Vehicular Tunnel between Boston Proper and East Boston and for the Creation of a Tunnel District."

This bill provides one of the most striking examples of denial to the City of Boston to control its own affairs. It reverses the policy pursued with highly beneficial results for thirty years during which the city has constructed over \$50,000,000 worth of tunnels and subways. It takes away the rights of the city in its own streets. It provides a new system of unnecessary administration at a waste of \$50,000 a year. It institutes an unworkable system of tunnel tolls. It commits the city to the issue of debt obligations which makes unjust taxation a certainty.

The criticisms which I made of the provisions of this bill in public have never been met, even by those who advocated its acceptance. They cannot be met. The adoption of the policy set forth in the bill is wholly contrary to the principle of home rule for which this city has stood and for which it will always seek recognition.

I strongly favor the immediate building of a traffic tunnel but not upon the impossible terms offered.

A critical analysis of the Tunnel Act is to be found in an address recently delivered by me and a copy of this address I append herewith as a part of this communication.

Upon the opening of the Legislature I shall present a new bill, drawn to correct the serious defects to be found in the present legislation.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Appended was a copy of the address on East Boston Traffic Tunnel and Port Authority, delivered by Hon. Malcolm E. Nichols, Mayor of Boston, before the Boston Port Development Company, at the Hotel Statler, Boston, December 5, 1928.

Placed on file.

LIBRARY BUILDING GIFT OF LOUIS E. KIRSTEIN.

The following was received:

City of Boston,

Office of the Mayor, December 28, 1928.

To the Honorable the City Council.

Gentlemen,—Mr. Louis E. Kirstein, chairman of the Trustees of the Boston Public Library, has very generously agreed to make a gift to the Trustees of the Public Library of a new three and a half story building, fully equipped for library purposes, except for books, and in which building shall be established a branch library. He is desirous that this branch library be used as a branch for commercial and business men and that it be located in the business center of the city. Mr. Kirstein has agreed with the city by an agreement, which I am forwarding herewith, to make a gift of such a building provided the city government will sell to him for a nominal sum the land and building of the present abandoned Police Station 2 which is no longer needed

for public purposes, and after such conveyance and the erection of the proposed new library building, he will give a deed free and clear of all incumbrances and expenses to the Library Trustees. This gift he is making in memory of his father, Edward Kirstein, who had a very sincere affection for this city, and Mr. Louis E. Kirstein accordingly suggests that the building be known as the Edward Kirstein Memorial Library Building.

I am transmitting for your approval an order, together with the executed contract mentioned hereinbefore, which order when passed by your honorable body will permit the consummation of this splendid gift.

Respectfully submitted,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

In City Council.

Whereas, The Police Commissioner of the City of Boston has notified his Honor the Mayor and the City Council of Boston that the land and building located on City Hall avenue and formerly used and occupied by the Police Department as Police Station No. 2 are no longer needed for public purposes; and

Whereas, Louis E. Kirstein of Boston has agreed with the City of Boston by an agreement in writing, satisfactory to his Honor the Mayor and to the Law Department of the city, to purchase said land and building for a nominal sum and to build thereon at his own expense a new three and a half story building fully equipped for library purposes, except for books, which building shall be used as a branch library of the city, and which shall be known as the Edward Kirstein Memorial Library Building; and

Whereas, After the completion of said building the said Louis E. Kirstein has in said agreement provided and agreed to deliver to the Trustees of the Public Library of the City of Boston as a body corporate a deed of said land and building free and clear of all incumbrances and without cost or expense, to be used as such branch library; and

Whereas, The said Trustees of the Public Library of the City of Boston have agreed upon the completion of said building to accept the same and to conduct the same as a branch library of the city;

Therefore, be it Ordered, That His Honor the Mayor be, and hereby is, authorized in the name and in behalf of the city to sell to said Louis E. Kirstein, upon the terms stated in the said agreement made by and between the said Louis E. Kirstein and the City of Boston, all the right, title and interest in and to the land and buildings located on City Hall avenue and formerly used by the Police Department as Police Station No. 2 for the sum of one dollar and to execute and deliver a deed of the same to the said Louis E. Kirstein in form satisfactory to the Law Department.

Referred to the Committee on Public Lands.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Giocomo Buonopane, for compensation for damage to coal wagon by city truck.

Jeremiah A. Keating, for compensation for damage to property at 66 Fenway, caused by city truck.

Benjamin Levy, for compensation for injuries caused by city truck.

N. Margolis Company, for compensation for damage to automobile by snow plow.

Mrs. Corinne Mongrain, for compensation for injuries caused by an alleged defect at 309 Washington street.

Ruth A. Mongrain, for compensation for damage to automobile caused by an alleged defect at 309 Washington street.

Eliza Russell, for compensation for loss of jewelry at City Hospital.

Herman Schnetzer, for compensation for damage to automobile by city wagon.

John J. Kelleher, for compensation for damage to property at 14 Minden street, caused by police officers entering building.

James J. Kilroy, for compensation for damage to property at 110 Lawn street, caused by police officers entering building.

Executive.

Boston National League Baseball Company for a license to conduct Sunday sports at Braves Field.

Hearing on Gasolene Petition.

Notice was received from the Street Laying-Out Department of a hearing on Monday, January 14, 1929, on the petition of Daniel F. Leary *et al.*, for the right to store and sell gasolene at 246 Talbot avenue, Ward 17, 2,000 gallons.

Referred to the Executive Committee.

RELEASE OF EASEMENT ON MINCHIN COURT.

Chairman KEENE called up unfinished business, No. 3 on the calendar, viz.:

Report on the Committee on Public Lands (presented and accepted December 17, 1928)—that the following order ought to pass:

Ordered, That his Honor the Mayor be, and he hereby is, authorized in the name and behalf of the City of Boston, for the consideration of \$1, to execute and deliver to Martha H. Minchin, Mary J. Minchin, Lila M. Brown and Ella P. Minchin, or to those persons claiming title under them, an instrument of release, satisfactory in form to the Law Department, of an easement granted to the City of Boston by Joseph Minchin September 12, 1890, to lay, use and maintain water pipes in Minchin court, a private way running between Geneva avenue and Dorchester avenue, situated in that part of Boston called Dorchester.

The order was given its first reading and passage December 17, 1928, yeas 21, nays 0.

The Council gave the order its second reading and passage, yeas 21, nays 0.

PARKMAN FUND REPORT.

Coun. PARKMAN, for the Committee on Parkman Fund, submitted the following:

Report on the following order (submitted by the Mayor December 11, 1928, and then referred to the Committee on Parkman Fund)—that the same ought to pass:

Ordered, That the sum of \$63,062.54 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:

Animals, birds, etc.	\$5,000 00
Arnold Arboretum, improvements	5,000 00
Franklin Park, improvements	10,000 00
Washington Park, improvements, Roxbury	10,000 00
Fens, improvements	33,062 54
	<u>\$63,062 54</u>

The report was accepted, and the order was passed, yeas 21, nays 0.

REPORT ON CITY HOSPITAL INVESTIGATION.

Coun. FITZGERALD—Mr. President, I desire to submit a report of the Committee of Investigation of the Boston City Hospital. I want to state before I hand this over to the Clerk that this report contains forty-three pages. I don't suppose the members desire to have the report read at this time. In view of the fact that all the members have not had an opportunity to read it, and this being the last day of the year, I suppose the only proper thing to do is to have this published in our minutes by the official stenographer and put into the hands of the members and the public as a public document. I wish to say that the committee is deeply indebted to Councilor Wilson, who is the only lawyer on the committee, for his work in drafting the report. Through his efforts, 577 pages of stenographic hearings have been cut down to forty-three pages. The committee have done the best they possibly could and feel that the report is one well worthy of consideration. I will submit the report, and the Council can do as they see fit.

Coun. FITZGERALD submitted the report, as follows:

Report of Special Committee of City Council to Investigate Conditions at Boston City Hospital.

On October 15, 1928, the following order, introduced by Councilor Thomas W. McMahon of Dorchester, was passed unanimously by the Boston City Council:

"Ordered, that a committee of five members of the City Council be appointed by the President to investigate conditions at the Boston City Hospital with reference to proper facilities, competency or personnel and administration in handling and treatment of children."

The following special committee was appointed by President Thomas H. Green:

Chairman Fitzgerald, Councilors Dowd, Lynch, Gallagher and Wilson.

The McMahon Case.

Briefly, Coun. McMahon's complaint was as follows:

About 8.30 a. m. on October 13 he placed his little daughters Caroline and Rose Marie and a little boy named Laundrigan, aged 5, in the Casualty Ward of the Boston City Hospital to be operated upon for tonsils and adenoids by Doctor Haley. The children were operated upon by Doctor Dinan about two p. m., and thereupon, although Caroline was returned to the bed over which her chart was posted, a fourth child was placed in the bed used by Rose Marie, who in turn was placed in the bed of the little Laundrigan boy, and the latter child after his operation was sent to an entirely different ward, although the medical charts in each case with the name of the patient supposedly in each bed remained untouched. The Laundrigan child was placed in Adult Male, Ward K, between two groaning male patients. The so-called Casualty Ward consists of a large male ward, a female ward and the children's ward, all three on October 13 in charge of but two student nurses who could see from their stand not more than three beds in the children's ward, not including that occupied by Rose Marie. About 4.30 p. m., responding to an urgent telephone call, Mrs. McMahon and Mr. and Mrs. Laundrigan arrived at the City Hospital. They found no one actively in charge of the children's room of casualty but finally discovered Rose Marie dead in what had been the Laundrigan child's bed. Shortly thereafter Councilor McMahon arrived and he in turn found no one actively in charge of the ward. All three insist that the child's body was bleached white, that the bedding was well stained with blood, and that incidentally they saw soiled bandages on the lower shelf of a food cart from which a nurse was serving diets. Councilor McMahon claims that he pointed out the condition of the cart to Doctor Dowling; also that Doctor Dowling with reference to all that had occurred stated, "some one has blundered." Caroline and young Laundrigan were later moved to Ward O which had seven empty beds, although the excuse for having moved Laundrigan to Ward K was an alleged overcrowded condition in all other available wards. The next morning red blotches were observed on Caroline and young Laundrigan which two doctors identified as vermin bites. Both Councilor McMahon and Laundrigan expressly exonerated Doctor Dinan and insisted that the operation itself was competently done but that Rose Marie was improperly neglected on her return to the Casualty Ward following the operation, that she apparently died from hemorrhage, and that no nurse or doctor was apparently in the room at the time of her death. Councilor McMahon insisted that there was negligence in the return of the children to different beds without a change in the charts and negligence in the failure to provide sufficient nurses,—or, in fact, any trained nurses,—properly to attend the entire Casualty Ward of three large rooms especially in the children's division where six or seven young children were admittedly coming out of ether following operations; also that conditions of filth and dirt existing at the hospital were unwarranted.

On October 16, 1928, the Hospital Trustees made what your committee feels was a rather premature written report to the Mayor. The report stated that "all phases of this unfortunate affair" had been "carefully looked into," although the trustees had heard only the evidence of the hospital personnel; that investigation showed the

death of the child to have been "unavoidable"; that an X-ray of the chest showing no evidence of enlarged thymus was taken prior to the operation by a competent and experienced physician; that "there was nothing unusual or difficult in the operation itself and the child was returned to the recovery room in good condition; that this recovery room, a part of the Casualty Ward, contains six beds and a crib; that this particular ward being in close proximity to the nurses' station the child was visited by the attendant nurse at frequent intervals" and finally a nurse's "visit showed the child to be somewhat cyanotic and apparently in extremis"; that thereupon the doctor was hastily summoned and "every effort made to resuscitate the patient" without success; that "only a small spot of blood was found on the pillow"; that a report by Doctor Leary stated "this death was one giving little or no warning and in the present state of our medical knowledge was unavoidable"; that "investigation disclosed that the soiled linen referred to as being on a food truck was on a dressing carriage and not on a food truck"; and finally that in the attempt to exterminate bugs and vermin at the hospital three men were constantly employed plus an expense of \$1,790 this year to date for outside agencies and \$1,932.15 for insecticide.

Medical Examiner Timothy Leary himself reported in writing:

"Investigation disclosed that the child had not been neglected in any way. There was so little bleeding that any question of death from hemorrhage can be absolutely excluded. There was a small amount of blood in the mouth such as arises from oozing from the surface from which adenoids have been removed. The picture indicates a death accompanied by cyanosis, a blue discoloration such as is associated with the form of death met with frequently from status lymphaticus. In my opinion no human being could have foreseen or prevented this death."

Councilor McMabon placed on file numerous letters from many persons likewise claiming to have complaints against the hospital from personal experience.

To consider evidence in the McMabon case the committee met on October 19, 23, 26, 31, November 8 and 14, and at the very first hearing the following vote was unanimously adopted by the committee:

"Voted, That the committee hold public meetings to hear any evidence that may be presented relating to the administration of the City Hospital.

"The committee does not feel that any useful or constructive purpose will be served by listening to any rumors, indefinite speeches, or unsubstantiated charges, but will afford any person who has actual knowledge of careless or ill treatment of patients or unsanitary or otherwise poor conditions at the hospital the fullest opportunity to present such facts.

"The members of the committee wish it understood that they are not in any sense conducting a prosecution but rather an inquiry. They believe that the estimable gentlemen who constitute the Trustees of the City Hospital should be and presumably are as much interested as the City Council in discovering whether or not evils exist and whether improvements in administration should be made, and the committee accordingly invites and urges any or all of the trustees to sit with them at all hearings and to question any and all witnesses with the same freedom as members of the committee.

"In this way the committee believes it possible to remove this inquiry from the ordinary ground of an attack on the hospital and a defense by the hospital authorities, to the standpoint of a co-operative and constructive investigation by both the City Council and the trustees with the single object in view of ascertaining actual conditions and with a real desire to remedy them in whatever respects they may be found to be below the standard that the people of Boston have a right to expect from this institution."

Mr. Manning for the trustees stated on October 19:

"I would like to say to the gentlemen on the committee, Mr. Chairman, and to the public, that the trustees want to co-operate in this matter in every possible way. We want no whitewash. We do not want bad conditions there, and we want to remedy any conditions that are not as they should be. We do all we can. We hear all complaints, and when we decide that

something should be done we issue orders to the superintendent. Of course, we only act in an advisory capacity, and we suppose that the work is done. We want to hear all the facts and we want to work with you, and we want no whitewash."

Mr. Whiteside for the trustees stated on October 23:

"We are here and we want to help the committee, if we can. There is no one more anxious than the trustees not only to get the facts in the case but to correct anything that can be corrected at the hospital. We want to make it the best hospital that it can be made. We are very anxious to do that, and we want to help your committee all that we can."

In response to a motion by Councilor Dowd that five doctors be retained to assist in the investigation, Mr. Manning further suggested the advisability of requesting some such agency as the American Hospital Association or the Rockefeller Foundation to investigate conditions at the hospital and advise the trustees in what respects the administration of the hospital could be improved, and he further stated that the matter had been under consideration by the trustees several months ago.

Request was made of the trustees for detailed information concerning any complaints made to the Board and also with reference to the number of patients in various wards, the number of nurses on duty, the average number of doctors and nurses at the hospital, and particularly the amount, if any, by which the requested budget of the hospital for equipment, buildings or personnel had been reduced by either the Mayor or the City Council during the past three years. Mr. Manning frankly admitted that undoubtedly the hospital could be better operated if the hospital authorities were allowed to make their own selection of help with authority to discharge; and further that the placing of D. T. cases in the Relief Station would greatly relieve the situation at the City Hospital and incidentally cut down vermin trouble. He finally stated that more nurses were urgently needed.

At the hearing on October 31 it developed that the trustees had for some reason requested the Corporation Counsel to be advised as to the legality of the present investigation of the Hospital Department by the Boston City Council and Mr. Deland, besides presenting a written opinion dated October 29, orally advised the committee and the trustees that it was his opinion that the Council, under the provisions of section 8 of chapter 486 of the Acts of 1909, had no authority whatever to carry on the present investigation in any particular. The trustees requested a twenty-four-hour delay in further hearings in order that the Board might determine its attitude in view of the above opinion, but no advice being received by the committee the hearings were resumed on November 14. Meanwhile the committee itself declined absolutely to agree with the validity of the opinion of the Corporation Counsel and has insisted, that although the Boston City Council and Special Committees of this body may not interfere with the executive or administrative functions of any city department, nevertheless, the Council has the undoubted right and duty to investigate and make recommendations with reference to the way and manner in which the money of the people of the City of Boston, appropriated by the City Council, is expended. Your committee has insisted upon what it believes to be the legal rights of the Boston City Council as the duly elected representatives of the people of the City of Boston, and hases its stand not only upon the provisions of the Acts of 1899, chapter 478, and General Laws, chapter 233, sections 8, 9, 10 and 11, but also the inherent right of the representative and elected body, which annually appropriates the money, likewise to request detailed information concerning expenditures which may well govern its action on any budget for the ensuing year.

The hearing of witnesses in the McMabon case developed the following:

The Rev. L. J. Young saw Rose Marie McMabon just after her death and then saw only two spots of blood as big as a half dollar.

Dr. T. E. Dinan said he operated on the child about 2.15 p. m. and next saw her about 4.10 p. m., at which time she was dead; that there were only two or three spots of blood on the child's face and on the sheet used during the operation which had been sent down with the child; also, that the senior nurse, Miss Cuzner, could not

identify the child because the chart on the bed was wrong; and that Mr. Laundrigan was accordingly called upon to do so; that "there were probably ten or twelve patients in the room the child was in"; that after an operation instructions to nurses are to watch the child carefully, the porter has instructions to watch the child's respiration on the trip from the operating room to the ward, and the porters understand watching the respiration of patients.

Mrs. McMahon stated that when she reached the Casualty Ward about 4.40 p. m. she found no one in charge and no nurse appeared for five or ten minutes; that when she found her child in the Laundrigan child's bed the condition of the bed was "terrible"; that there was blood not only around the child's face but on the pillow and clothing; that she saw a nurse about 5 p. m. feeding patients from a food cart, on the lower shelf of which were soiled bandages stained with blood.

Mrs. Mary A. Laundrigan corroborated Mrs. McMahon that on her arrival at the Casualty Ward on the emergency call there was nobody to show where the children were; and that it was necessary for her to call a nurse to come in when her own child had a vomiting spell; that there were no signs of blood on Caroline McMahon and only a little blood caked on her own child's nose and throat, but there were numerous blood stains on Rose Marie's pillows, sheet and dress; further that she saw no serving of food but did see stained bandages on a food wagon.

E. L. Laundrigan stated that the children's casualty ward contained ten beds and a crib, the women's ward twenty-four beds and the men's ward thirty-four beds, all handled by only two student nurses; that Rose Marie's bed was well covered with blood; that the Laundrigan child had been removed to an adult male ward, to a bed between two moaning men; that Doctor Dinan stated the McMahon child's death was the result of "either a hemorrhage or an embolism"; that he heard Doctor Dowling admit to McMahon that some one had "blundered"; that food was being served from a food truck which had stained bandages piled on a lower shelf; that the nurse stationed outside the Casualty Ward could not possibly see more than four beds, although the two available student nurses were "working their heads off"; and that finally when Caroline McMahon and young Laundrigan were removed to Ward O they were covered with lice bites.

Medical Examiner Leary testified that the child died of an unusual enlargement of the lymph structures of the body; that death following a tonsil operation can be caused by—

1. The anesthetic, but in this case the child recovered from ether.
2. Hemorrhage—but in this case the child exhibited cyanosis, or a blue discoloration of the skin, caused by a distention of the skin with blood, whereas when death results from hemorrhage the body is bleached white and the blood is exhausted except for a small amount in the heart.
3. Asphyxiation by vomit soaked back into the lungs,—but here the child had partly regained consciousness.
4. Pulmonary embolism, or the forming of a clot on the brain, the clot thereafter being forced down through the heart and pumped into the lungs, which is a very rare condition in children, although that was the cause of the death as certified by the hospital.
5. Status lymphaticus, a commonest among very young children, and the cause of death in this case is his opinion. Doctor Leary stated he personally never saw the child and that his opinion was entirely based on reports made to him by Doctor Dinan and the nurses; that the ideal situation for a hospital would be to have a nurse beside every child all the time in case of an operation; that despite the finding by the hospital, pulmonary embolism was not the cause of the death; that if the child was absolutely bleached white, death from hemorrhage would be a possibility; that a post-mortem would absolutely determine whether death was caused by status lymphaticus; that no one could mistake the distinction between the whitish or cream pallor following hemorrhage, and the bluish color of a body following death from status lymphaticus; that when a person has once come out of ether there is no particular need to worry unless in the unusual case of status lymphaticus.

Mary E. Cuzner, the nurse in charge of the Casualty Ward on October 13, testified that she was called by the other nurse about 3.55 p. m., because Rose Marie looked peculiar, and she thereupon felt a faint pulsation at the child's temple; that by the time Doctor Dinan arrived within a few moments the child was dead; that after Doctor Dinan and Father Young had seen the child she cleaned it up, took away the soiled linen and washed the child's face; that seven beds and one crib were in the children's casualty ward; that the child's body was slightly cyanotic, but that the other nurse did not see the body stripped, nor did Doctor Dinan; that there was no food wagon in the children's ward at all while the McMahons were present; that she had seen a few cockroaches at times in the ward and that there had been a few complaints of bedbugs; that the correct charts are put on the beds after the patients have come out of ether and been cleaned up; that the little Laundrigan boy came from the male ward for his operation; that a nurse sitting at the desk can see three of the children in the ward; that immediately Nurse Dence reported the condition of Rose Marie she tried to get a reaction by caffeine; that around Christmas in Ward K three nurses cared for ninety-six patients, averaging about thirty-two to a nurse, including diets and treatment.

Katherine E. Dence, the other nurse, testified she took Rose Marie from the porter after the operation and the child was placed in the bed previously occupied by the Laundrigan child; that she looked at the bed two or three times before giving the child a piece of gauze when she was coming out of the ether at 3.45 p. m., and then again twenty or twenty-five minutes later, at which time the child's face showed cyanosis; that she was serving diets when the McMahons were present, but there were no bandages on the food wagon; that she saw only the child's face; that there was a spot of blood on the bed about 3 inches in diameter; that she was the nurse called by Mrs. Laundrigan when her child vomited; and that it is customary, where possible, to be with children coming out of ether, but that it is impossible to take such care of seven children.

John W. Carney testified he was the porter who wheeled Rose Marie from the operating room back to the Casualty Ward; that he had been employed at the hospital only two months, his previous experience being that of a laborer at Braves Field; that he had absolutely no hospital experience; that he obtained the position through the Municipal Employment Bureau and was asked absolutely no questions when put to work by the nurse in charge in the hospital; and that he had no experience watching the respiration of patients coming out of ether and in fact did not know the meaning of the word.

Dr. John J. Dowling, for fourteen years superintendent of the City Hospital, denied seeing bandages on any food wagon, or that he ever admitted that a "blunder" had been made. He admitted that neither Doctor Leary, nor the trustees, nor himself, ever liked Ward K; and also that the mix-up in charts was something that should not have happened. He assured the committee that, when the new medical building is built, "there will no longer be any Ward K," where the unfortunate alcoholics and people of that type are at present compelled to go, but that for the present a removal of the D. T. cases to the Relief Station would greatly relieve the City Hospital situation. Presenting floor plans he stated that in the Children's Casualty Ward there were only seven beds and a crib, in men's Casualty Ward only fourteen beds, and in Casualty No. 1 only ten beds,—making a total of 32 beds. He admitted that cockroaches are in the basement and first floor, despite a desperate fight to keep them out, but that the new buildings will remedy the situation and will "absolutely" mean removal of all food carts to more sanitary quarters. He was unaware whether the Mayor in the past three years had cut any item from the hospital budget but stated "the City Council has been very generous with the hospital." He pointed out that within the past few years a new maternity building was first built, then the new surgical building which will provide 253 additional beds, then new quarters for house officers, and at an early date a new medical pavilion with 225 beds, and ward buildings in place of Wards F, G and H with 500 beds, after all of which construction the hospital "will be very comfortable for the present"; that the annual budget is made

up by the trustees on recommendations made by the superintendent; that the hospital has "plenty of undergraduate nurses" but that it has only thirty-five graduate nurses, where seventy are needed, and that a request for the additional nurses will at once be made; that if Rose Marie died of hemorrhage, negligence might have entered into the case; that he personally saw the body for only a brief moment, but could not honestly give an opinion whether the skin was white or blue; that authority to run the hospital, hire and fire employees, and maintain discipline, primarily devolves upon the Superintendent, who in turn is responsible to the trustees; that just after the war he discharged an ambulance driver who was drunk fifteen minutes before he was due to report for duty, but an appeal was taken from his action and the man was reinstated and given eight months' back pay; that out of 11,000 tonsil operations at the City Hospital there have been only four deaths; that present conditions in the casualty wards are primarily due rather to lack of space than lack of sufficient help; that the average stay of a patient in the hospital is thirteen days, over 27,000 patients having been admitted during 1927 and probably over 32,000 this year with only the same accommodations.

Dr. Harry P. Cahill, a throat specialist and chief of staff at the hospital, stated the three great possibilities of death following a tonsil operation are pulmonary embolism, or formation of a blood clot in the veins; status lymphaticus, which is a congenital weakness; and hemorrhage; that "taking the report that the child was cyanotic, or with a tendency towards bluishness" death could not have been due to hemorrhage but rather to pulmonary embolism, a rarity among children, or status lymphaticus, which, while an uncommon cause of death, is most usual among young children; that death from either of the two latter causes cannot be prevented even by a physician constantly at the bedside; that a hemorrhage case is a slow case; and, finally, that close attention should be given all patients following an operation until out of ether.

Joseph A. Farrell of 258 Adams street, Dorchester, the McMahon undertaker who called at the hospital for Rose Marie McMahon the day of her death and embalmed the body, testified very flatly that the body was unquestionably white, without any sign of cyanosis or bluishness; that only about half the usual amount of blood was drawn off incident to embalming; and that there was no necessity for the powder frequently used in cases of discoloration.

Dr. W. W. Healey, a City Hospital interne, admitted that on the morning following the death he talked with Mr. Laundrigan and Councilor McManon and identified four or five welts on the back of the Laundrigan child, two on the arms, and one or two on the fingers, as hug bites.

Joseph P. Manning, for eleven years president of the Board of Trustees of the City Hospital, and for eighteen years a trustee, stated that since the Boston City Hospital was established by Act of the Legislature in 1858, the trustees have tried in every way to keep the institution up to the highest standards of equipment, progress and professional efficiency, with the doors open at all times, day or night, for the care of the afflicted; that the examination of the McMahon case by the trustees showed that soiled linen was not placed at any time upon a food truck, because hospital rules forbade such a practice; that the trustees have received reports of hugs and cockroaches from time to time following trouble in a few isolated cases, sometimes brought in from the outside and sometimes incidental to the age of some of the buildings, and the Board has done everything possible to meet the pest, spending \$3,200 for the current year up to September 1, and "supposed the matter was nearly eliminated"; that the building, in which the justly criticized Casualty Ward is located, is sixty-five years old, and expenses of upkeep have been kept at a minimum pending early replacement by a modern structure; that two years ago the Mayor agreed to make a careful study of the suggested advisability of removing all alcohol cases to the Haymarket Relief Station, but nothing at all has been done since that time, although the Hospital Trustees still unanimously believe that Ward K is one of the sore spots in the hospital; that in 1911 a total of 14,851 patients were cared for by 170 nurses, against 27,835 patients cared for last year by 329 nurses, which compares very favorably

with most other large municipal hospitals in the country; that while more nurses could be used, the question of accommodations, training, salaries and general needs must be considered; that with reference to any criticism of an insufficient number of employees or inefficiency, the hospital last year had 1,224 employees with an annual pay roll of \$1,167,557.07 as against 620 employees paid \$245,085.36 in 1911, the wages being now higher than in most similar institutions; that great forward steps have been taken during the past eight years including an appropriation of \$3,180,000 under Mayor James M. Curley for improved equipment, and an additional appropriation of \$3,000,000 last March under Mayor Malcolm E. Nichols for the replacement of old and the erection of additional buildings, and not including \$1,400,000 for proposed new buildings in Mattapan; that when the present building program is completed the number of beds will have been increased from 1,200 to 2,000; that the policy of the Mayor and City Council has been generous and not parsimonious, as shown by a maintenance appropriation of \$2,102,460 in 1928, contrasted with \$530,000 in 1911,—which shows a present per capita daily cost higher than that in the principal hospitals in New York, Philadelphia, Baltimore and Cleveland,—namely, \$4.25 in 1928 as against \$1.77 in 1911; that any overcrowding is due to the policy of never refusing admission to patients; and that the hospital should properly be judged not by any single incident but by the splendid record of thousands of cases.

Findings in the McMahon Case.

In summary of the 357 pages of stenographic notes on the McMahon case, certain deductions may be drawn. In the first place, there appears to be a very wide variance between the written statement of the trustees that "only a small spot of blood was found on the pillow" and Councilor McMahon's assertion that there was a pool of blood. Father Young states there were only two spots, as large as a half dollar; Doctor Dinan says there were two or three spots of blood on the child's face and on the sheet; Mary Cuzner, one of the two nurses, says she removed soiled linen and washed the child's face; Doctor Leary, after hearing the entire hospital story, speaks of "a small amount of blood in the mouth"; Katherine Dence, the other nurse, says there was a spot about three inches in diameter; Mr. and Mrs. McMahon and Mr. and Mrs. Laundrigan state definitely there were considerable blood stains, not only on the child's face but on her pillow and clothing. Doctor Dowling did not see the bed until after changes were made. The entire question is only important in determining whether the child while unattended died of hemorrhage,—in which case the body would appear bleached white from loss of blood,—or whether the child died from some other cause, such as the pulmonary embolism, certified by the hospital, or status lymphaticus as certified by Medical Examiner Leary, in which latter case only the body would show cyanosis or a very obvious blue color. Doctor Leary's finding, he admits, is only from hearsay after hearing the story of Doctor Dinan and the nurses and without either seeing the child or questioning the McMahon family or the undertaker. Only four persons at the hospital appear to have observed the child after death at any time, namely, Doctor Dinan, Miss Dence, who saw the face only, Doctor Dowling, who saw the child only briefly and "could not honestly give an opinion whether the body was white or blue," and Miss Cuzner, the nurse, who was the only one to see the body stripped and described the color as "slightly cyanotic." The written report made by the trustees to the Mayor on October 16 would seem to be unconvincing in stating that all phases of the unfortunate affair were "carefully looked into" when in fact only one side of the story had been heard; also in the statement that the child had been visited by the attendant nurse "at frequent intervals," when as a matter of fact, on the testimony of the nurse herself, she only saw the child, even when coming out of the ether, a total of four times at most in the two hours between the operation and the death; also in the statement that "every effort was made to resuscitate the patient," although as a matter of fact when Doctor Dinan arrived in hut a few minutes, the child was dead. So also the "investigation" by Doctor Leary was merely a finding based entirely on the story of Doctor Dinan and two student nurses; his statement that the death was not due to hemorrhage

because the body was a blue color rather than bleached white, was of course based entirely on the hospital's story. It is unfortunate that a post mortem was not made, because apparently in that way the exact cause of the death could have been determined. Neither the investigation by the trustees, nor that by Doctor Leary, included inquiry of the McMahon undertaker, who was very certain in his extremely significant testimony before the committee that the body of Rose Marie was not blue but white, and that there was about one half the usual amount of blood found incident to embalming, both of which conditions certainly connote hemorrhage. It may be that negligence had no part in the death of Rose Marie McMahon, but the fact remains there are evidences of negligence at the hospital which while not wilful, were almost entirely due to absolutely inadequate help. Both nurses in the Casualty Ward of three rooms were necessarily so busy all the time, on the date of the death, that the young McMahon child could only be so much as looked at four times during the entire period of two hours following the operation and when she and five or six other children were all coming out of ether. In Ward K an instance was related of three nurses caring, or attempting to care, for ninety-six patients,—or an average of thirty-two to a nurse. It is not denied, that incident to seven operations on that afternoon, at least three patients were returned to different beds with wrong charts. This again, if not due to rank carelessness, was due to inadequate facilities and inadequate help. The committee believes that an overworked nurse did temporarily pile soiled bandages on the lower shelf of a food truck. Four persons saw the condition, although one nurse and Doctor Dowling say there was no truck there and the second nurse says there was a truck there but no bandages. This again was due to insufficient help at the hospital at one of its most vital emergency points,—a point which should have at least one trained nurse in charge of several nurses, and not merely two student nurses to watch over not less than thirty-four and probably a greater number of patients. The only two available nurses were not so carefully watching the three rooms, or able to watch the three rooms, but that Mr. and Mrs. Laundrigan, and still later Councilor McMahon, found no one apparently in charge and each without assistance found the child's bed. It is possible that the child died of one or the other of the two causes certified by the hospital and Doctor Leary, but assuming that death resulted from hemorrhage, or strangulation from vomiting, how closely were the children being watched as they came out of ether, when an overworked nurse was able to get around to this particular little one only four times during two most critical hours. The porter charged with the life of the unconscious Rose Marie passing between the operating room and the Casualty Ward had no instructions to watch respiration according to his testimony, did not know the meaning of the word, and two months before had been a laborer at a ball field. It is a fact that Caroline McMahon and young Laundrigan bore unmistakable marks of vermin bites after leaving the Casualty Ward of the City Hospital; it is not denied that there are vermin and cockroaches in the hospital, and the trustees have had no reasonable cause to assume that "the matter was nearly eliminated." Ordinary sanitation would seem to demand extermination of vermin from a hospital at almost any expense. So far as medical attention is concerned it is not to be denied that the personnel of the medical staff of the Boston City Hospital is excelled in no other institution in the country, but expert surgery and medical attention can be rendered absolutely ineffective when followed by lack of proper supervision and attention due to cramped and overcrowded quarters or an inadequate staff both of trained and student nurses. Doctor Dinan performed a perfect operation. The best job possible was performed by the two student nurses in charge of the three rooms comprising the Casualty Ward, including attempted special attention to six or seven cases returning from actual operation together with routine duties for at least thirty beds and even the serving of diets; but it is humanly impossible for two student nurses properly and efficiently to do the work, particularly if little children coming out of ether are to be assured a safe degree of constant supervision, and especially if efficient discipline is not enforced at the hospital to a very much greater degree than now appears to be the case.

The Bowden Case.

The Special Committee on November 14 also considered in detail the so-called Bowden complaint in accordance with the following order of Councilor Wilson, unanimously passed by the Council and referred to the committee on October 15, 1928:

Ordered, That a Special City Council Committee of five be appointed by the President to investigate the petition and complaints which have been filed with the City Council by or in behalf of the parents of Charles Bowden formerly of 355 Chelsea street, East Boston, with reference to the death of the said Charles Bowden at the Boston City Hospital.

Mrs. Mary E. Bowden, now of North Saugus, but formerly of 355 Chelsea street, East Boston, testified that on July 18, 1925, her infant son, Charles J. Bowden, Jr., after advices by a Doctor Schwartz, was called for at 355 Chelsea street, East Boston, by an ambulance of the City Hospital on Saturday, July 18, 1925; that the driver asked for Bowden; that the baby's full name, place of birth and other information were written down by the driver as dictated by Mrs. Bowden; that Monday, the 20th, she was told at the hospital that the baby had whooping-cough and that information concerning the child could be given as satisfactorily over the telephone in view of the fact that the disease was contagious and she would not be allowed to see the child; that thereafter she telephoned every morning until August 2, each time being told that Charles J. Bowden, Jr., "was getting along nicely"; that on July 22, having received a letter from Mr. Butler, Settlement Clerk of the Overseers of the Poor at the hospital, addressed to "Bowser," she went to the hospital and corrected the name; that Sunday, August 2, on being told over the telephone that there was no such name as Bowden registered at the hospital, she hurried in town only to be told that the child had died early on the morning of July 23; she was further told that two telegrams sent out to Mrs. Mary "Bowser," 355 Chelsea street, East Boston, on the morning of the death had failed to be delivered and that the body would be turned over to the Overseers of the Poor for burial unless taken away by her before nine o'clock on Monday morning.

Charles J. Bowden, the father of the child, testified that during the period from July 18 to August 2, 1925, on telephoning to the hospital at least twice each week from his shop, he also was told that Charles J. Bowden, Jr., was "doing nicely"; also that when the body was obtained by the undertaker it was in terrible condition.

Various communications between the hospital and Attorney Walsworth representing the Bowden family were introduced, as well as Mr. Walsworth's letters to the City Council, setting forth the claim of the hospital that the hospital record of the patient read "Charles Bowser" and that on the morning of the death two telegrams were telephoned to the Postal Telegraph Company to be delivered to Mary Bowser at 355 Chelsea street, East Boston, although the Postal Telegraph Company insists that the address given was 355 Chelsea street, which proved to be a vacant lot, and that both wires were reported back to the hospital with a request for a better address.

Dr. Edmund Wilson of the City Hospital produced the telephone slip which on July 17 was taken down by the hospital center supervisor on telephone advices of Doctor Schwartz, giving the name and address of the proposed patient, the complaint and the telephone number of the family doctor, whose name also was incidentally misspelled. Examination of the slip by the committee showed the name of the patient illegibly written by the hospital employce either as Bowser, Bowsen or Bowden, of 365 Chelsea street, East Boston. Doctor Wilson explained that the name and address is taken from this slip by the ambulance driver sent out to call for the patient, who thereupon on reaching the home fills in additional information on the admission paper; he stated that the hospital authorities had been able to find no one who remembered any telephone inquiries by Mrs. Bowden during the entire period from July 18 to August 2; that the hospital although receiving no reply from the Postal Telegraph Company after the two wires were sent out on July 23, waited until August 2 for the undertaker to arrive, and made no effort to write a letter, send a messenger, inform the police, or even communicate with Doctor Schwartz, the family doctor, whose East

Boston telephone number was available on the admission slip. It was stated that since the Bowden incident the South Department of the hospital now always requires the parents themselves to fill out the name and address to prevent mistakes; further that in all cases, where an undertaker fails to appear within twenty-four hours of a death notice being sent out by the hospital, a check-up is at once made; and finally, that in all cases the telegraph company is now instructed to telegraph, rather than 'phone hack, any advices that there has been any failure to deliver a telegram at any address given.

Findings in the Bowden Case.

On examination of the 64-page stenographic report of the Bowden case the committee is unable to believe that the mother of Charles J. Bowden, Jr., failed to telephone the City Hospital almost daily for a period of nine or ten days following July 18; and, that being so, feels very strongly that the failure by the hospital to rectify the obvious error made, due to careless penmanship by the hospital employee, was most reprehensible. Also, whatever may be the true story as between the Postal Telegraph Company and the hospital relating to the two telegrams of July 23, the failure of the hospital authorities to follow up in some way during the ensuing nine or ten days, while the child lay dead in the hospital, is indefensible. Fortunately the three changes now reported to have been made at the hospital as above noted, should, if carried out in practice, prevent a recurrence of such unfortunate incidents in the future. The additional suggestion is made, that in matters as important as life and death, the hospital may itself well adopt the practice of notifying, not by wire telephoned to the telegraph company, but by messenger to the home, or police assistance, or at least by written advices delivered to the telegraph company, in which case responsibility will be clearly fixed for any mistakes made. In addition, it may be stated, that the public is entitled to something besides mere routine and unverified information when requests are made over the telephone with reference to the welfare of a City Hospital patient; no stock reply by any lazy or incompetent operator should be tolerated, and the careless giving out of unverified reports over the telephone should be ground for immediate discharge of the offending employee.

Miscellaneous Other Complaints.

Incident to hearings on the McMahon and Bowden cases, numerous letters were received by the committee and by Councilor McMahon, from scores of persons with real or fancied grievances concerning administration of the City Hospital. The writers of all letters received prior to November 10 were notified by letter to appear in person before the committee on Thursday, November 15, if the complainant desired to be heard. Briefly, the most significant complaints by letter or in person not already covered are as follows:

Ann McCarthy of 2898 Washington street, Roxbury, testified that she sat until dawn with her sick child night after night for weeks at the City Hospital, and only on one occasion did she see a nurse in the ward during the night; that on two or three occasions, on hearing children cry, she looked around in vain for an attendant nurse. She also experienced the same difficulty as was brought out in the Bowden case, namely, the nondelivery of an alleged telegram from the hospital notifying of the death of the child, and despite advices at the hospital she failed to find that any telegram ever had been sent either through the Western Union or the Postal Telegraph.

Margaret MacGregor stated that she spent an entire day trying in vain to find out what had happened to her baby at the hospital.

Ethel Sherman of 47 Rutland street, entered at the hospital for a mastoid operation, stated she lay on a table for two hours before any attendant so much as came near her.

Pauline Strumm of 200 Emerson street, East Boston, testified that she found her child, following an operation for appendicitis, lying on the bed with the poultice misplaced from the wound, with bandages carelessly pinned on with numerous, ordinary, common pins instead of safety pins, and the child's bed in a filthy and unsanitary condition.

Gertrude Proctor of 58 Bickerstaff street, in 1921 was required to wait in the hospital from Saturday morning until Monday, before an X-ray was taken of her broken leg, and then she was

not operated upon until Tuesday, receiving thereafter very little attention and most discourteous treatment.

Agnes T. Agnew of 224 Webster street, East Boston, a social service worker, stated that she had the greatest respect for each and every doctor at the hospital, but with twenty years of experience she severely criticized the gross carelessness of the hospital attendants.

Nellie Walsh of 561 East Fifth street, East Boston, reported that four years ago she visited the hospital to find her four-year old baby, following an operation, left in the dampness of an open window and covered only by a sheet.

Mrs. M. Johnson of 5 Elmore street, Roxbury, was five days ascertaining what caused the death of her five-year old son at the hospital following an operation.

Lucy Cram of 9 Dennis street, Roxbury, wrote of her experiences in the Casualty Ward two years ago when, during an entire hot summer night, the one nurse in charge sharply refused repeated requests for water by little children; she also reported vermin and blood stains on her bedding at the hospital.

Mrs. Thomas Murray of 112 Perham street, West Roxbury, reported insolence and gross lack of care by nurses in 1925, particularly towards children, chiefly because more nurses were needed and were not available.

Stephen J. Weleh of 61 Worcester street, Boston, reported failure by the superintendent ever to inspect kitchen conditions, and he also criticized unsanitary conditions and lack of help at the hospital.

Mrs. W. E. Goodrich of Lexington, related seeing vermin in the beds and on the food at the City Hospital six years ago, and also criticized repeated failure by nurses to grant urgent requests for drinking water.

Willis C. Smith of 82 McBride street, Jamaica Plain, wrote in of waiting four hours, on October 30, to have a bleeding broken leg set, followed by inattention thereafter; he also reported the Casualty Ward as infected with roaches and stated that he later found vermin on his food while in Ward A, incidentally confirming Councilor McMahon's charge of soiled handages being carelessly piled on the lower shelf of food wagons; he also reported intoxicated orderlies on duty at the hospital.

F. Mitchell now of 26 Mill street, Randolph, but formerly of Dorchester, wrote in of unsatisfactory had conditions and particularly vermin following the placing of his broken knee in a cast.

Katherine Dorr of 8 Burnett street, Jamaica Plain, wrote in of serious failure by nurses during September, 1927, to follow a doctor's instructions given in her hearing; also impertinence and discourtesy shown her after making inquiries for her property lost by a nurse.

Mary A. Rufe of 1310 Blue Hill avenue, Mattapan, wrote in of being rushed to the City Hospital for treatment and then being left without any attention on a table on the street floor for six hours before being placed in Ward L in a bed adjacent to a colored male.

Mrs. George Driver of 35 Porter street, East Boston, reported gross negligence by attendants with reference to three members of her family, and particularly a boy, whom she stated was in the hospital two weeks before attention was given his broken ribs.

Thomas Boves of 24 Assahet street, Dorchester, wrote in, that although he was sent by a doctor to the hospital for treatment and an X-ray, the X-ray was never taken, and he was in Ward M two days before he received any treatment at all; he also cited instances of neglect and lack of discipline on the part of nurses and attendants.

Robert S. Beck of Boston, on the other hand, wrote in of visiting his aunt at the hospital over a period of months and never seeing other than the best of conditions at the hospital; he particularly referred to the courteous treatment always received from Doctor Wilson and his immediate assistants.

Harriet K. Tower of 74 Call street, Jamaica Plain, a former employee in Ward C, reported the satisfactory treatment her baby has been receiving in Ward I, and reported conditions at the hospital as clean and sanitary.

Mrs. Catherine Martin of 25 Story street reported impertinence, incivility and inattention on the part of nurses while her husband was in Ward M.

Mrs. J. W. MacDonald of 1223 Middlesex street, Lowell, whose daughter served as a student nurse at the hospital, wrote in of rats in the quarters occupied by the nurses.

James V. Russell of 109 Cedar street, Roxbury, wrote in to corroborate Councillor McMahan's report, stating that he had himself seen a bed pan on a food cart shelf, and that the orderlies were lax and lazy; he also reported continued unsanitary conditions in the accident ward and lavatories.

Rose A. Parkes of 237 Dudley street complained of filthy bed conditions in 1920, inattention by nurses, and the failure to provide patients with any bell or push button near the beds, to be available even in grave emergencies.

Emma Teasdale of 38 Francis street, Roxbury, complained of delayed treatment for a knee injury in August, 1928, and waiting an entire day even for an X-ray; she also criticized shortness of nurses in Ward M, and refusal by nurses for eight hours to provide a drink of water for a very sick patient.

Alice Combs of 5 Upham avenue, Dorchester, told of the experience of her brother, a North Falmouth clergyman, who was picked up and carried to the City Hospital three years ago. She stated he was missing from Tuesday until Saturday, whereupon she telephoned every hospital in Boston, including the City Hospital, which reported there was no such man there; that Saturday she finally found him in bed begging in vain for a drink of water at the City Hospital where he had been unidentified for five days although his own address and the address of his daughter and the Dorchester address of his sister, the witness, were all in his pockets; that the hospital claimed a telegram had been sent wrong and returned, although the girl failed to so notify the hospital; finally that she saw an orderly intoxicated while on duty.

Mrs. Joseph Merritt of 144 Chiswick road, Brighton, told of an experience with her baby daughter Corinne who had a mastoid operation in June, 1928; she had no complaints against any doctors, but criticized the crowding of children in Ward 11 with communicable diseases; that on a second visit to see the child then at the hospital because of tonsils and adenoids, the witness herself observed uncleanness in the wards, and filthy bed conditions, including vermin in the Casualty Ward; and that the entire matter had been reported to the Mayor's office as well as to the superintendent.

Elizabeth A. Henderson of 142 Norwell street, Dorchester, told of taking her little daughter to the Casualty Ward on March 23 for an operation; she reported splendid conditions in Ward I but conditions in Ward 9 were most congested and with very inadequate help; further, that blood-stained bandages were left on the child for two days at a time, and that unsanitary conditions were prevalent in Ward N.

Sarah Coulter of 130 Mt. Vernon street told of experiences as a patient in 1921, when nurses for two days failed to obtain medicine ordered by the doctor; that a lone nurse on duty in the Casualty Ward was wholly unable properly to look after children following operations; that there was vermin; and that finally there was grave need of more doctors, nurses and attendants at the hospital.

Richard J. Riley told of the experience of his twenty-seven-year old son entered in Ward F of the hospital on March 13, 1928, with arthritis in his ankle; that it was over two weeks before an X-ray was taken; that on his visits to the boy he made trips to the diet kitchen for water and personally found there a dozen or more mugs unfit for use; that orderlies were repeatedly impertinent, but that on all occasions Doctor Wilson personally extended every courtesy.

Amelia Wren of 39 Kent street, Brookline, told of visits in June, 1928, to see a patient, Mrs. Greeley, in Ward L, stating that she found a bed pan on the table beside the milk, and cockroaches on the mug and on the floor, and general conditions of filth in the ward; that instructions given in her hearing by Doctor Wilson to the nurse were not followed, and she was told personally that she would be barred from the hospital if her criticisms continued.

Rose C. Kelly of 73 Lawrence street, Charlestown, insisted that treatment given members of her family at the hospital was of the best.

While the committee consistently ignored anonymous and unsigned communications, nevertheless, it has recognized the excellent suggestions made in letters, for obvious reasons unsigned, from "An Interested Nurse" and from "A Graduate Nurse of B. C. H.," whose comments have very apparently been made in an obviously fair spirit of helpfulness.

"An Interested Nurse" states that the vermin situation at the City Hospital is serious, and although any hospital is apt to become infested, and it is sometimes hard to get rid of them, nevertheless it can be accomplished with perseverance. She comments on the impossibility of getting necessities to work with in the various wards, such as drop lights to determine whether the color, expression and breathing of post-operatives is satisfactory every ten minutes,—“and surely that is not too often to look at them.” Such lights would be a marked improvement over the one flash light now in each ward, which may or may not be available, and the use of which wakes the patient in any event. She points out that nurses are frequently suspected or criticized by supervisors for loafing by a bedside if patients are really being properly watched; that six to twelve patients are not infrequently treated with the same tube without washing, and unsanitary instruments are allowed in the same pans; that there are so many patients per nurse that the hating or other attention given to patients is commenced as early as 3 to 3:30 o'clock, thereby making it impossible for patients to sleep after that time; that if a patient is well enough to wash up and comb her hair, she frequently loses her desire on seeing the dirty pans and tubes, and that the pans are soon removed whether the patient has bathed or not; that there is either a continued under-supply of bed linen, or whatever there is, remains locked up; that there is a tendency towards laxity in discipline, slackness in cleanliness, and deficiency in all supplies, wherever you find B. C. H. nurses. The letter closes: “If you succeed in getting things cleaned up and getting a little system, with a pleasant atmosphere, at B. C. H., you will have no trouble in getting efficient help to take care of your patients. Your doctors are good doctors and they are interested in the patients and their recovery. I trust God will strengthen you to make it a persevering battle to remedy the whole situation.”

"A Graduate Nurse of the B. C. H." states that the superintendent never at any time makes inspection visits to any of the wards, and that the trustees only know what they are told by the superintendent; that the buildings and beds are infested with vermin; that the beds are never properly washed or cleaned, or mattresses aired, after a patient is discharged, a condition which could be corrected even if it required taking each bed into the yard for a scalding; that special nurses on duty at night are frequently obliged to spread turpentine around the patient's bed for proper protection from vermin; that the condition of the toilets in some of the wards, particularly wards K, L, A and Casualty, are most unsanitary; that the rule against smoking is never enforced even so far as the hospital executives are concerned, patients being frequently allowed to smoke in their beds and in the toilets; that liquor is frequently obtained from the dispensary for patients and then used by the employees; that liquor is frequently evident at dances held in the Nurses Home; that hospital employees frequently hoast that because of political influence they cannot be dismissed, and that plumbers, porters and others frequently loaf in the basement while head nurses are in vain requesting their assistance; that the night matron is unfit for her job; that many nurses would gladly report conditions but obviously would face dismissal if criticism was made; that in days gone by there was a standing order that all patients should receive a bath immediately on admission to the hospital, but that at present filthy and dirty patients are frequently thrown into bed and not given a bath for days; that no attention whatever is paid to the rule regarding visiting hours in the wards, and that it is not unusual to find from six to eight visitors around a sick patient at one time; that on many occasions pupil nurses are stationed alone in the hospital wards at night to care for over fifty sick patients. The letter closes: “For your benefit and the whole city at large this affair should not be allowed

to be whitewashed. Having served the hospital over a period of twenty years I feel qualified to make these statements.

Another nurse urgently requested the committee to visit Ward K and particularly to inspect the lavatories, sinks, hoppers and especially the toilets, to observe the constantly existing unsanitary conditions.

At the close of the hearing the trustees and Doctor Wilson submitted various facts concerning general conditions at the hospital. Mr. Carl Dreyfus admitted that one of the chief difficulties experienced at the hospital is the serious lack of nurses, a situation greatly deplored by the trustees; and that since the present investigation started the hospital has experienced greatly increased difficulty in obtaining new nurses.

Dr. Edmund W. Wilson, assistant superintendent at the hospital, submitted the following detailed information in letter dated November 16, 1928:

He pointed out that at the present time there are 160 physicians and surgeons on the medical and surgical staff of the Boston City Hospital, the great majority of the staff serving the City of Boston without any financial compensation, and including such outstanding men as Dr. Frank B. Mallory, pathologist, a member of the Harvard Medical School Faculty, without doubt a leader in his particular field; also George R. Minot, director of the Thorndike Research Department, famous for his great contribution to medicine in his work on pernicious anemia; also Dr. Paul F. Butler in charge of X-ray and, as president of the National Association of X-Ray Physicians, a leader in his field; also Dr. Stanley Cobb, a member of Harvard Medical School Faculty and selected by the Rockefeller Institute to head the Neurologist Department in Boston; also Dr. Abraham Myerson, professor at Tufts Medical School; Dr. George F. Sanborn, director of the Department of Immunology and a pioneer in the field of vaccine therapy in this part of the country; also Dr. Frederic J. Cotton, senior surgeon at the Hospital and known throughout the country as a leader in bone and joint surgery, and numerous other prominent physicians. In addition to 160 visiting physicians and surgeons, the Boston City Hospital has a present resident staff of ninety-five men living at the institution and available both day and night. On Doctor Wilson's figures the Boston City Hospital at its last census had on its staff, exclusive of the Consumptive Department, 69 graduate nurses, including executives, as well as 104 pupil nurses, 100 affiliated pupil nurses and 85 probationers. He pointed out that on November 1, exclusive of the Consumptives Department, there was a total of 1,273 employees at the hospital, including porters of all kinds, about 85 people in the kitchens serving over 2,000 meals three times a day, a painting force of 8 men, 3 electricians, 2 plumbers and 2 plumber's helpers, 2 steamfitters and 2 steamfitters' helpers, a carpenter force of 8 men, and an ambulance force of 22 men. He reported that there are 989 beds in the main hospital, including 75 bassinets for newborn babies, 338 beds at the South Department for infectious diseases, 34 at the Haymarket Relief Station, 12 at the East Boston Relief Station, 34 at the Convalescent Home and 422 in the Sanatorium, making a total of 1,829 beds. There are 60 wards and 29 private rooms in the Boston City Hospital, of which 28 wards and 21 private rooms are in the main hospital and 13 wards are in the South Department. On November 15, 1928, 1,283 patients were housed in the various buildings of the hospital, 866 of this number being in the main hospital, 68 in the South Department, 7 at the Haymarket Relief Station, 11 at the Convalescent Home and 331 in the Sanatorium Division.

Conference Between Trustees and Special Committee.

On November 2 the committee held a final meeting of the City Hospital Trustees to consider such suggestions as the hospital authorities might care to make. Doctor Rowen stated that the hospital, being badly overcrowded, there is not now a sufficiently large nursing staff properly to handle the present wards, quite irrespective of the four new wards about to open. He stated that the only complaint from internes has been concerning wretched housing conditions, a situation now remedied and that the only complaint from staff officers has been a request at times for a little more equipment, including a recent request

for \$75,000 for radium. The doctor stated it could easily be arranged, as a routine matter, for a report of every death case to be forwarded to the trustees in all cases where the patient has not been on the D. L. at least twenty-four hours. He favored no information being given out over the telephone in regard to D. L. patients due to the continual danger of such messages being misunderstood, but stated that at present a person calling the hospital on the telephone concerning a case on the dangerous list is connected directly with the ward.

Mr. Manning stated the trustees were considering a separation of Wards K and M; Doctor Rowen admitted that the trustees would like to see the Haymarket Relief Station absolutely abolished as a relief hospital so that alcoholic cases may be concentrated at that point.

Individual members of the special committee cited instances of personal knowledge concerning food frequently served either cold or lukewarm despite the use of special food trucks; also instances of a single nurse at night being required to care for forty to sixty patients; and finally the undoubted continued pest of vermin at the hospital. Due largely to lack of nurses, it was emphatically stated that there is little or no close supervision of patients, particularly during the night hours.

The trustees brought out the point that the continued weekly charge of only \$23 per capita for insurance company patients and \$10.50 per week for state cases, despite an actual cost of \$27.40 per case per week to the City Hospital, is due to an inequitable ruling by the State Industrial Accident Board.

The trustees admitted that the new building progress is requiring all of Doctor Dowling's time and stated that the Board has therefore in contemplation making Dr. Edmund Wilson the active man and superintendent of the new hospital and Doctor Dowling the director of the hospital. With reference to the early adoption of a complete plan by which the morale of the entire hospital organization might be improved to the highest possible degree, Doctor Rowen was in doubt whether the trustees should most properly themselves attend to "their own housecleaning," or recommend that some outside agency, such as the American Hospital Association, for example, look into the matter.

Contrary to Doctor Dowling's opinion that it is now difficult to obtain trained nurses, both Mr. Manning and Doctor Rowen of the trustees agree that no difficulty at all will be experienced in finding the minimum of thirty-five additional graduate nurses now admittedly required at once, there now being some 700 graduate nurses waiting in the City of Boston for work. The trustees further stated that the present capacity class of fifty-eight student nurses is the largest class that has ever entered the City Hospital; that student nurses at the hospital attend there not to obtain a living but to acquire instruction for entering the profession of nursing by training in a hospital which takes contagious, medical, surgical and all other cases and an institution which is shortly to provide a fine \$400,000 home for the nurses. The trustees stated that in the past, except for executives, there have been no graduate nurses on night duty at any time at the hospital, but that present plans in the important wards call for a graduate nurse to watch every two or three wards. Doctor Rowen strongly defended two shifts for nurses, instead of three, because the patient receives more intelligent treatment from two nurses in twenty-four hours than from three, and responsibility is more easily fixed; he pointed out that even in two shifts the arrangement has been roughly worked out on an eight-hour basis in view of certain periods off. Mr. Manning assured the committee that without waiting for the 1929 budget the trustees are now definitely requesting the Mayor at once for \$5,500 to assure thirty-five additional trained nurses immediately on the opening of the new surgical building.

Testimony by the trustees, corroborated by figures submitted by Budget Commissioner Fox on request of the committee, failed to show a single dollar deducted from the annual City Hospital budget by the Boston City Council during the past three years. The only deductions made by the Mayor from budget figures submitted during each of the three years by the trustees are as shown on page 388.

	1926.	1927.	1928.
Department estimate	\$1,969,819 00	\$2,132,212 71	\$2,151,998 27
Mayor's allowance	1,932,991 34	2,066,179 37	2,102,460 07
	\$36,827 66	\$66,033 34	\$49,538 20

Of the above figures \$13,067.66 in 1926, \$31,313.34 in 1927, and \$24,768.20 in 1928, are cuts made from so-called "personal service" items. Not included is a 1928 expense of \$419,370.49 for operating the Sanatorium.

It was brought out that all classified help, except doctors, must come through civil service, but that all orderlies, porters and other employees, by orders from the Mayor's office, must come through the Municipal Employment Bureau; that the chairman of the trustees has talked with Doctor Dowling and Doctor Wilson on the very question; that even a man experienced in hospital work, who inquires for work directly at the hospital, must make the trip in town for approval by the Employment Bureau, although Mr. Manning agreed, that when a satisfactory and experienced man calls for work at the hospital, the hospital ought to have the right to put him to work without sending him to the Employment Bureau "in which case we may not get him back again"; Mr. Manning further agreed, that in view of Mr. Seaver's exclusive control of the hospital employment situation, the hospital in effect is a closed shop, and that however thoroughly disgusted Doctor Dowling and Doctor Wilson may be, they in effect must take such employees as Mr. Seaver of the Employment Bureau sends to the institution "and not only take them once, but take them two and three and sometimes four times." Mr. Manning expressed an earnest hope that the Council unanimously support a suggestion made by Councilor McMahon that political influence be kept out of the Boston City Hospital, as the only means of properly maintaining discipline.

Concerning the present indiscriminate use and abuse of hospital passes, the idea of which was originally to accommodate night workers and persons legitimately unable to visit the hospital during the regular visiting hours, the trustees reported that on one evening a few weeks ago there were in a single ward thirty-seven persons, by actual count, visiting on special passes after hours, a condition not only unfair to other patients but an interference with competent work by nurses in charge of the ward. Doctor Rowen stated he did not request that the pass privilege be abolished, but strongly urged a strong recommendation on the part of the committee that the continued use of special passes be greatly restricted.

In reply to a suggestion that the hospital adopt the system now in use at the new Beth Israel Hospital, whereby lights in the central office controlled by bedside push buttons, clearly show at all times the interval of response by the nurse to a patient's call, Doctor Rowen stated that the idea was not practical except in a comparatively small hospital. He explained that at the City Hospital most patients are in open wards, with a head nurse in charge of each ward, checked in turn by the supervisor or night matron five times during each night; but Councilor McMahon as a personal experience related sitting as a patient all night in the corridor, because of a noisy patient in the ward, and seeing the matron only once during the entire night; Doctor Rowen explained that the rule requiring nurses first to locate the matron, on any emergency calls for the house doctor, is to minimize the number of calls made on the doctor all night long, but that in any event close contact is kept. Mr. Manning stated with reference to calling doctors, that a \$4,800 contract has just been let for loud speakers, in preference to the Beth Israel light system which he considered impractical in the City Hospital despite warm support of the idea by members of the committee.

Asked whether telephone and telegraph death messages cannot be followed up immediately by registered special delivery letters, with return receipt, Doctor Rowen replied that since the Bowden ease provision has been made for such an arrangement.

Mr. Manning, in behalf of the Board, submitted in writing a list of the wards and the normal number of beds in the City Hospital at present; according to his figures there are 863 beds in the main hospital at present plus 104 extra beds and cots, making a total of 967 with 864 patients. He states that in the South Department there is a total of 336 beds and cribs, and that in the new surgical building there is a total of 81 beds.

New Beth Israel Hospital Inspection.

On Monday afternoon, December 10, members of the committee made an informal visit to Boston's newest and best—the Beth Israel—hospital, on the theory that there might there be found that approach to perfection which the Boston City Hospital might wish reasonably to approximate. Beth Israel Hospital, consisting of four buildings,—a main hospital, out-patient department, administration building and nurses' home,—cost \$2,900,000 to construct, or about \$15,000 per bed, and has an annual operating budget of \$500,000. There are five wards and three floors of 70 private rooms, the hospital containing in all a total of 180 beds. The largest of the wards contains 14 beds. At present 370 persons are employed at the institution, including 59 active or floor duty graduate nurses, and 48 student nurses, living in a modern nurses' home of 102 rooms. The student nurses, in accordance with the best accepted custom, of course, serve without pay during their period of excellent training. All nurses work in the usual 12-hour shifts.

Due to the fact that the director properly has full and complete authority to hire and fire, unfettered by political influence, the type of porters and orderlies found at the Beth Israel Hospital is obviously of a high order, although the pay averages \$75 a month with three meals a day, and \$15 a week with one meal a day. Thus an orderly receives about \$17.50 weekly with a meal a day. Washers, etc., receive \$13 to \$17 per week. The director is absolutely unhampered by the constant political influence which has been the blight of the Boston City Hospital. Although the hospital has only been open since October, over 200 persons have already been discharged, according to the records, for such reasons as: Excellent orderly but intemperate; rudeness; poor worker; inefficient; unsatisfactory disposition; fighting with other employees; quarrelsome; inability to work peaceably with other employees; absent too often; frequently late; gave wrong medicine; continual complaints by patients. When an employee is discharged by the director for cause he remains discharged. Furthermore, on each occasion when a department head discharges an employee, a prompt report is made of the name, date and reason for discharge, so that when the number of discharges from any one source appears unusual the qualifications of the department head may be checked up as well. In comparison, the Boston City Hospital, with a pay roll of 1,275 employees, has discharged during the entire year 1928 only 169 persons, of which number 108 were discharged for "absence." With a realization that the business of saving lives and preserving the public health is as important as any business, and can be operated in an efficient manner, time clocks have been installed, over which the significant instructions appear: "Any employee punching the clock for another employee will be immediately discharged." It is the present plan of the director to have a personnel officer whose sole duty it shall be to employ help at the institution, although the question of discharge is still in the hands of each department head.

A visitor to the Beth Israel Hospital is at once impressed with the pleasing atmosphere at the

hospital,—a general attitude on the part of doctors, officers, and employees towards the director which is neither fawning obedience, nor penitentiary fear, nor sullen indifference, but a reassuring spirit of workmanship in the pleasing environment of a fair and competent administration carried on without political fear or favor.

One factor favorably observed by the committee which was inexpensively installed by the hospital's own carpenters, and which might easily be adopted by the City Hospital, was the provision made for screening in each bed in the hospital wards. Neat metal poles and cross bars, with white curtains on runners, make it thus possible for any patient, even in the open wards, to have seclusion if desired.

The committee was also much impressed with the obvious superiority of the signal light system, calling doctors, in preference to the noisy and irritating corridor broadcast arrangement still used in many hospitals, including the Boston City Hospital.

A visit to the kitchen proved most enlightening. Separate refrigerators are provided for fruit, for milk, for eggs, etc. The rule of the hospital is that the best merchandise is after all the cheapest; any sick patient is irritable enough, without expecting the patient to accept food that is cold or other than tempting. The modern insulated food carts might well be adopted at the Boston City Hospital, and the larger the hospital and the more remote the various wards from the kitchen, the more obvious the efficacy of their use. Food is placed hot in these modern carts while in the kitchen, thereupon closed up, and the cart then wheeled to the ward, where an electric plug on a cord attached to the cart is at once plugged in a socket in the wall of the ward and the food thereby kept continually hot, even during the serving. Such an arrangement would seem to be a reasonable necessity in any modern hospital. The Beth Israel Hospital likewise has its own ice plant, and destroys all refuse by modern incineration.

The theory of the hospital management being that a clean place is a necessity for a sick patient, a man has already been employed with the sole duty of watching out for vermin, even though the hospital buildings are but three months old.

The able, courteous and efficient director of the hospital is Dr. Charles F. Wilinsky, formerly with the Health Department of the City of Boston, in charge of child hygiene and the new health units.

With true professional loyalty, Doctor Wilinsky spoke in glowing terms of the Boston City Hospital as the second largest institution of its kind in the United States, exceeded in size only by the Philadelphia Hospital, pointed out the professional standing of its splendid staff of physicians, and reminded the committee that the Thorndike Laboratory particularly is making a real name for the Boston City Hospital throughout the surgical and medical world. He appreciated the difficulties under which the administration of a great city hospital must be carried on.

On the other hand, while it may be that all of the numerous wonderful modern conveniences found at the new Beth Israel Hospital cannot, as a practical matter, be at once adopted in the older buildings of the great Boston City Hospital, yet the Boston City Hospital has only just completed several additions and is now engaged in a very extensive new building program.

General Recommendations by the Special Committee.

Irrespective of new buildings, or new equipment, or modern improvements, there are in general two outstanding elements which must absolutely be corrected at the Boston City Hospital, if the institution is to hold its place in the medical world, and if the people of the City of Boston are to continue to have any faith in the institution. They are points which can be remedied in any hospital which is properly and efficiently administered, whether the hospital be large or small, and whether the hospital buildings be new or old.

First, and most important of all, the Boston City Hospital must be taken out of politics, or rather politics must be kept out of the Boston City Hospital. Contrary to all rules of real efficiency, and contrary to the express law as laid down in the City Charter, patronage and political influence and interference no doubt can be found in most city departments, but the politicians should at

least keep their hands off the Board of Health, and particularly out of the administration of the City Hospital. An institution where human lives are at stake is no fitting place for political favor or influence, and the right man, actively in charge of the Boston City Hospital, properly backed up by the Mayor of the City of Boston, without interference, with hands not tied, and with real power and recognized authority to enforce a degree of discipline which is now woefully lacking at the Boston City Hospital, can restore the morale of the institution and make of it an institution well worth the twenty millions of dollars there invested by the taxpayers of the City of Boston in buildings and equipment.

In the second place, the City Hospital with 1,820 beds and 1,275 employees, cannot continue to be properly operated as a real hospital, distinguished from a mere relief station, with anything like the small number of nurses at present employed; the addition of a mere thirty-five nurses will still not insure that average care to which even a patient in a city hospital is entitled.

In closing, your committee feels that the present official investigation of the Boston City Hospital by a Special Committee of the Boston City Council, has been by no means in vain. Your committee, as was to be expected, found nothing to change its faith in the unquestionably high standard and undoubted professional ability of the present surgical and medical staff of Boston's great institution. But on the administrative side of the hospital the members of the committee found a real basis for constructive criticism of numerous evils plainly evident even to a layman. While it may be that the attendant publicity has to some small extent further shaken a waning public confidence in the City Hospital, the committee is confident that any such reaction will be more than counterbalanced by the positive assurance now given the people of Boston that for once there has been no "whitewash," that the sunlight has been let in, and that numerous changes already being made at the hospital cannot but insure a better, more adequate, cleaner and more efficiently managed City Hospital than Boston has ever had.

Specific Recommendations by the Committee.

In closing, your committee makes the following specific recommendations for improved operation and management of the present Boston City Hospital:

1. More nurses are urgently required in almost every ward, and at least double the present number of trained nurses should be at once placed on duty. In view of their expressed belief "that one of the chief difficulties at the hospital is the serious lack of nurses," the trustees should long since have less timidly insisted on a sufficient budget allowance. At least one trained nurse should most certainly be available in the Casualty Ward together with enough other nurses to insure reasonably prompt attention to emergency accident cases. Enough nurses should also be available in all post-operative cases to insure that "close attention" which Doctor Cahill testified "should be given all patients until fully out of ether following an operation." And in any event a special ether-recovery room would seem far preferable to a return of such patients to the Casualty Ward.

2. Discipline is conspicuous by its absence at the hospital. Definite responsibility for the active management of the hospital, the trustees themselves agree, should at once be fixed, and the superintendent given complete and final authority to employ or discharge, thereby insuring efficiency, and incidentally a much-needed improvement in personnel. If an unhampered superintendent, given real authority, thereupon fails to keep up the morale, then the City Hospital should require a new superintendent. A reasonable time should be given to produce results and if unsuccessful a change should most certainly be made. In fairness not only to the executive, but most of all in fairness to the unfortunate sick, all orderlies, porters and other help not coming through civil service should be employed directly by and at the hospital, and the present ridiculous and unsatisfactory custom of requiring the approval of the Municipal Employment Bureau should at once be discontinued. Impertinence or discourtesy on the part of nurses or employees should call for immediate discharge; it should be remembered that neither the sick, nor the anxious ones who call to see the patient, are in a normal, calm or contented state of mind. Incidentally, a

reasonably large and properly ventilated and equipped waiting room should be provided for friends and relatives calling at the hospital; the few benches and present facilities now available are totally inadequate for the number of visitors who call daily.

3. There must be more active and direct supervision in the hospital on the part of the executive and his immediate assistants; for some time there has been evident, not merely a laxity in discipline, but a failure to keep such a constant finger on the pulse of the hospital as to insure accurate and personal knowledge of actual ward conditions by those in authority. It has not been reassuring to learn from the trustees that they "act only in an advisory capacity" and "suppose that the work is done," or that the trustees have done everything possible to meet the vermin pest on receiving reports of bugs "in a few isolated cases—and supposed the matter was nearly eliminated." It would seem, for example, essential that some systematic check-up of every ward be made periodically by a supervisor, especially during the night hours, and that some verification of these inspections be made, if only by requiring the signature of the nurse in each ward during the times when such rounds are made. Most certainly there should be at least a weekly first-hand inspection of the hospital by executive officers of the hospital accompanied by the executive heads of the respective departments, and a report of the same filed with the trustees. Particular attention should be thus given to general cleanliness, proper heating and ventilating, the serving of diets, bedside care, reasonable quiet, and general efficiency throughout the wards. Furthermore, an ample number of responsible executives should be readily available at the hospital at all hours of the day and night.

4. Wards K and L should be absolutely abolished at once, and all D. T. cases concentrated at the Relief Station, as has long since been urged unanimously by the hospital authorities themselves.

5. Under no circumstances should young children be subjected to the environment of Ward K or any similar ward.

6. Greater precautions should be taken against exposure of the patients to contagious diseases.

7. Ordinary sanitation demands the extermination of vermin in the hospital, continually infested as it undoubtedly has been, both with waterbugs and bed vermin. In the words of Doctor Wilinsky, "a clean place is a necessity for a sick patient."

8. The use of modern insulated food carts, similar to those now in use at the Beth Israel Hospital, will eliminate many food complaints and insure meals reaching the various wards in a far more satisfactory condition than is the case at present.

9. Modern electric signal lights in the corridors would seem to be far preferable to the present irritatingly loud speakers now constantly paging doctors throughout the hospital.

10. A push button at the bedside of each patient, and thus available in emergency, would seem not inadvisable, if only connected with a signal light easily seen by the nurse in charge of the particular ward.

11. Information given out at the hospital, either over the telephone, or preferably in person, should be accurate, or else refused until reasonable verification can be made. There should most certainly be a more systematic effort made to accurately notify relatives with reference to emergency cases brought in with ready available identification, and also with reference to death cases or patients placed on the danger list. A report giving all circumstances of the death should at once be forwarded direct to the trustees in every case where the patient has not been on the dangerous list for at least twenty-four hours.

12. The present use and abuse of the hospital pass privilege should at once be greatly restricted in accordance with the express desire of the hospital authorities.

13. Although the present investigation has not only verified, but disclosed, numerous just grounds for complaint concerning the present administration of the Boston City Hospital, nevertheless the committee admits its medical limitations and would not consider inadvisable a supplementary survey of the hospital either by the American Hospital Association or the Rockefeller Foundation. This idea, it is admitted, was

voluntarily taken under consideration by the trustees themselves some months ago. Such an expert survey might well cost some thousands of dollars, but the expense involved is not a high insurance premium on an investment of over twenty millions in buildings and equipment, costing over two millions a year to operate, especially when the survey is not for the improvement of some mere routine city department, but for the perfecting of an institution involving the lives and health of an entire community. Incidentally the committee feels that the present salaries paid to many of the executives and doctors on active duty at the Boston City Hospital are far from adequate considering the professional standing and ability of the men and the amount of time given.

Boston should have the finest municipal hospital in the world. Obviously an expense proportionately comparable with the high operating expense of \$500,000 annually for 180 beds at the Beth Israel Hospital is not to be expected; but the committee believes that any competent medical committee or organization will find that the City of Boston cannot adequately operate a reasonably safe and reasonably clean city institution of the size and nature of the Boston City Hospital on any annual budget of less than three million dollars. The sooner a city administration frankly faces that fact the more expensive, but the more reasonably safe, the Boston City Hospital will be for the citizens of the City of Boston. The city can economize, though perhaps unwisely, on such conveniences as street lights, sidewalks and street resurfacing and widenings; but there is no proper economy in restricting, below a reasonably adequate point, the municipal expenditure of money to safeguard the lives and the health of the taxpayers. Whether or not the present operating cost of the Boston City Hospital, amounting to slightly over \$2,000,000, not including the Sanatorium, is higher than that in most other large municipalities in the country, nevertheless the committee is strongly of the opinion that even a public hospital of 1,829 beds—over ten times the capacity of the Beth Israel Hospital—cannot be operated efficiently and safely on a budget of less than \$3,000,000 as a minimum.

JOHN I. FITZGERALD, Chairman,
WILLIAM E. LYNCH,
JOHN F. DOWD,
EDWARD M. GALLAGHER,
ROBERT GARDINER WILSON, JR.

The question came on the acceptance of the report.

COUN. McMAHON—Mr. President and gentlemen of the Council, I have read over very carefully the report of the committee as the result of this investigation, and I will say here to the members who are not on the hospital investigation committee that that committee is to be congratulated on the amount of time it has put in and the good work it has done in this investigation. As we all know, at the beginning it was thought by some that it was to be one of those investigations that would result in a whitewash. That was the idea in the minds of some of the public. But such has not been the case and, as a member of the Council who introduced the original order, I feel that it is my duty to say something on the report and to thank the committee for the work they have done. Going through the report you will see that the committee have made certain recommendations, and they have fully covered practically everything that was embodied in the original order. They recommend, first, more nurses. That has been a crying need in practically every ward. They recommend that there be a nurse on every ward, night and day, which is one of the biggest bones of contention in the City Hospital. Their second recommendation deals with the discipline, which has been very lax—or "conspicuous by its absence," as the committee well puts it. The third recommendation deals with more active and direct supervision in the hospital on the part of the executive and his immediate assistants, something that is also necessary and important. Another very good recommendation, one of the best, is that Wards K and L should be done away with entirely. I would make the suggestion to the committee, and this is something not in the report, that they could very well eliminate the names "K" and "L" for those two wards, because as soon as you mention Ward K, for instance, where a person has been put through no fault of his

owu, the picture in the public mind is that the patient must have been drunk in order to be put there, which is not so. That is a ward that, I think, and I believe other members here will agree with me, should be eliminated, not only in name, but eliminated from the hospital entirely, cases now being put there being sent to the Relief Hospital. The fifth recommendation, that under no circumstances should young children be subjected to the environment of Ward K or any similar ward, deals with one of the most important complaints that has been registered against the hospital. That is one of the most important recommendations in this whole report, that under no circumstances should young children be subjected to the environment of Ward K or any similar ward. There is a lot to those two short lines, more than there is in any such short space in any other part of the report. With that evil overcome, a lot of trouble would be done away with, and this investigation would probably never have occurred if it were not for the existence of that evil. The seventh recommendation deals with the extermination of vermin, and the eighth with the use of modern insulated food carts. Those are good recommendations and should be considered very carefully not only by the councilors but by the trustees and the superior officers at the hospital. Recommendation No. 12 deals with the pass privilege, which I think should be handled in a little different way than it has been handled in the last couple of years. The privilege of going to see a patient should not be taken as a ticket for a football or baseball game. I think the pass is a thing we must have, but at the same time we should have it so arranged that the pass would be appreciated and used in the way that it should be used. But the way they are handling passes now, anyone passes them out, and I don't really know what benefit there is in a pass. Certainly the number of people who get in there on passes, when it is not necessary, should be eliminated. This report says in No. 2 that proper and reasonable length of time should be given in which to make the changes at the hospital recommended by the committee. I will say now that I am going to be very reasonable in the length of time that I think, personally, the Hospital Trustees should be given to make these changes. I think two to three months will give them plenty of time, and if they are not done at the expiration of the three months I will be ready to present an order here to follow up the work that this committee has so faithfully done. As the councilors on the committee have surely given this hospital a thorough going over, I feel now that it is up to the trustees and to the Mayor of our city to see that the recommendations offered by this committee shall be fulfilled. As I say, there are conditions up there at this present day that have not been remedied since this investigation started. Certain things have been done. Certain departments have made changes. I have been reading in the papers the past two or three weeks about the beautiful times they have been having at the hospital. Only this morning I read in one of the papers that they had opened up one of the most beautiful rest rooms and club rooms for the doctors imaginable. That is a very good thing. I think myself time and attention should be given to remedying other conditions in the old buildings, getting rid of the filth which the committee has found and which the trustees and the superintendent admit. I understand that they have a very small crew of men who, they claim, are at work cleaning up this bedbug and filth situation there. I say that instead of having one or two men they should have put at least twelve men on that work, and work them every day in the week on that particular part of the hospital. As the committee has well put it, if the superintendent is not capable of fulfilling his duties and carrying out the recommendations of the report, I have the intention of putting in an order for the removal of the superintendent of the hospital. I will wait, however, and see what is going to be done, inasmuch as the trustees have said that they have plans to take the present superintendent from that position and make him the director. If that is so, I think with a new superintendent there the morale and discipline of the hospital will come back and that the subordinates at the hospital will know that those in charge mean business. If the changes proposed by the committee are made, I personally will be very much satisfied, but if

they are not made, as I say, by three months from now, I will introduce an order in this Council which will make the trustees and officials of the hospital feel that they are in for something worthwhile, looking to an investigation that will make the one we have just been through seem like child's play.

COUN. WILSON—Mr. President, as a member of the committee I will say that it is perfectly obvious from the report that all five members of the committee gave unstintingly of their time and effort to make the investigation and the report something that might be of value. The stenographic report of the testimony and the communications covered 577 pages. That has been boiled down. I would say for the benefit of the members that those 577 pages of the stenographic report have been boiled down to about 30 pages, those 30 pages containing in single space word for word certain passages from the testimony given at the various hearings and the other 12 or 13 pages of the report containing the findings of the committee and the recommendations that they make. The committee make specific findings, first, with reference to the McMahon case; second, with reference to the so-called Bowden case, and at the close of the report the committee makes two general recommendations and thirteen specific recommendations. Coun. McMahon makes the excellent point that the work of the committee, to be really effective, must be absolutely followed up. For that reason, it would seem to me that a committee on Hospitals in next year's Council would be just as important, if not more important than, such a committee, for example, as a Committee on Prisons. There should be in the City Council a Committee on Hospitals. That committee should have the duty of checking up and seeing if the recommendations which have been made are followed, whether the improvements that have been recommended are made. I had hoped, as a result of the investigation, that those things that stand out as wrong even in the eyes of a layman had been corrected, and I was very much surprised when Coun. Sullivan of Dorchester brought to me as late as last week a person who had been a patient at the City Hospital and who showed heel marks in the stomach where he had been kicked or assaulted by an orderly or employee of the Boston City Hospital. That happened, I understand, within a week or ten days. So I hope that the trustees, when they have had a chance to read the report, will snap out of it and will see that corrective measures are applied. For that reason, I believe there should be a Committee on Hospitals in next year's Council. I trust that the present report will be printed as a public document, not simply for the edification of this year's Council, but that it may be available to the City Hospital Trustees and to any committee of the American Hospital Association or of the Rockefeller Foundation that may be called upon to look into conditions in the hospital. I trust also that it may be available for the Committee on Hospitals next year to check up and see whether the recommendations have been followed or not. I accordingly move that the report be printed as a public document.

The report was accepted and ordered printed as a public document.

AMOUNT OF SOLDIERS' RELIEF.

COUN. MOTLEY, for the Committee on Soldiers' Relief, offered the following:

Ordered, That there be allowed and paid to the Soldiers' Relief Commissioner on or before January 5, 1929, and charged to the appropriation for the Soldiers' Relief Department for 1929, the sum of two thousand dollars, said sum to be expended, subject to the approval of the chairman of the Committee on Soldiers' Relief, or in his absence by any other member of said committee, by such commissioner in affording immediate relief to persons entitled to aid under chapter 115 of the General Laws, and acts in amendment thereof and in addition thereto.

Passed under suspension of the rule.

REPORT OF CLAIMS COMMITTEE.

Coun. RUBY submitted the following:

The Committee on Claims respectfully submits the following report showing the disposition of claims during the municipal year 1927:

Claims pending January 1, 1928,	1,353
Claims received during year 1928,	909, total 2,262
Claims approved during year 1928.....	202
Claims disapproved during year 1928.....	626
Claims pending January 1, 1929,	1,434
Amount of claims approved for municipal year 1928.....	\$12,828 37
Amount of claims disapproved for municipal year 1928....	\$134,706 07

Report accepted and ordered printed.

INSPECTION OF PRISONS.

Coun. McMAHON submitted the following:

December 31, 1928.

In accordance with the provisions of chapter 223 of the Revised Laws, the Committee on Inspection of Prisons of the City Council submits herewith its annual report.

Suffolk County Jail.

Semiannual inspections of the jail were duly made. Your committee finds that conditions at this institution continue along the lines of cleanliness and order that have characterized it for several years.

The new boiler plant, in process of erection, will soon be completed and will relieve an undesirable situation. This improvement will do away with the existence of the present boiler plant which is located within the jail building. The new plant is being built in the jail yard, free and clear of the jail proper.

The population at this institution continues at a high figure, averaging about 350.

The demand for an entrance to the jail yard from North Grove street for the jail vans is very pressing. Traffic on Charles street has become so excessive as to render congestion so frequent as to prevent the admission of the vans to the jail. Your committee notes the danger attaching to the present method of conveying inmates of the jail to and from the courthouse. This has become so acute as to require immediate relief.

House of Correction.

The required number of visits was made to the House of Correction by your committee during the year. The cells are clean and in an orderly condition.

Due to the mild winters of recent years it has been possible to cut but very little ice at Deer Island. Therefore it has been necessary to purchase most of the ice in Boston. This results in a great loss as the ice is melted considerably by the time it reaches the Island. It would seem advisable that a system of electric refrigeration be installed at Deer Island.

Statistical tables are appended showing the commitments and discharges at the Suffolk County Jail and the House of Correction during the year.

[Appended were the tables referred to.]

Report accepted and ordered printed.

INVESTIGATION OF TAXI STANDS.

Coun. WARD submitted the following:

The Special Committee on Investigation of Taxi Stands respectfully submits that it held several public hearings at the Chamber of the City Council; that on account of the inability of the city to compel the attendance of witnesses it was unable to secure the kind of information on which to base an intelligent report.

Your committee therefore recommends that the investigation asked for, if it is still desired by the Council, be referred to the next City Council.

Report accepted.

ELECTRIC ARC LAMPS IN WARD 3.

Coun. FITZGERALD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an electric arc lamp at the corner of Lowell and Cotting streets, Ward 3.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an electric arc lamp on Billerica street, between Cotting street and Minot street, Ward 3. Orders passed under suspension of the rule.

BOULEVARD LAMPS ON DORCHESTER AVENUE.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to replace the old-style electric lamps to the boulevard type, on Dorchester avenue, from Savin Hill avenue to Charles street, and to install such additional boulevard type lamps as may be necessary. Passed under suspension of the rule.

FLOODING RONAN PARK FOR SKATING.

Coun. McMAHON offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to place Ronan Park in proper shape so that it may be flooded for skating.

Passed under suspension of the rule.

ADDITIONAL BEDS AT MATTAPAN SANATORIUM.

Coun. DOWD offered the following:

Ordered, That the Board of Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to provide additional beds at the Mattapan Sanatorium in order to relieve the tubercular cases in this city.

Coun. DOWD—Mr. President, I would like, if I may, to bring to the attention of the members of the Council a very serious situation in the City of Boston. We have at the present time in the City Hospital over two dozen cases of TB, which absolutely should be isolated from the other patients in the hospital. We have a waiting list at Mattapan of over 150 people, many of whom have been on that list from two to six months. I say that in a great city like Boston provision should be made to take care of TB cases. We all know that there is a new building to be erected at Mattapan. It will possibly be a year or two years before it is in full operation, and until that time we have no place to put these people. I say to the Board of Trustees of the City Hospital that it is about time that they took action on this matter, if necessary spending at least \$50,000 to equip one of those buildings out there with additional beds, in order to try to place every person who makes application within a month, not waiting from two to six months.

The order was passed under suspension of the rule.

SEVEN CENTS FOR ELEVATED SHORT RIDES.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to ask the Boston Elevated Railway to issue individual tickets for seven cents on those lines where four tickets are now issued for twenty-five cents.

Coun. DOWD—Mr. President, the situation referred to in this order, so far as the Boston Elevated is concerned, is briefly this. For a ride from Northampton street to Essex street, we will say, or from Scollay square to City square, the Elevated sells four tickets for 25 cents, 6½ cents apiece. It is very nice for anybody who has with him plenty of money all the time to buy a strip of tickets in that way and spend a quarter for it; but there are some poor unfortunates who are not able to pay 25 cents, not able to produce the 25 cents to purchase a strip of tickets and who

are obliged to pay 10 cents each time when they ride from Northampton street to Essex, or from Scollay square to City square. I say that the Boston Elevated can well afford to sell tickets for such rides for 7 cents each. I don't believe it is right to make a profit of 3 cents or more on the poor fellows who cannot afford to buy a strip of tickets. So I say the road should sell individual tickets in such cases for 7 cents.

The order was passed under suspension of the rule.

ADDITIONAL LABORERS IN ROXBURY SANITARY YARDS.

Coun. DOWD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to place fifty additional laborers in the Sanitary Division of the Roxbury yards.

Passed under suspension of the rule.

IMPROVEMENT OF CEYLON STREET PLAYGROUND.

Coun. RUBY offered the following:

Ordered, That the sum of twenty-five thousand dollars be, and the same hereby is, appropriated to be expended under the direction of the Park Commission, for the improvement of the Ceylon Street Playground, Ward 14, and that to meet said expense 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.

EXTENSION OF BOYLSTON STREET TUNNEL.

Coun. GALLAGHER offered the following:

Ordered, That the Transit Commission be requested, through his Honor the Mayor, to prepare a plan for and advocate before the General Court an extension of the Boylston Street Tunnel to Allston and Brighton, for the purpose of relieving congestion both at Governor square and Cottage Farm Bridge.

Passed under suspension of the rule.

COLLECTIONS AUTHORIZED AT AMATEUR GAMES.

Coun. MOTLEY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to amend the regulations so that the taking of collections at any out-door athletic sport or game on the playgrounds or parks in the City of Boston shall not be prohibited.

Coun. MOTLEY—Mr. President, in introducing this order I might say that possibly I am not as well versed in the Sunday Sports Bill, as recently accepted by this body, as I might be if I possessed a legally trained mind; but I believe it states specifically in the act that a collection may be taken up at a playground if permission is given by those in charge. Personally, I believe the amateur teams of Boston should be given an opportunity to cover the expenses which they are compelled to bear, just as much as the professional sport financiers are to be given an opportunity to make a charge for the Sunday sports which they conduct. I say the kids in my district should be given a chance to pass the hat at the games, just as much as the professional sporting financier should be given an opportunity to make a million dollars during the coming years under this Sunday Sports Bill. I have some idea of what the answer to this will be, but I do say that the self-same leaders who have during the past few weeks championed the cause of professional basehall should now come to the aid of the younger element of Boston in their fight for recognition which they justly deserve. If they don't come to the aid of the kids of Boston, I say to them and to professional sporting financiers that they still have a fight on their hands. Mr. President, I hope this order will pass, so that we can get at this matter in some way. Let us have

an idea of what is going to be done. If there is not going to be fair play for amateurs, as well as professionals, let us know it.

Coun. McMAHON—Mr. President, I think the order just introduced by the councilor from Jamaica Plain is a very sound one. It is an order which should command the support of every councilor here, which should have the support, as he well put it, of the leaders, those who have assumed this great leadership in passing the Sunday Sports Bill. Let them get to work now on this order, interesting our own youngsters and concerning our own playgrounds, so that the heads of his ward, of my ward, and every boy in the City of Boston, will have a chance to pass the hat. If we don't do it now, before we give the final O K to the big fellows who are interested professionally in Sunday sports, the children will not have a chance to do anything on the playgrounds of our city. I hope the order will pass.

The order was passed under suspension of the rule.

REGISTER WILLIAM T. A. FITZGERALD SWORN IN.

Chairman KEENE—The Chair would state that in contemplation of law it is necessary that the Register of Deeds be sworn in before the City Council. The Chair will, therefore, ask the Register of Deeds to step forward.

William T. A. Fitzgerald, Esq., Register of Deeds, came forward and was sworn in by Chairman KEENE, the Chair stating that he was in receipt of certificate from the Election Commissioners of the election of Mr. Fitzgerald to the office of Register of Deeds.

The bond of Register William T. A. Fitzgerald was also presented, and was approved by the Council.

RECESS.

The Council at 2.58 p. m., on motion of Coun. GALLAGHER, took a recess subject to the call of the Chair.

The members reassembled in the Council Chamber and were called to order by Chairman KEENE at 3.56 p. m.

TABLED PAPERS INDEFINITELY POSTPONED.

On motion of Coun. RUBY, Nos. 1 and 2 were taken from the table, viz.:

1. An Ordinance Concerning the Soldiers' Relief Department.

Be it ordained by the City Council of Boston, as follows:

Chapter 31 of the Revised Ordinances of 1925 is hereby amended by striking out the last sentence in said chapter and inserting in place thereof the following:

"The commissioner may appoint, subject to the approval of the mayor, an assistant commissioner, who shall exercise the powers and perform the duties of the commissioner during his absence, and perform such other duties as the commissioner may determine, and a deputy commissioner who shall have such powers and perform such duties as the commissioner may determine."

2. Ordered, That his Honor the Mayor be requested to at once remove from office the present members of the Board of Appeal.

On motion of Coun. RUBY, Nos. 1 and 2 were indefinitely postponed.

EXECUTIVE COMMITTEE REPORTS.

Chairman KEENE, for the Executive Committee, submitted reports recommending that the following notices from the Street Laying-Out Department on petitions for hearings on storage and sale of gasoline be placed on file:

Arlington Ruhler Company, John J. Reardon and 20th Century System, Inc. (referred December 11, 1928).

Boston Elevated Railway (referred December 3, 1928).

Harry H. Wiggin, Cecilia A. Barrows, Cities Service Refining Company and William T. VanNostrand (referred November 13, 1928).

Bay State Upholstering Company and Sampson & Coleman (referred October 15, 1928).

Casey's Garage, John A. Dobson and John S. Hourihan (referred October 8, 1928).

James F. Morse & Co. (referred October 1, 1928).

B. F. Ross, Traverse Building Trust and Nicola Nazzaro (referred September 25, 1928).

T. A. Robbins (referred August 6, 1928).

Philip J. Berson, Gustar E. Berg, Bernie A. Gomberg, Mary A. VenGola and James H. Wilson (referred September 10, 1928).

John J. Daly, Alice F. Swanson, Boston Elevated Railway, Loretto Frederico, William Sartz and George Mogazero (referred September 5, 1928).

Mary E. Lennon, E. A. Robbins and Gatti Paper Stock Corporation (referred August 20, 1928).

John J. Byrne and Metropolitan District Commission (Water Division) (referred October 22, 1928).

Harry Quirk, Standard Oil Company of New York, Daniel P. Walsh and John J. VanWart (referred November 19, 1928).

Reports accepted; papers severally placed on file.

LAYING OUT STOW ROAD.

Coun. MURPHY offered the following:
Ordered: That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Stow road, Ward 18, as a public highway.

Passed under suspension of the rule.

TEMPORARY REPAIRS ON RIVER STREET.

Coun. MURPHY offered the following:
Ordered: That the Commissioner of Public Works be requested, through his Honor the Mayor, to make immediate temporary repairs on River street, from Standard street to Mattapan square, Ward 18, so that this thoroughfare may be in passable condition.

Passed under suspension of the rule.

WIDENING OF BEECH STREET.

Coun. MURPHY offered the following:
Ordered: That the Board of Street Commissioners be requested, through his Honor the Mayor, to include in the budget for 1929 a sum sufficient to provide for the widening of Beech street, from Washington street to Poplar street, Ward 18, to forty feet in order that this improvement may be made during the coming year.

Passed under suspension of the rule.

OPENING LOCKER BUILDING, SMITH'S FIELD PLAYGROUND.

Coun. MURPHY offered the following:
Ordered: That the Park Commissioners be requested, through his Honor the Mayor, to keep open the locker building on Smith's Field playground until 10 p. m. during the winter months, for the use of the skaters using the field.

Passed under suspension of the rule.

TO PROVIDE SKATING AREA READVILLE PLAYGROUND.

Coun. MURPHY offered the following:
Ordered: That the Park Commissioners be requested, through his Honor the Mayor, to place an embankment around the low side of the Readville Playground, Ward 18, in order that an area may be flooded for skating.

Passed under suspension of the rule.

LAYING PIPES—PROPOSED NASHUA STREET WIDENING.

Coun. FITZGERALD offered the following:
Ordered: That the Commissioner of Public Works be requested, through his Honor the

Mayor, to take steps, if deemed necessary, to lay sewer and water pipes from the dead end of Nashua street to the junction of Leverett and Charles streets, in connection with the proposed widening of Nashua street.

Passed under suspension of the rule.

RESETTING GRANITE BLOCKS, BILLERICA STREET.

Coun. FITZGERALD offered the following:
Ordered: That the Commissioner of Public Works be requested, through his Honor the Mayor, to reset the granite blocks on Billerica street, between Minot and Causeway streets, Ward 3.

Coun. FITZGERALD—Mr. President, in connection with that order providing for the laying of sewer and water pipes along the proposed Nashua street widening, if deemed necessary by the Commissioner of Public Works, I want to say that the condition of that thoroughfare down there is deplorable. The city's money has been invested and it will come back to the city in assessments levied on property along Nashua, Leverett, Brighton and Lowell streets, and so on. At the present time, however, the citizens are waiting, and I don't need to tell the Council what it means to have a loss of business in this city, to our business men and citizens generally, or the loss it means in taxes. The city depends on taxes received from business interests, from business property. Anybody who goes down around the lower end of the market district through lower Hanover street and Washington street, along Atlantic avenue, knows that you can find there nothing but empty stores, people going out of business because of the conditions that exist there. We find this proposed great improvement, costing the city a million and a half, through that section, and still everything left at a dead end. If the city is to do the work, now is the time to lay it out and the sooner they get to work and put sewer and water pipes in, the better it will be for all concerned. Men can be put to work now, Mr. President. With this open weather, there is no reason why work should not be started and carried through. Anybody familiar with contracting, with the laying of water and sewer pipes, knows that if laid in the wintertime they have an opportunity to sink in the ground and that later on the streets will be in a condition for paving. We also know that men are crying for work. Nobody can conceive of the conditions down there without going and examining them. It looks like a cow pasture, Mr. President. When they talk about street work being taken up and going on, it is a joke. Many people will read about it in the newspapers, but it is simply talk for the benefit of the press. This is not an outlying district, Mr. President, not a residential district in the outlying parts of the city, where we all realize that improvements are needed, but an in-town section, affecting business property from which we must raise the money by taxation to meet our needs. Certainly something ought to be done, and done at once. There is absolutely no excuse for delay, and I hope the proper authorities will take notice that these sewer and water pipes must be laid, and will do it forthwith.

The order was passed under suspension of the rule.

BOULEVARD LAMPS ON DORCHESTER AVENUE.

Coun. FISH offered the following:
Ordered: That the Commissioner of Public Works be requested, through his Honor the Mayor, to install boulevard lamps on Dorchester avenue, from the overhead bridge of the Boston Elevated system to Park street, Ward 16.

Passed under suspension of the rule.

Chairman KEENE—If there is no further business, a motion to adjourn is in order.

Adjourned at 4.03 p. m., on motion of Coun. RUBY, to meet on Monday, January 7, 1929, at two o'clock p. m.

