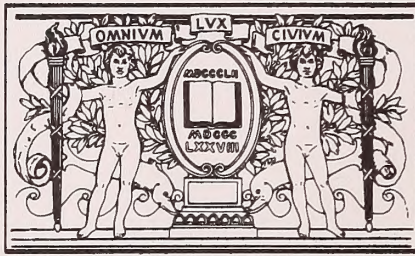


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REPORTS OF PROCEEDINGS

OF THE

CITY COUNCIL OF BOSTON

FOR THE YEAR

COMMENCING JANUARY 7, 1929, AND ENDING JANUARY 4, 1930



CITY OF BOSTON  
PRINTING DEPARTMENT  
1930





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 JADOIN, DIAB AND HANDOUNY, THOMAS: for damage to property, 240  
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- parking of automobiles:** order to prohibit on Broadway, between Dorchester ave. and Farragut rd., during parade on March 18, passed, 97

**pensions and annuities:**

FITZGERALD, MRS. JOHN J.: 113

SULLIVAN, MRS. JOHN J.: 68, 69

- police ambulances:** order requesting the Mayor to confer with police commissioner and budget commissioner regarding purchase, 51—passed, 52

- police uniforms:** order that future contracts be awarded to manufacturers in Boston, passed, 421

**Police Department, continued.****salaries:**

- communication establishing salaries of police matrons, referred to the executive committee, 21—report with order, accepted, order passed, 51
- order for appointment of committee of five citizens to investigate and study those paid throughout Massachusetts and the United States, 57—passed, 58
- order to include in budget an adequate increase for patrolmen, passed, 387

**traffic officers:**

- order to station at intersection of Fox Point road and Old Colony Parkway, Ward 13, passed, 224—message transmitting communication, placed on file, 237
- order to assign at Fond st., Jamaicaaway, passed, 242—message transmitting communication, placed on file, 261
- order to assign for duty at junction of Seaver st. and Blue Hill ave., 302—message transmitting communication, placed on file, 320
- order to assign to Dorchester ave. and the Southern Artery, passed, 340—message transmitting communication, placed on file, 374
- order to assign to junction of Washington st. and Columbia rd., Ward 14, passed, 406—message transmitting communication, placed on file, 415

- traffic signal lights:** order to install at Cleary sq., Ward 18, passed, 132, 133

- traffic protection:** order to provide in Codman sq., Dorchester, passed, 59—message transmitting communication, placed on file, 84

- transfers:** message with orders for transfer to Boston traffic commission, 168, 169—referred to the executive committee, 169—report accepted, orders passed, 174; message with orders for transfer to Boston traffic commission, 180, 181—referred to the executive committee, 181—report accepted, assigned to next meeting, 186—orders passed, 190—report accepted, order passed, 209

**Pond Street, Ward 19.**

- sidewalk:** order for construction along No. 194, passed, 349

**Pond View Avenue, Ward 19.**

- order to plant trees, passed, 113

**Powell, Joseph W.**

- notice of appointment as member of Boston Port Authority, 266

**Preble Street, South Boston.**

- resolution favoring legislation authorizing city to borrow money for reconstruction, referred to the executive committee, 42—report accepted, resolve passed, 51
- order for construction of granolithic sidewalk, passed, 323
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**Primrose Street, Ward 20.**

- sidewalks:** order for construction, Walter st. to Fairview st., passed, 130

**Printing Department.**

- amended city charter:** order to print, Document 46, passed, 121

- report on fire insurance rates:** order to print, expense to be charged to the appropriation for city documents, referred to the executive committee, 312—report accepted, order passed, 323

- salary of superintendent of printing:** message with draft of amendment to ordinance concerning, referred to the committee on ordinances, 375—report accepted, ordinance passed, 406

**Prisons, Inspection of.**

- annual report submitted, 426, 427, 428—report accepted and ordered printed, 428

**Private Alley, near Symphony Hall.**

- order to accept and lay out as a public alley, between Huntington ave. and St. Stephen st., from Symphony Hall to Opera house, passed, 412

**Prompt Provision for Schoolhouse Needs.**

- topic in Mayor's address, 2

**Prospect Avenue, Ward 19.**

- paving:** order to repave with smooth pavement, passed, 137  
**sidewalks:** order for construction, Brown ave. to Sycamore st., passed, 137

**Protection of Valuables at Beaches. (See Park Department.)****Providence Street, Ward 18.**

- order to accept and lay out, passed, 132

**Public Buildings Department.**

**superintendent:** John P. Englert appointed, 50

**appropriation:** order for \$666.67 to be charged to the reserve fund, referred to the executive committee, 181-report on order, 186-order passed, 189, 190

**Church st., near Fayette st.:**

order for lease of suitable quarters in the building to Silver Star Chapter No. 3, Disabled American Veterans of World War, 371-referred to executive committee, 371-report accepted, order passed, 407

order for lease of suitable quarters in the building to William F. Sinclair Post No. 250, American Legion, 371-referred to executive committee, 371-report accepted, order passed, 407

**corner Fayette and Church sts.:** order regarding making available for use as quarters by Silver Star Chapter No. 3, Disabled American Veterans, passed, 63

**courthouse, East Boston:** order for loan of \$150,000 for enlargement, referred to the committee on finance, 139-report accepted, order passed, 166-given second reading and passage, 184-vetoed, placed on file, 207

**Lexington st. building:** order to lease to Charlestown Post No. 544, Veterans of Foreign Wars, referred to the executive committee, 231-report accepted, order passed, 232-vetoed, 247

**municipal building, Dorchester:** resolution approving legislation to provide for construction, passed, 59

**municipal building, Franklin Field, Ward 14:** order for loan of \$400,000, 30, 31-referred to the committee on finance, 31

**municipal building, Ward 16:** order for loan of \$500,000 for construction, 58-referred to the committee on finance, 59-report accepted, order passed, 153-given final reading and passage, 174-vetoed, placed on file, 187

**municipal building, Ward 18:** order to provide settees, passed, 323-message transmitting communication received and placed on file, 337

**old armory, East Boston:** order to lease first floor to East Boston Post 608, Veterans of Foreign Wars, passed, 205-vetoed, placed on file, 214

**old town hall, Brighton:** order for lease of quarters to Edward M. Cunningham Camp, United Spanish War Veterans, passed, 126-vetoed, 141

**salary of superintendent:** message with draft of amendment to ordinance, 109-referred to the committee on ordinances, 110; message submitting draft of amendment to ordinance establishing salary, referred to the committee on ordinances, 120-report accepted, ordinance adopted, 151, 153

**sale of chairs:** order authorizing the superintendent to sell to outgoing members of the city council, 413, 414-passed, 414

**Public Celebrations.**

**Fourth of July:** concerning appropriations for wards, 225

**tercentenary:**

resolution approving legislation authorizing city to appropriate money, referred to the executive committee, 15-report accepted, resolution adopted, 19

order for information regarding plans, passed, 122

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message with order for appropriation of \$50,000, referred to the executive committee, 212-order withdrawn, placed on file, 220

message with order for \$25,000, to be charged to the reserve fund, referred to the executive committee, 238-report accepted, order passed, 245

**transfer:** message with order for transfer of \$1,500 from the reserve fund, referred to the executive committee, 375-report accepted, order assigned to next meeting, 379-order passed, 384

**Public Health Building. (See Health Department.)****Public Lands.**

**airport, East Boston:** message with preambles and order for cancellation of lease and for payment of \$15,000 damages, referred to committee on public lands, 336

**Alford and Dexter sts., Charlestown:** message with order for sale, referred to the committee on public lands, 280

**Bath st.:** message with preambles and orders relating to sale to the Water Street Company, referred to the committee on public lands, 380

**Charles River ave., Charlestown:** message submitting communications and order for sale to the Tudor Company, 95, 96-referred to the committee on public lands, 96-report accepted, order assigned to next meeting, 186-order read once and passed, 190-assigned to next meeting, 210-given final reading and passage, 216

**City Hall ave.:** order, for sale of site of police station No. 2 to Louis E. Kirstein, recalled from committee on public lands and referred to the executive committee, 75-motion to act upon order, lost, 77-message concerning, referred to the executive committee, 91-report accepted, message placed on file, 97-order read once and passed, 97, 98-given second reading and passage, 115

**Dedham st., No. 83:** order for release of restrictions, referred to the committee on public lands, 141-report accepted, order passed, 226-order assigned to next meeting, 245-given final reading and passage, 255

**Deer Island:** message with preambles and order to grant to United States of America the right to enter upon land now occupied by wall, 336, 337, referred to the committee on public lands, 337-report accepted, order passed, 384-given second reading and passage, 396

**Maverick and Bremen sts., East Boston:** message with communication and order for lease to Major P. J. Grady Camp, No. 3, referred to the committee on public lands, 65-report accepted, order passed, 154

**old Reservoir lot, Hyde Park:** message with order for sale, referred to the committee on public lands, 294

**Parker Hill ave.:** message with communication, preambles and order for sale of land to the Robert Breck Brigham Hospital for Incurables, 380, 381-referred to the committee on public lands, 381-order passed, 397, 398-order assigned to next meeting, 412, 413-order laid on table, 419-motion to take from table, lost, 420-order given second reading and passage, 429, 430, 431, 432

**Revere place:** message with order for sale to Graeco C. Guiducci *et al.*, 28, 29-referred to the committee on public lands, 29

**Tamworth st.:**

message with communications enclosing an offer of \$100,000 from the Boylston and Tremont Corporation, for land, formerly Tamworth st., recently discontinued as a public way, 338, 339-referred to the committee on public lands, 339-remarks concerning, 369 notice of discontinuance from Boylston st. to La Grange st., placed on file, 378

preambles with order for sale to Boylston and Tremont Corporation, 369, 370-order passed, 370-given second reading and passage, 384, 385, 386

preambles with order regarding erection of building and furnishing of bond, 369, 370-order passed, 370-given second reading and passage, 384, 385, 386

**Washington ave., South Boston:** message with order for release to John J. Collins, referred to the committee on public lands, 65-report accepted, order assigned to next meeting, 323-order passed, 333-given second reading and passage, 350

**Washington st. near Dover st.:** report, on order to lease part of premises known as Old Franklin Schoolhouse lot, accepted, order read once and passed, 304-given second reading and passage, 322

**Washington st., West Roxbury:** message with order for lease to Donald Gray, 294, 295-referred to the committee on public lands, 295-report accepted, order assigned to next meeting, 343-passed, 348-given second reading and passage, 358

**Public Welfare Department.**

**members of the board:** Mrs. Evelyn H. Scanlan, appointed, 30; Mrs. Eva W. White, Oliver C. Elliot, Edward H. Willey, Tilton S. Bell, appointed, 173; Thomas F. Ratigan and Joseph T. Zottoli, appointed, 329; William H. Taylor, appointed, 405; Assad Mudarri, appointed, 410

**aid:** order to submit list of persons living in Charlestown who are receiving aid' 391-referred to the executive committee, 392

**allowances:** order as to number of cuts made in allowances granted during past four months, passed, 391

**Christmas baskets:** order to provide for each family receiving aid, passed, 407



**Public Welfare Department, continued.****city wood yard:**

order regarding payment of men employed, 21—passed, 22  
order regarding courtesy of overseers in discharge of their duties, 21—passed, 22

**reinstatement:** resolution favoring legislation authorizing reinstatement of James S. Kiernan, passed, 417

**Public Works Department.**

**appointment of broommaker:** order requesting law department to take action in certifying requisition for broommaker, passed, 266

**bridge and ferry division:**

**ALBANY STREET BRIDGE:** message with preambles and order for decision of the department of public utilities regarding alterations, referred to the executive committee, 95—report accepted, preambles and order passed, 114

**COTTAGE FARM BRIDGE:**

notice of hearing to apportion cost, placed on file, 10  
message with order for loan of \$570,000 for construction, referred to the committee on finance, 263—order passed, 312, 313—given second reading and passage, 332  
message with order for transfer of \$4,290.98 for construction, referred to the committee on finance, 263—order passed, 312, 313—given second reading and passage, 332

**EAST BOSTON FERRY:**

order for loan of \$300,000 for new ferryboats, referred to the committee on finance, 239—report accepted, order rejected, 303  
order for loan of \$300,000 for two additional boats, referred to committee on finance, 303  
remarks concerning purchase, 359

**FERRYBOAT "NODDLE ISLAND":** message with communication and order for sale, referred to the executive committee, 29—report accepted, order passed, 51

**FERRY TOLLS:**

report, on order for increase of tolls on East Boston ferries, with order, report accepted, order passed, 218; order that so much of order as relates to time of taking effect on January 1, 1930, is repealed, passed, 225  
order that the tariff on tolls on East Boston ferries shall take effect on date of opening for traffic of the East Boston vehicular tunnel, passed, 225—vetoed, placed on file, 236

**MORTON STREET BRIDGE:**

message with order for loan of \$175,000 for rebuilding, referred to the committee on finance, 239—report accepted, order rejected, 303  
order for loan of \$175,000, referred to the committee on finance, 303

**NEW BRIDGE, MASSACHUSETTS AVE.:** order to name bridge the Edward E. Ginsberg Memorial bridge, referred to executive committee, 418—report accepted, order passed, 418

**SHAWMUT AVENUE BRIDGE:** message with preambles and order for decision of the department of public utilities regarding alterations, referred to the executive committee, 95—report accepted, preambles and order passed, 114

**RIVER STREET BRIDGE, WARD 18:** order to expedite completion of construction, passed, 132

**cleaning streets:**

**SOUTH BOSTON STREETS:** order to put in proper condition for Evacuation day, passed, 97; order to properly clean, passed, 163  
**STREETS IN WARD 12:** order to thoroughly clean, passed, 224

**concrete work:** order to hasten the completion of concrete work on Hemenway st., at entrance to Fenway, Ward 4, passed, 378

**construction of streets:**

**WESTERN AVE., WARD 22:** order for construction, passed, 102

**contracts let out by city:** order for information regarding, referred to the executive committee, 114—report accepted, order passed, 114

**Cummins Highway:**

order to expedite completion of construction, passed, 132—message transmitting communication regarding, placed on file, 158  
order to repave with smooth paving, from Mattapan sq. to Richmond st., passed, 179

**drinking fountains:** order to speed up work of repairing, passed, 217  
**garage for city trucks, Charlestown:** order as to advisability of erecting, passed, 123

**grading streets:**

**BEARSE AVE.:** order for, passed, 16  
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**Public Works Department, continued.**

**granolithic sidewalks:** order for loan of \$50,000 for construction, 241, 242—referred to the executive committee, 242—report accepted, order assigned to next meeting, 245—order read once and passed, 267—given second reading and passed, 299

**granolithic sidewalks, orders for:** Preble st., Ward 7, passed, 323

**granolithic steps:** order for substitution for wooden steps, leading from Johnswood rd. to Sherwood st. and Brown ave., Ward 19, passed, 133

**ice for drinking fountains:**

message with order for \$5,000 to be charged to the reserve fund, 337—report accepted, order passed, 342, 343  
message with order for \$650 to be charged to the reserve fund, referred to the executive committee, 375—report accepted, order assigned to next meeting, 379—passed, 384

**incineration plants:**

resolution approving legislation authorizing city to borrow money to provide for construction, referred to the executive committee, 50—report accepted, resolution adopted, 60  
order for loan of \$350,000 for purchase of land and for construction, 226—referred to the committee on finance, 227—report accepted, assigned to next meeting, 258—order laid on table, 267—order assigned to next meeting, 302—passed, 322—given second reading and passage, 332—vetoed 351, 352—placed on file, 352  
order for loan of \$350,000 for purchase of land and for construction, referred to committee on finance, 353

**laying sewer and water pipes:** message transmitting communication regarding laying sewer and water pipes from end of Nashua st. to junction of Leverett and Charles sts., placed on file, 27

**lighting streets:**

**BOWDOIN AVE. AND BULLARD ST., WARD 14:** order to install arc light at corner, passed, 204

**BROADWAY, WARD 6:** order to install "boulevard system," 71, 72—passed, 72

**CENTRE ST., WARD 10:** order to install "white way" system of lighting, passed, 406

**CHELSEA ST., CHARLESTOWN:** order to provide arc light, passed, 122

**COLUMBUS AVE., WARD 4:** order to include in budget sum sufficient for "white way" system, passed, 408

**CRESCENT AVE. AND NEWPORT ST., WARD 13:** order to install electric arc light at corner, passed, 349

**DORCHESTER AVE., WARD 7:** order to install arc lights at foot of Old Colony rd., passed, 277—message transmitting commission, 320, 321—placed on file, 321

**EAST BROADWAY, SOUTH BOSTON:** message transmitting communication relative to installation of arc light in front of No. 752, at L st., placed on file, 103

**FOURTH ST. AND DORCHESTER ST., WARD 7:** order to place additional electric arc lamp at corner, passed, 371

**HOWARD AVE. AND JULIAN ST., WARD 13:** order to replace gas lamp with arc light at corner, passed, 378

**HYDE PARK AVE., WARD 18:** order to install "boulevard lights," passed, 72

**JACOB ST., WARD 14:** order to install additional lights, passed 185

**KINGSDALE ST., WARD 14:** order to install additional street lamps, passed, 243

**LEONARD ST., WARD 15:** order to install electric arc lamps, passed, 135

**MIDDLESEX AND CASTLE STS., WARD 5:**  
order to install arc light at intersection, passed, 277  
order to locate street lamp at intersection, passed, 378

**ORCHARDFIELD ST., WARD 15:** message transmitting communication relative to installation of additional lights, placed on file, 103

**PARK ST., WARD 16:** order to install boulevard light in front of No. 138, passed, 378

**PARKMAN ST., WARD 16:** order to provide for installation of four additional lamps, passed, 75

**REPORT:** on street lighting situation, placed on file, 422

**SAVIN HILL AVE.:** order to install electric lamps, passed, 234—message transmitting communication, placed on file, 320; order to install boulevard arc lamps, passed, 343

**SPRING GARDEN ST. AND CRESCENT AVE., WARD 13:** order to install electric arc light at corner, passed, 349

**STREET CAR RESERVATION, WARD 7:** order to install four boulevard arc lamps, between Edward Everett sq. and Columbia sq., passed, 334

**SUMMER AND EAST COTTAGE STS., WARD 13:** order to provide arc light, passed, 121

**SYDNEY ST., WARD 13:** order to install light at corner Sudan st., passed, 302—message transmitting communication, placed on file, 320

**THOMAS PARK, WARD 7:** order to install arc light, passed, 68—message transmitting communication, placed on file, 104

**TOPLIFF ST. AND GENEVA AVE., WARD 15:** order to install electric arc lamp at junction, passed, 128

**Public Works Department, *continued.*****lighting streets:**

- WALDES ST., WARD 14: order to install street lamps, passed, 242  
 WALNUT ST., WARD 5: order to install electric arc lamp opposite No. 5, passed, 16  
 WELLINGTON HILL ST., AND BLUE HILL AVE. WARD 14: order to install electric arc lamp at corner, passed, 406

**Morton st. extension:**

- order to provide for \$50,000 for completion between Codman st. and Druid st., passed, 16  
 order to proceed at once with completion, between Druid st. and Washington st., Dorchester, passed, 16, 113  
 order concerning completion and amount of money authorized but not yet expended, passed, 195  
 order concerning probability of early completion at Washington st. end and amount of money not yet expended, 243—passed, 244  
 report on order for loan of \$50,000 for completion, from Codman st. to Washington st., report accepted, order passed, 257—order read second time and passed, 266, 267—vetoed, placed on file, 293  
 order for loan of \$40,000 for construction of Morton st., Dorchester, from Codman st. to Druid st., referred to the committee on finance, 269—report accepted, order passed, 313—order given second reading and passage, 332  
 order to lay out, between Codman and Druid sts., passed, 302  
 order for loan of \$40,000 for construction from Codman st. to Druid st., order read once and passed, 302, 303—given second reading and passage, 322—vetoed, placed on file, 337, 345  
 order for loan of \$40,000 for laying out, widening and construction from Codman st. to Druid st., passed, 361, 384—vetoed, placed on file, 405  
 order for loan of \$40,000 for laying out, widening and construction, from Codman st. to Druid st., given first reading and passage, 407—given second reading and passage, 418—vetoed, placed on file, 422  
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**paving service:**

- ABBOT ST., WARD 14: order to repave with smooth paving, passed, 185  
 ADAMS ST., WARD 15:  
 order to repave with smooth paving, passed, 298  
 order to repave with smooth paving, passed, 418  
 ASHLAND ST., WARD 16: order to repave with smooth paving, passed, 223—message transmitting communication, placed on file, 229  
 AUSTIN ST., WARD 18: order to repave with smooth paving, passed, 20  
 BABSON ST., WARD 18: order to repave with smooth paving, passed, 154  
 BEACON ST., WARD 18: order to repave with smooth paving, passed, 311  
 BELLEVUE ST., WARD 15: order to repave with smooth paving, passed, 117  
 BENNINGTON ST., WARD 1: order to repave from Central sq. to Day sq., passed, 136  
 BILLERICA ST., WARD 3: message transmitting communication regarding resetting granite blocks, placed on file, 28  
 BLUE HILL AVE.: order to repave with smooth paving, passed, 136  
 BOURNE ST., WARD 19: order to repave with smooth paving, passed 137  
 BOWEN ST., SOUTH BOSTON: order to repave with smooth paving passed, 140  
 CANTERBURY ST., WARD 18: order to repave with smooth paving, passed, 179, 311  
 CARLTON ST., WARD 4: order to repave with smooth paving, passed, 317  
 CENTRE ST., WARD 16: order to repave with smooth paving, passed, 234  
 CEYLON ST., WARD 13: order to repave with smooth paving, passed, 137  
 CHAMBERS ST.: order to repave with smooth paving, passed, 219  
 CHARLES ST., WARD 15: order to repave with smooth paving, passed, 117  
 CHARLOTTE ST., WARD 14: order to repave with smooth paving, passed, 185  
 CHESTNUT AVE., WARD 10: order to repave with smooth paving, passed, 209  
 CLEVELAND ST., WARD 18: order to repave with smooth paving, passed, 87  
 CLIFFORD ST., WARD 12: order to repave with smooth paving, passed, 97  
 CLIFFORD ST., WARD 18: order to repave with smooth paving, passed, 87  
 CUMMINS HIGHWAY, WARD 18: order to repave with smooth paving, passed, 179  
 D ST., WARD 6: order to repave with smooth paving, passed, 72  
 DORCHESTER AVE., WARD 15: order to repave with smooth paving, passed, 19  
 DRAPER ST., WARD 15: order to repave with smooth paving, passed, 117

**Public Works Department, *continued.*****paving service:**

- EAST SECOND ST., WARD 6: order to repave with smooth paving, passed, 322  
 ELM HILL AVE., WARD 12: order to repave with smooth paving, passed, 123  
 ELM HILL PARK, WARD 12: order to repave with smooth paving, passed, 358  
 FORBES ST., WARD 10: order to repave with smooth pavement, passed, 253  
 GENEVA AVE., WARD 15: order to repave with smooth paving, passed, 19  
 GLENWAY ST., WARD 14: order to repave with smooth paving, passed, 185  
 GORDON AVE., WARD 18: order to repave with smooth paving, passed, 20  
 GROVENOR RD., WARD 19: order to repave with smooth paving, passed, 128  
 HAMILTON ST., WARD 18: order to repave with smooth paving, passed, 87  
 HARRIS AVE., WARD 19: order to repave with smooth paving, passed, 128  
 HARVARD AVE., WARD 18: order to repave with smooth paving, passed, 306  
 HARVARD ST.: order to repave with smooth paving, passed, 203  
 HOMES AVE., WARD 15: order to repave with smooth paving, passed, 117  
 HOMESTEAD ST., WARD 12: order to repave with smooth paving, passed, 184  
 HUNTINGTON AVE., WARD 4: order to repave with smooth paving, passed, 140  
 HYDE PARK AVE., WARD 18: order to repave with smooth paving, passed, 20, 123, 323  
 INTERVALLE ST., WARD 16: order to repave with smooth paving, passed, 194  
 LAKE ST., WARD 18: order to repave with smooth paving, passed, 323  
 LINCOLN ST., WARD 18: order to repave with smooth paving, passed, 185  
 LIVERPOOL ST., WARD 1: order to repave, passed, 136  
 LOCHSTEAD AVE., WARD 19: order to repave with smooth paving, passed, 128  
 LOGAN ST., WARD 9: order to repave with smooth paving, passed, 116  
 M ST., WARD 6: order to repave with smooth paving, passed, 123  
 McLELLAN ST., WARD 14: order to repave with smooth paving, passed, 185  
 MINDEN ST., WARD 10: order to repave with smooth paving, passed, 205  
 MOZART ST., WARD 10: order to repave with smooth paving, passed, 209  
 MUNROE ST., WARD 12: order to repave with smooth paving, passed, 128  
 NASSAU ST., WARD 3: order to repave with asphalt paving, passed, 289  
 OAKLAND ST., WARD 18: order to repave with smooth paving, passed, 87  
 OLNEY ST., WARD 15: order to repave with smooth paving, passed, 117  
 PARKER ST., WARD 4: order to repave with smooth pavement, passed, 379  
 PARKER ST., WARD 10: order to repave with smooth pavement, passed, 253  
 PEMBROKE ST., WARD 4: order to repave with smooth paving, passed, 360  
 PREBLE ST., WARD 7: order to repave with smooth paving, passed, 323  
 PROSPECT AVE., WARD 19: order to repave with smooth paving, passed, 137  
 READVILLE ST., WARD 18: order to repave with smooth pavement, passed, 270  
 REXFORD ST., WARD 18: order to repave with smooth paving, passed, 154  
 RIVER ST., WARD 18: order to repave with smooth pavement, passed, 289  
 ROACH ST., WARD 15: order for repaving with smooth paving, passed, 368  
 RUGBY RD., WARD 18: order to repave with smooth paving, passed, 311, 360  
 SAGAMORE ST., WARD 13: order to repave with smooth paving, passed, 234  
 SARATOGA ST., WARD 1: order to repave, passed, 136  
 SAVIN HILL AVE., WARD 13: order to repave with smooth paving, passed, 225  
 SHELDON ST., WARD 19: order to repave with smooth paving, passed, 137

**Public Works Department, continued.****paving service:**

SOUTH ST., WARD 19: order to repave with smooth paving, passed, 128  
 SUMMER ST.: order to repave with smooth paving, passed 179  
 SUMNER ST., WARD 1: order to repave, passed, 136  
 TOPLIFF ST., WARD 15: order to repave with smooth paving, passed, 117  
 VESTA RD., WARD 14: order to repave with smooth paving, passed, 185  
 VOSE AVE., WARD 18: order to repave with smooth paving, passed, 200  
 WALDEN ST., WARD 10: order to repave with smooth paving, passed, 205  
 WALES ST., WARD 14: order to repave with smooth paving, passed, 185  
 WALL ST., WARD 3: order to repave with smooth pavement, passed, 349  
 WHITNEY ST., WARD 10: order to repave with smooth pavement, passed, 253  
 WIGGLESWORTH ST., WARD 10: order to repave with smooth pavement, passed, 253  
 WINTHROP ST., WARD 8: order to repave with smooth paving, passed, 154  
 WOODBINE ST., WARD 12: order to repave with smooth paving, passed, 128  
 WRENTHAM ST., WARD 16: order to repave with smooth paving, passed, 97  
 WYMAN ST., WARD 10: order to repave with smooth paving, passed, 209

**reconditioning street:**

CENTRE ST., WARD 16: order to recondition, passed, 97

**reconstruction of streets, orders for:**

Ballard st., Ward 19, passed, 19  
 Goldsmith st., Ward 19, passed, 19

**removal of street car rails: order to remove from Chambers st., passed, 219****removal of trees, etc., Wood ave., Ward 18: order to remove immediately stones, trees, and other obstructions, passed, 371****repair of sidewalks: order to repair on Gainsborough st., Ward 4, between railroad bridge and St. Botolph st., passed, 379****resurfacing streets, orders for:**

Elton st., Ward 13, passed, 23  
 Julian st., Ward 13, passed, 86  
 Maywood st., Ward 12, passed, 20  
 Old Colony ave., South Boston, passed, 68  
 Robin Hood st., Ward 13, passed, 23  
 Savin Hill ave., Ward 13, passed, 23  
 Savin st., Ward 12, passed, 20  
 Schuyler st., Ward 12, passed, 20  
 Sudan st., Ward 13, passed, 41, 42  
 Washington st., Dorchester, passed, 122

**salaries of engineers: draft of ordinance concerning increase, referred to the committee on ordinances, 406-report accepted, ordinance passed, 412****sewer and sanitary division:**

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## CITY OF BOSTON.

## Proceedings of City Council.

Monday, January 7, 1929.

First meeting of the City Council in the year 1929, in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, presiding, and all the members present.

Chairman DOWLING—The Chair is informed that his Honor the Mayor wishes to address the Council and, if there are no objections, the Chair will appoint a committee consisting of Coun. Arnold and Murphy to escort the Mayor to the chamber.

The committee appointed retired at 2.05 p. m. and presently returned, at 2.13 p. m., escorting his Honor Mayor Malcolm E. Nichols and department heads.

Chairman DOWLING—I will ask the Council to give their attention to his Honor the Mayor.

## THE MAYOR'S FOURTH ANNUAL ADDRESS.

His Honor Mayor Malcolm E. Nichols delivered his fourth annual address to the City Council, as follows:

Gentlemen of the City Council.

A review of civic problems such as the Mayor presents annually at the first meeting of the City Council necessarily relates to the financial ability of the city to meet them.

In three prior addresses I placed emphasis upon obligations which I said had become extremely heavy because of forced neglect of municipal services caused by the weight of war taxation. These obligations ran through many avenues of municipal expenditure. They included among many things a higher standard of pay generally for city employees, more adequate police protection through a larger police force, more fire protection through additional fire fighting apparatus, a reorganization of the health service of the city, more comprehensive hospitalization, a more effective system for the care, maintenance and construction of streets and the building of new schoolhouses. In brief, the obligations were imposed by the necessity of a public service constantly expanding to meet the needs of a growing community. Our problems have been successfully met with a reduction in the tax rate from that declared in the first year of my administration.

The tax rate which had been forecasted at \$32 before I took office was declared at \$31.80 in 1926. It was \$30 in 1927. Last year it dropped to \$28.80, and I shall try to bring about a further reduction notwithstanding the certainty of additional requirements for the new year. These reductions in tax rate have been accomplished without resort to unjustifiable increases in valuation. Indeed, they have been accompanied by downward adjustments of valuation throughout certain business districts. These downward adjustments in valuation have operated to make the annual increased net valuation of the city during the past three years the lowest we have known in recent years. In consequence the tax rate has reflected more nearly the true burden of taxation.

Notwithstanding the increased demands made upon the city, due to unemployment, which affect relief furnished through the Public Welfare Department, the Soldiers' Relief Department, hospitals and institutions, it may be said that after all liabilities incurred for the financial year 1928 shall have been paid, there will be a substantial cash surplus, considerably in excess of the \$1,700,000 a year ago, which I hope will be effective for a reduction in the tax rate of the new year. This condition was due in part to excess income tax receipts from the state and a substantial payment of the Boston Elevated Railway Company on account of the deficit of 1919. While the city borrowed \$19,000,000 in temporary loans during the year, it is cause for satisfaction to state that they have all been repaid, making the third year

in succession for which there were no outstanding temporary loans at the end of the year. This result has been accomplished in large part through the effective collection of current and back taxes.

The city has been efficiently and economically managed and its financial condition continues to grow more favorable. Our credit as shown in the sale of securities is the best of any large city in the country.

## A Record in New and Better Streets.

Before my election as Mayor I placed emphasis not only on the need of smooth streets, but more streets. The residential sections of the city have been growing with great rapidity, and it is obvious that the building of new streets in districts where home building is progressing not only has a tendency to improve property devoted to dwelling house purposes but also to give just encouragement to the erection of new dwellings.

A survey of the work covering a period of ten years on the building of new streets in residential districts shows that during the period from 1919 to 1928, inclusive, 245 new streets have been constructed in residential districts, of which 123 have been constructed during the past three years.

In linear feet the ten-year total is 182,177. The linear feet for the past three years is 104,267. The ten-year cost is \$4,540,812. The cost for the past three years is \$2,875,129. To restate these totals, it will be seen that one half of the residential streets constructed during the entire period of ten years have been constructed during the past three years; that of the total number of linear feet constructed in the past ten years 57 per cent has been accomplished during the past three years; and that 63 per cent of the money expended during the past ten years has been expended during the past three years.

That is a graphic story of the progress made in giving encouragement to home building and fulfills the promise which I made before assuming the office of Mayor.

As a part of this extraordinary program there have been completed 12,785,364 square feet of new surface laid on both old and new streets and in new sidewalks. Particular attention has been paid to the resurfacing of streets in the business district, of which there is ample evidence throughout the city.

## Development of Ashland, Oakland and River Streets.

An outstanding feature of the street-improvement program during the past three years is to be found in River street and in Ashland and Oakland streets in the Hyde Park, West Roxbury and Mattapan districts, approximating in cost nearly \$1,000,000.

This improvement program had been urged for many years by the citizens of Dorchester, Hyde Park and West Roxbury, and in the first year of my administration the legislation authorized the city to borrow \$250,000 outside the debt limit for the reconstruction of River street and the River street railroad bridge, provided that an additional appropriation of ten per cent of this sum, or \$25,000, was raised by the city from taxes or other sources of revenue. This was done, thus making available the sum of \$275,000. As the work progressed the Mayor and Council appropriated a further sum of \$100,000 out of the borrowing capacity of the city. The reconstruction of River street extends from Mattapan square in Dorchester to Everett square in Hyde Park. It is the main artery connecting Boston at Mattapan with the business and residential sections of Hyde Park, and is about two miles in length. It carries through business traffic, pleasure traffic and the necessary public service bus lines which transport the citizens of the Hyde Park section of Boston to their destinations. It is a through artery of travel, carrying the traffic from Boston on through Hyde Park into Dedham, Providence and other cities southwest of Boston. For a number of years the street has been in poor condition, narrow and with abandoned car tracks, but has now been completely resurfaced, making a wide and safe roadway. The replacing of the old bridge over the railroad tracks by a new modern bridge to the full width of the street is now under construction, and will be completed during the coming spring.

The effect upon taxable property in Boston by the improvement and reconstruction of River street has already been felt. Residential streets entering into River street have been built upon. It has made the entire Hyde Park district more

comfortably accessible to Boston proper and the building of suburban homes is rapidly increasing.

Closely connected with the reconstruction of River street is the widening and construction of Ashland and Oakland streets, about two and one half miles in length. This improved artery of travel was also authorized by the Legislature during the first year of my administration and the city was given authority to borrow \$500,000, to which sum it added \$50,000 raised by taxation. The street extends from Roslindale square to Mattapan square through a fast-growing section of suburban streets and homes. The construction of the street, which is now practically completed, has made possible a way to the Rugby section and has stimulated the building of many new streets and residential properties, which will add thousands of dollars in taxable values to the city, in addition to making more accessible one of the beautiful suburban sections of Boston.

This improvement has made a through traffic artery from Roslindale, West Roxbury, and the more thickly populated section of our city to Mattapan square, thence to the Southern Artery and all roads to the South Shore. Its importance cannot be over estimated. This improvement had been advocated by citizens and associations for over twenty years and is one of the notable street-widenings of recent years. Ashland and Oakland streets are 60 to 80 feet in width and by their construction effect a saving of about two or three miles to vehicles in reaching Mattapan square or any point beyond from the west of Boston.

#### Widened Exchange Street and Expansion of New Thoroughfares.

The widening of Exchange street is an improvement of vital necessity. For thirty years this widening has been advocated by every city administration. Its importance at this time is enhanced by the work already accomplished in the widening of Dock square and Faneuil Hall square, and the widenings of Causeway and Nashua streets at the North Station. The new Exchange street thus provides a thoroughfare connecting with Congress street and leading over a new Congress Street Bridge to the ocean terminals in South Boston.

Plans are ready for the reconstruction of Congress Street Bridge under the appropriation recently authorized by your honorable body, and it is my belief that the reconstruction of this bridge will provide for the commercial advantages of one of the most important wholesale districts in the world.

The City of Boston ought continually to study the best means of readapting her streets to the uses of traffic so as to bring about more rapidity of motion with less congestion. Last year I asked the Legislature for authority to widen Portland and Merrimac streets and to provide for the utilization of the elevated structure along Atlantic avenue as an overhead thoroughfare. I am convinced that these are important measures to be taken up with all possible despatch and shall again petition the Legislature for the right to proceed with these traffic thoroughfares which may well be deemed to be of immediate importance.

#### Charles Street Widening and Parkway Overpasses.

I propose that the City of Boston shall co-operate in the fullest possible way with the plans for the Charles River Basin laid out by the Special Recess Commission of the Legislature and the Metropolitan Planning Division. These plans call for a beautiful double parkway from out near Soldiers Field down along the Charles river with an underpass under Cambridge street to Charles street. They contemplate a connection with Commonwealth avenue near the Commonwealth Armory, which will divert traffic around Governor square and help to relieve the traffic situation there. If these plans are adopted, I shall urge the widening of Charles street by the city from Cambridge street to the widened Nashua street. I shall also recommend the construction of an ornamental viaduct at the Charlesgate over Commonwealth avenue and Beacon street, connecting the Basin Boulevard with Audubon road, and I shall urge that overpasses on the Riverway be constructed at Brookline avenue and Huntington avenue. Provisions should also be made to construct a doublebarreled roadway from Forest Hills street, at Franklin Park entrance, to Huntington avenue, which will decidedly reduce traffic congestion at Forest Hills square. This will make it possible for the residents of Roxbury, Jamaica Plain, West Roxbury, Hyde Park and

outer Dorchester to come in by a widened Charles and Nashua streets to the North Station or by the widened Cambridge street to Scollay square without crossing any bad traffic intersection. And those using the great state routes from the south, southwest and west, will find a ready entrance to the business district without any interruption or delay.

#### Prompt Provision for Schoolhouse Needs.

It has been my fixed policy to keep the school system of Boston apace with modern developments. Boston has always been in the lead in educational matters, and it should be our pride to maintain that lead, to the end that our city shall give its children the benefit of the developments in educational policies and facilities that have become so vital a factor throughout the different states of the Union. This has meant the expenditure of huge sums of money, which in the course of time will bring back large dividends in culture, learning and citizenship.

Accordingly the city has had to undergo a heavy burden of taxes that has been borne cheerfully by our citizens to carry out the pay-as-you-go policy established by my predecessors. The Schoolhouse Commission has labored effectively in the erection of many new buildings and the remodeling and repairing of old structures, providing our children all over the city with seats in permanent school buildings, under wholesome conditions, with good ventilation, lighting and heating.

Year by year the undesirable portables are being discarded for classroom purposes, and the time should arrive shortly when our pupils will be accommodated entirely in permanent structures, with the exception of a small group of portables necessary for colonization purposes, to accommodate the ebb and flow of the school population.

It is interesting to get a bird's-eye view of the results accomplished in the Schoolhouse Department by comparing the past three years with the preceding seven years, after the end of the Great War.

The actual money raised by taxation during the past three years was \$12,998,804.45, compared with the sum of \$14,695,023.59 actually raised by taxation during the previous seven years.

The amount of money actually spent during the past three years was \$11,766,266.63, compared with the sum of \$15,550,897.64 actually spent during the previous seven years, supplying 15,234 pupils' seats for the past three years, as against 18,984 pupils' seats for the previous seven years. It is evident from these figures that the city has been unusually generous in its tax levies for new schools and that the Schoolhouse Department has speeded up the work of construction and the supplying of seats in a most satisfactory manner.

All school buildings planned for this year have been placed upon the market. The appropriations under the three-year, ten-million-dollar program have been exhausted and the buildings authorized thereunder should be practically completed during the year 1929.

#### Fens Transformation with Athletic Field, Schoolboy Stadium and Field House.

During the past year Boston has added to her beautiful park system a noteworthy feature in the Back Bay Fens. The development covers a large area adjacent to the Art Museum.

As a part of the plan the Park Department has produced a play spot unsurpassed in America, with an athletic field, a schoolboy stadium and an attractive field house. Surrounding roadways have been reconstructed with granolithic sidewalks. Fens Pond has been dredged to form a lagoon at the Art Museum and two rustic bridges erected. The meadows have been graded and adorned. The Muddy River shore line has been changed. The work is now at the point of completion and soon will reveal the transformation of a forlorn waste of dump, meadow, marsh and bog into a vista of landscape artistry.

#### Boston Secures Immense Auditorium and Passenger Terminal.

A splendid new railroad terminal and an immense auditorium known as the Boston Garden have been constructed during the year at the site of the old Boston & Maine Station. The able men who made possible this great public improvement paid a compliment to our commercial growth and civic progress. I had urged the building of an auditorium like the Boston Garden

as an obvious undertaking to be entered upon by the city unless private capital found the enterprise attractive.

When there appeared a way not only to secure an auditorium as well as a new terminal I promptly took the action necessary by giving authority to widen Nashua and Causeway streets, at an approximate cost of \$1,000,000. In so doing I received ready co-operation from the railroad which dedicated to the public use essential portions of its own property requisite to complete the street widenings.

The promptness of the city to avail itself of the advantages presented is accorded recognition in a communication addressed to me under date of November 19, 1927, from Mr. Homer Loring, chairman of the Executive Committee of the Boston & Maine, who wrote as follows:

Boston & Maine Railroad.

Boston, November 19, 1927.

Hon. Malcolm E. Nichols, City Hall, Boston, Mass.  
Dear Mr. Mayor,—I take pleasure in conveying to you the appreciation of the Boston & Maine directors of your co-operation in carrying out the Nashua street widening. I am sure you are no less pleased than we are that the final cost probably will be 25 per cent less than the estimates made when the enabling bill was passing the Legislature.

Ever since you suggested in your inaugural address and in various public interviews since, that Boston needs a large auditorium, we have been hopeful that circumstances might locate it in the North Station section of the city.

Working with a group of Boston business men having the benefit of the advice and experience of the Madison Square Garden Corporation, we have been able to arrange for the building of a new station as well as an auditorium which I feel will do credit to your enterprise in originating the idea and keeping it active and alive until something was accomplished. Your auditorium suggestion started us planning both the new station and the auditorium, so that I feel that you are primarily responsible for both of these important improvements.

With kind regards, I am,

Yours very truly,

HOMER LORING,  
Chairman.

Hospital Improvement at Long Island—  
Additional Care for Children.

In the field of hospitalization, which means so much to the care of the sick and unfortunate, the city has accomplished much. The completion of the new buildings at Long Island, including the enlargement of the nurses' home, addition to men's dormitory, children's hospital building, installation of two large engines in the power plant, also two new boilers in the boiler plant, further development of the nurses' training school, and a valuable addition to the out-patient department, bring Long Island up to a point of efficiency never before equalled.

Additional out-patient service has been established for those patients who are not confined to the hospital, and includes a careful examination of the eyes of each person and the supplying of reading glasses, so that about 175 people who were previously unable to enjoy the comfort and solace of reading may do so to their increased contentment.

With the transfer of the children from the present children's building to the new children's hospital building, which will be accomplished in 1929, the present children's building will be renovated and devoted to the hospitalization of men.

Continued progress in the supervision of the care and custody of the children placed in the Child Welfare Division of the Institutions Department has been maintained during 1928.

The number of children in care of the division has greatly increased. Examination of the records discloses that on November 1, 1927, there were 832 children in care of the division, and on November 1, 1928, there were 949. Of this number, 831 are in foster homes and 118 are in institutions—including hospitals and schools for special training.

Many new prospective foster homes have been inspected. The standard of medical examination of each child admitted has been raised with a view to administering such medical care and treatment as may be needed for the child before placement in a foster home.

Children are being placed, in accordance with

rules previously established by this administration, in homes of the same religious faith as those of the children. Children of the same family are being placed together in one home and every effort is being made to select proper and suitable homes.

Attention is called to the fact that the most vital need of the Institutions Department in 1929 will be the purchase of a steamer with sufficient passenger and freight carrying capacity to serve the needs of the island. The steamer "Hibbard" is too small and has reached an age where the annual upkeep exceeds the value of the boat.

Boston City Hospital Extensions—New  
Tuberculosis Hospital Unit at Mattapan.

The new surgical building has been completed and accepted and four wards, including a new casualty ward and indoor department of physiotherapy, have been opened.

The new house officers' building, containing 125 rooms, will soon be turned over to the trustees.

A contract has been awarded for the enlargement of the power plant to carry the increased load as the result of adding new buildings to the hospital. One new engine has been installed, and the installation of boilers has been practically completed.

The trustees plan to start the new medical pavilion at the main hospital, and expect that it will practically be completed by the end of 1929. The present administration building will be replaced by a new building, to be completed by the end of this year.

During the year plans will be drawn for a new surgical building, which will be the largest unit at the main hospital and will contain between 400 and 500 beds, with a department in the basement for the admission and discharge of patients. This building will care for surgical eye, ear, nose and throat cases, and will have operating rooms on the top floor for all of these groups, as well as laboratories.

Plans are being developed for a new kitchen, dining room, laundry and domestic quarters at the main hospital, and plans for a new administration building on Harrison avenue are practically completed.

The West Department has been formally turned over to the Hospital Department, and the trustees are giving careful consideration to plans for its use.

New equipment of the City Hospital includes appliances requisite for the practice of modern surgery and makes possible the measures for immediate relief such as the city has never known before.

The ambulance which was formerly housed in a garage in East Boston and maintained by contract is now housed in the ambulance station at the East Boston Relief Station, and there is an ambulance force on duty there day and night.

The new hospital unit on the grounds of the Boston Sanatorium at Mattapan to be completed, next year will reduce the bed shortage for the care of the tuberculous in this city in a satisfactory manner.

The present day camps will be demolished and new buildings of first-class construction erected, providing 75 beds for males and 50 beds for females. The new main hospital building will contain 150 beds, also laboratories, X-ray equipment, surgical and clinical examining rooms, and offices for dental, eye, ear, nose and throat clinics.

Two Additional Health Units.

Two additional Health Units have been started during the past year, one in Charlestown and one in Roxbury.

The Health Unit is an institution created under the George Robert White Fund with the object in view of improving the health and welfare of the people in a district served by the Unit.

To fulfill this purpose it aims to bring together under one roof the representatives of all organizations, public and private, which are working for the improvement of health and the prevention of disease under the leadership and control of the Health Commissioner; providing these agencies with accommodations necessary for the conduct and supervision of such work. This develops a personal contact between the representatives, resulting in correlation and co-ordination of effort which tends to operate to the best advantage of the community.

Generally speaking, the activities of the Unit may be grouped under the following headings:

- (a) To promote co-operation and co-ordination

between health and welfare agencies engaged in a district, this being simplified by their assembling in close contact with each other.

(b) Instruction of the public in matters pertaining to maintenance of health.

(c) Application of routine methods of diagnosis as a means of detecting disease in its early stages, and advising the individual to obtain relief.

(d) Control of communicable disease by application of sera therapy of accepted value and the expounding of such other principles of preventive medicine as falls within the scope of Health Department practice.

(e) Collection of data bearing on health problems of the district.

(f) Furnishing such services which are generally classified as preventive in type.

(g) Providing information or help to form contacts between agencies which treat disease or relieve poverty and to individuals believed to be in need of such service.

The Health Unit policy, which had been started when I became Mayor, I regard as sound and highly beneficial. I have, therefore, taken all steps necessary to make the health units of the City of Boston distinctive in the world of preventive medicine.

**Health Unit Sun Roofs Established.**

Health unit roofs covered with vita-glass are now being utilized for children of pre-school age who are undernourished, and have been in contact with tuberculous patients. A study is made of each child prior to his entrance. Weekly classes are held by the nutritionists with the mothers of these children, in order to develop such knowledge as will enable them to keep up a normal condition in the children, once it is established. These roofs are in operation each day for ten months in the year, X-ray outfits are installed in each of the units and are for the service not only as aids in diagnosis to the practising physicians but also for the service of the patients regularly attending the clinics.

In the eleven months from January 1 to November 30, 1928, at the ten tuberculosis stations of the Health Department there were held 1,272 clinics with an average of 11 persons per clinic, and a total of 13,364 visits of persons for examination and diagnosis.

The Division of Child Hygiene maintains 19 child health conference stations, at which are held 31 conferences every week. These are held in many sections of the city and are devoted exclusively to well babies. Two thousand one hundred and sixteen special medical activities were performed by the medical inspectors of this division, including immunization of entire opening classes of the parochial schools.

During the past year 50,000 examinations were made in the laboratories and food division of the Health Department.

**Improved Method of Assessing Property.**

It has been the effort of the Assessing Department to recognize the changing conditions in the older business sections of the city and to observe carefully the values in the suburban sections where business is growing and drawing from other business sections.

Plans for 1929 are under way, which it is hoped will produce proper and equal values throughout the entire city. Surveys are under way. Unit values are being considered and the assistance of experts contemplated, so that the department will eventually have a complete survey of the city and

a unit value on every street. Progress has been made upon the making of plans and the establishment of the unit system, and before the April assessments are levied it is hoped that sets of maps and careful studies will have been made, so that at least a portion of the city will be assessed according to the improved plans and units.

The taxation of motor vehicles for the coming year will demand careful attention and will mean additional work in the department — the law for 1929 providing that all motor vehicles shall be taxed at a uniform state rate, and at the same valuation throughout the entire Commonwealth.

The division of the work of the department — placing all of the real estate in one section and all of the personal in another — will be effective for 1929, and in this way it is hoped that the efficiency will be increased and the public be given better service.

**"Build Boston" Bill Backed by Boston.**

A new skyline of lofty buildings in pyramidal form is the promise contained in chapter 137, Acts of 1928. The act is the result of the policy "Build Boston," which I emphatically advocate. Without the leadership of the city administration, this forward legislation could never have been enacted. Under the "Build Boston" Act the twelve-story building of 155 feet in height will eventually yield to the gigantic commercial structure of twenty-five and thirty stories.

As yet few realize to what extent this type of building benefits not only the investor and the occupants but also the city itself. There are, at the time of this address, three buildings designed under this law, for which applications have been filed for permits to build at a cost aggregating \$8,000,000. The late filing of these applications and an increasing knowledge of benefits to be derived from this law presages to my mind a greater advance for the ensuing year in the adoption of this type of building for business purposes.

The passage of this law permitting additional height has brought many new problems in the installation of plumbing, and in providing proper equipment to supply sufficient water from the city main for domestic and fire service.

The Plumbing Division of the Building Department has formulated rules to govern the size and installation of drain, soil and vent pipes in these higher buildings which are consistent with the best-known plumbing practice.

The Sprinkler Division has designed a pumping equipment and an electric control panel which meet all requirements.

During the year twelve materials and types of construction have been approved for use in Boston, under authority given in section 8 of the Building Law.

Among these twelve types of materials and construction are three for electric welding of connections of steel members; two types of steel stairways and one type of open truss steel joist. This approval of welded connections in steel structures is the entering wedge for a method of connecting steel which will be very extensively used in the near future.

The Gasfitting Division has met a new problem during the past year in the increasing use of gas-operated appliances for house heating and for large industrial plants. A new form of application for work of this sort has been made which will make possible at the start of the work, better co-operation between contractor and inspector in providing the necessary requirements for safety.

It is encouraging to note that the building construction for 1928 was an increase over the figures of the same period of 1927, as follows:

	1927.		1928.	
	No.	Cost.	No.	Cost.
New buildings and alterations . . . . .	8,449	\$44,361,034	8,093	\$45,427,432
Total operations . . . . .	23,565	51,670,173	23,340	53,241,329

New housing construction shows an increase of \$5,753,960.

**Better Waste Collection.**

The collection of ashes and garbage during the year in the five contract districts, namely, East Boston, Brighton, Dorchester, West Roxbury and Hyde Park, shows a record that has never been reached in the history of the Public Works Department. This has been brought about by the close inspection of the work of the contractors who have had the carrying on of this work, and by the establishment of a new system of investigating all complaints. That, with the willingness and hearty cooperation on the part of the majority of the householders in these districts, made it possible to show a marked improvement in the ash and garbage collections.

During the year the following amount of ashes, rubbish and garbage was collected throughout the city:

Ashes . . . . .	1,140,579 cubic yards.
Paper . . . . .	33,344 cubic yards.
Garbage . . . . .	183,110 cubic yards.

**Build the New Courthouse Now.**

A project of prime necessity is the building of a new courthouse which has been in the hands of a special commission established under a resolve of the last Legislature. Conditions at the Suffolk County Court House by reason of pressure of business and its constant increase are such that the building of a new courthouse can no longer be deferred. Three plans are to be presented to the Legislature. These plans are the result of suggestions made last year, chief among which was one from the Mayor of Boston to erect a tower upon the site of the present courthouse. This suggestion as amplified by the Court House Commission takes the form of a new courthouse on the site of the present building, extending fifteen stories in the air, with a tower at the top. I believe this type of building is superior in every way to the other two plans presented in the report of the Court House Commission, and I shall strongly urge the passage of appropriate legislation to the end that a new courthouse may be assured as early as possible during the present session of the General Court.

**Central Fire Stations.**

One of the problems of the Fire Department is the erection of new and modern central fire stations to take the place of various small units for many years in use and in such condition that great annual expense must be incurred for their maintenance. The first of these central fire stations on Broadway was finished last year, the second has been authorized by appropriation made by the City Council to be erected on the site of the old Revere House, and a third under similar authorization is to be erected this year on Chestnut Hill avenue in Brighton.

A new fire station was opened during the year at Meeting House Hill. In the near future a new house should be erected in South Boston to serve the purpose of centralized operation.

A substantial reduction in fire losses during the year presents strong reasons for a reduction in fire rates now under examination by a special committee acting under an appropriation provided by the City Council.

**Make Boston Airport the Best.**

The Boston Airport has been taken over by the city from the Commonwealth and a lease executed under authority contained in chapter 64, Resolves of 1928. Under the terms of the lease, the city assumes the care and management of the Airport for a term of twenty years and agrees to provide and maintain the premises as a first-class airport.

Promptly upon the execution of this lease the city proceeded to enter upon long-needed improvements, of which one of the first was a 2,800-foot runway, running from east to west. In some places this runway has been widened to 600 feet. The work also includes the leveling off of 25 acres in addition to the building of the runway. Another runway, from north to south, which will be approximately 2,400 feet long and 200 feet wide, has been completed. Thirty per cent of the planes which will land at the Airport will use this north and south runway.

A standard form of lease has been adopted on a rental basis of \$1,000 a year for a term of ten years, with a renewal clause of ten years more at a 50 per cent increase in rental. The Colonial, Boston

Airport Corporation, Curtis, Skyways, Bay State and independent operators are ready to take leases.

The Boston Airport Corporation, Colonial Company, The Skyways, Inc., will start building hangars immediately. The Colonial Company wish to institute passenger service between Boston and New York at the earliest opportunity.

A contract is to be awarded for flood lighting and other necessary lights. Contracts have been awarded for the erection of a sanitary building and for the laying of sewer and water pipes.

Plans and specifications are now being drawn for the erection of buildings which will contain administrative offices, customs office, waiting room, pilot rooms, sanitary and checking rooms, emergency rooms and other necessary facilities. A contract has also been awarded to fill the area between the present landing field and Wood Island, which will enlarge the field to the extent of 75 acres.

Parking spaces are being arranged for in the rear of the proposed hangars to accommodate the public. All these contracts, with the exception of the building contract, are to be completed by August 1.

We must make the Boston Airport the best in the country. It will prove of inestimable value to the commercial development of the City of Boston.

**Fight for Equality in Freight Rates.**

The matter of securing for the Port of Boston an equality in freight rates with the other Atlantic ports was again undertaken by the city government during the year. The Law Department was directed by the Mayor to appear at all the hearings held before either the Interstate Commerce Commission or the United States Shipping Board and the Corporation Counsel of the city co-operated to the fullest extent with the Maritime Association of the Boston Chamber of Commerce, which has done valiant work in this cause.

Prior to the war our port had no complaint to make against the differential in railroad rates which favored Baltimore, Philadelphia and Norfolk because of the fact that the ocean rate from Boston to the United Kingdom ports was lower than that of these ports by the same amount which favored them on land by reason of the railroad differential. During the war, however, this ocean differential in favor of Boston was removed by the Shipping Board and the railroad differential in favor of the other Atlantic ports allowed to remain. This action on the part of the Shipping Board resulted in serious interference with the movement of certain commodities, especially grain, through the Port of Boston.

I have been deeply interested in this vital question. I have spared no effort in the last three years to secure from the Interstate Commerce Commission a decision eliminating the differentials which are so unfair and so damaging to the Port of Boston.

Upon the receipt of an adverse decision from the Interstate Commerce Commission, the Maritime Association of the Chamber of Commerce sought from the United States Shipping Board a change of policy on water by the replacement of the ocean differential in favor of Boston and a reversion to the pre-war basis of rates which resulted in making an equality of through rates for all the Atlantic ports. I again made available the forces of the city government to aid them in this attempt. Many hearings have been held and up to this time no verdict has been received from the Shipping Board in regard to the ocean differential.

With the equalization of port freight rates Boston will again have restored to her the commerce which she formerly enjoyed. We have fine port facilities, a splendid harbor and industrial, commercial and banking interests ready to give to Boston the proud eminence in commerce which she once enjoyed until the port differentials destroyed her prestige and minimized her maritime importance. The United States government must recognize the unfairness of the present situation.

**Boston Port Authority Essential.**

The port of Boston ought to have the advice of a business board clothed with public authority. I believe that an energetic and ever-watchful local authority would be in a better position to combat such unfairness and to meet all future attempts to ruin our port. Other large cities in this country, like New York, Philadelphia, Baltimore, New Orleans and Galveston, have local municipal port authorities who devote their entire time and energy to the development of the port.

Such a port authority is always on the alert to prevent any injustice being done to the port and is

able to advise the local city government and the state government as to what is necessary and essential to keep commerce and industry thriving in the port. They are by experience better equipped to fight the battles of the port than those who after the damage is done attempt to retrieve the loss. I believe that some sort of local port authority should be established at once, and I intend seeking legislation to this end.

The existence of such a port authority in my opinion would have made unnecessary my fight before the Shipping Board to secure the work of repairing the U.S.S. "Triumph" at the Charlestown Navy Yard, which succeeded only after the most strenuous efforts. A real live port authority, consisting of men well versed in conditions of the port and the commercial and industrial life of the city, would take care of all such matters.

#### Civic and Business Organizations Co-operate in Street Traffic Study.

Among the major problems confronting my administration none seemed more insistent than that of street traffic congestion. Much had been said on this subject, various estimates had been made of the financial and economic losses involved, but no definite, concerted action had been taken to relieve the condition.

Realizing that no relief was possible through isolated treatment of the various sources of congestion, I appointed a committee, in December, 1926, to conduct a thorough, general study and investigation of the entire problem. This committee, known as the Mayor's Street Traffic Advisory Board, included public officials and representatives of civic and business organizations who were in close contact with street traffic.

The Board recommended that the services of the Albert Russell Erskine Bureau for Street Traffic Research, of Harvard University, be enlisted. Dr. Miller McClintock, director of the Bureau, agreed to undertake the task of analyzing the situation and recommending relief measures. He offered the services of the Bureau gratuitously, provided the city government appropriated a sufficient sum to cover the expenses of a survey of general traffic conditions.

An appropriation of \$25,000 was voted by the City Council, and Doctor McClintock organized a staff to conduct the survey. A comprehensive survey of conditions in this city was undertaken and consumed more than a year of investigation and study. The assistance given by railroad companies, street railway companies, civic and business organizations in this city was a sufficient demonstration of the importance of this work.

#### Work Starts on Automatic Traffic Signal System.

As a result of this survey the Board submitted to me on April 23, 1928, a report of Doctor McClintock's findings and conclusions which were printed in the "Street Traffic Control Problem of the City of Boston," a bound volume of 450 pages, copies of which were sent to each member of the City Council. You, gentlemen, must have been impressed by the completeness of this report. It was ample proof in itself of the vast amount of study which was involved in the recommendations contained in the report.

Various recommendations were made in this traffic study. The outstanding feature was a recommendation that a remodeled traffic code be adopted by the Board of Street Commissioners. The new traffic rules which became effective on October 8, 1928, resulted from this recommendation.

In accordance with the recommendations of the report a Traffic Engineering Division was established under the supervision of the Board of Street Commissioners who have authority by law to regulate street traffic in the City of Boston. Various studies have been made and are being made by this division since its establishment in June, 1928.

Plans and specifications have been completed for the installation of a coordinated automatic traffic signal system in the central business district. Proposals for the installation of traffic lights on Washington and Tremont streets were opened today. This installation, which is known as Unit 1, will be installed as rapidly as possible, and it is expected that the work will be completed during the late summer.

Plans are now in progress for the installation of traffic signal lights on various other main arterial

highways in downtown Boston in accordance with the recommendations of the report.

In an endeavor to assist the Police Department, installation of traffic signal lights is being planned at various suburban intersections where traffic officers may be relieved for other duties.

#### Establish Commission for Street Traffic Control.

During the pre-Christmas rush, traffic lanes were established on Washington street in the central retail district, in accordance with the recommendations of the report and proved to be very effective in regulating the traffic flow without diverting the vehicular traffic from Washington street as was formerly the custom. The recommendations of the Traffic Board are being carried out at Governor square and various other intersections where relief measures have been proposed.

In 1908 by a legislative act the authority to regulate street traffic was transferred from the city legislative body to the Board of Street Commissioners. During the past twenty years our street traffic problem has become so complex and acute that I feel it is necessary to recommend a change in the administration of this problem.

It is necessary to have legislative assistance in order to carry out this change. I propose to introduce a bill which will establish a traffic commission for the City of Boston to consist of a commissioner, who shall be the executive and administrative head of the commission, and four associate commissioners. Under the provisions of the proposed bill the traffic commission shall have sole authority to regulate street traffic on all streets and parkways in the City of Boston, shall erect and maintain all traffic signal devices, signs and markings, and shall have general authority over all matters which relate directly to street traffic control. It is my opinion that a centralized authority such as outlined above with a representative of the law-enforcing body in direct contact with the problems of traffic law establishment, a more immediate and effective relief of present congestion may be accomplished and all questions of legality of rules and overlapping of powers will be eliminated.

#### Rapid Transit Extensions Demanded with Elevated Reorganization.

The Rapid Transit Facilities of Metropolitan Boston are far from what they should be. Every one is familiar with the rundown condition of the Elevated when it was taken under public control in 1918. During the past ten years the physical properties of the Elevated have been rehabilitated. In the ten years ending December 31, 1927, the huge sum of \$22,115,563.48 had been expended from the depreciation account by the public trustees and included in the cost of service to the car-rider as against \$1,006,249.31 similarly applied in the preceding ten years. The time has come for a change in policy and the car-riders should have those adequate rapid transit facilities to which residents of this community are entitled. I believe that necessary rapid transit extensions should now be provided with comparatively slight, if any, burden on the taxpayer.

I shall urge upon the Legislature this year the construction of the Huntington Avenue Subway, the extension to Day square in East Boston, the extension of the Boylston Street Subway to Harvard avenue, with the necessary extension on Beacon street at Governor square, and the extension of the Elevated from Forest Hills out Hyde Park avenue to a station near Mt. Hope to care for the residents of Hyde Park, and thence across the main line of the New Haven Railroad and Washington street to the West Roxbury Branch, and thence along the West Roxbury Branch through Roslindale and West Roxbury to Spring street.

This is a large program, but I believe that the citizens of Boston are entitled to the improved service which these extensions will bring about.

The Dorchester Rapid Transit Extension is now in full operation to Ashmont and the extension from Ashmont to Mattapan for high speed trolleys over private rights of way with no grade crossings is being rapidly constructed and will be in operation during the present year.

These improvements will require a readjustment of the Elevated financial structure by the Legislature. I have been giving my wholehearted cooperation to the Recess Transit Commission created by the last Legislature and I am extremely



hopeful that they may present a solution of this problem to which we may all find it possible to lend our aid.

**The Obvious Need of Central Metropolitan Government.**

There is a want of effective responsibility and therefore a lack of resources to construct the public works required for the best industrial progress of a metropolitan city like Greater Boston. Because of this want of effective responsibility problems relating to the metropolitan city are located chiefly in various State Boards, such as the Metropolitan District Commission, the Board of Public Works and in the Municipal Department of the City of Boston. These various agencies get along together remarkably well, considering an absence of coherent effort. Nevertheless, they are deficient in the driving force of centralized control. The functions of the metropolitan city ought not to be state functions; they ought to be metropolitan functions locally directed. They would be so directed but for our inability to recognize a compelling common interest among the forty cities and towns of the Metropolitan District.

It is idle to say that the failure of the port of Boston to make satisfactory progress does not hurt the progress of the entire community. An injury to commercial Boston injures all communities around her. Bad traffic conditions in one part of the greater city make other traffic conditions bad. Poor health, fire and police protection in any of the forty cities and towns surrounding Boston put all the others in jeopardy. Poor streets in one municipality tend to cause a loss throughout all.

If the City of Boston is successful her success is reflected in manifold directions throughout the larger community.

**Metropolitan Expansion of Population and Business.**

The forty cities and towns in Greater Boston have today a far closer tie than ever before. The necessity is impressive for despatch in the transaction of business. The tide of commerce flows throughout the avenues of the greater city. There has been an unmistakable drift of population from the City of Boston to her next-door neighbors. At the suburban termini there have been notable increases in population and in valuation. Prosperous industries which transact their affairs in the City of Boston have in many instances their plants located just outside. Business is rapidly expanding from the City of Boston to its limits and beyond. The sharpest rise in population percentages is on the outside of the circle. All of this shows that the City of Boston is growing much faster than indicated by statistics relating merely to its corporate limits.

Suburban communities, too, are thus growing busier and more populous. There exists a tendency for the business to spread more evenly throughout the Metropolitan District, and while the population outside compares with that inside the city the population outside I think has a marked tendency toward more rapid growth. The valuations inside and outside are nearly equal. The combined valuations inside and outside are about four billions. What tremendous advantages a metropolitan city with four billion dollars in valuation would have in the consummation of its public work.

**Obstacles to Metropolitan Improvements Without Metropolitan City.**

Would it not be possible to talk of improved transit, of gigantic thoroughfares, of great tunnels and other vast undertakings for immense volumes of business, all to be erected with an ease incomparable to the difficulty experienced today in considering the financial obligations necessary to be incurred. Consider the immeasurable advantage which a city like New York has over the City of Boston in obtaining money for her public undertakings. With about nine times the population of the City of Boston the net increase in valuations in the city of New York last year exceeded those of the City of Boston by 100 times. New York can build anything. The City of Boston stands in perplexity at any substantial outlay of money. This condition gives rise to one official report after another for public improvements, hardly any of which can be carried to successful culmination. The necessity for making improvements much needed by a metropolitan city leads us into long

discussions in which it is generally agreed that the City of Boston will have to carry most or all of the necessary burdens.

I hear it said that the population outside of the City of Boston makes the valuations high inside and therefore allocates the burden to the high valuations. More likely is it that the population and resources of the City of Boston continually build up suburban values and nowadays, with the expansion of all business activities, is contributing to such values in a more substantial manner than ever before. There is no greater city without the City of Boston. If there were no suburbs outside, the City of Boston would still be a great metropolis. We have in fact a metropolitan city restricted and hampered by its form in forty different administrative jurisdictions. Nevertheless, the impulsion to do things in a big way seems likely to hasten the consciousness of a metropolitan city which shall have an administrative system more uniform than the present and a comprehensive policy of inaugurating extensive public works necessary for a metropolis of nearly two million people with wealth amounting to four billion dollars. Bostonians wherever they live should get behind Boston. Bostonians, build Boston.

(See page 8 for Appendix Table.)

The Mayor began his address at 2.15 p. m. and ended, amid applause, at 2.54 p. m., after which the Mayor and suite retired from the Council Chamber.

Coun. DOWLING in the chair.

**APPOINTMENTS BY THE MAYOR.**

Subject to confirmation by the Council, the Mayor submitted appointments for the term ending April 30, 1929, as follows:

Constables: Weldon A. Duley, 3 Durham street, Ward 4; Irving Shalett, 19 Elizabeth avenue, Brighton; Jerome Edward O'Brien, 138 Hamilton street, Ward 15; Lawrence Conley, 395 K street, South Boston; Walter M. Lougee, 47 Clearway street, Boston; William Gough, 1129 Washington street, Ward 3; James J. Dolan.

Weigher of coal and measurer of bark and wood: Henry E. Olson, 33 Washington avenue, Cambridge, with the Stetson Coal Company, South Boston.

Weigher of coal and goods: Philip A. Dornin, 467 Massachusetts avenue, with Household Fuel Corporation, 311 Washington street, Brighton.

Weigher of goods: John J. Cullity of Mystic Terminal Company.

Measurer of grain: John Dunn of Mystic Terminal Company.

Severally laid over a week, under the law.

**TEMPORARY LOAN IN ANTICIPATION OF TAXES.**

The following was received:

City of Boston,  
Office of the Mayor, January 5, 1929.

To the City Council.

Gentlemen,—I am in receipt of the inclosed request that 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 1929.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Auditing Department, January 3, 1929.  
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.

APPENDIX TO MAYOR'S ADDRESS.

CONSTRUCTION OF RESIDENTIAL STREETS FOR TEN YEARS.

YEAR.	Number of Streets.	Total Length, Feet.	Total Cost.	1919.	1920.	1921.	1922.	1923.	1924.	1925.	1926.	1927.	1928.
1919.....	23	13,224.10	\$343,328	6 c	11 c	5 c	1 c						
1920.....	11	5,288.50	106,107	—	2 c	7 c	2 c	3 c	—	1 c			
1921.....	8	3,794.28	59,445	—	—	—	4 c	10 c	2 c	—			
1922.....	12	7,046.88	169,765	—	—	—	—	5 c	12 c	7 c			
1923.....	24	18,216.80	387,679	—	—	—	—	—	3 c	18 c	3 c	1 c	
1924.....	27	13,375.63	381,173	—	—	—	—	—	1 e	1 e	—	—	
1925.....	17	10,962.73	218,186	—	—	—	—	—	—	7 c	8 c	2 c	
1926.....	37	24,086.41	509,910	—	—	—	—	—	—	—	4 c	32 c	
1927.....	37	46,099.03	1,315,493	—	—	—	—	—	—	—	—	8 c	24 c
1928.....	49	34,082.48	1,049,726	—	—	—	—	—	—	—	—	4 e	1 e
Totals.....	245	182,177.02	\$4,540,812	6 c	13 c	12 c	7 c	18 c	17 c	33 c	15 c	43 c	43 c

LEGEND.

e—Completed. e—Work started. n—Work not started.

GRAND TOTALS.

PER CENT.

	Streets Improved.	Feet.	Cost.	Streets Improved.	Feet.	Cost.
10 years—1919-1928.....	245	182,177	\$4,540,812	100		
3 years—1924-1928.....	123	104,267	2,875,129	50+	57+	63+

Ordered, That to provide temporarily money to meet the appropriations for the financial year 1929, 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 1929, and bear interest from their date until the same are made payable at such rate as the City Auditor, the City Treasurer and the Mayor may determine.  
 Referred to the Executive Committee.

TEMPORARY APPOINTMENT OF EXECUTIVE COMMITTEE CHAIRMAN.

Coun. DOWD offered the following:  
 Ordered, That Councilor Keene be hereby appointed as temporary chairman of the Executive Committee, to act as such until the election of a President for the present municipal year.  
 Passed under suspension of the rule.

APPROPRIATION FOR RENT AND HOUSING COMMITTEE.

The following was received:  
 City of Boston,  
 Office of the Mayor, January 7, 1929.  
 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 at the end of this week.

I feel that it is desirable to continue the work of this committee for at least another year, since through its continued existence both landlord and tenant are afforded the opportunity of securing, without expense, an amicable adjustment of their peculiar problems. 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,  
 Rent and Housing Committee, January 4, 1929.  
 Hon. Malcolm E. Nichols,  
 Mayor of Boston.

Dear Sir,—For the continuation of the Rent and Housing Committee for the year 1929 it will be necessary that an appropriation be made amounting to \$6,500 as follows:

Herbert E. Ellis, adjuster.....	\$3,900
Benjamin Freedman, adjuster.....	2,500
Supplies.....	100
	\$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.

SKATING AT SAVIN HILL PLAYGROUND.

The following was received:  
 City of Boston,  
 Office of the Mayor, January 7, 1929.  
 To the City Council.  
 Gentlemen,—I transmit herewith a communication from the chairman of the Park Department in reply to your order of December 27, 1928,

relative to keeping the locker building at Savin Hill Playground open Sundays during the skating season.

Respectfully yours,  
 MALCOLM E. NICHOLS, Mayor.

City of Boston,  
 Park Department, January 3, 1929.  
 Hon. Malcolm E. Nichols,  
 Mayor of Boston.

Dear Sir,—I have your memorandum of December 29, with inclosure, order from the City Council relative to keeping the locker building at Savin Hill Playground open Sundays during the skating season.

In reply I desire to say that we have no locker building at McConnell Park, the only building we have on this area is a bath house. I will be pleased to issue instructions to have a portion of same opened on Sundays in the future when there is skating at this place.

Of course it will be understood that the city will not be responsible for the loss of any articles stored there while the building is open.

Very respectfully yours,  
 WILLIAM P. LONG, Chairman.

Placed on file.

FLOODING ALMONT STREET PLAYGROUND.

The following was received:  
 City of Boston,  
 Office of the Mayor, January 5, 1929.  
 To the City Council.

Gentlemen,—I transmit herewith a communication of the Park Department, in reply to your order of December 27, 1928, relative to the flooding of the Almont Street Playground, Mattapan, for skating.

Respectfully yours,  
 MALCOLM E. NICHOLS, Mayor.

City of Boston,  
 Park Department, January 3, 1929.  
 Hon. Malcolm E. Nichols,  
 Mayor of Boston.

Dear Sir,—I have your memorandum of December 29, with inclosure order from the City Council that the Park Commissioners be requested, through his Honor the Mayor, to flood the Almont Street Playground, Mattapan, for skating.

In reply I desire to submit copy of letter sent to Councilor Murphy, which is self-explanatory.

Very respectfully yours,  
 WILLIAM P. LONG, Chairman.

City of Boston,  
 Park Department, December 28, 1928.  
 Peter Murphy, City Councilor.

Dear Councilor,—In reply to your repeated requests for skating on the Almont Street Playground, I want to give you the following facts.

If I flood the baseball area, as suggested by you, it will require an enormous quantity of filling 18 inches high around the entire area in order to hold the water. This, of course, can be done, but it means you will not have a baseball diamond in the spring until nature dries out the area. As this is a filled area the diamond will not be available before Decoration Day, and there is no way in which I can hasten matters.

On the other hand, the city owns considerable land adjacent to the baseball area which can be flooded after the frost penetrates the ground. Instructions have been given the superintendent—in the event of a severe frost—to flood the area at once. The flooding arrangements will be made from hydrants in the vicinity.

I really feel, if the young men of the district knew what they would have to go through in the spring—waiting for a baseball diamond—they would gladly delay until such time as we can flood the adjacent area.

With best wishes, I remain,  
 Very truly yours,  
 WILLIAM P. LONG, Chairman.

Placed on file.

## REPORT OF EMPLOYMENT BUREAU.

The following was received:

City of Boston,  
Office of the Mayor, January 5, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a report from the Employment Bureau showing the number of registrations and positions filled from December 24, 1928, to December 29, 1928.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Employment Bureau, January 3, 1929.

## Weekly Report for the City Council.

December 24, 1928, to December 29, 1928, inclusive, 58 registrations; 53 positions filled.

AUGUSTUS SEAYER,  
Assistant Secretary in Charge.

Placed on file.

## PAY ROLL REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds for the period from December 10 to December 31, 1928, inclusive, to the amount of \$2,125.07, was received and approved.

## SURETY BONDS OF ASSISTANT REGISTER OF DEEDS.

The surety bonds of Assistant Registers of Deeds, John J. Attridge and John W. Johnson, were received and approved.

## APPROVAL OF APPOINTMENT OF MEMBER OF ZONING BOARD.

Notice was received of approval by the Commissioners of Civil Service of the appointment of Frank Brewster, 54 Commonwealth avenue, as member of the Board of Zoning Adjustment.

Placed on file.

## COTTAGE FARM BRIDGE.

Notice was received of hearing to be held on February 5, 1929, at 9.30 a. m. on appointment of a commission to apportion cost of Essex Street-Brookline Street-Cottage Farm Bridge.

Placed on file.

## APPROPRIATION FOR 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 \$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 TO SOLDIERS AND SAILORS.

Coun. MOTLEY offered an order—That under the provisions of chapter 115 of the General Laws, and acts in amendment thereof or in addition thereto, the amounts set forth in the list of allowances hereto annexed, for the month of January, 1929, of aid to soldiers and sailors and their families residing in the City of Boston or having a settlement therein, be hereby approved and paid until otherwise ordered, unless the person named shall previously become ineligible to receive said aid.

Passed under suspension of the rule.

## COMMITTEE ON SUNDAY SPORTS REGULATIONS.

Coun. DOWD offered the following:

Ordered, That a committee of five members of the City Council be appointed by the Acting President to draw up a set of regulations governing the issuance of permits for professional sports on Sunday, and to submit these regulations to the Council for adoption.

Coun. DOWD—Mr. President, in going over this matter of a permit to the Boston Braves, I find that, from a legal standpoint, there is nothing in that application for a permit which guarantees to the public protection from these financiers who have ruined both Boston baseball teams. I think it is unnecessary for me to state here that we have the absolute authority in this City Council, when we give a permit for the playing of games on Braves Field, to attach thereto a condition concerning the price of admission, whether it shall be 25 cents or \$2. That power still remains within the jurisdiction of this Council. I say that we have the right to tell these gentlemen from outside of Boston, who come here thinking Boston is nothing but a hick town and that they can do anything they desire, that we have the right to tell Mr. Frank Stevens, the gentleman who gave \$1,000 to the Outdoor Recreation League, and Mr. Delaney, who sells hot dogs and tonics at 15 cents a shot, how much they may charge for their refreshments to people who are attending Sunday games in Boston. We have also the right, if I am correct, to revoke that permit at any time, for any cause, or without cause. We also have the right to say whether we shall grant the permit for one week or for one year. This, Mr. President, is a matter that requires a lot of study on the part of the Council. It is indeed very fortunate that certain members of the Council saw fit to hold up the Braves, not giving them a permit, because if we had not done so the Braves would have a carte blanche permit to go out and rob the public and charge any prices they desired. We also have a very important function to perform, or to consider, in the granting of the permit,—that is, how much shall the City of Boston charge the management of the Braves for the permit, \$1 for the season or \$1,000 for a game? We must take into consideration the fact that Sunday sports in the City of Boston will entail a great expense on the citizens of Boston, and I see no right or reason why the public of Boston should pay to enrich two financiers—one Judge Emil Fuchs, whose statements should not be taken, and the other Mr. Charles Francis Adams. This has been stated before, but today the papers will not publish it. We are living in a free country, where every man has a right to his own opinion, and where no man should feel that anybody born of a different race or religion than himself should be ostracized. But I say that Adams is not the type of gentleman who recognizes that fact, because he discharged several employees of the First National Stores because they were of different religion from him and wore Al Smith's pin, in the last election. I say to the public of Boston, to the members of the City Council, that men of the type of Adams should not have any standing in the City of Boston. I say that when he testified against one of our own councilors, when he said things that he did say, he branded himself before men of any degree of intelligence as a liar,—as when, for instance, he says that he heard and recognized the voice of a member of this Council over the telephone. If that was not a deliberate frame-up, I would like to know what is. I ask you, Mr. Chairman, to appoint a committee of five, a committee that is going to be fair, that will look out for the interests of Boston, a committee that will find out the price that ought to be charged for such a permit. When the theaters of Boston got permission to run shows on Sunday nights they raised their prices 25 to 50 per cent and gave worse shows than on weekday nights. I say that there must be a guaranty to the city before I will ever consider voting for a permit to the Braves management and, if it means that I must go down to political defeat because of my stand on the matter, I will not go back on my stand of the last few weeks and allow Fuchs, the liar, and Adams, the narrow-minded hypocrite, to blackmail or coerce Dowd into voting for the permit. So I ask you, Mr. Chairman, to appoint that committee immediately, so that it may start functioning.

The order was passed.

MOTION TO VOTE FOR PRESIDENT.

Coun. FITZGERALD—Mr. Chairman, I move that we now proceed to the election of a president of the body for the ensuing year.

Coun. DOWD—Mr. President, I rise to a point of order. I have presented an order here, which was passed unanimously by this Council, asking to have a committee appointed in connection with the sports matter. Do you now desire to appoint the committee for the Chair?

Chairman DOWLING—The Chair desires to take time to consider the matter before appointing the committee; he will say in answer to the point of order raised by Councilor Dowd. Councilor Fitzgerald has now moved, that matter having been disposed of, that we proceed to the election of a president.

Coun. WARD—Mr. President, I move that action upon the election of a president be deferred until another meeting.

Coun. FITZGERALD—Mr. President, I rise to a point of order.

Coun. DOWLING—The Chair will have to put the motion offered by Councilor Fitzgerald that we now proceed to the election of a president.

Coun. Fitzgerald's motion that the body now proceed to the election of a president for the ensuing year was declared lost. Coun. Fitzgerald doubted the vote and asked for the yeas and nays.

Coun. Fitzgerald's motion was lost, yeas 4, nays 18:

Yeas—Coun. Arnold, Fitzgerald, Green, Keene—4.

Nays—Coun. Bush, Deveney, Donovan, Dowd, Dowling, Fish, Gallagher, Lynch, Mahoney, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Ward, Wilson—18.

APPROPRIATION FOR PENAL INSTITUTIONS DEPARTMENT.

The following was received:

City of Boston,  
Office of the Mayor, January 7, 1929.  
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Penal Institutions Commissioner, in which an additional appropriation of \$40,000 is requested for the completion of the contract for the new power plant at the House of Correction, Deer Island. The purpose of this appropriation is to replace underground steam lines which have been in existence for about twenty-five years. It is intended to replace these lines with new overhead lines. I submit herewith a loan order providing for the desired appropriation and respectfully recommend its passage by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Penal Institutions Department,  
January 7, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir—I would respectfully suggest that a loan order be sent to the City Council in the amount of forty thousand dollars (\$40,000) for completion of the contract on the new power plant at Deer Island.

The old steam lines which are underground have been in existence about twenty-five years and are practically worthless, resulting in such a loss of steam that the new plant cannot meet the requirements of the Island. Under the old contract several new overhead lines were installed, and this additional loan would be used for completing the system with all overhead lines.

Very truly yours,  
PHILIP A. CHAPMAN,  
Penal Institutions Commissioner.

Ordered, That the sum of \$40,000 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 the Committee on Finance.

PAYMENT TO MOTHER OF FRANCIS P. O'FLAHERTY.

Coun. GREEN offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to enable the city to pay a sum of money to the mother of Francis P. O'Flaherty.

Referred to the Executive Committee.

PAYMENT TO HEIRS OF ROSE ELLA McMULLEN.

Coun. GREEN offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to enable the city to pay a sum of money to the heirs of Rose Ella McMullen.

Referred to the Executive Committee.

PAYMENT TO MOTHER OF JOSEPH P. COWAN.

Coun. GREEN offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to enable the city to pay a sum of money to the mother of Joseph P. Cowan.

Referred to the Executive Committee.

JURORS DRAWN.

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

Thirty-five additional traverse jurors, Superior Civil Court, Fourth Session, January Sitting, to appear January 14, 1929:

William Nelson, Ward 1; Alexander Whelan, Ward 1; Michael McCarthy, Ward 7; James F. Dever, Ward 8; Charles H. Drew, Ward 8; John F. Geraghty, Ward 8; John G. Pender, Ward 8; Julius Adams, Ward 9; Timothy Cashman, Ward 10; James Liddell, Ward 11; Louis Berger, Ward 12; Henry Dinner, Ward 12; John Harris, Ward 12; James S. Whitelock, Ward 12; William Henry Sullivan, Ward 13; William C. Dacey, Ward 15; Roger G. Davis, Ward 15; Patrick J. Gaguin, Ward 15; Christopher J. Halligan, Ward 15; John F. Myers, Ward 15; Nathaniel F. Carpenter, Ward 16; Clarence A. Bates, Ward 16; William W. Smith, Ward 17; John O. Dunn, Ward 18; Matthew H. Gilman, Ward 18; John J. Parker, Ward 18; Arnold Sutterlin, Ward 18; Herbert C. Timson, Ward 18; John L. Murtagh, Ward 20; John A. Nicholson, Ward 20; Robert Plattner, Ward 20; Walter H. Hitchcock, Ward 19; James J. Collins, Ward 21; George L. Robertson, Ward 21; David L. Miller, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, First Session, January Sitting, to appear February 4, 1929:

Walter E. Hayden, Ward 2; Joseph L. A. Patry, Ward 2; Percy F. Jones, Ward 3; John B. McGrath, Jr., Ward 3; Joseph S. Moore, Ward 5; Louis J. Curtis, Ward 6; Joseph R. Dunphy, Ward 7; John F. Peters, Ward 7; Thomas S. Coulter, Ward 9; H. Parker Gould, Ward 10; Edward F. Kelley, Ward 10; Robert McAdams, Ward 10; Eugene Walter, Ward 11; Charles Thomas Barry, Ward 12; Daniel Rose, Ward 12; Henry Sharp, Ward 12; James J. David, Ward 16; Arthur D. Berry, Ward 18; William Robinette, Ward 18; Frederick P. Scribner, Ward 18; John S. Gross, Ward 19; Clifton W. Nelson, Ward 19; Charles E. Lawson, Ward 20; Avery B. Leonard, Ward 20; James C. Driscoll, Ward 22; Horace E. Martin, Ward 22; Lewis L. Martinson, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Second Session, January Sitting, to appear February 4, 1929:

John E. Currie, Ward 1; Thomas L. Broderick, Ward 2; Harold F. Lee, Ward 2; Patrick S. Scali, Ward 2; Edward C. Parr, Ward 4; James F. Mahoney, Ward 6; Frank C. May, Ward 7; Daniel

O'Connell, Ward 7; Peter Stockman, Ward 7; John J. Dunne, Ward 8; John J. Goslin, Ward 8; John Roddy, Ward 8; Horace L. Channel, Ward 9; John J. Thomas, Ward 9; James J. Judge, Ward 11; John J. Donlan, Ward 13; John L. Kilroy, Ward 13; Paul J. Bonardi, Ward 14; Bernard J. Covner, Ward 14; Joseph A. Maynard, Ward 14; John F. Barry, Ward 15; Alfred R. Ferguson, Ward 15; Thomas H. Condon, Ward 16; John J. Griffin, Ward 16; Patrick D. Murray, Ward 17; Donald W. McPherson, Ward 18; Louis Vinton Ammidown, Ward 20; George W. Bunker, Ward 20; William R. Desmond, Ward 20.

Twenty-nine traverse jurors, Superior Civil Court, Third Session, January Sitting, to appear February 4, 1929:

David Miller, Ward 1; George M. MacAusland, Ward 5; James P. Munroe, Ward 5; John Lynch, Ward 6; Joseph G. Neely, Ward 6; William E. Kolarik, Ward 7; William J. McGee, Ward 7; William E. Withrow, Ward 7; Arthur E. Crozier, Ward 8; Ernest Kitson, Ward 9; Thomas M. Qualters, Ward 9; William F. Boles, Ward 10; William Hack, Ward 12; Alexander D. Ritchie, Ward 12; John R. D'Angelo, Ward 13; Augustine J. Goslin, Ward 13; Warren L. Meaney, Ward 13; Patrick J. Radican, Ward 14; Robert J. Curry, Ward 15; Frank J. Greene, Ward 16; John F. Joyce, Ward 16; William F. Kiley, Ward 17; John L. Herrett, Ward 18; William Metcalfe, Ward 18; Charles L. Rolfe, Ward 18; Harry O. Baker, Ward 20; Carl S. Speth, Ward 20; Frank C. Dunthin, Ward 21; Richard E. Downey, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Fourth Session, January Sitting, to appear February 4, 1929:

Charles Federman, Ward 3; Thomas J. Moran, Ward 3; Charles J. Moulton, Ward 3; Frederick M. Billings, Ward 4; Stanley E. Fuller, Ward 4; Elmer E. Cole, Ward 5; Claude H. Ketchum, Ward 5; Patrick Lydon, Ward 6; Richard J. Reynolds, Ward 6; Francis J. Murphy, Ward 10; Stephen J. Rogers, Ward 10; Daniel J. Griffin, Ward 11; Joseph F. Hill, Ward 11; Hervey R. Shea, Ward 11; Philip O'Connell, Ward 13; Walter F. Wilson, Ward 14; James J. Egan, Ward 15; James F. Dwyer, Ward 16; Arthur V. Grace, Ward 16; Joseph Doherty, Ward 16; David H. Lane, Ward 16; Frank E. McDowell, Ward 16; Arthur J. Gould, Ward 17; Edward F. May, Ward 17; James K. MacPhee, Ward 18; Winthrop R. Shepard, Ward 19; Harold W. Spavin, Ward 20; Alexander J. Rea, Ward 21; Charles B. Haynes, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Fifth Session, January Sitting, to appear February 4, 1929:

Jeremiah P. Creamer, Ward 1; Patrick Ford, Ward 1; Simon J. McDonald, Ward 1; William O'Keefe, Ward 1; Arthur J. O'Neil, Ward 1; George P. Pennington, Ward 1; Henry G. Fessenden, Ward 3; Joseph E. Harling, Jr., Ward 4; Walter J. McCabe, Ward 4; John J. Hanlon, Ward 5; Daniel B. Phelan, Ward 6; William L. Roberts, Ward 6; Thomas E. Goggin, Ward 7; John M. Thierauf, Ward 10; Samuel Dietzman, Ward 11; David W. Crowley, Jr., Ward 12; William Knowles, Ward 12; Max D. Marcus, Ward 12; Albert H. Ranen, Ward 14; Thomas McCormick, Ward 16; Jacob Cohen, Ward 17; William H. Ogden, Ward 18; David S. Smith, Ward 18; Hugh Grant, Ward 20; Paul G. Coblenzer, Ward 21; John F. Williams, Ward 21; Eugene T. Sullivan, Ward 22; Nathan Winstanly, Ward 22.

Twenty-five traverse jurors, Superior Civil Court, Sixth Session, January Sitting, to appear February 4, 1929:

Timothy J. Harrington, Ward 1; Louis LaBelle, Ward 4; Archibald B. Wright, Jr., Ward 4; Edward Goodrich, Ward 5; Carl H. Skinner, Ward 5; William F. Arrigal, Ward 6; Michael J. Cullinane, Ward 6; John J. Keefe, Ward 6; Frederick H. Traynor, Ward 7; Patrick Fitzmaurice, Ward 10; James J. Shelvie, Ward 10; Thomas R. Cratty, Ward 11; Oscar Thorell, Ward 11; George Fuller, Ward 13; George I. O'Bryan, Ward 13; Harry Meterparel, Ward 14; John E. Young, Ward 14; Abram Bromberg, Ward 15; John J. Hickey, Ward 15; John J. Jones, Ward 16; Joseph E. Dolan, Ward 19; John C. Brown, Ward 20; Almon W. Browne, Ward 20; Walter H. Wilkins, Ward 21; James B. Fitzgerald, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Seventh Session, January Sitting, to appear February 4, 1929:

James Doherty, Ward 2; John F. Lambert, Ward 2; William O. Brown, Ward 5; James B. Barry, Jr., Ward 6; Frank T. Geelin, Ward 9; Henry A. Willis, Ward 9; John J. Buckley, Ward 10; William J. Flatley, Jr., Ward 10; William Bolhoff, Ward 11; James Sawyer, Ward 11; Laughlin Macdonald, Ward 11; Byron S. Vincent, Ward 12; Ernest A. Grimm, Ward 13; Daniel C. Murphy, Ward 13; Cornelius F. Sullivan, Ward 13; William Locke, Ward 14; James E. Campbell, Ward 15; Daniel M. Sharkey, Ward 15; Bernard A. Canney, Ward 16; Stephen A. Crook, Ward 16; Frank C. Pais, Ward 16; Charles F. Fargo, Ward 16; Henry J. Murphy, Ward 16; Gardner K. Pettee, Ward 16; Frederick H. Smith, Ward 18; Carl O. Sundell, Ward 18; Everett M. Hill, Ward 21; William F. Damon, Ward 20; William S. Mitchell, Ward 22.

Twenty-five traverse jurors, Superior Criminal Court, First Session, to appear February 4, 1929:

James F. Storin, Ward 1; John J. McBride, Ward 2; Joseph F. McPhee, Ward 4; Frank B. Thomas, Ward 4; John F. Adler, Ward 5; Harold E. Neal, Ward 5; Martin J. Gordon, Ward 6; Leo T. Dalton, Ward 7; John J. Heffernan, Ward 8; William H. Harrison, Ward 10; Moses Perron, Ward 10; Maurice B. Conway, Ward 11; Thomas F. Morrison, Ward 12; Simon Robinson, Ward 13; John T. Whitley, Jr., Ward 13; Charles J. Chambers, Ward 15; Daniel P. Danehy, Ward 15; James F. Sullivan, Ward 15; William J. Teehan, Ward 15; William Martin, Ward 17; Ernest H. Wheeler, Ward 18; George F. Hart, Ward 19; Rudolph L. Newman, Ward 19; Wallace B. Ross, Ward 19; John F. Burke, Ward 22.

Thirty-two traverse jurors, Superior Criminal Court, Third Session, to appear February 4, 1929:

Frank P. Oliver, Ward 1; Francis J. McCarthy, Ward 2; Cornelius H. Cronin, Ward 5; True A. Hoadley, Ward 5; Joseph H. Hunting, Ward 5; Peter C. Conley, Ward 7; Thomas F. O'Brien, Ward 7; John J. Hourihan, Ward 10; Frederick H. Dugan, Ward 11; Thomas F. Hurley, Ward 11; James A. R. Coles, Ward 12; John A. Hicks, Ward 13; Frank N. Michaud, Ward 13; George T. Holland, Ward 14; David Isenberg, Ward 14; Frederick A. Wright, Ward 14; Joseph G. Hardiman, Ward 15; Patrick J. Daly, Ward 16; Willis H. Leach, Ward 18; Thomas Maher, Ward 18; David Marshall, Ward 18; George E. McLeod, Ward 18; Frank Shedd, Ward 18; Ernest W. Taylor, Ward 20; David Baer, Ward 21; Ernest P. Buxton, Ward 21; James Richardson, Ward 21; Thomas E. Brady, Ward 22; Frank A. King, Ward 22; Cornelius J. Riordan, Ward 22; Percy A. Simmonds, Ward 22; Edward J. Welch, Ward 22.

Thirty-two traverse jurors, Superior Criminal Court, Fourth Session, to appear February 4, 1929:

Albert M. Hankard, Ward 1; Dennis Richards, Ward 3; William F. Frank, Ward 4; Edward Rivett, Ward 4; William Hawkins Rigby, Ward 5; Joseph A. Coleman, Ward 7; William R. Zeigler, Ward 7; Cornelius F. Fay, Ward 10; Philip H. Corrigan, Ward 11; Frank A. Mooney, Ward 11; Donald M. Blair, Ward 12; Isadore M. Gilde, Ward 12; William J. Booth, Ward 13; John J. McCarthy, Ward 13; Thomas F. O'Connell, Ward 13; John E. Counihan, Ward 15; James F. Gaffney, Ward 15; James L. Foy, Ward 16; Harold E. Roster, Ward 16; Thomas J. McCarthy, Ward 17; Maxwell Shapiro, Ward 18; Walter J. Snow, Ward 18; John A. Gillis, Ward 19; Jacob Knecht, Ward 19; Bernard H. Muldoon, Ward 19; Frederick W. O'Toole, Ward 19; Delbert C. Shepard, Ward 19; Andrew J. Gemmel, Ward 20; Anson B. Norton, Ward 20; John A. Rouillard, Ward 20; Harold D. Goodenough, Ward 22; Frank J. Shaughnessy, Ward 22.

Coun. ARNOLD in the chair.

#### PETITIONS REFERRED.

The following petitions were received and referred to the Committee on Claims, when appointed, viz.:

Joseph Baiungo, for compensation for injuries caused by an alleged defect in Webster avenue.

Mary Baptiste, for compensation for injuries caused by an alleged defect at 98 Atlantic avenue.

Mrs. William Boyd, for compensation for damage to property at 2 Rockford street, Roxbury, caused by ash team.

Church of the Annunciation, for compensation for damage to property at 178 Harrison avenue, caused by cellar being flooded.

Alexander R. Cleary, for compensation for damage to car caused by an alleged defect at Beech street, Roslindale.

Cox & Johnson, for refund on building permit.

Charles F. Daly, for compensation for damage to automobile by city truck.

Mary DeRosa, for compensation for injuries caused by fall on street.

Samuel Gamerman, for compensation for damage to car by city team.

Emma K. Gebhard, for compensation for injuries caused by an alleged defect in Causeway street.

Allessandra Giovanni, for compensation for injuries caused by fall on street.

Vincenzo Lenese, for compensation for injuries caused by an alleged defect at 20 Hanover street.

Frank Manduri, for compensation for injuries caused by an alleged defect at 89 Orleans street.

Tony Marotta, for compensation for injuries caused by an alleged defect at 169 Hanover street.

William A. Martin, for compensation for injuries caused by an alleged defect in Public Garden.

Mary McGrath, for refund on victualer's license.

Anne M. Mullan, for compensation for injuries caused by an alleged defect at 6 Cherokee street.

New Haven Terminal Stores, for refund on refuse tickets.

G. W. Ross, for compensation for damage to car caused by an alleged defect in Broadway, South Boston.

David Saklad, for compensation for damage to automobile by city wagon.

Catherine Stancato, for compensation for injuries caused by an alleged defect at 115 Salem street.

Angelina Ventola, for compensation for damage to truck by city truck.

Hyman Zion, for compensation for injuries caused by snow from building formerly Police Station 2.

RECESS.

The Council voted, on motion of Coun. DOWLING, at 3.35 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 4.01 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred today) authorizing temporary loan in anticipation of taxes for year 1929—that same ought to pass.

Report accepted, said order passed, yeas 20, nays 0.

2. Report on message of Mayor and order (referred today) that \$6,500 be appropriated to be expended by Committee on Rent and Housing—that same ought to pass.

Report accepted, said order passed, yeas 20, nays 0.

3. Reports on resolves (referred today) approving the enactment of legislation for payment of sum of money as follows:

Mother of Francis P. O'Flaherty;

Heirs of Rose Ella McMullen;

Mother of Joseph P. Cowan; that same ought to pass.

Reports severally accepted; said resolutions adopted.

APPOINTMENT OF SUNDAY SPORTS COMMITTEE.

Chairman DOWLING—The Chair at this time announces the committee that he was directed to appoint in the matter of licenses under the Sunday sports law, the order offered by Coun. Dowd, as follows: Councilors Dowd, Gallagher, McMahan, Parkman and Wilson.

Adjourned, on motion of Coun. MAHONEY, at 4.05 p. m., to meet on Monday, January 14, at 2 p. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Monday, January 14, 1929.

Regular meeting of the City Council, in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, in the chair and all the members present.

## JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, Coun. KEENE presiding at the box in the absence of his Honor the Mayor, as follows:

Four additional grand jurors, Superior Criminal Court, to appear February 4:

Angelo Penta, Ward 3; John L. Collins, Ward 17; Arthur C. McArthur, Ward 20; Frank F. Pierce, Ward 22.

Thirty-five traverse jurors, Superior Criminal Court, Second Session, to appear February 11:

Harris Hirschberg, Ward 1; Charles A. Rollins, Ward 1; William F. Smith, Ward 1; Frederick D. Monagle, Ward 2; Peter J. Formica, Ward 3; Charles McLaughlin, Ward 3; Alfonso Bosco, Ward 3; Henry Jeffery, Ward 4; William Stripp, Ward 4; George C. Andrew, Ward 5; William Carroll, Ward 6; Patrick J. Garvey, Ward 7; Patrick J. McMahon, Ward 7; George F. Murphy, Ward 7; James A. Curley, Ward 8; John M. Deraney, Ward 8; Michael F. Murray, Ward 8; Michael J. Downing, Ward 9; Timothy M. Sullivan, Ward 9; Charles W. Cronin, Ward 10; Albert E. Libby, Ward 10; Louis J. Pellegrini, Ward 11; William F. Penning, Ward 11; Abraham Pearlstein, Ward 13; George W. Muttart, Ward 14; John D. O'Connell, Ward 15; Joseph M. Scanlin, Ward 15; John E. Cochran, Ward 16; Bertram A. McKenzie, Ward 16; Thomas E. Murphy, Ward 16; Austin McLean, Ward 18; Charles A. Phinney, Ward 18; George E. Ahlstrom, Ward 19; William A. Connell, Ward 20; Nathan T. Hallett, Ward 20.

## PETITIONS REFERRED.

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

## Claims.

Cities Service Refining Company, for compensation for damage to truck by city truck.

Florence A. Curry, for compensation for injuries caused by an alleged defect at 56 Mapleton street.

Grace M. Doyle, for compensation for injuries caused by an alleged defect in Huntington avenue.

Mary Dullea, for compensation for injuries caused by an alleged defect in Huntington avenue.

Bessie Grau, for compensation for damage to automobile by city team.

Mary E. Howard, for compensation for damage to automobile by city truck.

Mrs. Clara Kadis, for compensation for injuries caused by an alleged defect at 76A Broadway.

Walter Lamb, Jr., for compensation for damage to automobile caused by an alleged defect in Colberg avenue.

Mrs. Josephine O'Hea, for compensation for injuries caused by an alleged defect at 318 Commonwealth avenue.

Patrick Powers, for compensation for damage to automobile caused by an alleged defect in Chelsea Drawbridge.

Mary Spector, for compensation for injuries caused by an alleged defect at 57 Hancock street.

Bessie White, for compensation for damage to automobile by flagpole in yard of William Bradford School.

Gaetano J. Hovanna, for compensation for damage to automobile caused by an alleged defect in Warren Bridge.

## Committee on Jitney Licenses.

Petition of James P. Frizzell for license to operate motor vehicles from Winnisimmet square, Chelsea, through the Charlestown district cross town to Lafayette square, Cambridge.

## Executive Committee.

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

Lester P. Gould Bowdoin Hall, January 29.

Ruth M. McShane, Gate of Heaven Hall,

January 25.

Gertrude Murphy, Gate of Heaven Hall,

February 8.

## Sunday Baseball, American League.

A petition was received from the Boston American League Baseball Company, for license for Sunday sports at Fenway Park.

Referred to the Executive Committee.

## APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of John A. O'Halloran and Philip E. Liberman, having been duly approved by the City Treasurer, were received and approved.

## APPOINTMENT OF RAYMOND P. DELANO TO ZONING BOARD.

The appointment by the Mayor of Raymond P. Delano, 28 Mather street, Dorchester, to be a member of the Board of Zoning Adjustment, was received and placed on file.

## TRACK LOCATION, BOSTON &amp; MAINE RAILROAD.

A copy of order of the Board of Street Commissioners granting track location to the Boston & Maine Railroad across Nashua street extension, was received and placed on file.

## ACTING SOLDIERS' RELIEF COMMISSIONER.

Notice was received of the appointment by the Mayor of William J. Casey, Superintendent of Printing, as Acting Soldiers' Relief Commissioner. Placed on file.

## PAY ROLL OF REGISTRY OF DEEDS.

The pay rolls of the Registry of Deeds, amounting to \$4,353.01, and \$412.50, were received and approved.

## RECEIPTS OF SUNDAY BASEBALL.

A communication was received from Wendell P. Thore petitioning that a portion of the gross receipts from Sunday baseball be applied to Pension Bequest Fund as established under chapter 6 of General Laws.

Referred to the Committee on Sunday Sports Regulations.

## STORAGE AND SALE OF GASOLINE.

Notice was received from the Board of Street Commissioners of hearings on petitions for storage and sale of gasoline to be held January 28, viz.:

Georgina Cavanaugh, 3826 Washington street, Ward 19, 2,000 gallons additional.

P. De Cristafara, 38 Glendower road, Ward 18, 1,000 gallons.

Joseph H. Boucher, 8 Troy street, Ward 3, 1,000 gallons additional.

Referred to the Executive Committee.

## COMPLETION OF POWER PLANT, DEER ISLAND.

Coun. McMAHON.—Mr. President, an order for \$40,000 for completion of the contract for the

new power house at the House of Correction, Deer Island, was submitted to us by the Mayor last week and was referred to the Committee on Finance. As there is no Committee on Finance at the present time, I would like to have that reference reconsidered and to have the matter referred to the Executive Committee.

The following letter was submitted with the order:

Hon. Malcolm E. Nichols,

Dear Sir—I would respectfully suggest that a loan order be sent to the City Council in the amount of \$40,000 for completion of the contract for the new power plant at Deer Island. The old steam lines which are underground have been in existence about twenty-five years and are practically worthless, resulting in such a loss of steam that the new plant cannot meet the requirements of the island. Under the old contract several new overhead lines were installed, and this additional loan would be used for completing the system with all overhead lines.

Very truly yours,  
PHILIP A. CHAPMAN,  
Penal Institutions Commissioner.

As this is a very urgent matter, Mr. President, I would like to see that order taken from the Committee on Finance and referred to the Executive Committee.

The order referred to was taken from the Committee on Finance by a two-thirds vote, by show of hands, and referred to the Executive Committee.

#### CONSTRUCTION OF VIADUCTS AND OVER-PASSES.

Coun. RUBY offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the city to provide for the construction of viaducts and overpasses on the parkway system of the city.

Referred to the Executive Committee.

#### REIMBURSEMENT OF THOMAS GORDON.

Coun. RUBY offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the city to reimburse Thomas Gordon for money paid by him in defense of an action brought against him.

Referred to the Executive Committee.

#### CONSTRUCTION OF NEW STREET.

Coun. RUBY offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the city to provide for the construction of a new street extending from Cambridge street, Brighton, to Soldiers' Field Parkway.

Referred to the Executive Committee.

#### DEFICITS IN APPROPRIATIONS FOR STREET WIDENINGS.

Coun. RUBY offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the city to borrow money to make up deficits in appropriations for street widenings.

Referred to the Executive Committee.

#### TERCENTENARY CELEBRATION, 1930.

Coun. RUBY offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the city to appropriate money in connection with the tercentenary celebration of Boston in 1930.

Referred to the Executive Committee.

#### COUNTY COURTHOUSE ACCOMMODATIONS.

Coun. RUBY offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the city to provide for additional court-house accommodations for Suffolk County.

Referred to the Executive Committee.

#### REIMBURSEMENT OF WILLIAM J. DONOVAN.

Coun. DONOVAN offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the city to reimburse William J. Donovan for the use of certain appliances owned by him.

Referred to the Executive Committee.

#### ANNUITY TO WIDOW OF THOMAS F. FLYNN.

Coun. DONOVAN offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of Thomas F. Flynn, 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.

#### INCREASE IN WIDOWS' ANNUITIES.

Coun. GALLAGHER offered the following:

Resolved, That the Boston City Council favors the enactment of legislation by the Massachusetts Legislature authorizing the City of Boston to pay annuities not exceeding one thousand dollars to the widows and children of certain deceased policemen and firemen of the City of Boston.

Referred to the Executive Committee.

#### PAYMENT TO PARENTS OF MICHAEL J. DOWNEY.

Coun. SULLIVAN offered the following:

Resolved, That the Boston City Council favors the enactment of legislation by the Massachusetts Legislature authorizing the County of Suffolk to pay a sum of money to the parents of Michael J. Downey.

Referred to the Executive Committee.

#### REINSTATEMENT OF JOHN J. GATELY.

Coun. WARD offered the following:

Resolved, That the Boston City Council favors the enactment of legislation by the Massachusetts Legislature authorizing the reinstatement of John J. Gately as laborer in the Public Works Department of the City of Boston.

Referred to the Executive Committee.

#### ELIGIBILITY OF LOUIS V. JENNINGS.

Coun. WARD offered the following:

Resolved, That the Boston City Council favors the enactment of legislation by the Massachusetts Legislature making Louis V. Jennings eligible to receive upon retirement certain allowances under the Boston Retirement Act.

Referred to the Executive Committee.

#### REMOVAL OF SNOW, SOUTH BOSTON STREETS.

Coun. MAHONEY offered the following:

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

to remove all snow from Broadway, South Boston, during this winter; also Fourth street, from L street to P street.

Passed under suspension of the rule.

**ELECTRIC LIGHT, WALNUT STREET.**

Coun. PARKMAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an electric arc lamp opposite No. 5 Walnut street, Ward 5.

Passed under suspension of the rule.

**ANNUITY TO WIDOW OF WALTER P. CORBETT.**

Coun. ARNOLD offered the following:

Resolved, That the Boston City Council favors the enactment of legislation by the Massachusetts Legislature authorizing the City of Boston to pay an annuity to the widow of Walter P. Corbett.

Referred to the Executive Committee.

**COMPLETION OF MORTON STREET EXTENSION.**

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be, and he hereby is, requested to provide \$50,000, without fail, for completion of proposed street work on the so-called Morton street extension, between Codman street and Druid street, that figure having been estimated as the approximate amount necessary according to reply to the Boston City Council on December 27, 1928.

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be, and he hereby is, requested at once to proceed with completion of street work on the so-called Morton street extension, between Druid and Washington streets, Dorchester, particularly in view of the fact that under date of December 27 the City Council has been advised that money for such work is available.

Coun. WILSON—Mr. President, I would say, with reference to those two orders, that I am again pressing at this time the matter of the completion of the Morton street extension, the money for which—or, rather, the authorization of the loan for which—was passed by the Legislature, if I am correct, over four years ago. The work has been started, but, despite constant pressure for the completion of the work, that man through highway, from Washington street, has been left in an open condition during the winter months. I want to be assured that the money necessary, \$50,000, is made available for the portion of the street not yet started, and that the part which has been started, for which the money is available, shall be completed at the earliest possible moment.

The orders were passed under suspension of the rule.

**FOOTBRIDGE NEAR BUTLER STREET, WARD 17.**

Coun. WILSON offered the following:

Ordered, That the Transit Commission, through his Honor the Mayor, be, and said commission hereby is, respectfully requested in accordance with its estimate furnished the City Council November 13, 1928, to construct a footbridge and station as part of the new Dorchester Rapid Transit near Butler street in Ward 17.

Passed under suspension of the rule.

**GRADING OF BEARSE AVENUE AND CREST AVENUE.**

Coun. WILSON offered the following:

Ordered, That the Public Works Commissioner, through his Honor the Mayor, be, and he hereby is, respectfully requested to grade Bearse avenue

and Crest avenue following completion of the new Medway Street Bridge now under construction as part of the new Dorchester Rapid Transit.

Passed under suspension of the rule.

**INFORMATION FROM CITY HOSPITAL TRUSTEES.**

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor advise the City Council forthwith whether any formal request has as yet been received from the Board of Trustees of the Boston City Hospital for \$5,500 additional money required for at least thirty-five additional nurses at the Boston City Hospital in accordance with assurances given the special committee of the Boston City Council by Chairman Manning as long ago as November 2, and assurances also given by Superintendent Dowling, in October, 1928.

Coun. WILSON—Mr. President, speaking for the special committee, or as a member of the special committee appointed for investigation of the present management of the Boston City Hospital, I read with some regret in the papers of January 1 a statement by Mr. Dreyfus of the Board of Trustees denying the truth of the findings made with reference to the Boston City Hospital and noted his statement that the investigation started unfairly, and has come to its conclusion in a biased report. While I have every regard for Mr. Dreyfus personally, I feel very strongly that his criticism of the committee report is far more unfair than the report which he criticizes. He stated, "I do not for a moment question the integrity of the members of the committee, but I should like to emphasize that it is obviously impossible for a group of laymen without once getting the opinion of men trained in hospital management to ascertain the real facts, in the short time given to this study by the committee." In response to that criticism I would point out that of course the five members of the committee were laymen, just as is Mr. Dreyfus himself, although he is a trustee of the Boston City Hospital, and for that very reason the substance of the report considered only those practical evils and very apparent weaknesses in the management of the present Boston City Hospital, which are obvious even to the average man on the street, and with that very point in mind the special committee made its thirteenth and final special recommendation as follows: "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." So far as the time spent on the investigation is concerned, I would submit that certainly the committee took a greater time in its report of the McMahon case than did the trustees, who on Tuesday, October 16, in a formal and detailed report to the Mayor, wholly disposed of the question of the death of Rose Marie McMahon, which had occurred on the Saturday night previous, and did so without even hearing the McMahon side of the story, or questioning the undertaker in any respect. Mr. Dreyfus went on to say; "To demonstrate what I mean by the unfairness of the report, let me suggest that the committee invited to testify only those persons who had real or fancied grievances and would not allow statements from any persons who were present at the hearing and who wished to be heard." In response to that criticism I would state that the proceedings of the committee fail to substantiate the claim made by Mr. Dreyfus. The committee at no time refused to allow statements by any person at the hearings who might wish to be heard, and in fact the writer of the report himself went out of his way to include in the report very detailed information with reference to the hospital, its personnel, and its standing in the medical world, as submitted by Doctor Wilson and by the trustees. Mr. Dreyfus further went on to say in conclusion, "That many of the specific recommendations in the present report had long ago been considered by the trustees, and were suggested by them at these hearings. I refer to the need of more nurses; the abolition of Wards K and L, the transfer of alcoholics to the Relief Station, and the problem

of cleanliness and food, which are omnipresent in every hospital, public and private." In defence of the special committee may I state that the committee at no time has made any claim of exclusive authorship with reference to many of its most important recommendations. The idea of the special committee, in theory and in fact, was to co-operate with the trustees for the improvement of the present unsatisfactory management of the Boston City Hospital and of course the City Council Committee accented as most important those improvements which the trustees themselves admitted they "had long ago considered." Your committee's reply to the criticism of Mr. Dreyfus would be that those evils long since recognized by the trustees themselves, as existing at the Boston City Hospital, should long since have been remedied, promptly and voluntarily, by the trustees, whereupon they would not now have been so evident even to an untrained layman. I urge the adoption of the present order, and feel that the question of the immediate addition of further nurses at the Boston City Hospital should be pressed without delay. During the course of the hearings the comment was made by one of the trustees, "Don't burn down the hospital to kill a mouse." In reply to that very excellent suggestion the point may now be made, "Don't stand by and watch the hospital burn down while deciding which pail of water to use to put out the fire!"

Coun. WARD—Mr. President, I would like to know if an order has been presented in this matter by Coun. Wilson?

Chairman DOWLING—Yes, councilor. The clerk will read the order.

(The clerk read the order offered by Coun. Wilson.)

Coun. WARD—Mr. President, the report presented by the chairman of the Special Hospital Committee, which I believe was compiled by one of the members of the committee, Councilor Wilson, was thrown into this City Council, I believe, a week ago, and there has been no opportunity given any member of the Council to read the report, go over it and see whether it was fair or unfair. As far as the hearings went, I tried to stay here every day, although not a member of the committee, and I heard people come in to make complaints against the hospital. There was not an effort made on the part of the committee to bring in anybody who had a good word to say for the hospital. For my part, I believe the hospital authorities are doing the best they can with what they have to work with. These recommendations made by the committee were brought before the trustees, and it now seems entirely unfair for the members of the committee to stir the matter up at this time, particularly when they have said, "We are going to make these recommendations and are going to allow the trustees to have at least three months' time to determine whether the recommendations made should be carried out for the best interests of the hospital or not." Before going any further, I would certainly like to read over the recommendations. The statement was made that we were to be permitted to have that report on the hospital before us before we voted. Well, I haven't seen the report, yet.

Coun. WILSON—Mr. President, replying to the representative—if I may use that expression—of the Boston City Hospital,—

Coun. WARD—Mr. Chairman.

Chairman DOWLING—Please let the chairman state firmly and emphatically that personalities will not be allowed.

Coun. WILSON—Coming from you, Mr. Chairman, I take it in very good part.

Chairman DOWLING—The Chair states that if the gentleman is going to indulge in personalities he will not be allowed to continue.

Coun. WILSON—And I say that, Mr. Chairman, coming from you I take it in very good part.

Chairman DOWLING—The gentleman may continue, but no personalities will be allowed and no reflections on any member of the Council will be permitted.

Coun. WILSON—Well, Mr. Chairman, not being aware that any reflections have been cast, may I reply to the councilor who so assiduously attended the meetings of the Committee on Hospital Investigation by saying that perhaps some of the meetings which he failed to attend were those where the Board of Trustees were invited to sit down and did sit down in special meeting with members of the City Council, at which time the trustees made in great detail such suggestions as they wished to make. I am surprised that the

gentleman who has raised the point and the inference that the report was at all unfair has failed to read the report of the committee which investigated the City Hospital, a report which has now been before us for two weeks. I suppose the failure to read the report has been due, obviously, to the hectic excitement in the City Council recently over the baseball matter, a matter which could very well have waited until next February. The order I have presented here at the present time merely asks whether any action has been taken in regard to the thirty-five nurses whom the chairman of the trustees said were required, last October, whether they have yet been placed in the hospital or what action has been taken with regard to the matter. That, to my mind, with all due deference to the gentleman on my left, is a matter of real importance and one that the Council should be interested in.

Coun. McMAHON—Mr. President, I had not expected to start in again at this time on the Boston City Hospital, as I believed they should be given an opportunity to begin rectifying things before any further question was raised, and I so told the trustees. But if nothing whatever is being done, I suppose we might as well start in now instead of waiting the three months that I told them I would wait to see what was done under the recommendations of the committee. Surely if any member of this body feels that the recommendations of the committee are unfair, I would like to have him show me one instance in the report where unfairness appears. There are details where I could take exceptions to the committee's report in my own personal case, as not having gone far enough; but I was not so narrow, and so I was willing to agree to the spirit of the report as submitted. But I am not going to sit here and let the City Hospital Trustees come out in the newspapers and camouflage things. All the members know the particulars of the case in my own family, and those members who attended the hearings and listened also know about the case in East Boston, where the persons interested do not know up to the present moment whether they buried their own child or not. The hospital authorities said it was just a mistaken address, and they said that the telegraph people were wrong, that the telephone people were wrong. Let me tell the members of this Council that within the last five weeks I have known of cases in the City Hospital, three cases, where that same sort of thing has been done, and where, I suppose, it is again blamed on the telephone and telegraph people. I know today of a case of a young man who went to the hospital yesterday afternoon at 2.30 to see his mother, and learned then that she had died at 4.30 in the morning. He went there yesterday afternoon at 2.30, and found that she had died. Why was he not notified? Gentlemen, why should such a thing happen? Suppose your mother or anybody's mother is at the hospital and dies at 4.30 in the morning, is there any reason why words should not be got out to Uphams Corner, Dorchester, before 2.30 in the afternoon, particularly in the case of a son who has two addresses, who is a man doing business there, where he has a telephone address, and also can be reached in the same way in his home? But, as I say, here is a young man who goes in there yesterday afternoon at 2.30 and does not know until he strikes the hospital that his mother had died, although she died at 4.30 in the morning. We also hear a good deal about the protection to be given to the trustees of the Boston City Hospital. Is there no attention to be given to the public of Boston? Are they not to receive the protection they are entitled to? Mr. Chairman, as one member here, I will be on the neck of the hospital authorities until something is done about such matters. As long as they continue to run the hospital in the way in which it has been run, I will still have my axe to grind. That is simply one case, and I have two others. There are a number of other matters that have been called to my attention in the last four weeks, and I have simply been waiting to see what the trustees were going to do in view of the report that has been made by the committee. If they are going to wait and wait, we are going to still have the same kind of hospital that we had six months ago. They are not going to satisfy me unless they can show that they are going to do something that will result in good. They have just opened a beautiful building, Mr. Chairman, with swimming tanks and everything, the most beautiful club you could

find. They could not let that go for another year, while they remedied some of these other things that should be remedied! They have plenty of funds for these other things that they want to do. They can put up a brand new million-dollar building, as we have seen set forth in the Boston papers, which have told us what a beautiful building it is and what they are doing there. But I say, instead of their doing that sort of thing, let them continue on the hospital and do some of the things that are crying out for attention, concerning the care of the patients, and so on, things that need to be taken care of and that cannot wait. The doctors and nurses can't wait for these nice places and nice accommodations, but sick people can wait! I say, do this other work first, and then you won't have McMahon getting up and yelling against you. I say that we should get the information asked for in this order that has been put in here this afternoon, that we should know what it is proposed to do in regard to these nurses. They tell us that they have been going to make these recommendations for the last six months, some of the recommendations made by the committee. Then, why haven't they done it up to date? No member of the Council wants to steal the glory away from the trustees. If they are not big enough,—Mr. Dreyfus, Mr. Manning, or any of them,—let them get off the Board and let us have another Board. I think I am just as big as Dreyfus or Manning, and I can tell whether a place is clean or filthy. That is a plain and simple question, Mr. Chairman. I can show them not alone one person, but plenty, who have gone in there clean and who have come out filthy. So I hope that order will pass this afternoon.

Coun. WARD—Mr. President, on this matter of the hospital building which has just been finished and which has been referred to today, I can remember back as far as six years ago, when the trustees planned the entire thing, and when the money was appropriated for the new building. That was years ago. Simply because of this investigation in regard to certain parts of the hospital, why should they not continue with that building which had already been provided for. This investigation is simply a matter that has come up since, about three months ago, and the new building has been in process for the last few years. I understood also, Mr. President, that every member of the Council was going to have a copy of the report of the Hospital Committee and I have to read the report.

Chairman DOWLING—The Chair would say that the report of the Hospital Committee has been printed as a part of the Council proceedings and is open to any member at any time.

Coun. BUSH—Mr. President, I was present at a good many meetings of the Special Committee on Investigation of the City Hospital, and I have also read the report, of which I received a copy, which was published in the Council minutes of December 31. From personal observation and from the reading of the report it is my opinion that both sides were given ample opportunity to present their case. The situation was not, as the councilor from Ward 9 (Coun. Ward) had said, that no attempt was made on the part of the committee to bring in evidence on behalf of the hospital. The fact is that no attempt was made on the part of the committee to bring in evidence of any kind. Opportunity was afforded, and ample opportunity, for everybody to bring in whatever evidence he had, either for or against the hospital, and the hospital authorities had ample opportunity to present whatever evidence they wished in their behalf. However, my concern is entirely with the question of the fairness of the report, since one of our members has risen in defence of the statement by the trustees. I have read the committee's report and have compared it with my personal observations in the meetings of the committee, and I believe that never in the history of this Council has a report been written in a more impartial, judicial or scholarly manner than this report setting forth the results of the investigation of the City Hospital; and, furthermore, that all due regard has been given to every phase of the situation involved and all due regard has been shown for the feelings of the trustees of the hospital; that the evidence was presented justly before the committee, that it was considered fairly and impartially and without any recriminations by the committee and that the recommendations were just recommendations. As one of the coun-

cilors has stated previously, there was no attempt on the part of the members of the committee to claim any authorship of the recommendations, but anyone who reads the report and who reads the testimony cannot help seeing that the recommendations were absolutely fair and just. In conclusion, I will state, Mr. President, that I, as a member of this Council, am proud that a report of this kind can be made in the manner in which this has been made, because, I repeat, it was an absolutely impartial, judicial and scholarly report.

Coun. RUBY—Mr. President, in my opinion it is rather unfortunate that a situation of this kind has arisen this afternoon. The councilor from Ward 17 (Coun. Wilson) simply put in an order asking for information. At a time when the entire country, not only our city but the whole country, is going through an epidemic of disease, it is unfortunate that we should open up the hospital situation in a public way. Almost every hospital in Massachusetts, as well as in the country, is crowded to the brim; almost every home in Boston is having one or more cases of sickness at the present time. In my own family almost every member is down with the so-called flu or grippe. So I deprecate going into anything of this sort concerning the hospital or concerning any hospital at the present moment. We ought to let the matter alone at the present time, because this is not the time when we should bring the least amount of fear into the minds of the people of Boston concerning hospital conditions. The councilor from Ward 17 is only seeking information. Why not let it go at that? The report has been submitted. Let those who wish to read the report do so. The recommendations have been made, and I hope are now being carried out by the trustees. But there ought not to be this unnecessary publicity at this time, when the city and the country are going through the sort of epidemic we are experiencing. Nothing should be done that would cause a scare in the minds of the public concerning the treatment they will get at the hospital. I sincerely hope the members will realize the situation this afternoon, because I personally know how serious the situation is, with two doctors coming to my home and with a nurse in the house. I certainly think it is unfair at this moment to get an additional scare in the hearts of people, in view of the way in which the public are now afflicted and in view of the numbers who are becoming ill every day.

The order was passed.

#### PLAYGROUND, BROOKSIDE AVENUE.

Coun. MOTLEY offered the following:  
Ordered, That the Park Commission be requested, through his Honor the Mayor, to flood the playground on Brookside avenue, Ward 11, for skating purposes.

Passed under suspension of the rule.

#### FLOODING OF EMMONS PLAYGROUND.

Coun. GREEN offered the following:  
Ordered, That the Park Commission be requested, through his Honor the Mayor, to flood the Emmons Playground, Ward 2, for skating purposes.

Passed under suspension of the rule.

#### INCREASED SALARIES IN 1929 BUDGET.

Coun. MURPHY offered the following:  
Ordered, That his Honor the Mayor be requested to make provisions in the budget for 1929, so that all employees of the City of Boston whose salary is less than two thousand six hundred dollars per annum may receive a substantial increase in salary.

Coun. MURPHY—Mr. President, after hearing the talk we have heard in regard to the City Hospital, and in regard to the burden that is now being put on the public because of the present epidemic, in addition to other burdens, I know of no better way to help the poor families than to increase the wages of employees. Let us do what we can to increase the pay of employees of the City of Boston, so that they will have the wherewithal to help their families. If you give them more wages, they will be able to make provision

to take care of the condition that is confronting not Boston alone but the entire country today, in the flu epidemic. I trust that his Honor the Mayor will give careful consideration to this matter, to the end that all employees of the city receiving less than \$2,600 shall receive a substantial increase in their wages.

The order was 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 with smooth paving Dorchester avenue, from Savin Hill avenue to Charles street, Ward 15.

Passed under suspension of the rule.

#### PAVING OF GENEVA AVENUE.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Geneva avenue, from Olney street to Charles street, Ward 15.

Passed under suspension of the rule.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Chairman DOWLING called up, under unfinished business, Nos. 1, 2 and 3 on the calendar, viz.:

1. Action on appointments submitted by the Mayor January 7, 1929, of Weldon A. Duley, Irving Shalett, Jerome E. O'Brien, Lawrence Conley, Walter M. Lougee and William Gough, to be constables.

2. Action on appointment submitted by the Mayor January 7, 1929, of James J. Dolan, to be a constable (connected with an official position and to serve without bonds).

3. Action on appointments submitted by the Mayor January 7, 1929, of Henry E. Olson, to be a weigher of coal and a measurer of wood and bark; Philip A. Dormin, to be a weigher of coal and a weigher of goods; John J. Cullity, to be a weigher of goods; John Dunn, to be a measurer of grain.

The question came on confirmation. Committee, Coun. Arnold and Gallagher. Whole number of ballots 18; yeas 18, and the appointments were confirmed.

#### ANNUITY TO WIDOW OF JOHN JOSEPH MARTIN.

Coun. FITZGERALD offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the City to pay an annuity of \$600 to the widow of John Joseph Martin, late member of the Boston Police Department.

Referred to Executive Committee.

#### RECESS.

The Council voted at 3 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 at 4.17 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 petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Lester P. Gould, Bowdoin Hall, January 29; Ruth M. McShane, Gate of Heaven Hall, January 25; Gertrude Murphy, Gate of Heaven Hall, February 8, that leave be granted, under usual conditions.

Report accepted; leave granted, under usual conditions.

2. Report recommending the passage of resolves, as follows:

Resolve (referred December 17, 1928) that the City Council 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.

Resolve (referred today) that the City Council hereby approves the enactment of legislation to authorize the city to provide for the construction of viaducts and overpasses on the parkway system of the city.

Resolve (referred today) that the City Council approves the enactment of legislation to authorize the city to reimburse Thomas Gordon for money paid by him in defence of an action brought against him.

Resolve (referred today) that the City Council approves the enactment of legislation to authorize the city to appropriate money in connection with the tercentenary celebration of Boston in 1930.

Resolve (referred today) that the City Council favors the enactment of legislation by the Massachusetts Legislature authorizing the county of Suffolk to pay a sum of money to the parents of Michael J. Downey.

Resolve (referred today) that the City Council favors the enactment of legislation by the Massachusetts Legislature authorizing the city of Boston to pay an annuity to the widow of Walter P. Corbett.

Resolve (referred today) that the City Council approves the enactment of legislation to authorize the city to reimburse William J. Donovan for the use of certain appliances owned by him.

Resolve (referred today) that the City Council favors the enactment of legislation authorizing the reinstatement of John J. Gately as laborer in the Public Works Department of the City of Boston.

Resolve (referred today) that the City Council approves the enactment of legislation authorizing the city to provide for the construction of a new street extending from Cambridge street, Brighton, to Soldiers' Field Parkway.

Resolve (referred today) that the City Council favors the enactment of legislation by the Massachusetts Legislature making Louis V. Jennings eligible to receive upon retirement certain allowances under the Boston Retirement Act.

Resolve (referred today), that the City Council favors the enactment of legislation by the Massachusetts Legislature authorizing the city to pay annuities not exceeding \$1,000 to the widows and children of certain deceased policemen and firemen of the City of Boston.

Reports accepted; resolutions severally adopted.

3. Report on order (referred January 7) appropriating \$40,000, to be expended under the direction of the Penal Institutions Commissioner, for Central Power Plant, House of Correction, Deer Island, the City Treasurer being authorized to issue from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount to meet said appropriation,—that the same ought to pass.

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

Coun. WILSON—Mr. President, I would like to say, for Coun. Parkman, that he received an important telephone call that has taken him temporarily away from the meeting on a business matter, and that he desired to be recorded as in favor of this order if he did not return.

#### RECONSTRUCTION OF GOLDSMITH AND BALLARD STREETS.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the reconstruction of Goldsmith and Ballard streets, from Centre to Custer street, Ward 19, also for the construction of granolithic sidewalks on said streets.

Passed under suspension of the rule.

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 include in the budget for 1929 a sum sufficient to provide for the resurfacing of Savin street, Maywood street and Schuyler street, Ward 12.

Passed under suspension of the rule.

REPAVING OF AUSTIN STREET AND GORDON AVENUE.

Coun. MURPHY offered the following:

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

repave with smooth paving Austin street and Gordon avenue, Ward 18, at the approach to the Stony Brook Reservation.

Passed under suspension of the rule.

REPAVING OF HYDE PARK AVENUE.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to repave with smooth-paving Hyde Park avenue, from Neponset avenue to Clarendon Hills, Ward 18.

Passed under suspension of the rule.

Adjourned, at 4.22 p. m., on motion of Coun. BUSH, to meet in Monday, January 21, at 2 p. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Monday, January 21, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, presiding, and all the members present.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the following appointments for the term ending April 30, 1929, were received:

Weighter of Coal: Mildred Goldman, for Liberty Ice Company, 1,000 Massachusetts avenue, Roxbury.

Weighter of Goods: John P. Clancy, for Fargo Street Warehouse Company, 53 Fargo street, South Boston.

Severally laid over a week under the law.

## SALARIES OF POLICE MATRONS.

A communication was received from the Police Commissioner establishing salaries of police matrons.

The communication was referred to the Executive Committee.

APPROVAL OF APPOINTMENT OF  
W. IRVING BULLARD.

Notice was received from the Commissioners of Civil Service approving the appointment of W. Irving Bullard, 486 Beacon street, as member of the Board of Zoning Adjustment.

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 February 4, 1929, viz.: Pierce Arrow Sales Corporation, 1065 Commonwealth avenue, Ward 21, 5,000 gallons; Oakland Motor Company of New England, 655 Beacon street, Ward 5, 1,000 gallons.

Referred to the Executive Committee.

## PETITIONS REFERRED.

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

## Claims.

Bernard Altshuler, for compensation for injuries caused by an alleged defect in Otisfield street.

B. T. Babbitt, Inc., for compensation for damage to automobile by city car.

Melvin Bill, for compensation for injuries caused by city car.

Joseph Bonin, for compensation for damage to car by city truck.

Mrs. Marie Gallihar, for compensation for injuries caused by an alleged defect at 79 Westland avenue.

Morris Gilman, for compensation for injuries caused by city employee.

Joseph Goldberg, for compensation for damage to property at 54 Allen street, caused by defective water pipe.

Ethel Hirschman, for compensation for injuries caused by city truck.

Helen G. Holland, for compensation for loss of fur coat in Girls' Latin School.

Celia Hurivitch, for compensation for injuries caused by an alleged defect in Warren street.

Norah Kolodny and Myer Gauman, for compensation for damage to property at Endicott and Cross streets, caused by defective water pipe.

Eddie Merchant, for refund on unused refuse tickets.

## Executive.

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

A. M. Gilman, Howard Temple Hall, January 23.

## Public Lands.

Petition of A. L. Ford and others for release of condition No. 2 in deed from City of Boston to Freeborn Adams, Jr., of property No. 753 East Broadway, South Boston.

Referred to Committee on Public Lands.

TEMPORARY LOANS BY CITY  
TREASURER.

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

1. Ordered, That to provide temporarily money to meet the appropriations for the financial year 1929, 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 1929, 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 7, 1929, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second and final reading and passage, yeas 18, nays 0.

## CITY WOOD YARD.

Coun. DOWD offered the following:

Ordered, That the Overseers of the Public Welfare be requested, through his Honor the Mayor, to pay the men employed at the wood yard partly in groceries and partly in money.

Ordered, That the Overseers of the Public Welfare be requested, through his Honor the Mayor, to instruct their visitors to be more courteous in their interviews with the widows they call upon in the discharge of their duties.

Coun. DOWD—Mr. President, this year we are spending something like \$2,325,000 in the Public Welfare Department of the City of Boston. This order is an order similar to one I introduced a year ago. At that time the chairman of the Board of Overseers, for whom I have a very high regard, and the secretary, Mr. McCarthy, appeared before us and informed us that this was the best way of getting rid of the bums in the woodyard. I disagreed, for this reason, and this reason alone, that, as I happen to know, within the last two months, some of the men receiving orders of groceries have sold the orders for cash, thereby depriving their families of groceries and money both. On investigation of the grocery end of it, I find that one store received last year \$81,110.09, and it is a peculiar coincidence that that store is a store partly owned by our good friend, Charles Francis Adams. So it is a peculiar coincidence that that sort of thing should be going on the last few years, under the circumstances. Now, what difference does it make whether these men are given an amount of \$20 a week in groceries or in cash, as far as the city is concerned? As a matter of fact, it is very important for them at times to have money to spend for the needs of themselves and their families. I know of several families in my district in the last few weeks who have had children sick and who have been unable to get a five-cent piece to buy medicine of any kind. I say it is unfair to allow these big chain stores to come to Boston and to collect, in connection with the Public Welfare Department, these large sums of money—in the case I have referred to, as set forth by the auditor, the sum being about \$81,000 this last year. And then what happens with the groceries given to these people? They go to the chain stores again and,

if they are fortunate enough to know the manager, they sell back to them a \$5 order of groceries, say, for \$4. Who loses? I say that the widows and orphans lose the value of the money we spend during the year. I think it is about time that something was done in this matter, Mr. President. During the regime of Mr. Peters and of Mr. Curley, the most progressive Mayor that this city has had for some time, this sort of thing in the way of handing out grocery orders to the extent that it is done today, was not resorted to. They saw fit, going into the matter and giving it a thorough study, to give some money to these people. I am not asking the Board to do away entirely with the giving of groceries. I am simply asking them to be fair. If they are giving, say, \$20 a week for a family and children, why not give \$10 in groceries and \$10 in money? They will tell you that if a man wants money for rent, he can get it. Yes, perhaps four months after an order to vacate has been issued! They can get money for lights in the same way,—when the lights are turned off, and they need something to get them turned on again. They can sometimes get money for their little ones, lying sick at home, if they can get a report from a doctor, having them examined at the City Hospital, or something of the sort. But there is delay and suspicion all along the line. I say it is about time that the Board of Overseers changed their tactics. It is about time, also, that they put visitors on their pay roll who are human. To my mind, they have the most arrogant, insulting lot of visitors that any city ever had on such a board. I can recite instances, Mr. President. I am talking about my district particularly, and I have been investigating this matter. The visitor will go to a house at 8 or 8.30 in the morning, we will say, and the woman will be cooking three or four eggs. Then the remark is made, "Well, you are living very high!" Then the visitor comes in at ten o'clock at night to see how things are and what the family are getting, and also to see what kind of quarters are being occupied and how much is being paid for them. If \$15 to \$18 is being paid for rent, they are told by the visitor that that is too much money to pay. Then, the visitor wants to know what they had for dinner on Sunday, and goes to the ice chest and finds a little veal. The visitor thinks that that is too high to buy, and also wants to know where the woman bought it. She checks up on the woman all along the line. I say, of course, that we want people to carry out the law, but we don't want detectives on the pay roll of the Department of Public Welfare. My order simply asks the Overseers to do something. I am not asking for a public investigation, but, so far as I am concerned, unless the visitor in my district stops insulting women I will call for a public hearing and if that is done, it will be an easy matter at any time to fill the Chamber with 100 women who will tell you their stories, and if those stories were told the discharge of the gentlemen would follow immediately. I do not like and do not welcome investigations, Mr. Chairman, but I do not believe in the methods that are being pursued in that department. I made an appeal last year to stop these arrogant, insulting visitors going around in the way that they do. I am not the only councilor from a congested district. Similar conditions prevail in East Foston, Charlestown, South Boston and other parts of the city, and I have no doubt that conditions there are the same as they are in my district. I certainly hope his Honor the Mayor of Boston will see that those visitors are told that those whom they visit in their homes are not spending the money of the visitors but the money of the taxpayers, and we spend that money because we feel that a social obligation rests upon us to take care of the poor of Boston in a proper manner. While I am not going to call for any investigation, Mr. Chairman, willingly, at the same time, if we do not see some remedy for conditions as they exist within the next month or so, I may feel compelled to call for a public investigation of conditions in my district, and if I do so I am afraid that the officials of the Board of Trustees, the chairman and others, will not like it very much. I realize that several members of the Council may get on their feet and defend the Board of Overseers. I say to them and to you, Mr. Chairman, that the Board of Overseers are the same as any other board functioning in the City of Boston. They meet once a week or once in two weeks, see the

visitors, and are naturally influenced by what the visitors say. It is the same as it is in a police court, Mr. Chairman, that we are apt to think a man brought there is guilty if the police officers say so. I say, however, that if that department is spending over \$2,000,000 a year, it should be spent right, and I hope the Mayor—whom I believe is a humane man, but that he does not realize what is going on there—will step in, take a hand, and revolutionize things, before we are forced into an investigation through the City Council, in my district or elsewhere, within the next few months.

Coun. WARD—Mr. President, I did not know that Councilor Dowd was going to put in such an order as this. But I do know that something should be done in this matter. I came here to this Chamber today from the Overseers of the Public Welfare, and I am ready to read the riot act, the same as it has been read here by Councilor Dowd. The excuse the visitors have given me is that all their recommendations must go through four or five different heads before anything can be done. A visitor, for instance, makes a recommendation that \$20 a week be given a family, and then somebody else steps in, claims to know more about it and says it is too much—perhaps somebody from Brighton who goes over into Roxbury and claims to know more about the thing than the first man—and that \$15 is enough. And so it goes. Some one else comes along and says that it should be kept down to \$12—with the result, going through so many different hands, that families suffer, are in need, do not get what they are really entitled to. I said to them that the time would come when some legislative body would take action and would want a show down on this matter. So I am glad that Councilor Dowd has put in the order this afternoon. I did not know that action would be taken so soon. But I did predict that action would be taken soon, the way things were going, and I so warned the Public Welfare Board. I hope some action will be taken, so that some relief will be afforded in our district, in the interest of the poor people of this city.

The orders were passed under suspension of the rule.

#### MUNICIPAL MOTOR PARK.

Coun. KEENE, for Coun. Arnold, offered the following:

Resolved, That the Boston City Council hereby approves the bill now pending in the Massachusetts Legislature entitled, "An Act to provide for a Municipal Motor Park in the City of Boston."

Referred to the Executive Committee.

#### 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 \$5,000, 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.

The order was passed under suspension of the rule.

Coun. WARD, later in the session said:

Mr. President, I would like to ask a reconsideration of Coun. Motley's order providing for the appropriation of \$5,000 for the Department of Soldiers' Relief, and have the order referred to the Executive Committee, calling in the deputy commissioner before that committee. There seems to be some question as to the legality of the provision indicating supervision over the expenditure of the money. As a general thing, each member of the committee has an opportunity to look over the expenditure, but it seems that the commissioner or the deputy commissioner has a right to spend the money as he sees fit.

Chairman DOWLING.—The Chair will inform the gentleman from Ward 9 that the order was passed under suspension of the rule and that, therefore, before any other action is taken, that action would have to be reconsidered.

On motion of Coun. WARD, the passage of the order was reconsidered.

On motion of Coun. WARD, the order was referred to the Executive Committee.

**PAYMENT TO WIDOW OF JOHN W. O'NEIL,**

Coun. McMAHON offered the following:

Resolved, That the City Council of the City of Boston hereby favors the enactment of legislation to authorize the city to pay a sum of money to the widow of John W. O'Neil, formerly inspector in the Sewer Department.

Referred to the Executive Committee.

**CONNECTION OF SAVIN HILL AVENUE WITH OLD COLONY PARKWAY.**

Coun. SULLIVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to consider and report to the Council as to the advisability of connecting Savin Hill avenue with the Old Colony Parkway.

Passed under suspension of the rule.

**RESURFACING WARD 13 STREETS.**

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, Ward 13, with smooth pavement.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Robin Hood street, from Magnolia street to Hartford street, Ward 13, with smooth pavement.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Elton street, from Dorchester avenue to Sydney street, Ward 13, with smooth pavement.

Severally passed under suspension of the rule.

**PURCHASE OF BOSTON ELEVATED RAILWAY STRUCTURES.**

Coun. FITZGERALD offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation authorizing the city to purchase and the Boston Elevated Railway Company to convey certain elevated structures within the limits of Boston.

Referred to the Executive Committee.

**STATEMENT ABOUT CITY HOSPITAL.**

Coun. WILSON—Mr. President, I rise to a question of personal privilege as a member of the City Council committee that investigated the City Hospital, replying to the statement of the Trustees of the City Hospital that the report of the committee was biased and that the finding was prejudiced.

Chairman DOWLING—Coun. Wilson has the floor.

Coun. WILSON—Mr. President, speaking as a member of the special committee of the City Council appointed during October, 1928, for an investigation of the present management of the Boston City Hospital, I have read with no little disappointment the detailed formal reply made by the Trustees of the Hospital to the 43-page report made by your special committee in lieu of submitting the entire 577-page stenographic record. While it was not to be expected that the trustees would greet the findings of the special committee with unbounded enthusiasm, nevertheless members of your committee did cherish the hope that the trustees would recognize the advisability of correcting those evils plainly evident even to the average layman, or at least that the trustees would frankly admit that even the Boston City Hospital is not perfect and would accordingly give some reasonable assurance of improvement in at least those items which the trustees themselves

admitted at the hearings warranted consideration, notably the immediate need for at least thirty-five additional trained nurses, the inadvisability of further employment of hospital attendants through the Municipal Employment Bureau, the immediate abolishing of Wards K and L, and concentration of all D. T. cases at the Relief Station, the early restriction of the hospital pass privilege, and, finally, a fair, impartial supplementary survey by some outside technical agency such as the American Hospital Association or the Rockefeller Foundation rather than by the superintendents of two local hospitals and a professor in a local medical school, high as may be the standing and undoubted professional ability of the three local men concerned. The committee is content to let fair-minded public opinion decide whether its findings in the McMahon case, and in the Bowden case, were warranted by the facts. When the committee fairly stated "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 willful, were almost entirely due to absolutely inadequate help" the committee only corroborated the testimony of Superintendent Dowling himself, as long ago as October, to the effect that the hospital immediately required not less than thirty-five additional trained nurses and that the trustees were "about to request \$5,500 of the Mayor forthwith without waiting for the 1929 budget." With reference to the criticism that the committee's report failed to quote the characterization made by a witness concerning Councilor McMahon's original statement, it may be said that the members of the committee most properly were interested in ascertaining facts, and not opinions. If it be the desire of the trustees to press the specific point whether the death of Rose Marie was due to hemorrhage, or one of the two causes claimed by the hospital and Doctor Leary, it may be stated that the members of the committee do not lay claim to be medical men, any more than are three of the five members of the City Hospital Board of Trustees. But the hospital's own medical witnesses having themselves very clearly defined the difference in color between the white pallor following hemorrhage and the cyanotic, blue appearance which marks death from status lymphaticus, the committee was naturally strongly impressed by the testimony of the McMahon undertaker flatly to the effect that the child's body was unquestionably bleached white, and that half the usual amount of blood was present on embalming. On the other hand, of the four witnesses at the hospital who actually saw Rose Marie McMahon after death, one nurse and Doctor Dinan could give no information on the point, the second nurse described the color of the child as "slightly cyanotic," and the superintendent of the hospital himself "could not honestly give an opinion whether the body was white or blue!" So far as the Bowden case is concerned, the committee in preference to any report made by a telephone switch board operator with her job at stake, felt justified in believing the story of an anxious father and mother who insisted, that during the nine days following July 18, daily telephone inquiries regarding their little one were, in fact, made of the hospital. It would be hard to conceive of two parents acting otherwise! While the committee in fairness attempted to make no finding, as between the hospital and the Postal Telegraph Company with reference to the alleged telegram notifying of the death on July 23, it insists that there certainly was every reason to censure hospital authorities who, on their own admission, made no effort whatever to notify the parents for at least nine days by letter or through the Police Department, and although both the name and telephone number of the Bowden family doctor in East Boston were on the child's original admission slip in the hospital's possession. The entire inquiry should properly not be treated as any issue or dispute between the Boston City Council and the Trustees of the Boston City Hospital; and the committee regrets to see the Board apparently so resent the conscientious effort made for "a cooperative and constructive investigation by both the City Council and the trustees with the single object in view of ascertaining real 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." Listening to criticism, whether just or unjust, is never over-pleasant, but it frequently proves of more real value to a public institution than any attitude of

complacent self-satisfaction. If the five members of the Board of Trustees do actually feel, un-animously, that the special committee has endeavored to do otherwise than present a fair and very moderated report, I would suggest a complete reading of the detailed charges and complaints contained in the entire 577 pages of original stenographic report of the hearings and I believe the trustees will feel more inclined to accept the report in the spirit intended. Certainly no warm encomium of present administration conditions at the hospital could reasonably be expected, except perhaps from a committee of local doctors naturally embarrassed by professional courtesy.

#### VOTE FOR PRESIDENT.

Coun. MOTLEY offered the following:

Be it ordered that we now proceed to the election of a new president for the municipal year 1929.

The order was passed.

Chairman DOWLING—The Clerk will call the roll, and the members will express their choice as their names are called.

The Clerk called the roll, and the members expressed their choice for President, as follows:

For John I. Fitzgerald—Coun. Arnold, Green, Ruby—3.

For Henry Parkman, Jr.—Coun. Bush, Dowling, Keene, Sullivan—4.

For Peter A. Murray—Coun. Deveney—1.

For Peter J. Murphy—Coun. Dowd—1.

For Michael J. Mahoney—Coun. Donovan, McMahon—2.

For Edward M. Gallagher—Coun. Fish—1.

For Albert L. Fish—Coun. Fitzgerald, Gallagher—2.

For Thomas W. McMahon—Coun. Lynch, Mahoney—2.

For John F. Dowd—Coun. Murphy—1.

For Timothy F. Donovan—Coun. Motley—1.

For Thomas H. Green—Coun. Murray—1.

For Frederic E. Dowling—Coun. Parkman—1.

For William A. Motley, Jr.—Coun. Ward—1.

For William G. Lynch—Coun. Wilson—1.

Chairman DOWLING announced that there was no choice.

#### SUNDAY SPORTS COMMITTEE REPORTS PROGRESS.

Coun. DOWD—Mr. President, as chairman of the Special Committee on Sunday Sports I would like, with the consent of the Council, to make a preliminary report, if I may. Some two weeks ago the committee was appointed to draw up rules and regulations in regard to Sunday sports in the City of Boston. It is an unusual committee, in view of the fact that this is the first time in the history of Boston when such a committee had to be appointed. That committee has had two meetings. We have corresponded with six of the largest committees of the country to find out their rules and regulations governing Sunday sports. It is true that both the Boston Braves and the Red Sox have sent to the Council their petitions. Of course, before any licenses are granted they must be subject to rules laid down by the Boston City Council, not rules simply for three or six months, but possibly for five or ten years. We must proceed very, very slowly. It is also true that before we can grant this petition those desiring that it be granted shall appear before the City Council and state their reasons and subject themselves to any questions that members of the Council may desire to ask them. As we all know, something over a month ago a gentleman acting as vice president of the Braves insisted that he must have a permit immediately, but, lo and behold, a short time ago, after the series of hallucinations to which he gave vent at hearings held in this matter, he departed for Bermuda and has only just returned, I understand, to Boston. He now states, as reported, that he does not care whether he gets a permit or not, does not care even whether he plays in Boston. He might go to Revere. He knows, gentlemen, that he is lying. Everybody knows that he is lying because, of course, he wants to get a permit to carry on his games in the City of Boston. He may claim that he would like to have the games played in Wonderland Park, Revere, but we know all that sort of talk is nonsense, although

the kind of baseball he is prepared to give to the public is not fit even to be presented there, and ought to be discontinued entirely. These men may claim, too, that when they get the right to present Sunday games they will not put up the admission price. They may say beforehand that they will have 20,000 seats, for which they will charge 75 cents on Sunday, but you will find, unless some agreement is arrived at, in accordance with what has been done in other places that while they may charge 75 cents for 10,000 of the seats, they will be charging \$1 for the other 10,000, or an increase in that one section of \$25,000. That is something that this committee, if possible, and this Council must protect the people against, if possible. If Mr. Adams had been in town, we might have been in a position to render a full report to the Council today. Because of the fact that Mr. Adams has been in Bermuda, he and he alone, is responsible for our not being in a position today to report definitely upon the matter. He will, of course, have a permit for the Braves if he accepts our regulations. A permit will be issued, of course, if desired, under the regulations, because the people of Boston want Sunday baseball, and every member of the City Council a month ago said he was in favor of Sunday baseball. We hope to be ready a week from today to make a report to the City Council who can then either accept or reject the report of the committee.

Chairman DOWLING—The report of the committee will be accepted as progressive.

#### APPOINTMENT OF STANDING COMMITTEES.

Coun. BUSH offered the following:

Ordered, That the Acting President be, and hereby is, authorized to appoint all standing committees of the Council for the balance of the year.

Coun. BUSH—Mr. President, in view of the fact that there seems to be more or less of a deadlock in the election of a president, and in order that the business of the Council may proceed without further delay, I present this order.

Coun. RUBY—Mr. President, I rise to a point of order. I think the order is out of order, because of the fact that the rules under which this Council is governed specifically designate how the committees shall be appointed.

Chairman DOWLING—The Chair will have to rule the point of order well taken. The order is out of order, unless the rule is suspended.

Coun. Bush moved a suspension of the rule declared lost.

Coun. Bush doubted the vote and asked for a rising vote. The Council stood divided.

Chairman DOWLING—Less than two thirds having voted to suspend the rules, the rules are not suspended and the order is ruled out of order.

#### RECESS.

The Council voted at 2.51 p. m., on motion of Coun. FISH, 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 at 4.36 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

Coun. GALLAGHER, 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.:

A. M. Gilman, at Howard Temple Hall, January 23, 1929—that permit be granted.

Report accepted; permit granted on usual conditions.

2. Report on resolve (referred January 14) that the City Council favors the enactment of legislation authorizing the city to pay an annuity of \$600 to widow of John Joseph Martin, late member of the Boston Police Department—that the same ought to pass.

Report accepted; said resolve passed.

3. Report on resolve (referred today) that the City Council favors the enactment of legislation to authorize the city to pay a sum of money to the

widow of John W. O'Neil, formerly inspector in the Sewer Department—that the same ought to pass.

Report accepted; said resolve passed.

4. Report on resolve (referred today) that the City Council approves the bill now pending in the Massachusetts Legislature entitled "An Act to provide for a Municipal Motor Park in the City of Boston"—that the same ought to pass.

Report accepted; said resolve passed.

5. Report on order (referred today) that there be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for the Soldiers' Relief Department, \$5,000, said sum to be expended in affording immediate relief to persons entitled to aid under chapter 115 of the General Laws—that the same ought to pass.

Report accepted; said order passed.

6. Report on resolve (referred today) that the City Council favors the enactment of legislation authorizing the city to purchase and the Boston Elevated Company to convey certain Elevated structures within the limits of Boston—that the same ought to pass.

Coun. WILSON—Mr. President, I move that the matter lie on the table.

Coun. Wilson's motion was declared lost.

Coun. WILSON—Mr. President, I doubt the vote. I might say, in explanation of my motion, that I merely wish to have this laid on the table in order that we may ascertain whether there is or can be included in this particular bill a clause under which it may be sent back to the City Council for approval, should the Legislature authorize the city to buy from the Elevated all Elevated structures this side of Northampton street.

The question came on solving the doubt on Coun. Wilson's motion to lay on the table. The Council stood divided, 6 in favor, 7 against, and Coun. Wilson's motion to lay on the table was lost.

Chairman DOWLING—The question is on the adoption of the order.

Coun. WILSON—Mr. President, the reason why I asked in the first place that the order be put on the table and the reason why I must vote against the measure at this time, is, it seems to me, a most logical reason. I have no quarrel with the able counselor, Mr. Fitzgerald, nor do I wish to go on record against him in this project. It merely occurs to me that, on such an extremely important matter as this, coming before the Legislature, an order calling for an expenditure of thousands upon thousands of dollars and calling for the demolition, if I recollect correctly, of miles of the Boston Elevated structure—something, undoubtedly, of which all of us are in favor,—this body should not give a blank check, and should not put itself on record even inferentially, as agreeing to the demolition, of the Boston Elevated structure at any price. We should at least, if possible, have something to say in the matter later. It was for that reason that I thought we should ascertain, and I still urge that we should ascertain, whether there is a section of this particular act similar to the one that was properly included in the one presented by ex-Councilor Guild, providing that the act should take effect upon its acceptance by the City Council, only. Therefore, I repeat, that we should not vote definitely upon the matter at this time, but should wait until the bill is amended and has such a clause included in it. It may be that the clause does appear in the act. But it does seem to me we should at least exercise enough deliberation to ascertain whether or not a clause to that effect is included in the act.

Coun. BUSH—Mr. President, when I was accused of laying this on the table by the mascot of the Four Horsemen—

Chairman DOWLING—Members must not indulge in personalities. So long as I am presiding, there will be no personalities allowed. The Chair trusts that the members will respect his request in this matter and will avoid personalities. There must be no personalities and no improper characterization of other members of this body. I say that without any personal feeling in the matter at all, but simply in the interest of preserving proper parliamentary procedure in the body.

Coun. BUSH—Mr. President, I accept the correction. It is to be regretted that the Chairman of the Executive Committee does not follow your example. I was assailed on the floor of the executive meeting for delaying this matter by a motion to lay on the table, simply because I wished further information in regard to it. I am opposed to the elevated structure. I am heartily in favor of the

removal of the overhead structures of the Elevated. But the form in which the order appears, or the way in which this bill reads, seems to me to place the Council on record as favoring the removal of these elevated structures at any cost, and there seems to be no provision that any subsequent order will come before this Council with reference to some definite price. The counselor who introduced the measure failed to give any definite information and seemed to be very vague in his own mind as to just what the bill was intended to convey. As the bill reads, it merely refers to a measure to authorize the city to purchase and the Boston Elevated Railway to sell or convey, these elevated structures. It makes no statement with reference to what price shall be paid. If the thing is a mere matter of form and if the Elevated wish to convey the elevated structures to the city for the nominal sum of \$1, so that the city may then go to the expense of tearing them down, I am heartily in favor of that. But if this bill is designed to permit the Elevated to hold the city up for an exorbitant sum of money as the price for the structures, and then in addition to that the city will have to bear the expense of tearing them down, I am not in favor of that. Until I am in a position to get information which will enable me to vote intelligently upon the matter in this body, I shall decline to vote for the measure.

Coun. FITZGERALD—Mr. President, it is evident that the three master minds of the Council are working in complete harmony today. For a long time I have sat in the body and watched the proceedings. Of course, the distinguished counselor from Dorchester is gifted and talented. He has had an opportunity that many members of this Council have not had. He comes from a great university; no one denies that he has talent and has a fine command of the English language. It is a sad thing, however, that he does not put it to better use on the floor of the Council. To the distinguished gentleman from Roxbury, who saw fit to characterize me as a representative of the "Four Horsemen," let me say to him that no man owns me and that I have never taken orders from the so-called "Four Horsemen"; and let me say to you further that you once, if my memory serves me correctly, even knocked at the door—

Chairman DOWLING—The gentleman must not indulge in personalities.

Coun. FITZGERALD—I am not using personalities, Mr. President.

Chairman DOWLING—Just a moment. The rule of the Council forbids members of the Council from referring to other members personally. Try and help me, Mr. Councilor.

Coun. FITZGERALD—I understand the rules of the Council, Mr. President. I am not mentioning any names. I did not bring forth this argument. It was brought forth by others. But I am not going to sit here and allow myself to be attacked without defending myself. I was elected to this body on a nonpartisan basis. I come here from a district that pays nearly fifty cents on every dollar that goes into the treasury. I come here representing a proud constituency, and I say, as one member of this Council, that never has my vote in this body been questioned and never could it be questioned. Members of this Council may have their ideas as to why I have voted on different propositions as I have, but no one can point a finger at me and make the charge that I was ever coerced in my vote by any other consideration than the best interests of the district I represent. I put this order in here today at the request of Representatives in the Legislature—Mr. Mullen, from Charlestown, and Mr. Marcella, from my own district, and I do not feel that I owe any explanation to anybody. I have simply introduced this as a matter of courtesy. The Legislature of Massachusetts, Mr. President, will not vote away millions of the money of this city without proper consideration. The gentleman sits with a smile on his face. He does not use his voice here, but he sits in his seat directing the affairs of certain members of the Council. It little behooves him to take the position he does on this matter, Mr. President, under the circumstances. We all know the silly position he took two months ago in refusing to vote to adjourn the Council, when there was no business being transacted at the following meeting, and how he snapped the whip for the members of the Council that he thinks he controls. Well, maybe he controls them and maybe he does not. But his action on this question today, and his action on other matters, show to what depths he will stoop. Sir, I deserve better treatment from

this body, from him and from other members of the Council. I was one who fought for years to change this present system, when other members of the Council were silent on the question of whether they wanted a change in the Council or not. Whether they were right or wrong remains to be seen in the near future. I ask no favor of this body. That sort of blood does not flow in my veins—the blood of a quitter, a traitor or an informer. You can do what you want with this order. Kick it out, if you will. I don't care whether you vote it up or down. Do as you please. If you want to follow the gentlemen who are the master minds of this Council and who have been running it for months, very well. Let those who crawled down into his office there and begged him for support show that their hands are white and clean—

Coun. MOTLEY—Mr President, I rise to a point of order. The gentleman is not talking on the question.

Chairman DOWLING—The point of order is not well taken.

Coun. FITZGERALD—I am talking on the question, Mr. President. I did not bring the thing forth here. We thought the matter was still in Executive Committee but no, they must bring it out on the floor. I had the honor of serving with the Mayor of this city in the Senate for two years. I sat beside him. He never found me breaking my word, going back on anything I agreed to do. There is only one thing in regard to which members of the Council may claim that I broke my word. A year ago, when the appropriations for sewers and streets were here, I agreed with certain members to lay them on the table for a certain length of time, and I did so as long as my conscience would allow me to, and then I voted,—

Coun. RUBY—Mr. President, I rise to a point of order. The question before us is, whether or no we will accept the resolve for the removal of the elevated structure at the North End and in Charlestown, and I think every gentleman who speaks should confine himself to that question, and not talk to any other.

Chairman DOWLING—The Chair will have to rule that the point of order is well taken. The gentleman has taken considerable latitude in his last few remarks, and the Chair will again ask him to keep within the scope of the motion, which is the adoption of this resolution.

Coun. FITZGERALD—Mr. President, I am through. I have said my say, and I reiterate that the Council can do whatever it sees fit with this matter. They can vote to reject it, lay it on the table, do whatever they wish. I have done my duty, and the responsibility is now up to the members of the Council.

Coun. DONOVAN—Mr. President, this proposed legislation is something that affects my Congressional and Senatorial district, and I believe we have threshed the thing out before in executive session. All this calls for is permissive legislation. But I believe that when it has had its day in court the Legislature will send it to the City Council and that it can be accepted by the City Council. I believe all personalities should be done away with and that we ought to judge the matter on its merits.

Coun. GREEN—Mr. President, I move the previous question.

Coun. WILSON—Mr. President, we are asked now, I understand, to vote on the resolution. May I ask the Chair to read that clause in the act we are now requested to accept or to indorse, which says that this matter will ever come back to the City Council?

[The Clerk read the resolution.]

The main question was ordered, and the question came on the adoption of the resolution.

The resolution was declared rejected. Coun. RUBY doubted the vote and asked for a rising vote.

The Council stood divided, and the resolution was adopted by a rising vote.

Coun. WILSON—Mr. President, in order that the members of the City Council who have voted in favor of this permissive legislation may know and in order that those who have voted against it may know, whether or not there is any section or clause in this act which will ever send it back for

approval to the City Council, may I respectfully request that a copy of the proposed act be obtained for the Council?

Chairman DOWLING—The Chair will direct the Clerk to obtain a copy of the act.

#### TEMPORARY COMMITTEE ON SOLDIERS' RELIEF.

Coun. MOTLEY offered the following:

Ordered, That the Acting President appoint a committee to act as a committee on Soldiers' Relief, until such time as a President of the Council is elected.

The order was passed, and Chairman DOWLING appointed as said temporary committee last year's Committee on Soldiers' Relief, consisting of Councilors Motley, Bush, Ward, Dowling, Parkman.

#### VOTE FOR PRESIDENT.

Coun. MOTLEY offered the following: Be it ordered that we now proceed to the election of a new president for the municipal year 1929.

The order was passed.

Chairman DOWLING—The members of the Council will express their choice as their names are called. The Clerk will call the roll.

The Clerk called the roll, and the members announced their choice for president, with the following result:

For John I. Fitzgerald—Coun. Arnold, Green, Lynch, Motley, Ruby, Sullivan—6.

For Henry Parkman, Jr.—Coun. Bush, Dowling—2.

For Peter A. Murray—Coun. Deveney—1.

For Michael J. Mahoney—Coun. Donovan, McMahon—2.

For Peter J. Murphy—Coun. Dowd, Murray—2.

For Edward M. Gallagher—Coun. Fish—1.

For Albert L. Fish—Coun. Fitzgerald, Gallagher—2.

For Thomas W. McMahon—Coun. Mahoney—1.

For Timothy F. Donovan—Coun. Murphy—1.

For Frederic E. Dowling—Coun. Parkman—1.

For William G. Lynch—Coun. Ward—1.

For Herman L. Bush—Coun. Wilson—1.

And there was no choice.

#### ACCEPTANCE OF NEWBORN STREET.

Coun. MURPHY offered the following:

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

Passed under suspension of the rule.

#### DEATH OF HON. JAMES DONOVAN.

Coun. FITZGERALD offered the following:

Resolved, That the members of the City Council have learned with deep sorrow of the death on January 19, 1929, of Hon. James Donovan, the retired City Clerk of the City of Boston. The citizens have lost a faithful and upright public servant and the members of the City Council a wise counselor. We extend our sincere sympathy to his bereaved widow.

The resolution was adopted by a unanimous rising vote.

Coun. PARKMAN offered the following:

Ordered, That a committee to consist of all the members of the Council be appointed to attend the funeral of the former City Clerk, Hon. James Donovan.

Passed under suspension of the rule.

Coun. GREEN—Mr. President, I move that the Council do now adjourn, out of respect to the memory of our late City Clerk.

Coun. Green's motion was carried at 5 p. m., and the Council adjourned to Monday, January 28, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, January 28, 1929.

Regular meeting of the City Council, in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, in the chair. Absent, Coun. Mahoney.

## JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, the Mayor absent, viz.:

Fourteen additional traverse jurors, Superior Criminal Court, First Session, to appear January 30, 1929:

Robert C. Smith, Ward 1; James Bowshell, Ward 2; Chester E. Winch, Ward 5; John J. Hogan, Ward 6; Peter T. O'Hare, Ward 6; Edward Huber, Ward 7; Charles A. Lind, Ward 7; Martin H. Keogh, Ward 10; John W. Robinson, Ward 13; John H. Carroll, Ward 15; Richard D. Coe, Ward 17; Francis A. Trevett, Ward 18; Albert M. Grant, Ward 21; Louis Joseph, Ward 21.

## EXECUTIVE APPOINTMENTS.

Subject to confirmation by the Council, the Mayor submitted the following appointments for the term ending April 30, 1929:

Weighers of Coal: George L. Walker, 4076 Washington street, Roslindale, for New England Coal and Ice Company; Antonio Quercin, for Liberty Ice Company, 1000 Massachusetts avenue, Roxbury.

Severally laid over a week under the law.

## WATER PIPES ON NASHUA STREET.

The following was received:

City of Boston,  
Office of the Mayor, January 25, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Commissioner in reply to your order of December 31, 1928, relative to laying sewer and water pipes from dead end of Nashua street to junction of Leverett and Charles streets, in connection with proposed widening of Nashua street.

Yours very truly,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
January 12, 1929.

To the Honorable the Mayor.

I return order of the City Council, requesting that this department 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.

The plans of the Sewer Division for its work in Nashua street, from Causeway street to Leverett street, and in Lowell street, from Brighton street to Nashua street, are practically completed, and it is proposed to let a contract as soon as funds are available. The estimated cost is \$105,000.

About 1,200 feet of 12-inch water pipe will have to be laid, at a cost of about \$7,500, in connection with this widening. The plans are ready and the work can go ahead when conditions warrant it.

Yours very truly,  
JAMES H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

## LOCKER BUILDING, SMITH'S FIELD PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, January 25, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of December 31, 1928, relative to keeping locker building on Smith's Field Playground open until 10 p. m. during winter months for use of skaters using the field.

Yours truly,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, January 9, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of January 4, 1929, with inclosure, order from the City Council, 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 skaters using the field.

In reply I desire to say that the field house at Smith's Pond has been kept open until 9 p. m. since the skating season started, and for the best interests of the department this is as late as the attendants can stay there and properly care for the ice during the day time.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

## SKATING, READVILLE PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, January 25, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of December 31, 1928, relative to placing an embankment around the low side of the Readville Playground in order that area could be flooded for skating.

Yours very truly,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, January 9, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of January 4, 1929, with inclosure, order from the City Council, that the Park Commissioners be requested, through his Honor the Mayor, to place an embankment around the low side of the Readville Playground, in order that an area may be flooded for skating.

In reply I regret exceedingly to inform you that the department has no funds available for this purpose at the present time; furthermore, this porous condition of the sandy gravel soil will not allow of a skating area at this point without considerable expense.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

## SKATING, RONAN PARK.

The following was received:

City of Boston,  
Office of the Mayor, January 25, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of December 31, 1928, relative to placing Ronan Park in proper shape to flood for skating.

Yours very truly,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, January 9, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of January 4, 1929, with inclosure, order from the City Council, that the Park Commissioners be requested,

through his Honor the Mayor, to place Ronan Park in proper shape so that it may be flooded for skating.

In reply I desire to say that this flooding of Ronan Park was attempted some years ago and it was very unsuccessful. I will, however, instruct the engineering force to try and make arrangements to flood by spraying at the earliest possible moment.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### SKATING ON EMMONS PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, January 25, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of January 14, 1929, relative to the flooding of Emmons Playground, Ward 2, for skating purposes.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, January 23, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of January 22, with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to flood the Emmons Playground, Ward 2, for skating purposes.

In reply I desire to say that the city at the present time has a number of suits entered against it by the Long estate on Austin street, Charlestown, on account of attempts this department has made to flood the Emmons Playground. Most of this area was filled and the water percolates through the ground entering into the basements of the houses on Austin street.

I regret, under the conditions, that the Park Commission deems it inadvisable to try to flood this area again.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### REPORTS OF MUNICIPAL EMPLOYMENT BUREAU.

The following was received:

City of Boston,  
Office of the Mayor, January 25, 1929.  
To the City Council.

Gentlemen,—I submit herewith reports from the Municipal Employment Bureau showing the number of registrations and positions filled from December 31, 1928, to January 19, 1929.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Municipal Employment Bureau, January 7, 1929.

Report for City Council week of December 31, 1928, to January 5, 1929: Registrations, 80; positions filled, 33.

AUGUSTUS SEAYER,  
Assistant Secretary in Charge.

January 22, 1929.

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 period from January 7 to January 19 inclusive:

January 7 to January 12: Registrations, 156; placed, 51.

January 14 to 19: Registrations, 147; placed, 291.

Respectfully,  
AUGUSTUS SEAYER,  
Assistant Secretary in Charge.

Placed on file.

#### PAVING OF BILLERICA STREET.

The following was received:

City of Boston,  
Office of the Mayor, January 24, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of December 31, 1928, relative to the resetting of granite blocks on Billerica street, between Minot and Causeway streets, Ward 3.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
January 18, 1929.

To the Honorable the Mayor.

I return order of the City Council, dated December 31, 1928, and report that to relay and regulate the granite blocks on Billerica street, from Causeway street to Minot street, will cost approximately \$4,500, which will be included in our program for the season of 1929.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### PLAYGROUND, BROOKSIDE AVENUE.

The following was received:

City of Boston,  
Office of the Mayor, January 25, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of January 14, 1929, relative to the flooding of the playground on Brookside avenue, Ward 11, for skating purposes.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, January 24, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of January 22, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to flood the playground on Brookside avenue, Ward 11, for skating purposes.

In reply I desire to say that Brookside avenue has been flooded each year. It is necessary to allow the water to drain off on account of the peculiar drainage system that is there. However, as soon as the weather permits, it will be flooded again.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### RELEASE OF LAND ON REVERE PLACE.

The following was received:

City of Boston,  
Office of the Mayor, January 21, 1929.  
To the Honorable the City Council.

Gentlemen,—Inclosed find an order authorizing his Honor the Mayor in the name and behalf of the City of Boston to convey and execute and deliver an instrument, satisfactory in form to the Law Department, conveying a strip of land eight (8) inches wide and fifty-three and eight one hundredths (53.08) feet long situate on Revere place in the North End district of Boston to Giacomo C. Guiducci, Carmelia Guiducci, Angelina Guiducci and Rocco Guiducci as tenants in common.

This is being done for the reason that under an order of the Board of Street Commissioners passed and approved by his Honor the Mayor December 21, 1925, a taking of land on said Revere place was made for playground purposes and in demolishing a building on the said land a wall in which said Guiducci had party wall rights was damaged. This wall was situate on the line between the playground land and Guiducci's land and extended over both parcels. The Guiduccis have insufficient land upon which to replace or rebuild the wall in a substantial manner. For these reasons the Law Department has agreed to adjust the matter by having the city convey for the sum of \$100 the strip of land above mentioned.



The Park Department has voted that the city no longer needs this strip of land for playground purposes.

Respectfully submitted,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, November 22, 1928.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir.—At a meeting of the Board of Park Commissioners held on November 16, 1928, it was voted that a small piece of land bordering on the Webster Avenue Playground, North End, is no longer needed for public purposes, said land being described as follows:

"A certain parcel of land situated on Revere place in the North End district, so called, of Boston, said parcel of land now being a portion of land to be used by the said City of Boston for playground purposes, bounded and described as follows: Southeasterly by Revere place, so called, eight inches; northeasterly by land supposed to belong to Antonio Guiducci *et al.*, fifty-three and 8-100 feet; northwesterly by land of the City of Boston, eight inches; southwesterly by land of the City of Boston, fifty-three and 8-100 feet, containing thirty-five and 35-100 square feet of land, more or less."

Yours very truly,  
DANIEL J. BYRNE, Secretary.

City of Boston, in City Council.  
Ordered, That his Honor the Mayor be, and he is hereby, authorized in the name and behalf of the city to sell and convey for the sum of \$100 and to execute and deliver, in form satisfactory to the Law Department, an instrument to Graeco M. Guiducci, Carmelia Guiducci, Angelina Guiducci and Rocco G. Guiducci, a certain parcel of land, situate on Revere place in the North End district of Boston, bounded and described as follows:

Southeasterly by Revere place, so called, eight inches (8); northeasterly by land supposed to belong to Antonio Guiducci *et al.*, fifty-three and eight one-hundredths (53.08) feet; northwesterly by land of the City of Boston fifty-three and eight one-hundredths (53.08) feet; containing thirty-five and 35-100 square feet of land, more or less.

Referred to the Committee on Public Lands.

COLLECTIONS AT PLAYGROUNDS  
OR PARKS.

The following was received:

City of Boston,  
Office of the Mayor, January 25, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of December 31, 1929, relative to amending regulations so that the taking of collections at outdoor athletic sport or game on the playgrounds or parks on the City of Boston, shall not be prohibited.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, January 9, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of January 4, that the Park Commission be requested, through his Honor the Mayor, to amend the regulations so that the taking of collections at any outdoor athletic sport or game on the playgrounds or parks on the City of Boston, shall not be prohibited. In reply I desire to say that the department will take this matter up with the Law Department.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

\$1,000,000 LOAN FOR SEWERAGE WORKS.

The following was received:

City of Boston,  
Office of the Mayor, January 28, 1929.  
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 of the accompanying order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, January 28, 1929.  
To the Honorable the Mayor.

I respectfully recommend 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 appropriated for sewerage works.

Yours very truly,  
JAMES H. SULLIVAN,  
Commissioner of Public Works.

Ordered, That under the provisions of chapter 426 of the Acts of 1897, as amended by chapter 204 of the Acts of 1908, the sum of \$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.

SALE OF FERRYBOAT "NODDLE ISLAND."

The following was received:

City of Boston,  
Office of the Mayor, January 28, 1929.  
To the City Council.

Gentlemen,—The ferryboat "Noddle Island," which was in use in the Ferry Division of the Public Works Department, has been condemned and is of no further value to the city. In order to save expensive storage costs, as well as expense for repairs to pipes, and for pumping every few months, it is decided to sell the boat at public auction, and I am therefore attaching the order covering same.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, January 28, 1929.  
To the Honorable the Mayor.

I respectfully request permission to sell, by auction or otherwise as may be deemed advisable, the ferryboat "Noddle Island." This boat has been condemned, and at the present time is a source of expense.

The department is now paying \$30 a month for storage, to which there is an added expense of \$75 every few months for repairs to pipes and for pumping, etc., to keep the boat afloat. Inasmuch as the boat cannot be repaired and this expense is accumulating, it should be sold as soon as the proper authority may be obtained; and as it is probable that we will get a sum in excess of \$500 for the hulk as it stands today, I respectfully recommend that the consent of the City Council be obtained.

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

Ordered, That the Commissioner of Public Works be, and hereby is, authorized in the name and behalf of the city to sell at public auction the condemned ferryboat "Noddle Island."

Referred to the Executive Committee.

ADDITIONAL BEDS AT MATTAPAN  
SANATORIUM.

The following was received:

City of Boston,  
Office of the Mayor, January 28, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the president of the City Hospital

Trustees, in reply to your order of December 31, 1928, relative to providing additional beds at the Mattapan Sanatorium.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Hospital Department, January 14, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—The order of the City Council "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," was presented at the last meeting of the Board of Trustees, and given careful consideration.

As you know, contracts have been awarded for an open-air pavilion of seventy-five beds for men and an open-air pavilion of fifty beds for women, to take the place of the old dilapidated wooden buildings at the sanatorium, as well as for a new nurses' home. Plans are completed for a modern building of 150 beds for incipient tuberculosis, which building should be completed before the end of this year. In the meantime, if there are any particularly urgent Boston settled cases needing immediate treatment, we will, of course, endeavor to take care of them at the main hospital, if at the time there are beds empty.

Yours respectfully,  
JOSEPH P. MANNING,  
President, Board of Trustees.

Placed on file.

#### PETITIONS REFERRED.

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

##### Claims.

Edward J. Cain, for compensation for damage to automobile caused by an alleged defect in Wild street.

William J. Day & Co., for refund on refuse tickets.

Ralph DellaSala, for compensation for damage to automobile caused by city cart.

Elizabeth V. Delaney, for compensation for injuries caused by an alleged defect at 53 Newcomb street.

Mrs. James Garagan, for compensation for injuries caused by an alleged defect at 14 Humphreys street.

John J. Griffin, for compensation for injuries caused by an alleged defect at 307 Dorchester avenue.

Frances C. Hanley, for compensation for injuries caused by an alleged defect in Wordsworth street.

Martha E. Lennon, for compensation for injuries caused by slipping on floor in City Hospital.

Edigio Longo *et al.*, for compensation for injuries caused by an alleged defect at 1433 Centre street.

Agnes T. Roche, for refund on building license.

Joseph Sacconi, for compensation for damage to automobile by dump cart.

Harold S. Sandberg, for compensation for damage to clothing by electric sign at 744 Washington street.

J. Schneiderman, for compensation for damage to property at 57 Regent street, caused by ash truck.

Ruth D. Schultz, for compensation for damage to automobile caused by an alleged defect at 330 Dorchester avenue.

Helen J. Swide, for compensation for injuries caused by an alleged defect at 31 Beach street.

Samuel Woolf, for compensation for damage to truck by snowplow.

L. Lundsted, for compensation for damage to automobile caused by snowplow.

John J. O'Lalor, for compensation for refund on unused part of gasoline swing license.

##### Executive.

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

Ellen F. Carney, St. Mary's Hall, February 11, 1929.

#### TRACK LOCATION ON WEST FIRST STREET.

Notice was received from the Board of Street Commissioners of track location granted to the

Hanley Oil Company on West First street, South Boston, near F street.  
Placed on file.

#### ADDITIONAL PROBATION OFFICERS, CHELSEA COURT.

A communication was received from Samuel R. Cutler, Justice of the District Court of Chelsea, stating appointment of John J. Keough of 99 Maverick street, Chelsea, as probation officer at a salary of \$2,200, and Mrs. Annie E. Guild of 8 Crescent avenue, Chelsea, as a probation officer at salary of \$1,500 per annum, both to take effect March 1, 1929.

Referred to the Committee on County Accounts.

#### EXTRA CLERICAL ASSISTANCE, MUNICIPAL COURT.

A communication was received from Wilfred J. Bolster, Chief Justice of the Municipal Court, stating that a majority of justices of said court approved the expenditure by the clerk of said court of sum of \$2,500 annually for extra clerical assistance in his office, in addition to sums now allowed by law to be expended annually by him for this purpose.

Referred to the Committee on County Accounts.

#### BORROWING CAPACITY OF CITY.

A communication was received from the Board of Commissioners of Sinking Funds, also signed by the City Auditor and City Treasurer, estimating that the amount which the city will be able to borrow during the present municipal year within the debt limit established by law is \$6,090,343.23.  
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 February 11, viz.:

Daniel J. Healy, 221 Northern avenue, Ward 6, 1,000 additional gallons.

Referred to the Executive Committee.

#### APPOINTMENTS BY THE MAYOR.

Notice was received of the following appointments by the Mayor:

John W. Reth, 5 Metcalf street, Roslindale, to position of Soldiers' Relief Commissioner.

Thomas F. Sullivan, 1736 Columbia road, Dorchester, to the position of Commissioner of Transit Department.

James B. Noyes, 186 Bay State road, to position of Commissioner of Transit Department.

Nathan A. Heller, 41 Howland street, Roxbury, to position of Commissioner of Transit Department.

Guy W. Cox, 410 Commonwealth avenue, to position of Sinking Funds Commissioner.

Walter E. Wrage, 14 Mattakeest street, Hyde Park, to position of Sinking Funds Commissioner.

Mrs. Evelyn H. Scanlan, 8 Morton road, Milton, to position of Overseer of Public Welfare.

Placed on file.

#### PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds, from January 2 to 19, piece work, and from January 16 to 31, regular employees, both inclusive, to the amount of \$7,138.01, was received and approved.

#### MUNICIPAL BUILDING, FRANKLIN FIELD.

Coun. RUBY offered the following:  
Ordered, That the sum of four hundred thousand dollars 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.

PAYMENT TO WIDOW OF  
THOMAS LOUGHLIN.

Coun. PARKMAN offered the following:

Resolved, That the Boston City Council favors the passage of legislation by the Massachusetts Legislature authorizing the City of Boston to pay a sum of money to the widow of Thomas Loughlin.

Referred to the Executive Committee.

PARKING VEHICLES ON PRIVATE WAYS.

Coun. SULLIVAN moved to recall from the Committee on Ordinances the ordinance concerning use of private ways for parking of vehicles, referred to the Committee on Ordinances, December 11, 1928.

The Council voted to recall the ordinance referred to from the Committee on Ordinances and refer it to the Executive Committee.

A QUESTION OF PRIVILEGE.

Coun. WILSON—Mr. President, I rise to a question of personal privilege.

Chairman DOWLING—The gentleman will state his question of personal privilege.

Coun. WILSON—It is with reference, Mr. President, to a statement made at the State House last Wednesday, and I merely wish this statement to be a matter of record. Without going into the question whether the failure of Mr. Fuchs on Wednesday last to walk over from the Copley Plaza Hotel to the State House to sing his own swan song was due to maidenly modesty, or the fear of cross-examination, nevertheless Mr. Adams is to be warmly commended for that "sense of personal responsibility" and "spirit of justice" which prompted him, on his return from Bermuda, to obtain "in a few hours" such splendid indorsements of the reputation of Mr. Fuchs by over sixty of the most eminent and highly reputable men in New York, Philadelphia, Pittsburgh, Cincinnati, St. Louis and Detroit. It may be assumed that Mr. Fuchs will continue to merit the high regard in which he is apparently held by his many friends in so many cities. But it would have been even more commendable in Mr. Adams, and a better recommendation of himself personally, if Mr. Adams had exhibited a similar "spirit of justice" some weeks ago, before making an unfair and cowardly attack on any man's character or integrity by vicious and indirect inference.

RECESS.

On motion of Coun. FISH, the Council voted at 2.15 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 2.50 p. m.

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 January 21, 1929, of Mildred Goldman, to be a Weigher of Coal, and John P. Clancy, to be a Weigher of Goods.

The question came on confirmation, Committee, Coun. Fitzgerald and Murphy. Whole number of ballots, 18; yeas 17, nays 1, and the appointments were confirmed.

CENTRAL POWER PLANT, DEER ISLAND.

Chairman DOWLING called up, under unfinished business, No. 2 on the calendar, viz.:

2. Ordered, That the sum of \$40,000 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 14, 1929, the foregoing order was read once and passed, yeas 21, nays 0.

The order was given its second and final reading and passage, yeas 18, nays 0.

EXECUTIVE COMMITTEE REPORTS.

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.:

Ellen F. Carney, St. Mary's Hall, February 11—that said permit be granted.

Report accepted; said permit granted under the usual conditions.

2. Report on ordinance (referred today) dealing with the use of private ways for parking of vehicles—that the same ought not to pass, without prejudice.

Report accepted; said ordinance rejected, without prejudice.

3. Report on resolve (referred today) that the City Council favors the passage of legislation by the Massachusetts Legislature authorizing the City of Boston to pay a sum of money to the widow of Thomas Loughlin—that the same ought to pass.

Report accepted; said order passed.

4. Report on resolve (referred January 14) that the City Council hereby approves the enactment of legislation to authorize the city to borrow money to make up deficits in appropriations for street widenings—that same ought to pass.

Coun. WILSON—Mr. President, this particular resolve was laid over last week on the objection of myself and other members of the Council, due to the fact that the usual provision that a loan order of this sort, authorized by the Legislature outside of the debt limit, shall if passed by the Legislature come back to the City Council for its approval, was not included. I shall vote for this on the distinct assurance and with the understanding that the Mayor is amending the proposed act of the Legislature to that effect, and only on that assurance. I understand from Councilors Dowling and Parkman that they have personally received that assurance from the Mayor or the Corporation Counsel.

Report accepted; resolve passed.

5. Report on resolve (referred January 14) that the City Council hereby approves the enactment of legislation to authorize the city to provide for additional courthouse accommodations for Suffolk County—that the same ought to pass.

Coun. WILSON—Mr. President, I believe the same situation applies to this very sizable loan order.

The report was accepted and the resolve was passed.

SUNDAY SPORTS ORDINANCE.

Coun. DOWD, for the Committee on Sunday Sports, submitted a report recommending the passage of the following:

An Ordinance Concerning Professional Outdoor Sports on the Lord's Day.

Be it ordained, etc.

Section 1. The following regulations are hereby established for the regulation and restriction of athletic outdoor sports or games on the Lord's Day and for the licensing of privately owned premises to be used for such sports or games:

1. No license shall be issued until a liability insurance policy or bond has been filed in the City Clerk's office in form satisfactory to the Law Department and in amount approved by the City Council.

2. There shall be no concession on said premises on the Lord's Day and no articles or merchandise sold except at a reasonable and fair scale of prices approved by vote of the City Council.

3. There shall be no violation on said premises of chapter 138 of the General Laws, or any amendments thereto or of any of the rules and regulations prescribed in said license.

4. The licensee shall furnish such sufficient facilities for free drinking water on said premises as shall be approved by the Health Commissioner.

5. The fee or total charge made for any seat anywhere in or on said premises for the witnessing of the playing of professional athletic outdoor sports or games shall in no case be greater on the Lord's Day than on each week day.

6. The fee or total charge made for at least thirty-five per cent of the seating capacity of said premises for witnessing the playing of any professional baseball or football on the Lord's Day shall not be in excess of fifty cents per seat.

7. The license shall be for a term ending on November 15 in each year and the fee established herein shall be for a year or any portion thereof.

8. The license fee for the period expiring November 15, 1929, shall be \$2,500 for any privately owned park or field which has a seating capacity of more than 40,000 persons; \$1,750 where the seating capacity is more than 30,000 persons; \$1,000 where the seating capacity is more than 20,000 persons; \$500 where the seating capacity is more than 10,000; and \$100 where the seating capacity is less than 10,000 persons. Any license granted by the City Council shall not be issued until payment of the fee prescribed in this regulation.

9. No licensee shall permit any temporary seats or other obstruction of any kind or nature in any aisle, stairway or passageway of any grandstand, bleachers, or other structure on said described premises, nor allow any persons thereon or therein to remain in any aisle, stairway or passageway during the playing of any sport or game on said premises.

10. The licensee shall permit any police officers detailed by the Police Department to enter and inspect said premises at all times and shall employ to preserve order on said premises only regular police officers designated therefor by the Police Commissioner or the commanding officer of the division, and shall pay to the Police Commissioner for the services of such regular police officers such amount as shall be fixed by the commissioner.

11. The licensee shall permit at all times to enter and be about said premises such members of the Fire Department as shall be detailed by the Fire Commissioner to guard against fire; shall keep in good condition and so as to be easily accessible such standpipes, hose, water pails, axes, extinguishers and other apparatus as the Fire Commissioner may require; and shall allow such members of the Fire Department in case of fire on said premises to exercise exclusive control and direction of all employees and of all means and apparatus for the extinguishing of fire therein.

12. The licensee agrees to accept a license, if granted, on the express condition that said licensee shall conform to these rules and regulations and that the license is subject to revocation for any violation thereof.

Section 2. This ordinance shall take effect upon its passage.

Coun. DOWD—Mr. President, in presenting this ordinance I desire to make a statement concerning it. Your committee, Mr. President, during the past week has held three executive meetings in order that we would be able to present to this body a fair and impartial set of rules and regulations governing Sunday sports. Our first duty as elective officials naturally was to be sure that the public would be amply protected from those financially interested and to see that no repetition of what has happened in other cities should occur in Boston. Regardless of what any individual or organization may state, that prices have not been and will not be raised on Sundays, we stand ready to substantiate and to reiterate our statement that prices have been raised in certain cities on Sunday. We have received information regarding Sunday sports from every city where such sports are allowed, and we have laid down our rules and regulations accordingly. Our committee has been functioning for three weeks, and not one official word has been received from those interested in and desiring permits by our committee regarding prices. Those interested in obtaining permits have stated publicly in the newspapers that the public of Boston will not be milked, but regardless of that fact no official word to that effect has been received by this committee. The committee—consisting of Councilors Dowd, Parkman, Wilson, Gallagher and McMahon,—are practically unanimously in favor of the adoption of these rules, with the exception of two or three of the rules.

The adoption of these rules will mean that Boston will get Sunday sports. I do not believe it should be the function of this Council to raise any question in regard to the legality, because the question of whether the City Council is empowered to grant a permit under the rules and regulations set forth in the Sunday sports law has never been brought to court. I contend that we have a right to state the prices that should be paid by the different clubs in granting the permit. I will now read the ordinance and the rules as drawn up, and I would ask the Council to bear with me while I am doing so, and discussion can then be had upon the matter.

"Section 1. The following regulations are hereby established for the regulation and restriction of athletic outdoor sports or games on the Lord's Day and for the licensing of privately owned premises to be used for such sports or games.

"1. No license shall be issued until a liability insurance policy or bond has been filed in the City Clerk's office in form satisfactory to the Law Department and in amount approved by the City Council."

Let me state in reference to that that the citizens and the public of Boston are entitled to protection in this matter, and that they should obtain it through the City Council when the license is granted. If they attend those games and fall down, because of a defective stairway, for instance, or through some other defect, they should be allowed to sue those running these games and get compensation. I say that any individual who attends these games in a ball park should be protected from falling down on defective ways and walks, and so forth, if he is hit by a batted ball, or injured in any such way. So I hope we will take action by which a member of the public will be allowed to sue, under such conditions, and to be recompensed for any injury that he may suffer.

"2. There shall be no concession on said premises on the Lord's Day, and no articles or merchandise sold, except at a reasonable and fair scale of prices approved by vote of the City Council."

The papers of Boston yesterday would lead one to believe that it was a battle for a hot dog privilege, and for prices to be charged under that privilege. It is not. The question before the Council is, whether or not these people shall receive these permits, and after they receive the permits we simply ask them, in fairness to the public of Boston, to submit to this Council a fair and reasonable scale of prices for any merchandise they may sell within their grounds. Let me state in this connection that the investigation at the State House last year disclosed the fact that the tonic they sell for 15 cents costs them 2½ cents, and that the hot dogs they sell for 15 cents apiece cost them 3½ cents apiece. Whether or not that is a fair rate to charge this Council cannot determine. But I certainly am most absolutely opposed to allowing the multimillionaire Stevens to have a contract to rob systematically the people of Boston.

"3. There shall be no violation on said premises of chapter 136 of the General Laws, or any amendments thereto, or of any of the rules and regulations prescribed in said license."

As a matter of fact, whether or not they get permits from this Council to sell hot dog concessions at their parks on Sunday, there is a question under chapter 136 of the General Laws whether it would be legal.

"4. The licensee shall furnish such sufficient facilities for free drinking water on said premises as shall be approved by the Health Commissioner."

It is really no wonder that they sell such a great amount of tonics in the ball parks because to get a decent drink of water you have to walk half a mile, and then you don't know where to find it. This regulation makes the baseball men provide sufficient drinking fountains throughout their entire parks.

"5. The fee or total charge made for any seat anywhere in or on said premises for the witnessing of the playing of professional athletic outdoor sports or games shall in no case be greater on the Lord's Day than on each week day."

The legality of that has been questioned. We have been informed by the Corporation Counsel that we have no authority whatsoever in the matter, and the Corporation Counsel said that in his opinion they can charge, if they so desire, \$1.50 or \$2 for the seats for which they are now

charging \$1. I wonder if there is any man in this Council who is going to vote to allow a permit to these baseball magnates, controlled by Stoneham in New York, unless there is a sufficient guaranty that the price shall not be changed,— at least, as far as the 75 cents, \$1 and \$1.50 seats are concerned.

"6. The fee or total charge made for at least thirty-five per cent of the seating capacity of said premises for witnessing the playing of any professional baseball or football on the Lord's Day shall not be in excess of fifty cents per seat."

The Corporation Counsel informs us that we have no right to insert that provision, but that ruling will unquestionably be disputed. Let me point out to you gentlemen and the public that Braves Field has 45,000 seats, and that upon examining into the matter I find that only 2,300 seats, or a little more than 4 per cent of the entire seating capacity, are sold at 50 cents. Contrast that with the situation so far as the Red Sox management are concerned. Out of 28,085 seats, we find that the Red Sox have been selling 7,700 seats at 50 cents, or almost 14 per cent. I defy Fuchs or Adams to deny the statement that the Boston National League Club is the only club in the entire major circuit where the percentage of 50-cent seats is so low. In all the other cities the average number of seats for 50 cents runs from 15 to 25 per cent. But here in Boston, where the sporting public have been systematically robbed for years by these financiers from outside Boston, we find that only a little over 4 per cent of the seating space is devoted to 50-cent seats. We also find that while the campaign for Sunday baseball was going on in the State of Massachusetts the Outdoor Recreation League— which unquestionably is an offspring of the Boston National League, helped along by Mr. Cunningham, who today refused to show up at the Attorney General's office, advertised and announced extensively, through the radio and the newspapers, that Sunday was the one day in the week when the workingman had a chance to see a baseball game. That is the kind of campaign that we find Judge Fuchs of the Braves conducting, making through the radio and the press a very dramatic and effective appeal to the public on behalf of the laboring man. The committee has given that appeal of Judge Fuchs a great deal of thought and consideration, and we for once agree with the honorable justice from New York in that matter. We have taken into consideration the fact that neither of the Boston teams have any expensive players, and if they had the New York Giants would have them by this time. We also note that no great added expense will be required on the part of either team to conduct Sunday baseball, and therefore we feel that the president of the Braves should now at least be grateful for the consideration the voters extended to him at the polls and should accept graciously rule No. 6, which provides that 35 per cent of the seating capacity, or 15,700 seats, be placed on sale for 50 cents, as against 2,300 seats. We are of the same opinion as Judge Fuchs and his offspring, the Outdoor Recreation League, that Sunday is the day of the laboring men and if so, they certainly should be given some consideration. Let me remind the president of the Braves that for the last six years has the Braves Field management played to capacity houses, and we are inclined to believe that it would be for the advantage of all concerned if 15,700 seats at 50 cents were filled, instead of being vacant.

"7. The license shall be for a term ending on November 15 in each year and the fee established herein shall be for a year or any portion thereof.

"8. The license fee for the period expiring November 15, 1929, shall be \$2,500 for any privately owned park or field which has a seating capacity of more than 40,000 persons; \$1,750 where the seating capacity is more than 30,000 persons; \$1,000 where the seating capacity is more than 20,000 persons; \$500 where the seating capacity is more than 10,000; and \$100 where the seating capacity is less than 10,000 persons. Any license granted by the City Council shall not be issued until payment of the fee prescribed in this regulation."

Let me say in reference to the fee that it was a mighty hard proposition to arrive at just what should be charged the ball parks. If the license is granted next week, as I am sure it will be, there will be approximately thirty-eight Sundays to play, when they can utilize their parks. That would bring the Braves' fee for a Sunday to about

\$65, and the Red Sox fee would be under \$30 a Sunday. Let me call to the attention of the public the fact that under the plan outlined by the committee the Braves Field would bring in a Sunday about \$34,902, and the Red Sox on a Sunday, \$22,497. Let me also offer for the records a telegram from Chicago, one of the largest cities, which reads as follows:

"John E. Baldwin, Clerk of Committees, City Hall, Boston, Mass.

Baseball parks pay annual license fee up to \$4,000, depending on seating capacity. License covers Sundays as well as week days. Concessionaires pay only same license fee, if any, as similar businesses throughout city.

PATRICK SHERIDAN SMITH,  
City Clerk."

Let me go farther and state that a circus coming to Boston pays a fee of \$1,000 for a week or \$2,000 for two weeks. Let me state that the small theaters in suburban Boston, seating 400 to 500, pay \$10 a Sunday, or \$520 a year. The cost to the city will be great in this connection. Handling 30,000 or 40,000 people is a big problem. The Boston police must have at least twenty to thirty policemen outside the park directing traffic and so on, at \$5 or \$6 a day, and that runs up to over \$100 for that one item alone. We also give fire protection and protection from the hospital and health societies of the City of Boston. I think the fee is very reasonable.

"9. No licensee shall permit any temporary seats or other obstruction of any kind or nature in any aisle, stairway or passageway of any grandstand, bleachers, or other structure on said described premises, nor allow any persons thereon or therein, to remain in any aisle, stairway or passageway during the playing of any sport or game on said premises.

"10. The licensee shall permit any police officers detailed by the Police Department to enter and inspect said premises at all times and shall employ to preserve order on said premises only regular police officers designated therefor by the Police Commissioner or the commanding officer of the division, and shall pay to the Police Commissioner for the services of such regular police officers such amount as shall be fixed by the commissioner.

"11. The licensee shall permit at all times to enter and be about said premises such members of the Fire Department as shall be detailed by the Fire Commissioner to guard against fire; shall keep in good condition and so as to be easily accessible such standpipes, hose, water pails, axes, extinguishers and other apparatus as the Fire Commissioner may require; and shall allow such members of the Fire Department in case of fire on said premises to exercise exclusive control and direction of all employees and of all means and apparatus for the extinguishing of fire therein.

"12. The licensee agrees to accept a license, if granted, on the express condition that said licensee shall conform to these rules and regulations and that the license is subject to revocation for any violation thereof.

Sec. 2. This ordinance shall take effect upon its passage."

Now, Mr. President, I am of the opinion that the committee has been very fair in the matter. We have been informed that the price would not be raised on Sundays. Let me state here that I have a letter received from an official in New Haven, Conn., in which he states:

"May I offer one suggestion on your Sunday sports bill, if it passes, as I have just gone through a similar experience, and that is that a scale of prices be established no higher than prevails on Monday or week days. We found that after passing an ordinance that all who benefited at once jacked up prices to the limit, and it is good policy to see that you have the public's interest at heart."

I offer that as part of the record. Let me refer back to No. 2 in reference to concessions. We have been told that we have no control whatsoever of that sort of thing, that we cannot enter the grocery business. It is evidently a little late to make that statement, because the Park Department has been in the grocery business for a number of years. They can regulate prices, are officers who are appointed with that power, and if they can regulate prices I see no reason why this City Council is not in the same position, regardless of

whom it hits. I have a letter from the secretary of the Park Department, which reads as follows:

"Dear Sir,—Replying to your request over the telephone that you be informed as to how we control the sale of refreshments, etc., at the various booths I beg to say that the Board of Park Commissioners, when making up the leases insert the following clause:

'The lessee hereby agrees that all refreshments, etc., shall be sold at the prevailing prices charged throughout the city for similar merchandise.'

Trusting this is the information you desire, I beg to remain,

Yours very truly,  
DANIEL J. BYRNE, Secretary."

Now, Mr. President, we are not engaged in technicalities in the introducing of this ordinance. I don't think it is our duty to say whether it is absolutely, hard-and-fast legal, or not. The only information that we have received from the Corporation Counsel in that respect concerns a private individual ticket agency, where it was ruled that they could sell their tickets at any price they desired. But this is a different proposition. The Sunday baseball law plainly states that the permit shall be issued under rules and regulations governed by the City Council of the City of Boston. If that is so I say that before we issue the permits, they should accept graciously these fair conditions embodied in this fair and impartial report submitted by the Committee of the City Council. Let me go back to the question of 50-cent baseball. Is there any real, logical reason why the Boston National and the American League, who started their leagues in Boston with 25-cent ball and not even 50-cent ball, cannot furnish a reasonable number of 50-cent seats. When they now throw you into the 50-cent bleachers on Braves Field you need a spyglass to see the game in a decent manner. There should be no objection to the Council saying to these people, if you wish a license, you must allow to the public of Boston a reasonable number of 50-cent seats. I think the members of the Council should endeavor to see that 50-cent ball is available to the public of this city. There may be some technicality involved, but I say that, if the Mayor is elected by the people, he should at least have the people's interests at heart and accept this ordinance. Then, if the Braves or Red Sox management think it is not legal, let them take the matter to the Supreme Court and let the Supreme Court judge and decide whether or not we have a right to take the action set forth in this ordinance, which sets forth plainly the rules and regulations provided in matters of this kind by the City of Boston. I contend that we have the right, and I say to the Mayor that if he vetoes this ordinance as presented, he, and he alone, is the one who holds up Sunday baseball. As long as I am a member of the Council, Mr. President, in view of the statement of Mr. Deland, the Corporation Counsel, that in his opinion if we give the permit asked for, they can sell their tickets for \$2 or \$3, if they wish, I say that I and any other member of the Council has a right to vote not to grant the permit until there is a definite assurance, whether in the permit or by outside agreement, that the interest of the people of this city shall be properly safeguarded.

Coun. WILSON—Mr. President.

Chairman DOWLING—The gentleman will allow the Chair to first put the question on acceptance of the committee's report, and that will then open up the matter for debate.

The report was accepted.

Coun. WILSON—Mr. President, as one whose name has been more or less associated with the Sunday sports issue during the past few weeks, and as a member of the Special Committee appointed by the Chair, and the subcommittee to prepare rules and regulations, I desire to say just a few words at this time. In the first place for the benefit of the Finance Commission, and the newspapers, let me say for the record at this time, that not even yet has the Council received even one certified copy of the so-called Sunday Sports Act, nor any official notice, and the only way the Special Committee was enabled to consider the act itself in preparing appropriate rules and regulations was to obtain an unofficial copy of some circular sent out by the Secretary of State's office before November 6. Your committee believes, that with all the unfavorable comment the Boston City Council has been subjected to, and while more than one large city in the state has refused

to admit the act in spite of the popular mandate of November 6, and while the city of Worcester I believe has considered the matter of Sunday sport licenses in direct violation of the terms of the act,—the detailed set of rules and regulations presented here today in this proposed ordinance, is the first business-like, properly presented, City Ordinance in this Commonwealth, under the Sunday sports law. I am convinced that 90 per cent of the voters who comprised the 3 to 1 majority in favor of the Sunday sports law at the election on November 6, at least in Boston, so voted because first and foremost they believed they were authorizing Sunday semiprofessional ball games on the public parks and playgrounds of the city at which collections might be taken. In view of the reported ruling by the Park Commissioner, they now find that the popular vote in effect only concerned the playing of Sunday baseball at one, or perhaps at two, professional league ball parks out by Commonwealth avenue. In the second place, I believe that so far as so-called big league baseball is concerned, the voters relied upon the Boston City Council as a duly elected representative body to protect the public from Sunday profiteering. When the innovation of professional Sunday ball was foisted on a gullible public on the 6th of November last, I believe that voters relied on arguments contained in pamphlets prepared by and paid for, at great expense, by the one of the two big league professional ball clubs in this city. The public swallowed the argument that Sunday is the one day out of seven when many a workingman can gratify a long-felt desire to renew his youth, and sit out in the fresh air and sunshine to watch a ball game,—even a ball game played between two New York teams. (Laughter.) Those who "put across" Sunday ball stressed that point to the utmost. So Sunday was to be the day for the workingman, just as to a greater extent Friday is ladies' day and they have been admitted free accordingly. During the past weeks of controversy we of the City Council have been more than once pointedly reminded that our mandate is from the people, and that it is to the people of Boston we are answerable. I also say that we are here to protect the fair and reasonable interests of the people of Boston,—the only difference being that I really believe it, and propose to vote and act accordingly. I don't doubt for one moment that the professional ball clubs of Boston would much prefer the licensing to be done by some individual, or by some Board, as has been suggested in the three bills which were filed at the State House by Boston members of the Legislature who ought to know better,—although I will say that the author of one of the bills admitted that most properly none of the bills should pass. Such bills are introduced either in hysteria, or because some one wants his name in print, or because some influence is interested in seeing that such a bill is shoved through. The sudden public interest in special legislation shown by a 1923 Harvard classmate of the son of one of the owners of the Boston Braves may be one of those straws which frequently save looking at a weathervane to see which way the wind blows. I say that the licensing power with reference to professional Sunday ball in Boston is where it belongs. I say that it is the duty of the Boston City Council to take the professional ball interests of Boston at their word, and in granting any license for the playing of professional Sunday baseball, to remember that the public voted for the measure, and the public has some rights. I believe that the fees charged in this ordinance are inadequate. A circus pays \$1,000 for the right to do business in Boston for a week, whether on private or public grounds. The little moving picture theater seating 500 persons I understand pay \$10 a night for each of 52 Sundays. I believe that such a license for a field seating 30,000 or 40,000 people is a legitimate source of municipal revenue. An annual charge of \$4,000 made in Chicago apparently recognizes that theory. And if, as I understand, the real estate assessment out at Braves Field is carried at only 50 cents per foot for unimproved land, I think a substantial license fee for use of the field is all the more legitimate. For that reason I originally favored license fees just twice those set forth on the proposed ordinance. I finally voted for a reduction of the fee, having in mind the even more important desire of assuring to the public of Boston reasonable protection against Sunday profiteering. It is suggested that any provisions in the proposed ordinance

with reference to price restrictions on the Lord's Day may be beyond the power of the City Council. In the first place, I don't agree. In the second place, I should be interested to see those who have been so eager to rush through a Sunday permit for a certain big league ball club,—while pointing out our duties to the poor workman, starved for fresh air and sunshine on the Lord's Day,—now raise a new fresh air issue—that the blue sky should be the limit on prices to be charged the poor workman for either seats or refreshments. I say that a bottle of tonic sold at the ball park on week days for 15 cents costs at the rate of 60 cents a case, or about 2½ cents a bottle, and that although the Council has no authority on week days, it can and should put a stop to a 600 per cent profit on the day for which it does grant the permit. So I understand that on week days the workman's friend at Braves Field, out of almost 45,000 seats sets aside some 2,500 50-cent seats out by the railroad tracks. For the benefit of that part of the public for whom we have been given to understand the Sunday Sports Act was primarily passed let it be provided that the workman can not only get inside the fence, but near enough the playing field to distinguish which New York players are still in Boston uniform. So I say, that by including such protective provisions in professional Sunday ball licenses in this city we are merely keeping faith with the people of Boston who voted on November 6 with the understanding this City Council stand not between the people of Boston and Sunday ball, but between the professional base ball interests and any Sunday profiteering. So far as the professional ball club owners are concerned, I believe one of the clubs has already stated there will be no increase in prices on Sundays, and since even on week days the American League Club already sets aside over 25 per cent of its seats at 50 cents, there would appear to be no unfairness in the proposed regulation. I believe that the City Council should keep faith with the people. I do not believe there should be any spite shown towards either ball club, for when a man occupies public office he is not supposed to be human. I believe that the proposed rules and regulations are eminently fair and reasonable. I urge that they be passed as presented. I do not believe that the Mayor should prejudice the case, and I think we should assume that, of course, he will not. I see no reason for any overzealous seeking of possible legal technicalities. Other cities in the country have made restrictions protecting the public against increased Sunday prices in either seats or concessions. Our own Park Department endeavors to protect the public with reference to concession prices on city premises. If the proposed ordinance contains any provision of doubtful validity the proposed licensee need not accept a license, or he may obtain the license and then has a very easy and simple remedy at law. I see no reason for this Council, or for the Mayor, to raise at best very doubtful objections to any of the rules or regulations, especially when it would be obviously in very poor taste for even the ball clubs most interested themselves to raise any such issue. I urge that the rules and regulations are eminently fair. I urge that the public is fairly entitled to the minimum of protection therein provided. I urge that, consistent with fairness, the first duty of the Council and the Mayor is to the public. I urge that if some slight technicality is to be raised then the licensee can easily raise the point for himself without any help or advice from any city official. And I firmly believe that after the representations which were made to the people of this city before the vote on November 6, no ball club would have the temerity to say that the present ordinance is other than fair and equitable.

Coun. WILSON in chair.

Coun. PARKMAN—Mr. Chairman, I move to amend the ordinance by striking out clauses 2 and 6 in section 1 thereof. The committee which met and discussed the provisions under which licenses should be issued for the various fields, applications for which are now before the Council, was in unanimous agreement on all the regulations which have been read to you this afternoon with the exception of clauses 2 and 6 of section 1 of the proposed ordinance. On those two clauses two of the members of the committee, of whom I am one, reserved their rights. Our reason for reserving our rights on those two clauses, Mr.

Chairman, is a constitutional one. A well-known American citizen—whose name, I believe, was Dooley—was reported once to have asked the question, "What is the Constitution between friends?" I believe the Constitution rises above any questions of friendship, sentiment, or the very natural desire to fix a reasonable price for seats, for food, tonic and other things, on Sunday at the ball parks. I have served in this Council for a matter of three years, and I do not yet believe, in spite of my respect for this body and its deliberations, that this Council is above the Constitution. We have, in matters of this kind, the authoritative determination by the Supreme Court of the United States as to how far a Legislature may go in fixing prices. Some years ago a statute was passed in Massachusetts attempting to regulate the prices at which ticket agencies could sell theater tickets, and that statute was passed upon in advance of its passage by the Legislature, in an opinion of the Justices of the Supreme Court of Massachusetts, and was held to be constitutional. Since that case arose, Mr. Chairman, however, similar cases based on identical facts went up to the United States Supreme Court from the state of New York, and the Supreme Court of the United States held that the act in that case was unconstitutional, because it attempted to do what the Legislature had no power to do,—namely, to fix prices and interfere with private property,—thus violating the Fifth and Fourteenth articles of the Constitution of the United States. Mr. Chairman, the authority of the Council in this case is derived from the Sunday Sports Act, and is strictly limited by its terms. The terms used in that act are terms that have been construed time and time again for at least a century. In the first place, the act provides in section 22 that the City Council shall issue a license or permit, with the approval of the Mayor, and in section 23, that the sports or games "shall be subject to such regulations and restrictions as shall be prescribed from time to time by the City Council." Those words "license," "regulations and restrictions" have been construed by the courts of this country time and time again, and they do not include the right to fix a license fee at such a figure as to amount to a tax, and do not include any authority to fix prices. That is the question before us now for discussion and determination. It is not a slight technicality that the Constitution of the United States stands in the way of our passing those clauses of this ordinance. They are not doubtful provisions, they are clearly unconstitutional, and I cannot be a party to voting in favor of provisions which I believe are clearly beyond the powers of the Council and clearly outside of what is allowed by the Constitution of the United States. I cannot subscribe to the argument which has been urged upon us to adopt unconstitutional provisions of this kind. I therefore move, Mr. Chairman, that clauses 2 and 6 of section 1 be stricken out.

Chairman WILSON—The question now comes on Councilor Parkman's amendment to strike out clauses 2 and 6 of section 1.

Coun. DOWLING—Mr. President, we have had this afternoon two opinions from lawyers, and good lawyers, who are members of my party, disagreeing on an important matter, and when that happens it is pretty nearly time for me to take to the woods. I am much inclined towards following the gentleman from Ward 17 (Councilor Wilson) and going through with the regulations that have been submitted by the Special Committee. But I find something that disturbs me to such an extent that I am not able to follow the gentleman from Ward 17 now. I have in my hand a copy of the specimen ballot that was used at the last State election, on which appears the so-called Sunday Sports Referendum, and I find in the ninth line of the question which was submitted to the people of this Commonwealth on November 6, 1928, this clause, "That no sport or game shall be permitted in a place other than a public playground or park within 1,000 feet of any regular place of worship." The significance of that, Mr. President, is that no permit or license can be given for an out-door entertainment of this character, unless the place in which the sports or games are to be conducted, are within 1,000 feet of a place of worship. I have said, sir, from the beginning of this controversy that there was more misunderstanding over the so-called Sunday sports law than any other question that I know anything about, and I

secretly held within my own heart the feeling that I knew as much about the Sunday baseball law as any man in this Council or in this city. I have read it in the morning, I have played with it in the afternoon, have enjoyed it in the evening and dreamed about it at night; and I feel that I know the Sunday baseball law as well as the gentleman on my left, who is a lawyer, or you, Mr. Chairman. If this referendum means anything, Mr. Chairman and gentlemen, it means that you cannot play Sunday baseball except on a public park or playground that is within 1,000 feet of a regular place of worship. You men who know law can mull this over to suit yourselves.

Chairman WILSON—We will please have order. If the members of the Council don't want to hear what the gentleman says, I, for one, am interested in portions of it.

Coun. DOWLING—I don't suppose, Mr. President, it will influence them a great deal whether they hear me or not, but I repeat, sir, that there has been more misunderstanding about the Sunday baseball law, which a couple of burglars from New York, one a piccolo player and the other a ten-cent grocery man in this city, have tried to foist upon our people, than practically anything else that has come before the body. I wonder if they knew anything about that provision I have just read. I am under the impression that they did not, because they don't know anything, as they stated three or four weeks ago, except fixing sports or bagging prize fights. That is their game, and it is not surprising that they did not know about matters of legislation. I don't want to offer a motion now that will interfere with the final adoption of these regulations, because I have an idea that in doing so I would occupy a position that would be almost as popular as that of an illegitimate child at a family reunion. I don't want to interfere with the adoption of the regulations that are proposed. The only motion I could make would be to ask further assignment of the regulations for two weeks. I think it would be a mistake now to adopt the regulations in face of the law as I have pointed it out to you. I hope I will be given an opportunity later to move reconsideration of the adoption of the resolutions, however, and assignment of the matter for two weeks, so that we can find out, if possible, what the law is. I have not forgotten that the Secretary of State, carrying out the idea of acquainting the people of the Commonwealth with the provisions of the so-called Sunday sports law, sent to the voters of the Commonwealth a pamphlet which contained an explanation of the so-called Sunday sports law, and if my memory is correct—I don't want to do the gentleman any injustice—the phrasing of the so-called Sunday sports law was recommended to the Secretary of State by a former Attorney-General who had folded his tent and had sneaked away in the dark. So I think there is a question whether that was good law. I think there is a whole lot of doubt about the validity of the Sunday baseball law, and that there is no particular reason why we should rush in over our heads on something that few of us now know anything about.

Coun. WARD—Mr. Chairman, I have listened to the remarks that have been made on this matter and to the praises that have been rendered to the two members of the Republican party who have been successful in passing the bar. I am glad they are both members of the Republican party. (Laughter.) But I do want to bring this point in, that there is a Democratic newspaper in Boston which also renders an opinion on this matter in this morning's issue. The *Boston Post* in an editorial this morning says:

"The City Council has no more power to fix the price of admission to Sunday baseball games than it has to settle the price of Ford cars. Nor has it any control over the price of peanuts, tonic and 'hot dogs' sold in the baseball park. Peanuts, tonic and 'hot dogs' are surely not necessities of life, nor even aids to the better enjoyment of a ball game. Why the City Council bothers with so entirely trivial a matter is a mystery. If baseball fans are willing to pay five or ten cents more than the regular market price for goods sold at the ball park, that is their own lookout."

I believe with Councilor Parkman, although he is a Republican, that clauses 2 and 6 should be eliminated from this ordinance. I have listened here, Mr. President (Coun. Wilson), to your smoke screen blown over the Council here in an effort to show that this is perfectly legal. As

an attorney, I do not believe you are right, because we have had a contrary opinion from the Corporation Counsel in that matter. I have a great deal of respect for him, and would probably take his opinion a little quicker than I would yours in this matter, because I believe the Corporation Counsel was in a position to render an unbiased opinion on the question, which you, Mr. President, were not in a position to do. If this thing goes through as presented by the chairman of the Special Committee, the matter will simply go to the Supreme Court, and the Supreme Court of the Commonwealth of Massachusetts will strike out clauses 2 and 6. You, as a lawyer, Mr. President, know that as well as I, a humble, simple, layman, who does not know very much, and I am simply here because the people elected me. (Laughter.) To talk as you have about the matter, the public this and the public that, is simply a smoke screen. I don't think there is any man in this body who has the interests of the public more at heart than I have. I am earnestly interested in the public, and if it were up to me as a committee of one to make the price for admission to the ball park five cents or nothing, I would do it, and I think the people of Boston know that I would do it, because I belong to the party that always does what it can to aid the public and the working man. But you throw out a smoke screen. You say that the public wants 50-cent seats to baseball games. I am willing to give them 50-cent seats, if it is within the jurisdiction of this body, but you know and other members of the body know that we have no more right to regulate the prices to be charged there than the City Messenger and the City Clerk have the right to regulate prices. I believe that clauses 2 and 6 should be stricken from this ordinance, that Councilor Parkman's motion should prevail.

Several members addressed the Chair.

Chairman WILSON—Before I recognize any member of the Council I would like to correct Councilor Ward in reference to the opinion given by Corporation Counsel Deland to the Special Committee. He was called in and asked for an offhand opinion, and naturally, as would be the case with any lawyer, he did not wish to give a permanent opinion, one that would commit him on the question permanently. He merely gave what the lawyers call a curbstone opinion.

Coun. ARNOLD—Mr. President, sometimes when lawyers disagree it might be well for a timid doctor to introduce himself. (Laughter.) The councilor from Ward 21 (Councilor Dowling) usually presents some sort of argument. Today I was surprised at the argument he used, because I know his memory goes back as far as mine here, and farther, because he is the temporary presiding officer of this body by reason of seniority. But he will remember the so-called "semi-colon law" which received considerable notoriety and publicity not so many years ago. And so today we have him here in the unique position of trying to introduce a couple-of-commas law into our deliberations. The pamphlet to which he refers I have in my hands, the pamphlet sent out by the secretary of the Commonwealth for the instruction of the voters before the time of election. There appear very plainly in this line to which he refers, in that section of the act, a comma after the word "place" and after the word "park," so that the section reads, "and provided, that no sport or game shall be permitted in a place, other than a public playground or park, within 1,000 feet of any regular place of worship." So I feel that his argument is not very well taken on the provision of the bill before us this afternoon. I agree with the councilor who has moved that we eliminate clause 2 and clause 6. I am firmly convinced that those clauses are beyond the jurisdiction of this Council, as many other things seem to be. So I, for one, shall vote for Councilor Parkman's amendment.

Coun. McMAHON—Mr. Chairman, as one of the Committee on Sunday Sports, it is very pleasing to me to sit here and listen to the arguments of some of the lawyers and would-be lawyers. But I come from a section that is very much interested in free Sunday baseball, not alone 50-cent professional baseball. I do not quite agree with a couple of the councilors here in the opinions that are handed down to this body from our Law Department. I remember that a short time ago there were some opinions, with which I and others here did not agree, that this body had no right to investigate a certain institution in the City of Boston. My feeling then was the same as



it is today on this matter, that we do have more rights here than some people think. I claim—and I think my opinion is as good as that of any other member of the body—that we have a right to adopt clauses 2 and 6 and let his Honor the Mayor and our Law Department, who have so much work to do up there, then take the matter up. As one elected to this job in the City Council I feel that it is up to me to tell my people, who voted for this act, that I am carrying out what I think are their rights in this matter, and if necessary it can be later decided whether others have the right or we have the right to pass on the question of the constitutionality of clauses 2 and 6. As has been well explained here this afternoon, Mr. Chairman, by yourself and the chairman of the Baseball Committee, if this is not right, let the baseball people, who seem to be so much interested in fresh air for the public of Boston, take the matter to the Supreme Court. Then, if the ordinance as we have passed it is not right, it can be brought back here and we can adopt rules that are within the Constitution of these United States. Furthermore, Mr. President, I would state here that the committee has done a lot of work on this matter, has gone over it, and that it could not be any fairer or more just in its action. There is a class of people who do not get very much interested in the question of whether baseball seats are 50 cents or more, or whether hot dogs and tonics are 5, 10, or 15 cents. But the people whom I represent are very much interested, Mr. President. It is not always a question of your wanting to buy a bottle of tonic, for instance. It is a question of choking to death or paying 15 cents for a bottle of tonic. Therefore, as one member of the Council, I am absolutely in favor of telling both baseball clubs in this city that if they want a permit they must give the people of Boston something that is reasonable. Not only that, but if they will give reasonable prices for seats to their games, they will fill their parks on a Sunday afternoon.

Coun. BUSH—Mr. Chairman, I do not pretend to be one of the legal lights of this Commonwealth, but I do say that I studied the subject of constitutional law under one of the ablest instructors in the country. Professor Bowman of Boston University. I also read two hundred or more cases on the subject of constitutional law. With all due respect to the Corporation Counsel of the City of Boston, I am not prepared to say at present that the City Council has not the right under the police power to fix prices for admission under such terms, circumstances and conditions as this act proposes. The case cited by the councillor from the Back Bay (Councillor Parkman) who is a member of the committee, is not a case which is comparable to the matter under discussion. It is true that under those conditions that case was probably very well and correctly decided, but I am not prepared to say that the case is in any manner comparable to the matter under discussion now. We certainly have witnessed price fixing and rate fixing in various other lines of endeavor by legislative and administrative bodies under delegated power. I am not at the present moment prepared to cite those cases, but I have a recollection of a great many such cases, where rate fixing and price fixing was permitted and was upheld by the Supreme Court of the United States on the ground of police power. It may be that such power as is necessary for fixing prices of admission in this case is also within that power. I think the councillor from Brighton (Councillor Dowling) made a good suggestion, in view of the fact that there is a controversy between members of this body and the Corporation Counsel, that the measure be put on the table for a week, until we can determine to our own satisfaction whether we have that power or not. If we do determine to our own satisfaction that we have that power, then I say we ought to disregard the opinion of the Corporation Counsel, which, as the temporary chairman has stated, was nothing but a curbstone opinion, and was not backed up by any cases cited from any court in this country. I feel that before we act on this amendment we ought to have some decision from some court, some tribunal of judicial authority, whether it be the United States Supreme Court or some State Supreme Court.

Coun. FITZGERALD—Mr. President, I am of the same opinion as the previous speaker. Here is a matter that has been before the committee for three weeks and is now brought in here. Members of the committee are in disagreement over different phases of it, and we are expected to act

on the matter in a very hurried manner. Unfortunately for all concerned here, there has been a very bad taste, a very bad odor given to the whole question, from beginning to end. It is a matter that has been talked over pro and con. People are pretty much disgusted. There is inclined to be an unfavorable attitude all around, and different people have different opinions. The press have expressed their opinions, and lawyers, laymen, men in all walks of life, have expressed their opinions. It is a well-known fact that the Legislature petitioned the Supreme Court for an opinion in reference to the right to regulate the price of theater tickets, and we know what the Supreme Court said in that matter. But, of course, in my opinion it is ridiculous for us to try to legislate for private individuals, in spite of the fact that we have a right to grant them this license. We all know that 50 cents is a small fee to charge schoolboys for witnessing a football game, and we are asked to make 50 cents the price here. I am inclined to vote with the gentleman from the Back Bay (Councillor Parkman) on his amendment. I know this is a town where many people are liable to get excited, and the attitude of members on a question of this kind might well be misunderstood. I think it is an unfair proposition to come in here and suggest action under which the acts of the councillors might be misunderstood by the public at large. We all know how easily men ride into public office today. They will do it sometimes through public sympathy. A man will get a notice into the public press that he has been taken sick and has had to go to a hospital, over night, and the newspapers will carry the message that he is in for a very serious operation. Other people have other methods of playing on the sympathies of the public, and we all know how easily those sympathies or feelings can be aroused. And in that way men who have no legitimate claim on the suffrages of the people will win their sympathies and will get elected to public office, no matter how important the questions that they will then be called to pass upon may be or how many millions of the people's money may be at stake. We all know how easily people fall for that sort of thing, and how easily the true state of affairs may be stifled. And we know how easily a political argument might be raised against the man to the effect that his action showed that he did not believe in 50-cent baseball for the public. And that in spite of the fact that a man did not feel that he could so vote, felt that in so voting he was going against the law and the Constitution. But the law makes no difference to a demagogue, the man who resorts to that kind of campaign. He can easily take his opponent to task through a specious appeal of that sort to the public. We cannot reach all the people in our districts, and because we cannot do so, many of us have suffered from misrepresentation of that sort in the past. Mr. President, we ought to look at this matter in a reasonable light. The delay of another week would do no harm here. The committee has had the matter before it for three weeks, and we have only just got this report in our hands today after our executive session. We have not had a chance to digest it. We don't know whether the minority or the majority members of the committee are right or wrong. I think, in all fairness to the members of the body, sufficient time should be allowed to them to study the matter and form their own opinions, finding out whether what has been set forth is right or wrong. I urge the body to go slowly. We all know how, in 1885 and since, the powers of the city government have been taken away. All through this audience here today are members of the Massachusetts Legislature. We have some very prominent members here today, Mr. President. I say that the Council should go slow. People should not run riot, should not be radical. We ought to move slowly. We know that the Council used to grant licenses to theaters, that a question was raised in regard to that, and that that power was taken away. And if we now issue licenses to the ball teams, that fact will be used against us by opponents, by sly individuals. They will say to others, "Of course, the councilmen can get you this and that, can get you tickets, and so on. Don't they grant licenses? Of course, they can do these things for you." And then that will come out against us, because we do not and cannot do what these individuals tell others we can do. Oh, Mr. Chairman, there is a curse that goes with all these things, and such arguments are used by those who want to supplant those already in office. There is false propaganda spread around, the poisoned pen

is used in politics in Boston, and many worthy men will find that they have been left by the way-side. We ought to go slow, Mr. President. If members of this body who are lawyers will not take the word of men who may not be lawyers, but who have been through this sort of thing and know what they are talking about, you may find that reasons will be discovered for taking away from this Council the power in this matter. You want to realize what public opinion can do and how the press may rise up. You cannot tell what will be done by the Governor and the Senate and House of Representatives of Massachusetts. There are a lot of angles to this thing. There are some things that have been said here today that may have their reaction. I remember a former district attorney of this county who thought little of a remark he made at a meeting about the kind of tie another man wore. The man waited around and asked him what he meant. He said, "If it was a joke, I will forget it." The man said, "No, I meant what I said." "All right," said the other, and the man who made the remark had occasion to suffer for it, and the county suffered. And we never have had a man like that man, and probably will not again. Men who come here think they are schooled in politics. They think they know it all. Well, Mr. Chairman, they have a lot to learn. I know that you don't want anybody to try to influence you in the right way, but different men have different ideas in this matter, and all I say is, go slow. Of course, if you don't want to lay this over, I am going to vote with the councilor from the Back Bay (Councilor Parkman), because I think he is sound in the matter. But I urge you to forget your differences, to forget certain things. We know that there is bad feeling among certain members today over the baseball situation. Many things have been said that should not have been said; many things have been said in the heat of argument that were uncalled for, and that will be regretted later. But I warn you now to go slow and not to ride roughshod over everybody.

Coun. DOWLING—Mr. President, I know that the gentleman from Ward 4 (Councilor Arnold) did not refer to the pamphlet sent out by the Secretary of State for the purpose of adding confusion to the situation that confronts us. This is the pamphlet to which the gentleman from Ward 4 referred when he said that the law, as quoted by him here, had the necessary punctuation. But I would refer him in that same pamphlet to page 3, which he did not see in his haste to get to page 4. On page 3 he will find exactly the language that I have quoted, without the commas, in the statement of the law that is to appear upon the official ballot, and did so appear and was so voted upon by the voters of the Commonwealth. On page 3 it says:

"The following question will appear upon the official ballot at the state election November 6, 1928."

And then it sets forth the provisions of the so-called Sunday sports law, and says, without any Harvard punctuations:

"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."

Now, I know the value of language, and the synonym for the words "other than," as used in the statute, and the only synonym that can be used, is the word "except." If you want to read the referendum as I might construe it or phrase it, it would read, that "No sport or game shall be permitted in a place except a public playground or park within one thousand feet of any regular place of worship." Now, Mr. President, you know and I know, and everyone in this body knows, that there was a very inconsiderable portion of the voters of Massachusetts who took the trouble or pains to read this eight-page pamphlet. We know that they did not read that, but we do know that every one who voted on this question read what appeared on the ballot, and what appeared on the ballot before the eyes of the voter when he voted on the so-called Sunday sports law were the words 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." I think the gentleman from Ward 4 wanted to inject more fun than seriousness into this. I simply want to place myself in the position of having stated to the Council what actually happened in connection with the ballot.

Coun. GALLAGHER—Mr. President, as the her member of the Special Committee who

reserved his rights in this matter, I simply wish to reiterate my statement made in committee, that I cannot subscribe to these two sections in question. I also wish to state that I was much pleased with the procedure of the committee. I saw no exhibition of personal feelings there. It was a truly conscientious gathering, and the members went at their work in a very conscientious way. I could not agree to these two sections, because of the fact that I did not think they were constitutional or legal. When I found the councilor from the Back Bay (Councilor Parkman) and the other legal member of the committee (Councilor Wilson) differing, I felt that there was some question, and, it being my own belief that those provisions were illegal, I felt that I would rather have the ordinance go through without those two clauses in it. I was also told that a former corporation counsel, whose judgment I value highly, did not think we had any jurisdiction in the matter, and Mr. Deland being of the same opinion, I was satisfied, with all due respect to one of the legal members of the committee, that I was right. Therefore, until otherwise convinced, I certainly shall have to go through with the motion made by the councilor from the other side (Councilor Parkman).

Coun. BUSH—Mr. President, I merely want to recall to the councilor who has just spoken, and also to the councilor who moved the amendment, when opinions of Corporation Counsel are referred to, that in a previous administration a corporation counsel rendered an opinion that it was right for certain members of the Council to make a junket trip to hospitals in other states, that it was all right for them to spend money for such a purpose. That, subsequently, however, proved to be incorrect, as the courts decided against it.

Coun. RUBY—Mr. President, I am of the opinion that these two clauses that have been referred to, if they were embodied in these regulations, would be unconstitutional. Some time ago I had occasion to talk with two members of the Law Department, not the Corporation Counsel, on this same question, and Massachusetts law was cited to me, of which I made no note at the time, to the effect that we had no right to fix the charge of any commodity that might be sold in the city. The question of the Franklin Park concession is different, to my mind, than the matter in question, because when the city, through a department head, is giving or leasing a concession it really is leasing its own property, and the rules and regulations are simply fixed as a part of the leasing of its own property. But in this particular case we are fixing a rule or regulation with reference to the enjoyment of someone's else property. I don't think we have anything more to do with what may be sold on the baseball parks than the Licensing Board, in connection with a mere victualler's license to keep open a store on Sunday, could say to them how much they should charge for a newspaper. I believe these two clauses, Nos. 2 and 6, are beyond the power of the Council. For that reason, I feel that Councilor Parkman's amendment should be adopted. I do not believe in holding the matter up, unless it is because of the fact that we want further information. We have a department in our city from which we get legal opinions, and, regardless of how we feel towards an individual, a department, or the administration under which the particular department is working, I feel that it is our duty, if we honestly think the opinion is an honest one, to take it as given to us by the department head. The Corporation Counsel has in his opinion ruled that these two clauses would be unconstitutional. It is our duty, in my opinion, to give way to that opinion, because that is the judicial department which is supposed to govern our actions from the legal point of view. In view of the fact that this committee has submitted, so far as these two clauses are concerned, in a sense a minority report, while having all due deference to the opinion of the councilor from Ward 17 (Councilor Wilson), I am of the opinion that those two clauses should be excluded. I do not believe the regulations should be held up further. I am convinced that the committee have done a good job, have met and acted fairly and decently, and they have submitted for our consideration a set of rules and regulations. I do not believe we should pass anything that is unconstitutional and then leave it to the different people who get a permit to raise the question. That is not the province of a body of this kind, any more than

It would be the province of the Legislature to pass a law which was illegal or unconstitutional, with the after-thought that the person affected would have his redress. It is our duty to pass rules and regulations that are lawful, because we are supposed to be a legally and lawfully constituted body. If we are of the opinion that any ordinance that is proposed is unlawful or unconstitutional, a correction should be made before the person who desires a permit under it is given an opportunity to test its constitutionality. For that reason, I shall vote with the councilor from Ward 5 (Councilor Parkman), in the firm belief that clauses 2 and 6 are unconstitutional, and that they are not in our power to grant.

Coun. McMAHON moved the previous question.

The main question was declared not ordered.

Coun. DOWD—Mr. President, we have learned and heard a lot about clause 2 and clause 6. I say that if the gentlemen who have raised a question as to the legality of clauses 2 and 6 are not a bit consistent, because they want to leave No. 5 in, and 5 deals with practically the same thing. No. 5 says:

"The fee or total charge made for any seat anywhere in or on said premises for the witnessing of the playing of professional athletic outdoor sports or games shall in no case be greater on the Lord's Day than on each week day."

If they are going to be consistent in talking about legality and constitutional rights, I say that No. 5 is absolutely the same as Nos. 2 and 6. But they don't want to include No. 5 in it. Why? Because it might leave the thing open and allow the baseball magnates to charge what they desire. But Mr. Deland said that in his opinion No. 5 was illegal and unconstitutional. So how can you exclude clauses 2 and 6 and leave 5 in there? If you are going to be consistent, you must consider them all alike, one way or the other. The striking from the ordinance of clauses 2 and 6, if the Council desires to do it, simply means that you are going to give to the baseball magnates of Boston once again a chance to systematically rob the public and bunco them as they have done for the last six or eight years. The action proposed by the committee is the only protection that the public has. Any member who votes to exclude clause 2 is voting to allow the baseball magnates to continue to get 600 per cent on the purchases they sell. Anybody who votes to exclude clause 6 is voting to take away from the people of Boston the chance to pay 50 cents for a reasonable number of seats. In the three weeks that we have had this matter before us it has been necessary for us to send to St. Louis, Chicago, and other cities, to get information to base our report on. The gentleman from the West End (Councilor Fitzgerald) believes that we should go slow. Well, Mr. President, we have acted carefully and conscientiously on the matter, and prepared this ordinance, and it is now before the body. I believe it is an ordinance that any of the intelligent of this body can readily read and understand. There are only two sections in dispute. I believe action should be taken on the matter today. Although the gentleman from the West End now believes in going slow, when the matter first came before us, the question of accepting the Sunday sports law, and when the City Clerk of Boston did not have a copy of the Sunday sports law, if I remember rightly, that gentleman asked a suspension of the rule for the passage of the order accepting the act. I agree, of course, that we should go slow, that we should know what we are about. But we have considered this matter, and it is now before us, and it seems to me it is easily understood. The only question in dispute is whether certain clauses are constitutional or not. Mr. Deland has said that they are unconstitutional, illegal. The majority of the members think they are legal, and as a matter of fact, we desire a test to be made of the ordinance, which I believe the Mayor should sign, and that will then allow the baseball magnates, who will benefit to the tune of two and one half millions in the next few months because of this privilege, to take the matter to the Supreme Court for final decision.

Coun. BUSH—Mr. President, it seems to me so far that all the members of the body have heard are merely oral opinions in reference to the constitutionality of these two clauses. The other members of the body may be satisfied with those oral opinions, but I, for one, am not. I would

like to know the judicial decisions that may have been rendered on some case in point, something comparable to this particular case. In the event that such are not to be found, and it seems that no other case that has been decided is comparable to this, I am in favor of allowing this to be a test case before the Supreme Court, if it is desired to make it so. But I do feel that if the Council acts on this matter today, with the conflict of opinions we have on it, it will be acting hastily and inconsiderately. I think we ought to allow this matter to lie over for one week, to give those of us who wish an opportunity to look into it further a chance to determine whether the act is constitutional or not, to our own satisfaction.

Coun. DOWLING in the chair.

Coun. FITZGERALD and WILSON addressed the Chair, and Coun. Wilson was recognized.

Coun. WILSON—Mr. Chairman,—

Coun. FITZGERALD—Mr. President, I rise to a point of order. I rose and asked recognition of the Chair before Councilor Wilson was on his feet.

Chairman DOWLING—The Chair recognized Councilor Wilson, and Councilor Wilson has the floor.

Coun. WILSON—Mr. Chairman, much has been said on the question of constitutionality. Despite the fact that in state politics and in city politics I happen to be a Republican, nevertheless I do believe it is a question of every man to his own field, and, even though I personally am unable to run a typewriter, yet I have a few opinions on legal matters. Something has been said, dealing with the question of constitutionality, of the opinion of Corporation Counsel Deland. I do not wish to be misunderstood for one moment in my estimate of the opinion that the Corporation Counsel gave, Mr. President. He was summoned to come here before the Special Committee, and did so, and he very frankly stated, as any lawyer would state under the circumstances, that the opinion he gave to us was given on the spur of the moment, without looking up the law, and that he reserved his rights. That was a perfectly proper statement for any lawyer to make under the circumstances. There are members of this body who were anxious to pass the Sunday baseball law on the 17th day of December, on the very day when it was first received, and when we had not yet received a copy of the law, and now we hear this constitutional point raised by some who were anxious to rush the thing through at that time. It seems most peculiar to me, in view of the fact that we have telegrams and communications from all over the country, from other cities, showing that the same policy is there being adopted with regard to the baseball clubs that is suggested here, without any dispute by the clubs or any appeals being taken to the Supreme Court, that so much should be made of the question here. Here we have simply proposed to restrict the prices charged by concessionaires for merchandise to a reasonable and fair scale, and have said that there shall be no increase of prices attempted on Sunday. So it seems peculiar that those who were most anxious to pass the Sunday baseball law on the 17th of December last should suddenly in their wisdom discover that the rest of the world is wrong and that they are right. I think the point Councilor Dowd has made is an excellent one, that if we are to strike out clauses 2 and 6, to be consistent we should strike out clause 5. There may be a grave question, as a matter of fact—if the Law Department, the Mayor, or the ball clubs wish to raise the point,—whether we can allow the ball clubs to sell merchandise, food, in the ball parks at all, under the Lord's Day Act. In section 3 of the Sunday Sports Act, of which we have not even now a certified copy, it says this:

"Such sports or games shall be conducted subject to such regulations and restrictions as shall be prescribed from time to time by the City Council or the selectmen; provided, that they shall not prohibit the charging of admission fees or the taking of collections at any sport or game."

But it is significant that there is no word saying that we shall not limit prices, other than that we shall not prohibit entirely the charging of admission fees or the taking up of collections. I am interested, as one of those who fought not to pass the Sunday law on the very day on which it came in, to see some of my colleagues who then wished to put it right through apparently agreeing that

before we pass any measure we should at least give it ordinary consideration. I am glad to say that I was not one of those eager to rush through the Sunday ball act on the first day it came before us. As the one who moved to table the Sunday baseball resolution, Mr. President, I say that you are much more consistent in the action you took then, and that you have taken since, than those who wished to put it through on the day when it came in. It seems to me, however, that there is nothing to be gained by putting it over at this time, Mr. President. I feel that the opinions of the committee, who have gone into the question, are at least worthy of passing notice. Some time has been spent on these rules and regulations. In most of them we followed the rules and regulations of other cities. So it seems to me it comes with poor taste from men elected to represent the people in this body to raise technical points, which the owners of the ball teams, if they feel that they are being outraged in the matter, can raise and take to the Supreme Court of the Commonwealth. As a practical matter, every member of the Council knows, and the eminent members of the Legislature, to whom we have had our attention called here today, know, that no managers of the ball clubs will dare raise the question, because they will be afraid, in connection with Sunday baseball anyway, that as a result the concessions will be wiped out. As a matter of fact, you and I and everybody in the room knows that the point will never be raised except by some self-appointed expert, and I wish to exclude from that statement the councilor from the Back Bay, because I know that he raised the point honestly in the committee as a constitutional question.

Coun. FITZGERALD—Mr. President, perhaps I can clear the atmosphere a bit in regard to my position and enlighten the body as to the way the thing stands in my mind, in the light of what happened on December 17th. I did not introduce the order to accept the act at that time. It was introduced by the councilor from Ward 9 (Councilor Ward). The acceptance of the act did not mean anything, so far as the issuing of the licenses was concerned. The acceptance of the act had absolutely nothing to do with the proposition before this body today, and members of the body well understood the situation on that occasion. But there were certain members who were insistent on having their own way. What is the truth as to what happened that day? The councilor from Ward 9 (Councilor Ward) introduced the order. The President desired it referred to the executive committee. Every member of the body knows my opinion on executive committees—that executive committees, real executive committees, perform a valuable function in legislative affairs. But the position of the other members has been against having executive meetings, although I understand that the newspaper men were not invited to the executive sessions of this special committee,—were not admitted. If I had been conducting the hearing, and had excluded them, we would never have heard the last of it. But the fact is that the hearings and meetings were conducted behind closed doors and that the newspaper men were barred. So much for that. But this matter came in on December 17, under the order offered by Councilor Ward, in open session of this body. It was declared referred by the President to the executive committee and I questioned that reference. I felt that the rule should be suspended, Mr. President, and that the matter should be decided in open session at that time. I spoke for a few minutes, and sat down. The rule was declared suspended, and I never doubted the vote or raised any question outside of the few remarks I had already made. But the gentleman now occupying the chair was standing out on the floor, not in his place, and for a few moments silence prevailed in the chamber. Not a member arose to speak or to suggest having the matter postponed, assigned, or doubting the vote. The member from Brighton (Councilor Dowling) looked about the chamber, and nobody made a move, and finally he made the motion to lay on the table. I was given to understand that there would be debate on the question, and but for that understanding I never would have made the remarks I did make. But I was given to understand that the matter would be laid over. That question of acceptance of the act, as it came up at that meeting, however, is an entirely different proposition from the one that we had before us today. Mr. President, I certainly trust that the actions of the members here will not be misunder-

stood. But with demagogues around there is little chance that our actions will not be misunderstood. I had no desire to enter into debate here, but this whole thing has been camouflaged from beginning to end. It has been a positive disgrace to the citizens of this city, and to every red-blooded man. Insinuations, charges, counter charges have been made. Men have been investigated, have been maligned. They have not cared for the feelings of anybody. But we must remember that the people voted on this question, and that they have a right to obtain some consideration. They knew what they were voting on. The thing was debated over the radio and through the newspaper columns, and everything was said that could be said. I have been criticized, and remarks have been made as to my attitude on this question. But, sir, I voted in what I thought was the best way in this matter. I voted to get rid of the matter. How can men say that they did not read the act. The excuse made by some was that they had not read the act. Intelligent men, coming from intelligent constituencies, knew that the matter had been passed by the Legislature. There had been debates upon it. There was the Lord's Day League on one side, with all its legal talent, trained talent, the same as the Anti-Saloon League, that coerced members of the Legislature and ruined their private and public character. Those are the men who fought to defeat this thing. They are the ones who haunted the halls of the Legislature—the same swine, the same cattle. With equal success in this case they fought to keep the thing from going on the ballot. We know how they coerced members of the Legislature, how women waited on them in their homes and in the State House, people connected with churches, trying to intimidate them so that this matter could not be placed on the ballot. When they couldn't coerce the members of the Senate and the House they then raised large sums of money from people who felt that it was going to be a terrible desecration of the Lord's Day. I say now that they raised hundreds of thousands of dollars to defeat this act, so that it would not be passed by the people. There are two sides to every question, and there never was a book published that didn't have a cover. There are always people on both sides of any question. I have yet to find the man vitally interested in politics who can say that he is an angel. I have yet to see one that had wings—and I am no saint. But the question has been on this matter from the beginning, "What can we get on this fellow and what can we get on that fellow?" Now they say that I was in a hurry to have it passed. Well, the records speak for themselves. I abide by what was done here, and everybody knows what was done, and those in the gallery on that day, those that were present, know that no attempt was made, that no excuse was given, that there was no valid reason offered why it should not be acted upon. Did any member of the body get up and say then, "Mr. President, I have not read the act," or "We have not had the act before us?" Now you say that you didn't wish to take action for this or that reason. But after I had made my motion to suspend the rule, and had spoken, and the rule was suspended, Mr. Dowling said, "I now move, Mr. President, that the matter be laid on the table," and that is all. You cannot get away from the records. There they are. But I gave a reason today why I wanted this laid over for one week. I have given a reason, a substantial reason. Would a lawyer go into court and ask for a continuance without giving a reason? You never heard such a thing. And now you want to camouflage the reason. I don't want my actions misunderstood. I come from a district the people of which have honored me by election when I have seen fit to run for office. They trust me, and if my votes are such as to receive their approval I will get it; otherwise I will receive their condemnation. Of course, many of the members here come from districts where there are gullible people, and where these fellows can get on soap-boxes and make all sorts of false charges with nobody to answer them. We have had the opinions of distinguished lawyers in this matter. The gentleman from Roxbury has given his reason, which may be sound, for incorporating in the ordinance certain provisions. He may have good grounds for the position he takes. But why force people to go into court? You are making yourselves ridiculous in this matter. I beg of you to use your own calm judgment. It is all very well to say, "We know that these clauses are wrong, but

let them go into court." But I don't think that we should act in that way. Now, as to the question of who drew the act up,—it was not Fuchs or Adams. It is a thing that is known to at least two men in this body. Why camouflage the thing? It makes no difference to me whether it was Fitzgerald, O'Brien, McCarthy, Fuchs or Adams. Let us speak plainly in the matter. Don't throw bad odium on the body. Let us not do things we have to change about and make ourselves a laughing stock. I was a member of the Legislature when they were trying to do this, once. I know one of the men who handled it up there. He has done some favors for somebody, and perhaps ought to be given some protection, but I am not here to protect him. And his name is not Fuchs or Adams. If you continue the sort of thing that has been going on, I tell you that members of the body will be sorry. When you go from the body and perhaps may be down and out, you might want somebody to say, "Well, he was a pretty good fellow." I tell you, you are wrong on this matter. You are wrong, and we ought to do the thing right. When the gentleman from the Back Bay has given it study, and when the gentleman from Roxbury has given it study, they are lawyers and we are laymen. They ought to be given some regard, at least, for their opinion. Be fair in this matter, and go into it in nothing but a calm spirit. I sympathize with the members of the body. They have my sincere sympathy for the way in which this matter has been handled and acted upon, by the newspapers and by everybody. We all know how these things affect our families, our friends and relatives, and members of this body are entitled to sympathy. But we shouldn't allow certain things to get the best of us, but should act in a fair way. Understand that what I did on that day I did with an open mind and with free will, and after giving reasons that seemed sufficient to me why the matter should not be postponed. Reasons were not given on the other side. I did not doubt the vote or call for a roll call. I remained quiet in my seat and allowed the gentleman from Brighton to proceed in that manner. But I know what happened on that day, and the whole thing stands out clearly in my memory.

Coun. PARKMAN—Mr. President, I am sure that the councilor from Ward 17 (Councilor Wilson) is acting simply with lack of knowledge when he asks the Council to understand that no opinion has been rendered by the Corporation Counsel except orally. There is, I believe, on the desk of the chairman of the committee a written opinion from the Corporation Counsel, and for purposes of the record I would suggest that it be introduced and made a part of the record of this meeting. There is no similarity, Mr. President, between clause 5 and clauses 2 and 6 of this proposed ordinance, such as has been suggested by the councilor from Roxbury and the councilor from Ward 17. The unconstitutionality of Nos. 2 and 6 resides in the fact that they involve an attempt to fix prices. Clause 5 makes no such attempt. It simply states that the charge on Sunday shall be no different than the charge on a week day, and the charge on week days is according to the scale of prices established voluntarily and without interference by the owners of the clubs. I am sure the councilor from Roxbury knows perfectly well that it is bunk, and unfair bunk as well, when he suggests that the Council are voting against the rights of the people. There is no question here of a right to a 50-cent seat or the right to a 5-cent hot dog. Such a question is not before the Council at the present time. It is unfair to charge members of the Council who vote to amend this ordinance with any motive of saddling upon the public expensive seats or hot dogs at a high cost. The councilor from Ward 17 (Councilor Wilson) attempted to argue from the omission of certain words in the act that there was an intention of the Legislature to allow the Council to fix the prices of seats and to fix the prices of concessions at the ball field. No such argument is valid, Mr. President. You might just as well say that every act should have in it the words, "Provided that this act does not violate the Constitution of the United States." There is no validity whatever to the argument of the gentleman from Dorchester. Therefore, Mr. President, I move that the amendment be adopted, striking out clauses 2 and 6 in section 1 of the ordinance.

Coun. WARD—Mr. Chairman, I move the previous question.

Chairman DOWLING—The question comes on Councilor Parkman's motion to amend the ordinance as proposed by striking out clauses 2 and 6.

Coun. Parkman's motion was declared lost. Coun. Keene doubted the vote, and asked yeas and nays.

Coun. Parkman's motion to strike out clauses 2 and 6 of section 1 of the ordinance was carried, yeas 12, nays 7:

Yeas—Coun. Arnold, Fish, Fitzgerald, Gallagher, Green, Keene, Murphy, Murray, Parkman, Ruby, Sullivan, Ward—12.

Nays—Coun. Deveney, Dowd, Dowling, Lynch, McMahon, Motley, Wilson—7.

The ordinance as amended was declared adopted. Coun. Wilson doubted the vote and asked for a rising vote. The Council stood divided, and the ordinance as amended was adopted, 12 to 7.

#### APPROPRIATION FOR SOLDIERS' RELIEF.

Coun. MOTLEY offered the following:

Ordered, That until otherwise ordered, the City Auditor be authorized to allow for payment to the Soldiers' Relief Commissioner such sums, not exceeding \$3,000 in each week, as the said City Auditor in his discretion may determine to be required; the sums so allowed 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 the 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; said sums to be charged to the appropriation for Soldiers' Relief.

Passed under suspension of the rule.

#### PAYMENT OF AID 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 month of January, 1929.

Passed under suspension of the rule.

#### MOTION FOR VOTE.

Coun. MOTLEY offered the following:

Be it ordered that the Council now proceed with the election of a president for the municipal year of 1929.

The order was rejected.

#### SKATING ON FRANKLIN FIELD.

Coun. RUBY offered the following:

Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to place Franklin Field in proper condition for skating.

Passed under suspension of the rule.

#### COASTING IN WARD 15.

Coun. McMAHON—Mr. President, I rise to a point of information. On December 11, 1928, I introduced an order into this body in regard to coasting on certain streets in Ward 15. As the winter is fast going by, I think, in the interest of the youngsters in my section, they are entitled to know what is to be done in regard to the coasting in that district, as to which I made an inquiry under that order of December 11 of last year. Up to date, Mr. President, I have not received, and this body has not received, any information through the Street Commissioners or his Honor the Mayor. I think it is a very good suggestion for me to make at this time that this body be informed, given some information under that order.

#### SUDAN STREET, WARD 13.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public

Works be requested, through his Honor the Mayor, to resurface Sudan street, Ward 13, from Dorchester avenue to Sydney street, with smooth pavement.

Passed under suspension of the rule.

#### PENSION OF JOSEPH A. WIGGIN.

Coun. DONOVAN offered the following:  
Resolved, That the City Council of Boston favors the enactment of legislation authorizing the city to increase the pension of Joseph A. Wiggin of Melrose, a veteran of the Civil War, who was retired from active service at the House of Correction, Deer Island.

Referred to the Executive Committee.

#### RECONSTRUCTION OF PREBLE STREET.

Coun. LYNCH offered the following:  
Resolved, That the City Council of Boston favors legislation authorizing the city to borrow money for the reconstruction of Preble street, in the South Boston district.

Referred to the Executive Committee.

#### GYMNASIUM IN SOUTH BOSTON.

Coun. LYNCH offered the following:  
Resolved, That the City Council of Boston favors the enactment of legislation authorizing the city to borrow money for the establishment of a public gymnasium in the South Boston district.

Referred to the Executive Committee.

Chairman DOWLING—The Chair would inform the Council that he has been advised of a hearing before the Committee on Legal Affairs, in Room 249, State House, tomorrow morning at 10.30 o'clock, on the bills filed with reference to taking away the powers of the City Council in such matters.

#### VOTE FOR PRESIDENT.

On motion of Coun. DOWD, the Council voted to proceed to the election of a president.

The Clerk called the roll, and the members, when their names were called, expressed their choice as follows:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Murray, Ruby, Sullivan—8.

For Henry Parkman, Jr.—Coun. Bush, Dowling—2.

For Peter A. Murray—Coun. Deveney, Dowd—2.

For William G. Lynch—Coun. Donovan—1.  
For Albert L. Fish—Coun. Gallagher—1.

For Edward M. Gallagher—Coun. Lynch, Motley, Ward—3.

For John F. Dowd—Coun. McMahon—1.  
For Michael J. Ward—Coun. Murphy—1.

For Frederic E. Dowling—Coun. Parkman, Wilson—2.

And there was no choice.

#### BALLOTS FOR PRESIDENT.

Coun. DOWLING—Mr. President, I move that we proceed to ballot again for a president of this body.

The motion was declared carried.

The Clerk called the roll, and the members responded, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Motley, Murray, Ruby, Sullivan—9.

For Robert Gardiner Wilson—Coun. Bush, McMahon—2.

For Peter A. Murray—Coun. Deveney—1.  
For William A. Motley, Jr.—Timothy F. Donovan—1.

For Edward M. Gallagher—Coun. Dowd—1.  
For Henry Parkman, Jr.—Coun. Dowling, Lynch—2.

For Albert L. Fish—Coun. Gallagher—1.  
For Timothy F. Donovan—Coun. Murphy—1.

For Frederic E. Dowling—Coun. Parkman—1.

For William G. Lynch—Coun. Wilson—1.

Chairman DOWLING—The result of the ballot just taken gives John I. Fitzgerald 9 votes, Robert Gardiner Wilson 2 votes, Peter A. Murray 1 vote, William A. Motley, Jr. 1 vote, Edward M. Gallagher 1 vote, Henry Parkman, Jr., 2 votes, Timothy F. Donovan 1 vote, Frederic E. Dowling 1 vote, William G. Lynch 1 vote, Albert L. Fish 1 vote—and there is no choice.

Coun. RUBY—Mr. President, I now move that we proceed to the election of a president.  
The motion was carried.

The Clerk called the roll, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Ruby, Sullivan—7.

For Frederic E. Dowling—Coun. Bush, Parkman—2.

For Peter A. Murray—Coun. Deveney—1.  
For Edward M. Gallagher—Coun. Donovan, Dowd, Lynch—3.

For Henry Parkman, Jr.—Coun. Dowling—1.  
For Albert L. Fish—Coun. Gallagher, Murphy—2.

For Robert Gardiner Wilson—Coun. McMahon—1.

For John F. Dowd—Coun. Motley—1.  
For Roger E. Deveney—Coun. Murray—1.

For Thomas W. McMahon—Coun. Wilson—1.  
Chairman DOWLING—The result of the ballot

just taken gives Councilor Fitzgerald seven votes, Councilor Dowling 2 votes, Councilor Murray 1, Councilor Gallagher 3, Councilor Parkman 1, Councilor Fish 2, Councilor Wilson 1, Councilor Dowd 1, Councilor Deveney 1, Councilor McMahon 1, and there is no choice.

#### ATTEMPTED RECESS.

Coun. DOWD—Mr. President, I move that we take a recess for ten minutes, so that the Democratic members can go into caucus and select a Democratic nominee, in order that the City Council may function with a president.

Coun. RUBY—I would also make a motion, Mr. President, that the Republicans take a caucus, to do as they see fit.

Coun. Dowd's motion to take a recess was declared lost.

Coun. DOWD doubted the vote and asked for the yeas and nays. The motion to take a recess was lost, yeas 9, nays 11:

Yeas—Coun. Deveney, Donovan, Dowd, Gallagher, Lynch, McMahon, Motley, Murphy, Wilson—9.

Nays—Coun. Arnold, Bush, Dowling, Fish, Fitzgerald, Green, Keene, Murray, Parkman, Ruby, Sullivan—11.

#### MOTION TO ADJOURN.

Coun. GREEN—Mr. President, I move that the Council do now adjourn.

The motion was declared lost. Councilor Green doubted the vote and asked for the yeas and nays.

The motion to adjourn was lost, yeas 4, nays 16:

Yeas—Coun. Arnold, Fitzgerald, Green, Keene—4.

Nays—Coun. Bush, Deveney, Donovan, Dowd, Dowling, Fish, Gallagher, Lynch, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Wilson—16.

#### BALLOTS FOR PRESIDENT.

Coun. DOWD—Mr. President, I now move you, sir, that we proceed to ballot for president.

The motion was carried.

The Clerk called the roll, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Murray, Ruby, Sullivan—8.

For Henry Parkman, Jr.—Coun. Bush, Dowling, Wilson—3.

For Edward M. Gallagher—Coun. Deveney, Dowd, Motley—3.

For John F. Dowd—Coun. Donovan—1.  
For Albert L. Fish—Coun. Gallagher—1.

For Robert Gardiner Wilson—Coun. Lynch, McMahon—2.

For Peter A. Murray—Coun. Murphy—1.

For Frederic E. Dowling—Coun. Parkman—1.  
 Chairman DOWLING—The result of the ballot just taken is as follows:

Councilor Fitzgerald 8, Councilor Parkman 3, Councilor Gallagher 3, Councilor Dowd 1, Councilor Fish 1, Councilor Wilson 2, Councilor Murray 1, Councilor Dowling 1, and there is no choice.

Coun. MOTLEY—Mr. President, I now move that we proceed to the election of a president. The motion was carried.

The Clerk called the roll, with the following result:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Motley, Ruby, Sullivan—9.

For Henry Parkman, Jr.—Coun. Bush, Dowling—2.

For Peter A. Murray—Coun. Deveney—1.

For Edward M. Gallagher—Coun. Dowd—1.

For Albert L. Fish—Coun. Gallagher—1.

For Robert Gardiner Wilson—Coun. Lynch—1.

For William G. Lynch—Coun. McMahon—1.

For John F. Dowd—Coun. Murphy—1.

For Peter J. Murphy—Coun. Murray—1.

For Frederic E. Dowling—Coun. Parkman, Wilson—2.

Chairman DOWLING—The result of the ballot just taken is Councilor Fitzgerald 9 votes, Councilor Parkman 2, Councilor Murray 1, Councilor Gallagher 1, Councilor Fish 1, Councilor Wilson 1, Councilor Lynch 1, Councilor Dowd 1, Councilor Murphy 1, and Councilor Dowling 2, and there is no choice.

Adjourned, on motion of Coun. MURRAY, at 5.08 p. m., to meet on Monday, February 4, at 2 p. m.







## CITY OF BOSTON.

## Proceedings of City Council.

Monday, February 4, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Chairman DOWLING presiding. Absent, Coun. Murray.

## JURORS DRAWN.

Jurors were drawn under the law (Coun. Ruby presiding at the jury box in the absence of Mayor Nichols), as follows:

Twenty-seven traverse jurors, Superior Civil Court, First Session, January Sitting, to appear March 4, 1929:

Christopher Baron, Ward 1; Thomas L. O'Brien, Ward 1; Charles H. Mehegan, Ward 2; Daniel O'Connell, Ward 2; James J. O'Neill, Ward 2; Charles R. Doherty, Ward 4; Patrick W. Cannon, Ward 6; Walter J. Logan, Ward 6; Edward J. McCarten, Ward 6; Henry Harberle, Ward 10; William A. Hartin, Ward 11; George W. Stanley, Ward 11; Alexander Wilson, Ward 11; John A. Magner, Ward 13; James B. Mellen, Ward 14; Julius Richmond, Ward 14; George H. Watson, Ward 14; James P. McCormick, Ward 15; Patrick J. Donovan, Ward 16; Hadwen C. Perry, Ward 18; George W. Stahl, Ward 18; Harold J. Wright, Ward 18; Herman F. W. Kanold, Ward 20; John W. Kilgour, Ward 20; William H. Young, Ward 20; Frank W. Hunt, Ward 21; Arthur L. Slack, Ward 21.

Twenty-six traverse jurors, Superior Civil Court, Second Session, January Sitting, to appear March 4, 1929:

William J. Beswick, Ward 2; George D. Ashgate, Ward 3; Jacob S. Freedman, Ward 3; Thomas H. O'Neil, Ward 3; Thomas M. Grady, Ward 4; Joseph P. Loud, Ward 5; Henry I. Polhemus, Ward 5; Michael M. Donovan, Ward 6; Edwin O. Olson, Ward 8; Robert D. Baxter, Ward 10; Henry J. Lowney, Ward 10; Alfred T. Oberle, Ward 10; Richard Gibbons, Ward 11; George L. Keefe, Ward 11; Frederick J. Vincent, Ward 11; Arthur Simons, Ward 12; Harry Gerber, Ward 14; George Greenbaum, Ward 14; James J. McConologue, Ward 15; Louis O'Brien, Ward 15; James Wood, Ward 17; John N. Tileston, Ward 18; Le Roy E. Whitaker, Ward 18; Robert Bumpstead, Ward 19; John F. Powers, Ward 19; William G. Newman, Ward 19.

Twenty-nine traverse jurors, Superior Civil Court, Third Session, January Sitting, to appear March 4, 1929:

Franklin P. Webber, Ward 1; Frank Bond, Ward 2; Francis J. Kirkpatrick, Ward 2; David Altman, Ward 3; John J. McCarthy, Ward 4; Frank J. Welch, Ward 4; Joseph H. Baker, Ward 7; Joseph W. Bolger, Ward 7; John J. Finn, Ward 7; John Sullivan, Ward 7; George W. Murphy, Ward 10; Joseph L. O'Connor, Ward 10; Bernard F. Traverse, Ward 10; Joseph R. Burkart, Ward 11; George J. Gray, Ward 11; Alexander VanSteenberger, Ward 11; William D. Renner, Ward 15; Thomas J. Christopher, Ward 16; James A. Ardini, Ward 18; Harry E. Morton, Ward 18; Henry W. Whipple, Ward 18; Thomas H. Westwood, Jr., Ward 19; Elliott M. Andrews, Ward 20; Ernest M. Bellows, Ward 20; Gordon Benson Budd, Ward 20; Archie W. Campbell, Ward 20; Otto P. A. Fick, Ward 20; Edward B. Sweet, Ward 20; Henry M. Wright, Ward 21.

Twenty-nine traverse jurors, Superior Civil Court, Fourth Session, January Sitting, to appear March 4, 1929:

George V. Ashton, Ward 1; C. Roland Deane, Ward 1; Christopher A. Gardner, Ward 1; Patrick J. Shine, Ward 4; Thomas H. Goodwin, Ward 5; William R. Searlet, Ward 5; Henry L. Rowe, Ward 5; Fay F. Singlerland, Ward 6; Francis X. Cotter, Ward 8; George J. Flynn, Ward 10; Chester M. Voemus, Ward 10; Patrick J. Gately,

Ward 11; Austin Hanbury, Ward 11; Jack Abraham, Ward 12; Edwin B. Gadsby, Ward 12; Jens B. Jensen, Ward 14; George Williams, Ward 14; Frank G. Brown, Ward 15; Jeremiah C. Delaney, Ward 15; Eugene McSweeney, Ward 16; Edward V. O'Neil, Ward 16; George W. Smith, Ward 16; Walter E. Hawley, Ward 18; Theodore Lenz, Jr., Ward 18; John F. Veader, Ward 18; Arthur R. Warren, Ward 18; Herbert C. Woodward, Ward 20; Walter E. Frail, Ward 21; William A. Murray, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Fifth Session, January Sitting, to appear March 4, 1929:

Frank L. Wedick, Ward 2; David Lappin, Ward 3; Timothy J. O'Leary, Ward 3; Edward C. Chase, Ward 4; Harmon T. Page, Ward 4; Robert J. Campbell, Ward 5; Richard F. Fox, Ward 5; Andrew N. Winslow, Jr., Ward 5; George E. Callahan, Ward 6; Jeremiah Cahalane, Ward 7; John H. Robbins, Ward 7; William H. McNulty, Ward 8; Thomas E. Pettigrew, Ward 8; Karl A. Pike, Ward 8; Morris Stahl, Ward 8; Jacob Levy, Ward 12; George H. Valentine, Ward 12; Edward F. Lanerger, Ward 13; Samuel A. Leventhal, Ward 14; Arthur N. Skelski, Ward 14; Frederick Zeller, Ward 14; Edmond L. Finn, Ward 16; Laurence F. Whooley, Ward 16; Edward L. Cosgrove, Ward 18; Charles A. Gilman, Ward 18; Coleman W. Conley, Ward 19; Martin J. Craffey, Ward 19; Joel R. Nicholas, Ward 20; Alfred S. Newhall, Ward 21.

Twenty-nine traverse jurors, Superior Civil Court, Sixth Session, January Sitting, to appear March 4, 1929:

Arthur T. Carroll, Ward 1; Frank M. McGowan, Ward 1; Thomas H. Rook, Ward 2; John F. Sheehan, Ward 3; Francis F. Haskell, Ward 4; J. Redman Clark, Ward 5; Patrick J. Birmingham, Ward 6; Edgar B. Lawrence, Ward 6; John J. McCarthy, Ward 6; Thomas Salthouse, Ward 6; George T. Frawley, Ward 7; William A. Green, Ward 7; John V. Joy, Ward 7; James M. Russell, Ward 7; John Manning, Ward 10; Joseph P. Becker, Ward 11; Alfred J. English, Ward 11; Edward F. Ryan, Ward 11; Solomon Kostick, Ward 12; John J. Hurley, Ward 16; Thomas J. Berry, Ward 17; Harwood J. Davenport, Ward 18; Joseph L. Kirby, Ward 19; Joseph A. Patterson, Ward 19; George W. Hart, Ward 20; August J. Rieth, Ward 20; John Sonderegger, Ward 20; Fred N. Rollins, Ward 21; Thomas Hughes, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Seventh Session, January Sitting, to appear March 4, 1929:

Harry J. Canter, Ward 1; Fred F. Gray, Ward 1; Rhuben S. William, Ward 1; Michael F. Crotty, Ward 2; John Daley, Ward 2; James L. Gallagher, Ward 2; Thomas J. Langan, Ward 2; Leo L. Morgan, Ward 2; Stephen G. Wagner, Ward 2; Robert J. Schriftgiesser, Ward 3; George W. Bliss, Ward 4; Philip Fisher, Ward 5; Ralph H. Anderson, Ward 7; Frederick Clark, Ward 8; George W. Dockerty, Ward 8; Thomas Brown, Ward 10; William F. Carey, Ward 10; Martin J. Condry, Ward 11; Walter R. Davis, Ward 12; Michael F. Maloney, Ward 12; Albert H. Nelson, Ward 12; Samuel Snider, Ward 12; James H. Cassidy, Ward 13; Haywood Chartock, Ward 14; Ziba A. Cahoon, Ward 18; Frank G. Stein, Ward 18; Harold M. Hatfield, Ward 19; Charles W. Bike, Ward 21; Francis P. Dwyer, Ward 22.

Twenty-nine traverse jurors, Superior Criminal Court, First Session, to appear March 4, 1929:

Cornelius F. Mahoney, Ward 2; William A. Jones, Ward 3; Henry S. Grew, Jr., Ward 5; Charles E. Ware, Jr., Ward 5; George J. Cavanaugh, Ward 6; Frank C. Nolen, Ward 6; Dennis V. O'Connor, Ward 6; John J. Creamer, Ward 7; James J. Collins, Ward 8; Joseph O. Sauvageau, Ward 8; George E. Matthews, Ward 9; Leo P. Darcy, Ward 10; Otto Froemper, Ward 10; Elias Tucker, Ward 13; Harry Freedman, Ward 14; Charles Harris, Ward 14; James H. Lynch, Ward 15; Frank L. Riley, Ward 15; William J. Bulger, Ward 16; Michael J. O'Brien, Ward 16; Nathan Goldman, Ward 17; Chester H. Kilpatrick, Ward 17; George E. Seaver, Ward 19; Jacob Shillady, Ward 19; Alfred J. Burdett, Ward 20; Lucius D. Crispin, Ward 20; Hans J. Koehler, Ward 20; Martin M. Lomasney, Ward 21; James H. Burke, Ward 22.

Thirty-two traverse jurors, Superior Criminal Court, Third Session, to appear March 4, 1929:

Stephen Buckley, Ward 2; James J. Corcoran, Ward 3; Joseph A. Fitzpatrick, Ward 3; Thomas H. Clarke, Ward 4; Charles F. Codman, Ward 5; Joseph Lee, Jr., Ward 5; William B. Smith, Ward 5; Patrick King, Ward 6; Thomas J. Mulhern, Ward 6; Arthur W. Barton, Ward 7; Richard J. Fay, Ward 9; Jacob Darles, Ward 11; Charles F. Moss, Ward 11; Frank W. Mason, Ward 12; Edward C. Pratt, Ward 12; Charles H. Williams, Ward 12; James M. McNulty, Ward 15; Richard J. Dooley, Ward 16; Carl N. Thorensen, Ward 16; James D. Hennessy, Ward 17; Thomas P. Morris, Ward 17; Robert Patten, Ward 18; George N. Phinney, Jr., Ward 19; Thomas P. Varley, Ward 19; Harry W. Chase, Ward 20; Walter E. P. Dunkel, Ward 20; Ernest J. Kerr, Ward 20; Donald J. MacIntyre, Ward 20; Ernest J. Stahl, Ward 20; Charles Grandison, Ward 21; Thomas H. Irving, Ward 21; George H. Oliver, Ward 21.

Thirty-two traverse jurors, Superior Criminal Court, Fourth Session, to appear March 4, 1929:

William O. Schwab, Ward 3; Guy F. Richardson, Ward 4; Edward Schroeder, Ward 4; Joseph E. Savard, Ward 5; John Foley, Ward 6; Peter P. Mullen, Ward 6; Francis J. Welch, Ward 6; John J. Casey, Ward 7; Thomas F. O'Brien, Ward 7; Lawrence S. Bearse, Ward 8; Edward M. Gorman, Ward 8; John J. Hewitt, Ward 8; Joseph F. P. Barrell, Ward 9; Harry Berger, Ward 11; James J. Donovan, Ward 12; Joseph A. Ducey, Ward 13; Maurice Baker, Ward 14; Arthur Gordon, Ward 14; William J. Hayes, Ward 14; Harry S. Richards, Ward 14; Michael L. Kennedy, Ward 15; James F. Griffin, Ward 17; Jeremiah J. Hickey, Ward 17; Harold I. Bartlett, Ward 18; Harry S. Conner, Ward 19; John G. Allen, Ward 20; Chester B. Campbell, Ward 20; John L. Heald, Ward 20; Adin G. Newton, Ward 20; Arthur M. Loomis, Ward 21; Augustus R. Worcester, Ward 21; John M. Ryan, Ward 22.

Thirty-two traverse jurors, Superior Criminal Court, Fifth Session, to appear March 11, 1929:

Maurice J. Blaquiere, Ward 1; Walter E. Burke, Ward 1; John E. Driscoll, Ward 1; Michael Coughlin, Ward 2; John J. O'Hara, Ward 2; John E. Balch, Ward 3; Michael J. Lee, Ward 3; Thomas McLaughlin, Ward 4; Edward P. Walker, Ward 4; Clement T. Hayes, Ward 5; DeW. Mark A. Howe, Ward 5; Le Roy F. Lawrence, Ward 5; James A. Lynch, Ward 6; Edmund J. Clifford, Ward 7; Max N. Frohn, Ward 7; Herbert A. Stebbins, Ward 7; William G. Cummings, Ward 8; John J. Finley, Ward 10; Patrick J. B. Hines, Ward 10; Andrew Spence, Ward 11; James D. Doyle, Ward 13; Mandell Morse, Ward 12; Francis H. Gorman, Ward 15; Hugh P. McGuire, Ward 15; James Hanlon, Ward 16; Alfred J. Lynch, Ward 16; Michael F. Ney, Ward 16; Harry J. Ledbury, Ward 18; Thomas M. Rooney, Ward 18; Clifford L. Allen, Ward 20; Michael J. Haverty, Ward 22; Richard C. Rodengiser, Ward 22.

#### APPOINTMENTS BY THE MAYOR.

Notice was received from the Mayor of the following appointments for the term ending April 30, 1929, subject to confirmation by the Council, viz.:

Constables: David Epstein, 31 Fay street, Ward 3; Jacob Goldberg, 15 Arbutus street, Ward 14; Robert H. Oliver, 27 St. Botolph street, Ward 4; Anthony Reynolds, 17 Morley street, Ward 9; Abraham Rosenberg, 132 Harrishof street, Ward 12; Israel Berenson, 9 Wolcott street, Ward 14.

Severally laid over a week under the law.

#### STATION NEAR BUTLER STREET, MATTAPAN.

The following was received:

City of Boston,  
Office of the Mayor, February 4, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Transit Department in reply to your order of January 14, 1929, relative to construction

of footbridge and station, as part of Dorchester Rapid Transit, near Butler street, Mattapan.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Transit Department, January 26, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Herewith is returned order of the City Council dated January 14 relative to the construction of a footbridge and station, as part of the Dorchester Rapid Transit, near Butler street, Mattapan.

This matter was considered by the trustees of the Boston Elevated Railway and under date of December 11, 1928, we were advised that they could not justify an additional station at Butler street.

As the act authorizing this work requires the approval of changes in plans such as is contemplated in this order by the Public Trustees, the request of the Council cannot be complied with.

Yours very truly,  
CITY OF BOSTON TRANSIT DEPARTMENT,  
by T. F. SULLIVAN, Chairman.  
Placed on file.

#### APPROPRIATION AND TAX ORDERS FOR 1929, IN LUMP SUM FORM.

The following was received:

City of Boston,  
Office of the Mayor, January 30, 1929.  
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.

When it is considered that the total amount available for appropriations inside of this statutory tax limit is approximately \$21,500,000 and that our total appropriations for 1928 were approximately \$31,600,000, no further comment is needed to show the inadequacy of the present law to provide for the needs of the city.

It is my intention to request the Legislature to fix a tax limit for 1929 which will be adequate to meet the needs of the 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.

#### APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1929.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1929, 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 respective obligations for interest on debt, sinking fund requirements and maturing debt not provided for by sinking fund, the respective sums of money specified in the tables and schedules hereinafter set out be and the same are hereby appropriated for the several departments and for the objects and purposes hereinafter stated.

Ordered, That the appropriation 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, 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, 1929, and taxes to the amount of \$17,771,904.56 and that said amount be raised by taxation on the polls and estates in the City of Boston.

Ordered, That all sums of money which form no part of the income of the city, but shall be paid for services rendered or work done by any department or division for any other department or division, or for any person or corporation other than the city of Boston be paid into the general treasury, and that all contributions made to any appropriation be expended for the objects and purposes directed by the several contributors thereof.

Ordered, That all taxes raised to meet the appropriations of the city and all taxes assessed for meeting the city's proportion of the state tax for the year 1929, or for any other taxes or assessments payable to the Commonwealth, be due and payable on the fifteenth of September, 1929; that interest shall be charged on all taxes remaining unpaid after the second day of October, 1929, 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, 1929, 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 salary or wages shall be paid in excess of the rate in said tables and schedules.

Art Department.....	\$1,850 00
Assessing Department.....	200,000 00
Auditing Department.....	45,000 00
Boston Retirement Board.....	9,000 00
Budget Department.....	5,000 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.....	3,820,000 00
Wire Division.....	55,000 00
Health Department.....	478,000 00
Hospital Department.....	1,225,000 00
Sanatorium Division.....	350,000 00
Institutions Department:	
Central Office.....	41,000 00
Long Island Hospital.....	241,000 00
Child Welfare Division.....	100,200 00
Steamer "George A. Hibbard" and Launch "James J. Minot,"	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.....	1,025,000 00
Cemetery Division.....	80,000 00
Police Department.....	4,400,000 00
Public Buildings Department.....	300,000 00
Public Welfare Department:	
Central Office.....	1,900,000 00
Temporary Home.....	4,000 00
Wayfarers' Lodge.....	7,000 00
Public Works Department:	
Central Office.....	54,000 00
Bridge Service.....	400,000 00
Ferry Service.....	390,000 00
Lighting Service.....	452,000 00
Paving Service.....	955,000 00
Sanitary Service.....	1,570,000 00
Sewer Service.....	325,000 00

Registry Department.....	\$30,000 00
Reserve Fund.....	420,794 56
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.....	750,000 00
	<u>\$21,677,344 56</u>
City Debt Requirements.....	<u>\$3,500,000 00</u>
Jail.....	\$125,600 00
Suffolk County Courthouse, Cus- todian.....	81,000 00
Suffolk County Courthouse, County Buildings.....	50,500 00
County Buildings.....	45,000 00
Supreme Judicial Court.....	36,000 00
Superior Court, Civil Session, General Expenses.....	300,000 00
Superior Court, Civil Session, Clerk's Office.....	85,000 00
Superior Court, Criminal Session..	295,000 00
Probate Court.....	14,000 00
Municipal Court.....	235,000 00
Municipal Court, Charlestown District.....	16,000 00
East Boston District Court.....	15,500 00
Municipal Court, South Boston District.....	12,500 00
Municipal Court, Dorchester District.....	12,000 00
Municipal Court, Roxbury Dis- trict.....	35,000 00
Municipal Court, West Roxbury District.....	12,000 00
Municipal Court, Brighton Dis- trict.....	7,800 00
Boston Juvenile Court.....	15,000 00
District Court of Chelsea.....	12,000 00
Registry of Deeds.....	84,000 00
Index Commissioners.....	9,600 00
Insanity Cases.....	15,000 00
Land Court.....	3,000 00
Medical Examiner, Northern Dis- trict.....	13,000 00
Medical Examiner, Southern Dis- trict.....	8,400 00
Associate Medical Examiner, Northern District.....	1,150 00
Associate Medical Examiner, Southern District.....	1,150 00
Miscellaneous Expenses:	
Auditing Department.....	500 00
Collecting Department.....	660 00
Treasury Department.....	3,100 00
Sheriff.....	1,900 00
Granite Avenue Bridge.....	1,600 00
Social Law Library.....	600 00
House of Correction.....	160,000 00
Steamer "Micheal J. Perkins"....	25,000 00
	<u>\$1,733,560 00</u>
County Debt Requirements.....	<u>\$90,000 00</u>
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 Requirements,	<u>30,000 00</u>
	<u>\$895,000 00</u>

## RECAPITULATION OF AMOUNTS ALLOWED, 1929.

From Taxes:			
For city purposes within the tax limit.....	\$21,677,344	56	
City debt requirements.....	3,500,000	00	
			\$25,177,344 56
County of Suffolk:			
General purposes.....	\$1,733,560	00	
Debt requirements.....	90,000	00	
			1,823,560 00
City and County total.....			\$27,000,904 56
From Revenue:			
Printing Department.....			200,000 00
City Record, 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.....			<u>\$28,113,404 56</u>

## BASIS OF ESTIMATES, 1928.

Average valuation \$1,882,009,566.67.....			\$23,525,119 58
\$12.50 on the thousand brings.....			8,066,724 79
Estimated income and cash in treasury.....			<u>\$31,591,844 37</u>
Amount available for appropriation inside tax limit.....			

## BASIS OF ESTIMATES, 1929.

Average valuation \$1,909,255,300.....			\$12,448,344 56
\$6.52 on the thousand brings.....			9,229,000 00
Estimated income and cash in treasury.....			<u>\$21,677,344 56</u>
Amount available for appropriation inside tax limit.....			

## WAYS AND MEANS OTHER THAN TAXES FOR 1929.

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 December 31, 1929.

Building Department.....	\$80,000 00
City Clerk Department.....	19,000 00
Collecting Department.....	40,000 00
Fire Department.....	118,000 00
Health Department.....	22,000 00
Hospital Department.....	280,000 00
Institutions Department.....	10,000 00
Interest.....	550,000 00
Library Department.....	21,000 00
Licensing Board.....	52,000 00
Market Department.....	147,000 00
Mayor.....	52,000 00
Park Department.....	105,000 00
Pedlers' Licenses.....	8,000 00
Police Department.....	52,000 00
Public Buildings Department.....	20,000 00
Public Welfare Department.....	375,000 00
Public Works Department.....	290,000 00
Registry Department.....	12,000 00
Soldiers' Relief Department.....	30,000 00
Street Laying-Out Department.....	62,000 00
Weights and Measures Department.....	14,000 00
County of Suffolk.....	600,000 00
Corporation Tax.....	3,400,000 00
Street Railway Tax.....	170,000 00
	<u>\$6,529,000 00</u>
Cash in treasury (estimated) December 31, 1929.....	2,700,000 00
	<u>\$9,229,000 00</u>

Referred to the Committee on Appropriations.

## LOAN FOR HOSPITAL BUILDING PLANS.

The following was received:

City of Boston,

Office of the Mayor, February 4, 1929.

Gentlemen,—Under the provisions of chapter 237 of the Acts of 1928, the trustees of the City Hospital are authorized to expend \$3,000,000 for the expansion of the hospital facilities of this institution. Because of the size of the project and the amount of money involved, it is desirable that a comprehensive program covering the entire work be prepared before the actual con-

struction of any individual unit in the program is attempted. In the attached communication, the trustees recommend that an appropriation equivalent to 6 per cent of the total sum authorized be made available immediately for architect's fees in connection with the preparation of a comprehensive plan. This proposal is similar to the one made five years ago by the trustees when the work in connection with the first \$3,000,000 building program was undertaken. In the light of experience, I feel that the trustees' recommendation is a proper one and I accordingly submit herewith a loan order providing for the appropriation of \$180,000 to be expended for architect's fees. I respectfully recommend adoption of this order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Hospital Department, February 2, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—In order that the trustees may proceed with the study and development of preliminary plans for the several structures contemplated to be erected with the \$3,000,000 allowed under chapter 237, they respectfully request that \$180,000, or 6 per cent of that sum, be appropriated for architect's fees. The purpose of having the full amount for architects' services at this time is to facilitate the preparations of plans and specifications for the new work contemplated. If this appropriation is not provided at this time it will delay the plans on each particular building until a specific loan appropriation is made for each building.

In this connection I may state that in order to plan for the buildings under the 1924 act, a loan appropriation was made in the sum of \$180,000 for architects' services, and I respectfully request that the same procedure be followed in connection with the authorization for the last \$3,000,000.

Yours respectfully,  
JOSEPH P. MANNING,  
President, Board of Trustees.

Ordered, That the sum of \$180,000 be, and the same hereby is, appropriated to be expended by the trustees of the Boston City Hospital for Hospital Buildings, Plans, etc., 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.

## TRANSFER FOR POWER PLANT, CITY HOSPITAL.

The following was received:

City of Boston,  
Office of the Mayor, February 4, 1929.  
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the trustees of the City Hospital which contains a request that an additional appropriation of \$7,166.98 be made available for the completion of the alterations on the power plant at that institution. As explained in the communication, this additional cost has been occasioned by the carrying on of experiments to determine what kind of fuel would be the most economical to use in the plant. These experiments were carried on under the direction of Professor Holt of the Institute of Technology and a copy of his report is attached to the trustees' communication. In conformity with the trustees' request, I submit herewith an order providing for the transfer of the necessary sum from another special hospital appropriation where an unexpended balance is available. I respectfully recommend adoption of this transfer order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Hospital Department, February 2, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—After the contract had been awarded to the M. S. Kelliher Company for additions and alterations to power plant, the question arose as to the wisdom of burning powdered coal or continuing to use oil, as we have been doing for the past few years. The trustees consulted with various engineers and requested the advice of Professor Holt of the Institute of Technology, a copy of whose letter is attached. Because of the scope of this study the work on the power plant was necessarily delayed. As cold weather was rapidly approaching the trustees believed it wise to request the Kelliher Company to proceed with the work on an overtime basis, in order that the patients in the hospital might not suffer from lack of heat. It was originally estimated that the work would cost approximately \$8,900, but after one boiler had been completed and hitched up, it was found that sufficient heat and power was being delivered to take care of the hospital, and overtime on the second boiler was canceled. Inclosed herewith are the items of material and labor as presented by James H. Ritchie and Associates to the trustees, amounting to \$7,461.95. There is a balance to credit in the appropriation for additions and alterations to power plant in the sum of \$294.97, so that it will be necessary to provide the difference between \$7,461.95 and \$294.97 or \$7,166.98. Therefore, I respectfully request, on behalf of the trustees, that this amount be provided and added to the appropriation for Additions and Alterations to Power Plant, Boston City Hospital, for the reasons as given above.

Yours respectfully,  
JOSEPH P. MANNING,  
President, Board of Trustees.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Hospital Department, Surgical Building, Furnishing and Equipping, \$7,166.98, to the appropriation for Hospital Department, Power Plant, Additions and Alterations, \$7,166.98.

Referred to the Executive Committee.

## LOAN FOR MEDICAL PAVILION.

The following was received:

City of Boston,  
Office of the Mayor, February 4, 1929.  
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the trustees of the Boston City Hospital in which they request that an appropriation of \$750,000 be made available for the erection of a new medical pavilion. As pointed out in their communication, the medical side of

the City Hospital has been greatly overcrowded this winter and additional accommodations are vitally necessary to permit the proper handling of citizens who are in need of medical attention.

There still remains within the authorization granted by the Legislature in 1924 an unexpended balance of \$579,000. Under the terms of this authorization, two thirds of any appropriation might be borrowed outside the debt incurring power and one third within. Two loan orders are submitted herewith in conformity with this provision.

The balance necessary to make up the total requested by the trustees is appropriated under the provisions of chapter 237 of the Acts of 1928. Under the terms of this act, one half of any appropriation may be appropriated outside the debt incurring power and one half within. Two loan orders are herewith submitted in accordance with the provisions of this act. I respectfully recommend adoption of the accompanying orders by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Hospital Department, February 2, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—Plans for the new medical pavilion have been completed and approved by the trustees, the cost of the building as estimated by the architects, James H. Ritchie and Associates, to be approximately \$750,000. There is an unexpended balance of \$579,000 in the three million dollars allowed in 1924, so that it becomes necessary to appropriate \$171,000 under chapter 237, an act authorizing the City of Boston to borrow and to raise by taxation money for hospital purposes. Under the Act of 1924 the city was allowed to borrow \$2,000,000 outside the debt limit and \$1,000,000 inside the debt limit, therefore it became necessary to appropriate \$193,000 inside and \$386,000 outside, to clean up the \$579,000 balance in the original appropriation. Under chapter 237 the city was allowed to borrow half of the amount inside the debt limit and the other half outside the debt limit, so that it becomes necessary to appropriate \$85,500 inside and \$85,500 outside, to make up the \$171,000 needed under the last appropriation to make the total of \$750,000.

There is very urgent need for this medical pavilion, as the medical side of the hospital has been greatly overcrowded this winter, and the trustees would appreciate it if this money could be made available at the earliest possible moment so that they may advertise for bids and award the contract in the very near future.

Therefore, on behalf of the trustees, I respectfully request that \$750,000 be appropriated, as outlined above.

Yours respectfully,  
JOSEPH P. MANNING,  
President, Board of Trustees.

Ordered, That under the authority of chapter 352 of the Acts of 1924, the sum of \$386,000 be, and the same hereby is, appropriated, to be expended by the trustees of the Boston City Hospital for medical pavilion, 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 \$193,000 be, and the same hereby is, appropriated, to be expended by the trustees of the Boston City Hospital for medical pavilion, 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 authority of chapter 237 of the Acts of 1928, the sum of \$85,000 be, and the same hereby is, appropriated, to be expended by the trustees of the Boston City Hospital for medical pavilion, and to that meet said appropriation the City Treasurer by 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 237 of the Acts of 1928, the sum of \$85,000 be, and the same hereby is, appropriated to be expended by the trustees of the Boston City Hospital for medical pavilion, 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.

#### PETITIONS REFERRED.

The following petitions were received and severally referred to the committees named (when appointed), except Executive Committee, viz.:

##### Claims.

Petitions for claims for damage to property by the overflow of D street sewer, viz.:

Angelo Agrippino, 90 West Eighth street.  
 Michael Arwshaw, 143 D street.  
 John Ballard, 71 Baxter street.  
 Richard Bogan, 110 D street.  
 Antone Boris, 148 D street.  
 Eric I. Bruce, 120 and 122 West Eighth street.  
 Angelo Bucella, 92 West Eighth street.  
 Mary Currie, 39 and 41 Baxter street and 149 D street.  
 Thomas W. Dixon, 112 Ninth street.  
 Adam and Rietrinella Dymysz, 139 and 137 D street.  
 Martha and Jacob Eiduk, 154 D street.  
 Susan L. and J. Albert Finn, 101 D street.  
 Mary Hanlon, 109 D street and 105 and 107 West Eighth street.  
 Mary Harrington, 66 and 70 Baxter street.  
 Abigail and Michael Healey, 79 Baxter street.  
 Elizabeth Joyce, 153 D street.  
 John J. Kiley, 81 and 83 Baxter street.  
 Josephine Liborsky, 122 Ninth street.  
 Mary and Michael Manning, 109 Ninth street.  
 Josephine Marotta, Domenico Russo, 126 and 128 D street.  
 Mary G. McCabe, Nellie McCabe, 121, 123, 125 West Eighth street.  
 Mary McCrann, 105 D street.  
 Mary Millin, 120 West Seventh street.  
 Annie Mulhern, 89 West Eighth street.  
 John J. Murphy, 162 D street.  
 Martin and Catherine Nee, 129 Seventh street.  
 Mary E. Noonan, 119 West Ninth street.  
 Margaret J. O'Brien, 65 Baxter street.  
 Margaret M. Orchard, 64 Baxter street.  
 Giuseppe Reale, 111 West Seventh street.  
 Mary A. and Michael J. Reardon, 117 Ninth street.  
 John F. Reily, 120 D street.  
 Michael Struzik, 126 West Eighth street.  
 Daniel J. Sullivan, 77 Baxter street.  
 Margaret Sullivan, 68 Baxter street.  
 Frank Urbano, 141 D street.  
 Benny Weiner, 114 West Eighth street.  
 Joseph and Sophie Zakszewski, 133 D street.  
 Thomas J. Brennan, for compensation for loss of property at Deer Island.  
 John L. Carter, for compensation for damage to automobile by city truck.  
 Samuel Davidson, for compensation for damage to property at 190 Chelsea street, East Boston, caused by defective water pipe.  
 Philip Grecco, for compensation for damage to clothing at City Hospital.  
 M. H. Hargedene, for compensation for damage to clothing at Charlesgate Bridge.  
 Dr. Vincent J. Kelley, for compensation for loss of articles at City Hospital.  
 Mrs. Annie Levine, for compensation for damage to property at 77 Westminster avenue, caused by bursting of water pipe.  
 Proprietors of Louisburg square, for compensation for damage to fence around mall, caused by city car.  
 Cologero Marotta, for compensation for injuries caused by an alleged defect at 12-21 Ferry street.  
 Jessie McCaffrey, for compensation for injuries caused by horse attached to city wagon.  
 E. Carl Moore, for compensation for injuries caused by an alleged defect in Claymoss street.  
 Patrick Powers, for compensation for damage to car on Chelsea Drawbridge.  
 Harold R. Robinson, for refund on sidewalk permit.

Mrs. Mary Vardaro, for compensation for injuries caused by an alleged defect at 30 Hanover street.

Charles R. Waters, for compensation for damage to car by city truck.

Curtis E. Wheeler, for compensation for loss of barrels taken by ashmen.

##### Executive.

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

Anthony Byanowicz, Brighton Hall, February 10.

Mrs. J. Conway, Howard Temple, February 16, 1929.

#### APPLICATION FOR LICENSE FROM BOSTON NATIONAL LEAGUE BASEBALL COMPANY.

The following was received:

Boston National League Baseball Company,  
 Braves Field, Boston, January 31, 1929.

To His Honor Malcolm E. Nichols, Mayor of the City of Boston, and Boston City Council.

Gentlemen,—Herewith attached is an application for a license for professional, athletic, outdoor sports, in accordance with an ordinance passed by the Council, and approved by his Honor the Mayor of the City of Boston.

The liability bond as called for by your ordinance has been approved by the Law Department of the City of Boston, and filed with the City Clerk, together with a certified check to the amount of \$2,500.

The application further states that we shall comply with chapter 136 of the General Laws or any amendments thereof, and of the rules and regulations prescribed in said license, and that we shall furnish such sufficient facilities for free drinking water on said premises as shall be approved by the Health Commissioner of the City of Boston.

As far back as last September, under my signature, we promised and agreed that no fee or total charge shall be made for any seat on the said premises for the witnessing of the playing of any professional, athletic, outdoors' sports or games on the Lord's Day, greater than on each week day. We now repeat that promise, and state further that no admission fee of any kind on the premises of Braves Field will be greater on the Lord's Day than that charged on each week day; nor will the prices of any reserved seat or box seat be greater on the Lord's Day than on each week day.

We further agree that we shall comply with all other conditions set forth in your ordinance, and that we agree to accept a license on the express condition that we shall conform to all the rules and regulations passed by your body with reference to the issuance of this permit.

Having complied with all of the requirements and conditions set forth in the ordinance passed by your body and approved by the Mayor, we request that the permit may be issued at your next meeting, Monday, February 4, 1929. Our reason for this request is that the Schedule Committee of the National League, which assigns to us our playing dates, including Sunday assignments, holds its regular annual meeting on Tuesday, February 5, and is in session for one day only, so that if your permit is not issued by that time, the Schedule Meeting is powerless to assign us Sunday games for Boston.

I, therefore, respectfully request that in view of our full compliance with all your conditions, the permit be then granted.

Respectfully submitted,

BOSTON NATIONAL LEAGUE BASEBALL ASSOCIATION,  
 EMIL E. FUCHS, President.

Boston, January 31, 1929.

To His Honor Malcolm E. Nichols, Mayor of the City of Boston, and the Boston City Council.

Application for License for Professional, Athletic' Outdoor Sports or Games on the Lord's Day.

The Boston National League Baseball Association, who are the undersigned lessees, subject to and under the provisions of chapter 406 of the Acts of 1928, as adopted by the voters on November 6, 1928, hereby applies for a license for the privately owned premises, located at No. 32 Gaffney street, in the City of Boston, as a place to be licensed for the purpose of outdoor, athletic sports or games

on the Lord's Day between the hours of two o'clock and six o'clock in the afternoon.

The applicants state that said premises are not within one thousand (1,000) feet of any regular place of worship.

The premises to be licensed are more fully described as follows: A park, known as Braves Field, at 32 Gaffney street, and which includes the square block running from the railway tracks through Gaffney street to Commonwealth avenue, then to Babcock street, in that part of the City of Boston, Mass., called Allston.

The applicants further state that they have deposited with the City Clerk a certified check in the amount of twenty-five hundred dollars (\$2,500), as required by the ordinance passed by your body;

That they have or will have such sufficient facilities for free drinking water on said premises as shall be approved by the Health Commissioner of the City of Boston;

That the undersigned applicants have submitted a liability policy and it has received the approval of the Corporation Counsel of the City of Boston, and that same has been filed with the City Clerk of the City of Boston, and is satisfactory as to form to the Law Department of the City of Boston;

That such liability and insurance policy will be carried continuously as shall protect any individual to the extent of ten thousand dollars (\$10,000), or any group to the extent of one hundred thousand dollars (\$100,000), and cover other protection of the patrons as contained in the policy so filed with the City Clerk of the City of Boston.

The applicants further agree that there shall be no violation on said premises of chapter 136 of the General Laws, or any amendments thereof, or of any of the rules and regulations prescribed in said license.

The applicants further state that they will fully comply with the other conditions passed by the Boston City Council on the twenty-eighth day of January, 1929, and signed by his Honor the Mayor on the thirtieth day of January, 1929.

Wherefore, we respectfully request that the permit requested herein may now be granted by your body.

BOSTON NATIONAL LEAGUE BASEBALL ASSOCIATION,  
EMIL E. FUCHS, President.

Commonwealth of Massachusetts.

Suffolk, ss. Boston, Mass., February 1, 1929.

Then personally appeared before me Emil Fuchs hereunto duly authorized, and made oath to the truth of the statements above subscribed by him.

M. F. O'CONNOR, Notary Public.

My commission expires July 25, 1930.

Referred to the Executive Committee.

#### APPOINTMENT OF PATRICK H. O'CONNOR.

Notice was received of appointment by the Mayor of Patrick H. O'Connor, a member of the Board of Election Commissioners, to serve as member of the Listing Board for the year ending January 31, 1930.

Placed on file.

#### APPOINTMENT OF JOHN P. ENGLERT.

Notice was received of appointment by the Mayor of John P. Englert, 30 Hewlett street, West Roxbury, to position of Superintendent of Public Buildings.

Placed on file.

#### NEWSBOYS AND VENDORS.

Petitions were received for licenses from sixty newsboys and eight vendors.

Licenses were granted by the Council.

#### WILFRED J. DOYLE ELECTED CITY CLERK.

Coun. RUBY—Mr. President, I now move that the Council proceed to the election of a City Clerk for the term of three years.

The motion was carried.

The roll was called, and Wilfred J. Doyle received twenty-one votes and was elected City Clerk for the term of three years.

#### WIDENING OF CENTRE STREET.

Coun. KEENE offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the Board of Street Commissioners of the City of Boston to lay out, widen and construct Centre street, the expense to be met by loan outside the debt limit; the approval herein granted being limited to such legislation only as provides that the work shall be done by a department of the City of Boston.

Referred to Executive Committee.

#### VOTE FOR PRESIDENT.

Coun. DOWD—Mr. President, I now move you, sir, that we proceed to the election of a president. Coun. Dowd's motion was carried.

The Clerk called the roll and the members, when their names were called, announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Ruby, Sullivan—7.

For Frederic E. Dowling—Coun. Bush, Parkman, Wilson—3.

For Peter F. Murphy—Coun. Deveney, Donovan—2.

For Edward M. Gallagher—Coun. Dowd, Lynch, Ward—3.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Albert L. Fish—Coun. Gallagher—1.

For William G. Lynch—Coun. Mahoney—1.

For Michael J. Mahoney—Coun. McMahon—1.

For Timothy F. Donovan—Coun. Motley, Murphy—2.

And there was no choice.

#### MOTION TO TAKE RECESS.

Coun. SULLIVAN—Mr. President, I move that we take a recess subject to the call of the Chair.

Coun. DOWD—Mr. President, may I ask the gentleman what his purpose is in asking the Council to make a recess?

Chairman DOWLING—The gentleman does not have to answer the question.

Coun. Sullivan's motion to take a recess, subject to the call of the Chair, was lost.

#### PAYMENT TO MOTHER OF DAVID McDONALD.

Coun. McMAHON 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 mother of David McDonald, who was killed by a police officer of the city.

Referred to the Executive Committee.

#### SIDEWALK ON HOUGHTON STREET.

Coun. FISH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Houghton street, from Victory road to Pope's Hill street, Ward 16, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### VOTE FOR PRESIDENT.

Coun. WARD—Mr. President, I move that we now proceed to a ballot for president.

Coun. Ward's motion was carried.

The Clerk called the roll, and the members when their names were called announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Ruby, Sullivan—7.

For Frederic E. Dowling—Coun. Bush, Parkman—2.

For Peter J. Murphy—Coun. Deveney, Lynch—2.  
 For Michael J. Ward—Coun. Donovan, Motley—2.  
 For Edward M. Gallagher—Coun. Dowd, Ward—2.  
 For Henry Parkman, Jr.—Coun. Dowling—1.  
 For Albert L. Fish—Coun. Gallagher—1.  
 For William G. Lynch—Coun. Mahoney, McMahon—2.  
 For Roger E. Deveney—Coun. Murphy—1.  
 For Herman L. Bush—Coun. Wilson—1.  
 And there was no choice.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department of hearing to be held on February 18 on petition for storage and sale of gasolene, viz.:

Ben Mullen, 394-398 Chelsea street, Ward 1, 5,000 gallons.

Referred to the Executive Committee.

#### RECESS.

On motion of Coun. WILSON, the Council voted 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 Chairman DOWLING at 4.30 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.: Anthony Byanowicz, Brighton Hall, February 10; Mrs. J. Conway, Howard Temple, February 16, 1929—recommending that leave be granted.

Report accepted; said permits granted under usual conditions.

2. Report on resolve (referred today) that the City Council hereby approves the enactment of legislation to authorize the Board of Street Commissioners of the City of Boston to lay out, widen and construct Centre street, the expense to be met by loan outside the debt limit; the approval herein granted being limited to such legislation only as provides that the work shall be done by a department of the City of Boston—that the same ought to pass.

Report accepted; said resolution passed.

3. Report recommending that the following resolves (referred January 28) ought to pass.

That the City Council of Boston favors the enactment of legislation authorizing the city to increase the pension of Joseph A. Wiggins of Melrose, a veteran of the Civil War, who was retired from active service at the House of Correction, Deer Island.

That the City Council of Boston favors legislation authorizing the city to borrow money for the reconstruction of Preble street in the South Boston district.

That the City Council of Boston favors the enactment of legislation authorizing the city to borrow money for the establishment of a public gymnasium in the South Boston district.

(Referred today.) That the City Council of Boston hereby approves the enactment of legislation to authorize the city to pay a sum of money to the mother of David McDonald, who was killed by a police officer of the city.

Reports accepted; said resolves passed.

4. Report on message of Mayor and order (referred January 28) that the Commissioner of Public Works be authorized to sell at public auction the condemned ferryboat "Noddle Island"—that same ought to pass.

Report accepted; said order passed.

5. Report on communication from the Police Commissioner (referred January 21) establishing the salaries of police matrons—recommending the passage of the accompanying order:

Ordered, That in concurrence with the Police Commissioner the yearly salaries of matrons at the House of Detention be established as follows, to take effect as of January 1, 1929, viz.:

Chief matron, Mary Kenney, \$1,800.  
 Assistant chief matron, Genevieve Barretta, \$1,600.

Assistant matrons, Elizabeth Kirby, \$1,500; Theresa E. Wahlers, \$1,500; Katherine F. Webb, \$1,500.

Permanent substitute assistant matron, Annie T. Caffery, \$1,500.

Report accepted; said order passed.

6. Report on message of Mayor and order (referred today) that City Auditor be authorized to transfer from appropriation for Hospital Department, Surgical Building, Furnishing and Equipping, \$7,166.98, to Hospital Department, Power Plant, Additions and Alterations, \$7,166.98, recommending passage of same.

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

#### HEARING ON PETITION FOR SUNDAY BASEBALL PERMIT.

Coun. McMAHON offered the following:

Ordered, That the Boston National League Baseball Club be requested to have their representative attend a public hearing to be held by the Executive Committee of the City Council on next Friday, February 8, at 2 p. m., for the purpose of furnishing information relative to their application for a permit to play Sunday baseball which is now pending.

Passed under suspension of the rule.

#### UNDERPASS, CAUSEWAY STREET.

Coun. FITZGERALD offered the following: Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the city to borrow money for the construction of an underpass for pedestrians under Causeway street, from Canal street to the North Station.

Referred to the Executive Committee

#### PURCHASE OF POLICE AMBULANCES.

Coun. FITZGERALD offered the following:

Ordered, That his Honor the Mayor be requested to confer with the Police Commissioner and Budget Commissioner for the purpose of providing sufficient funds to purchase six police ambulances, to be assigned to the various districts of the city to take care of emergency calls due to accident or illness.

Coun. FISH—Mr. President, I think the order introduced by the West End councilor is a good order. I introduced such an order last July for a police ambulance in my district, and as yet have had no report from the Police Commissioner or from his Honor the Mayor in regard to it. I still hope that they will act on that order.

Coun. FITZGERALD—Mr. President, my reason for introducing the order is that the matter was called to my attention through what happened, because of proper ambulance provision, to one of our prominent citizens, one of the largest taxpayers, who pays a considerable amount to the city. In case of accident, we now have practically no ambulance service in many sections of this city. I suppose, so far as South Boston is concerned, that the matter might be taken care of through the Carney Hospital. As soon as the Police Department apparatus was motorized, they simply used an ordinary stretcher, hardly ever sterilized, something entirely out of date, in many cases a person being placed on the floor of the wagon. Unless there is notification to the police to bring out a stretcher, it is not done. It was such a thing that happened to one of our foremost citizens in this city. It is a very bad situation, and I myself did not realize the condition that existed until it was brought to my attention. Under the old system, when they had ambulance and patrol wagon service, the ambulances were kept in condition. I have, therefore, introduced this order and hope that some action will be taken under it.

Coun. MAHONEY—Mr. President, some few years ago, after there was an unfortunate occurrence with a resident in my district, I also put in an order in connection with proper ambulance service in the Police Department, and money was put in the budget for that item for my district, but



it was taken out. It is a matter in which we are very much interested, and in regard to which there have been conferences with the Police Commissioner and with the Building Department. I certainly hope that something will be done in the matter.

The order was passed.

#### ORDER IN RE EAST BOSTON LAND.

Coun. WILSON offered the following:

Ordered, That the Board of Assessors and the City Collector be, and they hereby are, respectfully requested to reply to the order of the City Council, passed September 5, 1928, with reference to the assessment of East Boston land.

Passed under suspension of the rule.

#### SMITH'S FIELD PLAYGROUND.

Coun. MURPHY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to furnish the Council with an estimate of the cost of putting Smith's Field Playground, Ward 18, in condition for the coming baseball season.

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 take immediate steps to put the Almont Street Playground, Ward 18, in condition for skating.

Passed under suspension of the rule.

#### CONFIRMATION OF APPOINTMENT.

The Council next took up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor January 28, 1929, of George L. Walker and Antonio Quercin, to be Weighers of Coal.

The question came on confirmation. Committee, Coun. Keene and Donovan. Whole number of ballots 18; yeas 18, and the appointments were confirmed.

#### VOTE FOR PRESIDENT.

Coun. MOTLEY offered the following:

Ordered, That the Council now proceed with the election of a president for the municipal year of 1929.

Passed.

The Clerk called the roll, and the members when their names were called announced their choice for president, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Ruby, Sullivan—7.

For William G. Lynch—Coun. Deveney, Donovan, Dowd, Lynch, Mahoney, McMahon, Motley, Murphy, Ward, Wilson—10.

For Henry Parkman, Jr.—Coun. Bush, Dowling—2.

For Albert L. Fish—Coun. Gallagher—1.

For Frederic E. Dowling—Coun. Parkman—1.

And there was no choice.

Adjourned, on motion of Coun. DEVENEY, at 4.53 p. m., to meet on Monday, February 11, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, February 11, 1929.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, presiding, and all the members present.

## PETITIONS REFERRED.

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

Claims (when appointed).

American Awning and Tent Company, for refund on unused refuse tickets.

Mrs. Mary Bergman, for compensation for injuries caused by an alleged defect at 23 Palmer street, Roxbury.

A. A. Chester, for compensation for damage to automobile caused by an alleged defect in Lewis street, East Boston.

W. J. Clegg, for compensation for damage to car caused by an alleged defect in Harvard street.

Nora M. Float, for compensation for damage to property at 134 Eustis street, caused by backing up of sewage.

James R. Gaffey, for compensation for loss of shoes at locker at Franklin Field.

R. G. Grady, for compensation for damage to property at 2 Chestnut terrace, caused by ash truck.

Lena Horowitz, for compensation for injuries caused by an alleged defect at 7 Beach street.

James Lane, for compensation for damage to car by city truck.

John Merrill, for compensation for damage to property at 20 Lime street, caused by broken water main.

Miller & Son, for compensation for damage to truck by limb of tree.

R. J. Scannell, for compensation for damage to automobile caused by an alleged defect in Oak avenue, Dorchester.

Josephine Sinatra, for compensation for injuries caused by an alleged defect in Bennington street.

Catherine Stancato, for compensation for injuries caused by an alleged defect at 115 Salem street.

Studebaker Sales Company, for compensation for damage to car by city truck.

Mrs. John A. Sullivan, for compensation for damage to property at 210 Bay State road, caused by ashmen.

Arthur J. Wrisley, for compensation for damage to property at 20 Lime street, caused by broken water main.

## Executive.

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

Mildred Sacco, at Elks Hotel, February 19.

Petition of Boston National Baseball Company for license for Sunday sports at Braves Field.

## APPOINTMENT OF EDWARD H. HOYT.

Notice was received of the appointment by the Mayor of Edward H. Hoyt, 24 Cummings road, Brighton, as a member of the Planning Board.

Placed on file.

## APPROVAL OF APPOINTMENTS.

Notice was received from the Commissioners of Civil Service of approval of the following appointments:

Members of the Transit Commission:

Thomas F. Sullivan, 1736 Columbia road, Dorchester.

James B. Noyes, 186 Bay State road.

Nathan A. Heller, 41 Howland street, Roxbury. Placed on file.

## REPORT OF FINANCE COMMISSION IN RE SUNDAY SPORTS BILL.

The following was received:

Finance Commission, February 7, 1929.

To the Honorable the Mayor and City Council.

Gentlemen,—The Finance Commission has been conducting an investigation of the charges made against certain members of the City Council in relation to the acceptance of chapter 406 of the Acts of 1928, commonly called the Sunday sports bill.

The commission transmits its report herewith.

Respectfully submitted,

THE FINANCE COMMISSION,

by JOHN C. L. DOWLING,

Chairman.

## REPORT OF THE FINANCE COMMISSION OF THE CITY OF BOSTON ON CHARGES MADE AGAINST CERTAIN MEMBERS OF THE CITY COUNCIL IN RELATION TO ACCEPTANCE OF THE SUNDAY SPORTS BILL, SO CALLED.

Finance Commission, February 7, 1929.

On November 6, 1928, chapter 406 of the Acts of 1928, permitting a charge for admission to baseball games on Sunday became law by vote of the people on an initiative petition. The act is commonly known as the Sunday sports bill. It contained a provision giving to cities or towns authority to withhold or approve its operation within local limits.

On December 17, 1928, an order to accept the act for Boston was introduced in the Boston City Council by Councilman Ward. It was tabled by a vote of 11 to 9.

On December 19, 1928, a special meeting was called to be held on December 21 to pass upon the above order, but no quorum was present.

On December 21 an oral statement was given to the press by the Mayor followed on the next day by a written statement, also given to the press, by Charles F. Adams, vice president of the Boston National League Baseball Company. Both statements cast aspersions on members of the City Council for their failure to approve the act for Boston.

On December 26, 1928, the Finance Commission began an investigation. The counsel for Mr. Adams at once questioned the authority of the commission to conduct such an examination and advised the witness whom he represented not to answer questions which the commission deemed pertinent to the examination. The commission petitioned the Supreme Judicial Court for an order directing the witness to answer questions and such an order was issued by Mr. Justice Pierce. The commission then proceeded with the examination. At the hearings before the commission it appeared that on December 22, 1928, the Mayor of Boston commenting on the action of the City Council in tabling the Sunday Sports Act, used the following language:

"Poor little City Councilors, a little bunch of orphans! What they want is a Christmas tree, and they haven't got one!"

In consequence of this statement, the commission wrote the Mayor, through its chairman:

"The commission has directed me to inquire if you have any information in regard to your statement which would be of value to the commission in its present inquiry."

The Mayor replied, "I am unable to give you any such information."

The statement of Charles F. Adams on December 22, 1928, is in part as follows:

"We regret to state that it was suggested at that time it probably would be necessary to pay for the concession of early action, as if this was not done the measure might be tabled and remain there indefinitely. Upon further investigation we concluded that we had been misinformed and if such was the intent of any of the councilors, that a large majority had no selfish motive.

"It is indeed unfortunate and to be deeply regretted that a small minority can so muddle up affairs that the honorable members,—true servants of their constituents,—may be so embarrassed. We might presume from the statements of one of the councilors, that similar tactics may be employed when application is later made for the necessary license. If those at the head of American sports are forced to submit or stoop to questionable or

dishonest methods, it would be but a short time when we would have no sports worthy of confidence or patronage.

"Our City Council should support and help us, not hinder or unduly oppress."

At the hearings before the commission Mr. Adams produced no direct evidence to support these statements, but declared that they were based on statements made to him by Emil E. Fuchs, president of the Boston National League Baseball Company.

Mr. Fuchs testified that on the evening of November 23, 1928, Daniel J. Carroll, a friend, called a little after 11 p. m. with William G. Lynch, a member of the Boston City Council, at his suite in the Copley-Plaza Hotel; that he knew in advance that Carroll was coming to see him.

He further testified that when Carroll and Lynch called he and the secretary of the Baseball Club, Edmund P. Cunningham, were in the parlor; that Cunningham remained for a few moments and then left the room; that he and Councilman Lynch sat on a sofa while Carroll sat at the table six or seven feet away; that Lynch stated that he represented a bloc and that they believed they ought to be taken care of; that they had a session and they figured up the receipts, and Fuchs would have to go through with \$5,000 a man; that they were satisfied that President Green of the City Council had been paid by Fuchs; that they would delay by tabling as they did in the Exchange street affair which didn't go over until "they" came across; that as far as Suffolk County is considered, prosecution is a joke; that they draw their own jurors; that certain unpleasant characterizations of some members of the bloc were made by Councilman Lynch; that he (Fuchs) recalled the names of the men constituting the bloc so read off by Councilman Lynch; that he expressed surprise at the affiliation of Councilman Wilson with the bloc; that he asked how old Councilman Lynch was; that he went to the parlor door and, finding it locked, said "Who locked it?" and that Councilman Lynch replied, "We just wanted to talk privately, that is all"; that when the door was opened Cunningham announced the presence in his room of Burton Whitman, sporting editor of the Boston Herald; that he (Fuchs) went into the bedroom and said to Whitman, "Come right in. This is a farce," and that it was a silly attempt at a holdup; that Whitman and Cunningham came into the room and met Carroll and Lynch, and that if Lynch said the party broke up about 3.45 a. m. he would not dispute it.

Mr. Cunningham testified that when he retired from the parlor, he left Fuchs, Carroll and Lynch together; that he knew the conference was on Sunday baseball and did not wish to be present; that he did not close the parlor door; that he lay down on the bed and read; that a short time later he heard a rap on the door leading into the parlor and upon opening the bedroom door, found a young man there in evening clothes who announced that he was Carroll's son and wished to speak to his father; that he tried the door of the parlor and found it locked, thereupon knocked at the door and the door was opened by Fuchs; that Lynch and Carroll and Fuchs were there and the party appeared to be friendly; that Carroll and Fuchs came to the entryway to talk to Carroll, Jr., and Carroll, Jr., left a short time after; that about half an hour after Carroll, Jr., departed, Burton Whitman came in, having telephoned previously; that Whitman remained talking with him about fifteen minutes when Fuchs came into the room and invited Whitman into the parlor; that while Fuchs was in the bedroom he stated to Cunningham and Whitman, "This is ridiculous", "an attempted hold up", "if it wasn't pathetic, it would be funny"; that thereupon Cunningham and Whitman joined the party in the parlor, that the men in the parlor appeared to be friendly, and that the five stayed in the room talking on various sporting events; that refreshments were served and that the party broke up about 3 a. m., Cunningham and Whitman going by automobile to their homes and Carroll and Lynch departing in their own machine.

Mr. Whitman testified that he telephoned Cunningham some time in the evening to make an appointment to go home in Cunningham's machine; that he was directed by Cunningham not to go to the parlor but to come directly to the bedroom in the Copley Plaza suite; that he arrived there shortly before 12 o'clock midnight and remained with Cunningham for a short time; that Fuchs came through the entry to the bedroom and said

"Come on in here. This is good, it's a funny shake down, a kind of a funny one if it wasn't pathetic"; that he did not ask Fuchs the meaning of the statements and that no further reference to it was made by anybody when Cunningham and he joined the party in the parlor; that he there met Fuchs, Carroll and Lynch; that the members of the party talked on various sporting events, and that it broke up around 3 a. m.; that Carroll and Lynch left with him and Cunningham but that he returned to the room to get a book, and that Fuchs never told him any more of the story of the incident that evening.

Mr. Adams testified that a few days after November 23 Fuchs telephoned him and told him Lynch had been to see him and had suggested \$5,000 for each member of a bloc; that Lynch had told Fuchs that he represented a bloc of councilmen who wished to be compensated if they were to enact the Sunday sports measure; that he (Adams) took the names down over the telephone and made a list; that the list was made before November 30; that he fixed the date of the making of the list by a letter which he had written to Councilman Dowd, a copy of which he produced, dated November 30, in when he referred to Councilman Dowd as a member of the group opposed to the approval of Sunday baseball, and in this letter asked if it were true or had been misinformed; that Carroll came to see him at his box in the Boston Garden on December 15, and stated that Lynch had changed his mind; that Ernest Goulston had communicated with him (Adams), stating that he had gone over the situation with Carroll and was convinced that Adams had him all wrong and that he (Carroll) was in no way a part of the holdup and that he was innocent of the affair; that Carroll came on the telephone and stated to Adams that he was sorry for what had happened, and that Lynch had gotten away from him and that he (Lynch) felt he was a bigger man than Carroll; that on December 22 he (Adams) issued the statement quoted above to the press; that he had received a telephone message from some person, informing him that the Boston City Council was going to secure \$5,000 each for certain members, twelve or thirteen or so, or the Sunday sports bill would be tabled until it had cobwebs on it; that the voice resembled the voice of Councilman Wilson with whom he had had a lengthy interview in his office last October; that immediately after this anonymous telephone message, in order to make certain of the voice, he called Wilson's office but was unable to talk with him; that although he left his name at Wilson's office many times with a direction that the call was important, Wilson never got in touch with him; that finally he called Mr. Eaton with whom Wilson was associated, and that he told Eaton that Wilson was a leader of a group of councilmen who were going to delay the passage of the Sunday sports measure for selfish purposes; that Eaton said that he would do the very best he could to get in touch with Wilson, but he (Adams) did not hear from Wilson; that Myles McSweeney, assistant sports editor of the Boston Evening American, had stated to him (Adams) that he had evidence that would hang two councilmen.

Mr. Ernest J. Goulston testified that he talked with Adams on the telephone and that Adams told him that Lynch had been to see Fuchs and asked \$5,000 apiece for thirteen men, and that he expressed doubt as to the truth of this and charged Fuchs with being in trouble four years ago and with shouting bribery again; that Carroll would not have anything to do with bribery proceedings and he was sure Carroll knew nothing about it; that he asked Carroll about the charges; that Carroll said it was a lie; that he called up Adams and introduced Carroll to Adams; that he did not hear Carroll's talk to Adams over the telephone, as he left the room when the conversation started, and that he came back into the room at the end of the conversation and talked with Adams and asked him if he were satisfied, and Adams replied, "I am, and I will talk to Eddie Mack."

Mr. Myles T. McSweeney testified that he is assistant sports editor of the Evening American; that he stated to Fuchs and later repeated the statements to Adams that he had information regarding two city councilmen sufficient to hang them; that his statements were without foundation, absolutely worthless; that they were false and that they were made for the purpose of obtaining from Fuchs confirmation of rumors;

that he had no definite councilmen in mind, and that his object was to obtain confirmation for a good write up.

Mr. Carroll testified that he is an intimate friend of Lynch; that he did not back Lynch in his campaign for City Council, that he did support him; that he has no business relations with Lynch; that he had known Fuchs for a number of years; that he had business relations with Fuchs; that Fuchs told him that he understood Lynch was against the Sunday sports bill and that he was leading a group of councilmen against it; that he assured Fuchs that Lynch was with the bill; that in spite of these denials, Fuchs insisted that Lynch was against the bill; that at noon of November 23, 1928, he went to Room 641 of the Copley-Plaza Hotel to meet Fuchs at Fuchs' invitation; that Cunningham was there but left the room; that Fuchs pulled out a paper and said that he had thirteen votes for the measure but wanted the measure to go through unanimously and that if Lynch was leading a bloc against it, he was foolish; that at that conference it was arranged that Lynch should go with Carroll to see Fuchs that evening; that Carroll met Lynch at a prize fight and after the event was over, which was in the latter part of the evening, he and Lynch went to Room 641 of the Copley-Plaza and not finding Fuchs there, went out for a sandwich; that they returned to the Copley-Plaza and learned that Fuchs had changed to Room 241; that they arrived at this suite after 11 o'clock and found Fuchs and Cunningham in the parlor; that after a few words Cunningham walked out and closed the door; that immediately Fuchs said to Lynch, "I want you to remember, young fellow, you have got a long way before you in public life. If you are against this bill, as I have information that you are, you will suffer defeat both publicly and privately. Anybody that is going to be against this bill will be defeated the same as Tom Bilodeau did in Dorchester"; that he had thirteen votes but wanted the measure to go through unanimously; that Lynch finally jumped up and was about to assault Fuchs when Carroll jumped in between them; that Fuchs and Lynch had been sitting on the sofa; that Fuchs then began to bewail his failures and his financial losses in Boston, and that he kept pleading with Lynch and that he finally apologized to Lynch and that Fuchs and Lynch shook hands; that Fuchs was on a couch and Lynch was on a chair beyond; that there was no demand or mention of money by Lynch; that there was no reference to a bloc that Lynch controlled; that he did not lock the door; that Cunningham left the room without direction from Fuchs; that almost five minutes later or probably longer his son, Carroll, Jr., came to the room; that he (Carroll) did not see Fuchs leave the room; that he did not hear any mention of Exchange street or any names of city councilmen by Lynch or about jurors of Suffolk County or anything about cowbeps growing on the order; that after his son left, Fuch called out to Cunningham and said, "Come on in, Eddie"; that Whitman came into the room; that when Whitman came into the room, no mention was made of what Fuch had said; and that the party stayed there talking and that Fuchs directed Cunningham to buy the boys a drink; that Cunningham got two pints of rye; that Lynch, Cunningham and Whitman did not have any of the rye; that the party broke up after 3 o'clock; that on the way out Fuchs invited Carroll and also Lynch to visit him at St. Petersburg, Florida; that Fuchs telephoned him later and said that his knowledge that night in the Copley-Plaza was right, that Lynch was against the bill; that he had it on good authority; that he (Carroll) said to Fuchs, "Let bygones be bygones"; that he called up Lynch and told him that Fuchs said that Lynch was still against the bill and that he (Carroll) said "It looks as though Dan was in the middle and I am not going to get into the Garden any more."

Mr. Carroll further testified that he went to see Goulston; that Goulston told him that he had a talk with Adams and that Adams said that he (Carroll) and Lynch were in a holdup, "looking for some dough"; that he (Carroll) told Goulston that there had been a jam in the Copley Plaza; that Goulston told him that he told Adams that he (Carroll) was all right and that Lynch was a good fellow; that he talked with Adams on the telephone; that he did not say anything about being innocent of any demand on Fuchs, and that he did not say to Adams that Lynch thought he

was a bigger man than himself, or that he had gotten away from him; that he saw Adams in the Boston Garden at a hockey game and that he told him that the bill would pass unanimously; that the same night he went over to Fuchs' box and that Fuchs was very cool, "icy," and that he said to Fuchs that the bill was going through unanimously and that Fuchs replied, "You fellows can take care of yourselves."

Councilman Lynch testified that he had always been in favor of Sunday sports; that he paid for signs displayed at his gasolene station favoring the measure; that his district, he thought, voted seven or eight to one for it; that he had no interest with Carroll in fight promoting; that he partly owns and conducts a gasolene service station and a diner, and is also connected with his father's barrel business; that Fuchs telephoned him in August in relation to a resolution in favor of Sunday sports to be introduced into the City Council, and that Fuchs said that he had the story that he was against the resolution; that he told Fuchs he was with Sunday baseball, and that he always was and always will be with Sunday baseball, and that if he could be of any assistance to Fuchs, he wanted Fuchs to call on him; that Fuchs called him again on September 5 when the resolution was in the City Council; that the reason he voted to table the bill on December 17 was the fact that the City Council had no certified copy of the act; that Carroll got in touch with him on November 23 and told him that Fuchs would like to have him come to the hotel that evening and that after the prize fight Carroll and Lynch went to the Copley Plaza Hotel about 11.30 p. m. and met Fuchs and Cunningham; that Cunningham left the room and shut the door; that he (Lynch) never went near the door; that Fuchs sat on the opposite end of the sofa from him; that Fuchs "started as fine a blast as he ever heard in his life" by asking how old he was, and then charged him with leading a bloc of nine votes in the Council against the Sunday baseball act, and that he pulled a list from his pocket and said he had thirteen votes for it and threatened him with ruin in private life, business and politics, and said that he had fixed Bilodeau and Whalen, a former alderman, in New York; that he (Lynch) jumped to his feet to punch Fuchs; that he called Fuchs all sorts of names; that Carroll leaped between them; that Fuchs said he was holding him up; that Fuchs apologized and said, "I have been misinformed," that Fuchs told him about his business difficulties; that there was no mention of Exchange street, and that there was no mention of any city councilman, except Green, or any mention about Suffolk County jurors or how the Council drew them; that he read out no list of names; that he did not give the characterizations of some members of the City Council which Fuchs said he gave; that Fuchs' insult to him consisted of the charge that he was leading a bloc; that Carroll's son came in; that Cunningham brought him in; that Whitman came in; that Fuchs did not go into Cunningham's room or into the hallway and that he did not leave the room at all; that he did not hear any remarks by Fuchs about the door being locked or who locked it; that there was a remark about a holdup; that the holdup, he understood, referred to the Sunday sports bill, not to money; that he had no list of names with him; that there was mention of \$500 by Fuchs to Dan Carroll "as a contributor," that he did not suggest, intimate, indicate, ask, seek, solicit, or request money or anything equivalent to money from Fuchs with reference to Sunday baseball; that he did not say "they" ought to be taken care of; that he never said they had a session and figured up receipts; that he never sought an interview with Fuchs or Adams; that he knew that Adams had named him to newspaper men but would not allow them to publish it and that he sent a message by Carroll to Adams that he was entirely uninterested in anything Adams had done or may do; that Fuchs invited him to come to St. Petersburg, Florida, as his guest; that refreshments and drinks were served after Whitman and Cunningham came in; that the party broke up about 3.30 o'clock; that he fixed the time because he reached his gasolene station around ten minutes after four; that he believed that Fuchs could be proved to be a racketeer, a blackmailer and a blackjacker and that all "we need to do is to call the District Attorney's office in New York and we will find that Fuchs is on record there as being a blackmailer and a blackjacker."

Mr. Wilson testified that he had had a conference in Adams' office in August, 1928; that he had not seen him since; that he did not call Adams on the telephone and ask for \$5,000 for votes on the Sunday Baseball Act; nor did he talk at any other time on the telephone with Adams; that he was not a member of any bloc in the City Council; that the bill was talked about in various small groups; that Eaton told him about Adams' telephone talk; that he had not made up his mind on the bill; that Adams was a liar and foul mouthed and that Fuchs and Adams were a pair of unscrupulous and unmitigated falsifiers.

Mr. John E. Eaton testified that he talked with Adams on December 17, that Adams had called him on the telephone and interceded with him to secure for Sunday baseball a favorable vote by Councilman Wilson, his office associate; that Adams stated that there was a group of ten councilmen who were opposing the Sunday baseball measure and were holding out for money; that Adams did not intimate that Wilson would directly or indirectly take any money, but that he was flirting with a bad crowd and that a word from Eaton would avoid for Wilson undesirable notoriety; that he spoke to Wilson about the matter at quarter of two on December 17 and, failing to get Adams on the telephone at the Copley Plaza on that date, talked to him on the following day, and told him that Wilson's opposition to the bill was due to the fact that he had not had an opportunity to examine its provisions; that inasmuch as his (Wilson's) district had voted very closely on the measure, he wanted an opportunity to study it further, and that Wilson resented the strong arm methods being used; that Adams did not mention the telephone talk from the anonymous person, nor did he mention the names of the councilmen who were to receive the \$5,000.

#### SUMMARY.

The testimony at the hearings made it clear that Fuchs and Adams were desirous of having the Boston City Council accept the Sunday sports bill, so called, as early as possible following the favorable vote of the people on November 6, 1928, in order that schedules might be arranged with other teams of the National Baseball League. It was also clear that members of the City Council knew that Fuchs and Adams desired speedy action by the Council.

A significant factor in the case is the secrecy surrounding the conference between Fuchs, Lynch and Carroll at the rooms of Fuchs in the Copley Plaza on the evening of November 23, 1928. This secrecy was evidenced by the withdrawal of Cunningham from the conference room and his waiting, unengaged, in an adjoining room, in order that the conference which he knew was a conference on Sunday baseball might be held in private by the three men participating therein. The desire for secrecy was also manifested by Cunningham's solicitude that Whitman should not disturb the conference, and by the testimony of the locked door of the room where the conference was held.

The futility of secrecy on either side is apparent, if all that was intended to be accomplished, as testified by Lynch and Carroll, was to have Lynch tell Fuchs that he was with the bill, as Lynch and Carroll both testified they had told Fuchs many times.

What actually took place during the secret conference is in dispute. With the exception of the solicitation of a bribe, as testified by Fuchs, his testimony as to all immaterial facts was confirmed by Lynch and Carroll. Fuchs' statement is partially confirmed by the testimony of Waitman and Cunningham. Their testimony, however, was too vague and fragmentary to confirm the charges of Fuchs. It is significant that Fuchs did not refer to the alleged bribe later that evening either to Cunningham or to Whitman, especially when, as the party was breaking up, Whitman returned for a book to Fuchs' room and was alone with him. The language used by Fuchs to Cunningham and Whitman in describing the alleged shakedown or holdup, as "Funny, if not pathetic," was a strange characterization, to say the least, of the solicitation of a bribe of the proportions of \$65,000.

Fuchs' testimony is also partially supported by the testimony of Adams, in that the letter which Adams sent to Councilman Dowd on November 30 fixes positively the time when, according to Adams' testimony, he wrote down the names of the bloc given him by Fuchs. It was not until December 17

that the councilmen actually voted in favor of tabling the measure and on that date their names became publicly known. The commission finds it difficult to ascribe to Adams a motive for his aspersions on the City Council as published on December 23, unless he was satisfied that the Sunday sports proposition, in which he was so deeply interested, was being held up by the Council. Otherwise, his desire would have been to continue friendly relations with the members.

Lynch gave testimony to the effect that very early after the conference opened, he was insulted by Fuchs to the point of attempting to strike him. Fuchs gave testimony of his indignation and resentment at the alleged solicitation of a bribe made by Lynch also in the early part of the conference, yet both men remained until about three o'clock in the morning in each other's company, evidently on friendly terms and making no mention of a holdup or a fight.

If such a demand as Fuchs testified had been made, one would expect that an honorable man would not have listened with such patience to the details of Lynch's statement, but would have ordered Lynch and Carroll out of his room, or would have called in his secretary and denounced them. If, on the other hand, Fuchs had threatened Lynch to the degree testified to by Lynch and Carroll, one would expect a self-respecting councilman to leave Fuchs' room without much delay.

Carroll and Lynch's statement of the alleged assault of Lynch upon Fuchs, and the noise which must necessarily have accompanied the loud words described by them, is discredited by the fact that the secretary in the adjoining room did not intervene, and that all was friendly and congenial when, a few minutes later, Carroll, Jr., came into the room.

Fuchs was the first witness heard. Carroll and Lynch were present during the testimony of Fuchs, Adams, Cunningham and Whitman, and were not called until the latter part of the closing days of the hearing, and thus had the advantage of hearing important parts of the testimony of Fuchs, Adams, Cunningham and Whitman. They deny the solicitation of a bribe, but claim that Fuchs threatened Lynch for his opposition to the bill and that violence was threatened by Lynch against Fuchs. They admit that the word "holdup" was used by Fuchs. Lynch's credibility is affected by the fact that he, a member of the City Council which was to pass upon this measure, made a visit in the night time to the rooms of the person who was most interested in having the bill passed.

Lynch after giving his testimony availed himself of his statutory right to make a statement, in which he accused Fuchs of being "a racketeer, a blackmailer and a blackjacker, which could be proved." The commission heard no evidence and could not discover any that would justify these epithets against Fuchs, but heard commendations from prominent and reputable men as to Fuchs character and integrity.

The commission found that certain members of the City Council, namely, President Green, Councilman Murray and Senator Ward, who is also a councilman, had close relationship to the rooms of Fuchs and Adams in the Copley Plaza, even to the extent of using the rooms to send out on December 19 a call for a special meeting of the Council on the Sunday baseball matter, and by their going to the trouble of sending to City Hall for official letter heads, getting a typewriter, and having one of their members (Ward) typewrite nineteen notices, using one finger, and paying for special delivery stamps, instead of having the notices issued in regular form for the next day.

While the state requires certain procedure to be followed by lobbyists who are interested in procuring legislation on matters in which they are employed and interested, it is evident in Boston that certain councilmen do not wait for the lobbyist to come to City Hall.

The evidence before the commission disclosed that Fuchs and Adams, both officials of the National League Baseball Company, had taken a prominent part in the defeat of former Senator Bilodeau, and both seemed satisfied with themselves for the part they had taken in securing Bilodeau's defeat, which the commission concluded was for the sole reason that Bilodeau had opposed Sunday sports when the bill was in the Legislature. This fact showed to what extent Fuchs and Adams were willing to go to accomplish their ends.

The relations existing between officials of the Boston Baseball Company and some members of the City Council appeared to the commission to be so intimate that the commission made an examination of the books of the Baseball Company and of Adams and Fuchs. With the aid of a certified public accountant, the commission went over the books of account and check book of the Boston National League Baseball Company, the checking accounts of Fuchs and the brokerage and checking accounts of Adams, but could find no expenditure which warranted further investigation. Adams offered not only his own accounts, but an account of his wife.

The commission makes no findings as to the relationship, if there was any such, of Fuchs and Adams with the Outdoor Recreation League (which was mentioned in the testimony), as the Attorney General is investigating the activities of the League.

The outrageous conduct of Myles McSweeney, assistant sports editor, in manufacturing charges against members of the Council as admitted in his testimony is deserving of the severest condemnation.

The commission cannot close its report without remarking that it seems incredible that the Mayor of this great city should have had no basis for his gratuitous aspersions on the City Council. The Mayor admits he had none and therefore, he was guilty of a grave breach of official propriety.

The Finance Commission finds.

1. That there was no evidence presented at the hearing that any of the twelve councilmen whose names Lynch is alleged to have given Fuchs authorized him to use their names or to represent them.

2. That the name of every city councilman who voted to table the Sunday baseball order at the meeting of December 17 was on the list of names alleged by Adams to have been given him by Fuchs prior to November 30.

CONCLUSION.

The midnight meeting attended by Fuchs, Lynch and Carroll was planned and held by them so that it might be absolutely private, and from such an atmosphere the truth is hard to obtain. The commission has gone as far as possible within its powers to discover the facts. It has unearthed an array of very suspicious circumstances, supported by the charge of Fuchs that a bribe was solicited, but denied by Lynch and Carroll. In this report the commission has recited those parts of the evidence heard by it which it deems important and has further made such comments on the evidence as it believes to be pertinent.

The Finance Commission is of the opinion that when a crime is alleged to have been committed, it is not within the province of the commission to pass upon the guilt of the parties involved. The commission, therefore, will send a copy of its report together with a transcript of the evidence to the District Attorney of Suffolk County for such further investigation and action as he may deem proper.

Respectfully submitted,  
 THE FINANCE COMMISSION,  
 by JOHN C. L. DOWLING,  
 Chairman.

Placed on file.

PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds, for the period from February 1 to February 15, 1929, inclusive, regular employees, to the amount of \$4,336.41, was received and approved.

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 February 25, viz.:  
 John H. F. Connor, 295 and 297 Old Colony parkway, Ward 16, 1,000 gallons.  
 Leonida Damiani, 254 Old Colony avenue, Ward 7, 1,000 gallons.  
 Robert Keddie, 804 Centre street, Ward 19, 1,000 gallons.  
 Referred to the Executive Committee.

LIABILITY POLICY FOR SUNDAY SPORTS.

Coun. RUBY offered the following:

Ordered, That the liability policy to be furnished with the license for Sunday sports shall be \$100,000 each for Braves Field and Fenway Park, if the law permits professional sports in both or either of these grounds.

Coun. RUBY—Mr. Chairman, might I suggest, if there is no objection, I move that the rule be suspended and that action be taken on this order now, on the matter of this liability policy.

Coun. McMAHON—Mr. Chairman, I would like to ask the councilor for what reason, if any, the rule should be suspended and that order not referred to the Executive Committee?

Coun. RUBY—Mr. Chairman, not that I have any objection that it go to executive but because of the fact that there is nothing to take up, in my opinion; but, if there is objection or any feeling on the matter, then let it go to executive.  
 Referred to the Executive Committee.

LOAN FOR SEWERAGE WORKS.

Coun. KEENE—Mr. Chairman, I would like to bring the attention of the Council to the fact that the order for a loan of \$1,000,000 for sewerage works, which was filed on January 23, 1929, and which goes into effect after March 27, 1929, was referred to the Finance Committee "when appointed." I have been advised by Mr. Carven, the auditor, that there is only a sufficient amount of money to last for a period of from two to three weeks, three weeks at the outside, and, if there is no objection, I would like to ask that the same be withdrawn from the Committee on Finance and referred to the Executive Committee, giving us an opportunity to have Mr. Carven appear before the Executive Committee and give us the present status of the finances as to sewers.

Coun. McMAHON—Mr. Chairman, speaking on a point of information, isn't this the same \$1,000,000 loan, or one of them, that we had about this time last year, which was held up and they were all saying they were in such great need of the money at once?

Chairman DOWLING—The only information that the Chair has in the matter is that a \$1,000,000 loan is an annual feature here.

Coun. McMAHON—That is all right.  
 The order was recalled from the Committee on Finance and referred to the Executive Committee.

SALARIES IN POLICE AND FIRE DEPARTMENTS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to appoint a committee of five citizens of Boston to investigate and study the salaries paid the members of the Police and Fire Departments of the larger cities in the Commonwealth of Massachusetts, and throughout the United States, with a view to establishing the salaries paid the members of the Boston Police and Fire Departments at a sum equal to that paid in other large cities, such committee to report, with recommendations, to his Honor the Mayor and the City Council.

Coun. DOWD—Mr. Chairman, for the last three years there have been orders in the Council asking his Honor the Mayor to include in the budget sufficient money to give sufficient increases to members of the Boston Fire and Police Departments, both privates and captains. It is a well-known fact that it is absolutely useless to put an order into this Council; therefore, I am asking for a committee of five unbiased citizens to go into a study of conditions existing in other large cities, not only large cities in the country but large cities in the Commonwealth, to find out what salaries are being paid to privates and officers of the Fire and Police Departments. After making an extensive study for the last three weeks I have come to the conclusion that if the Boston Fire and Police Departments are going to continue on the high standards of efficiency that they have in the past, it is absolutely necessary that the City of Boston pay them at least the wages that are prevailing in other large cities of the country. May I bring to your attention that Boston is the only city where a fireman or policeman is compelled to enter the service at \$1,600

a year, or \$30 a week, and wait for five years before he receives the maximum salary of \$2,100. The raise of \$100 which they recently received benefitted only about 33 per cent of the Fire Department. Let us look at the great city of New York. They enter there at a salary of \$1,800 a year, and their maximum salary for privates is \$50 a week, or more money than is being paid to the lieutenants in the Boston Fire Department, and within \$100 of that salary being paid to captains in the Fire Department. They will tell you that New York is a great, big city—"Look at its population." Yes, they have over six million people against Boston's 800,000 people, but let us look at the size of the fire-fighting force there; 16,215 men against 1,500 in Boston, or eleven times as much. What about their police force? Twenty thousand policemen as against 2,300 in Boston, or eight times as much. Let us look at their tax rate. They say an increase in salaries will raise taxes in Boston, but it is a peculiar thing that the tax rate in the city of New York is \$26.50 against Boston's \$28.80. I say, gentlemen, that at least the privates in both the Police and Fire Departments of the City of Boston are entitled to at least \$50 a week. Look at Los Angeles, with a population of 1,800,000, receiving there an entrance salary of \$2,200 a year, or \$100 more than the firemen or policemen receive after completing five years of service in the City of Boston. Their pay at the end of five years is \$50 a week for privates, \$2,800 for lieutenants and \$3,100 for captains. Look at the city of Baltimore, a city comparable in size to Boston. Why, their police privates there receive more than our police privates to, the captains in the police department receive more, and so it is all along the line. Privates in both the police and fire departments receive \$200 per year more than the privates here. We do not have to go outside the state to look at the figures. Let us go over to Brookline—the town of Brookline. The lieutenants there receive \$2,600 a year, or \$300 more than our lieutenants; the captains \$2,900 a year, or \$400 more than our captains. They don't have to wait five years as in the City of Boston: they wait two years, when they get \$2,200, or \$100 more than we pay. What about Cambridge? At the expiration of three years the privates in both the police and fire departments receive \$2,200. The engineers in Cambridge receive \$2,482, more money than our lieutenants and within \$18 of what our captains receive, and the privates \$2,000 in the city of Cambridge. And here we have the great City of Boston paying their men the paltry salary at the expiration of five years of \$40 a week. The figures I have given to you are not hearsay statements but are based on telegrams (producing) which have been received from all over the country from the mayors of different cities. And I say to you, and I say to the Mayor of Boston, if we are to continue the same efficiency that we have had in the Boston Fire and Police Departments, we must start now giving the policemen and giving the firemen and giving the officers a living and a fair wage, a wage that will be commensurate with that received by such men in large cities, and it is for that reason that I am asking for a committee of five citizens to investigate conditions existing in other cities and to make their recommendations to the Mayor and City Council.

Passed under a suspension of the rule.

#### TAXICAB STANDS.

Coun. DOWD offered the following:

Resolved, That the Boston City Council favors the passage by the Massachusetts Legislature of House Bill number 453, "An Act regulating Taxicab Stands in the City of Boston."

Coun. DOWD—Mr. Chairman, I fully realize that this Council is consistently against memorializing the House or the Senate on any bill pending there, but I feel, in view of the fact that recently we saw fit to appoint a committee to look into the cab situation in the City of Boston, that we at least should take a stand on this bill which is before a committee hearing at the State House at present. This bill does not take away from the Police Commissioner the right to regulate stands, but it does take away from two taxicab companies in the City of Boston the right to monopolize Boston's streets. It is a well-known fact that one cab company, in

particular, pays to a hotel, the Hotel Statler, the sum of \$17,000 for the privilege of having a stand at the Hotel Statler. They are using the city's streets, and I say in all fairness that the Police Commissioner, if this bill were passed, would have the right to charge each individual cab owner \$10 apiece, as they do in New York. They would have the right to pull up at any hotel which has a licensed stand to convey passengers. I believe that every man who is properly licensed in the City of Boston should have that right. There are five thousand cabs operating in the City of Boston. If we regulated them under the same rules as prevail in the city of New York, \$50,000 in revenue, or \$10 a cab, would be received in the office of the City Treasurer, instead of giving it to the Hotel Statler, the South Station, or any other hotel which is utilizing the city's streets to collect this huge sum from the taxicab companies.

Referred to the Executive Committee.

#### MUNICIPAL BUILDING, WARD 16.

Coun. FISH offered the following:

Ordered, That the sum of five hundred thousand dollars 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.

Coun. FISH—Mr. Chairman, I introduced the same order a year ago this time but through no fault of my own I got no action. I might say that Hyde Park, which was annexed to Boston in 1912, has a beautiful municipal building; Jamaica Plain has its Curtis Hall Gymnasium; Roslindale has a municipal building; Roxbury and the South End are very well taken care of; the city proper has its Tyler Street Gymnasium; the West End has half a dozen gymnasiums (laughter); Charlestown has also its municipal building; South Boston has a municipal building; and now we come to Dorchester, with a population of a quarter of a million, and what have we got? Nothing! And I hope that his Honor the Mayor will give to Dorchester what belongs to Dorchester. We have the largest representation right here in this body from Dorchester and we in Dorchester should be considered.

Coun. WILSON—Mr. Chairman, I am strongly in favor of much that Councilor Fish, from Ward 16 said, and myself having an order with reference to a municipal building in Dorchester, I think that this order should properly read—and I will introduce such an order, and the Mayor will use his own judgment on the question, no doubt—"a municipal building in the Dorchester district." As has been pointed out, in the five Dorchester wards, comprising a population which is larger than any city in Massachusetts, only excepting the City of Boston itself and the city of Worcester, there is need of a municipal building in that district. The chief reason that one is not there is because, I believe, of local jealousies between the various representatives of the various wards in the Legislature, and I feel that the quickest way to get a municipal building in the Dorchester district is not necessarily to restrict it to any one ward, for I would much prefer, of course, to see it in the central ward, although Councilor Fish, naturally, wants it in his own ward, but rather than see the five wards none of them get a municipal building, I press for the adoption of an order which would place a municipal building in the Dorchester district without specifying any particular ward.

Coun. CUMMINGS—Mr. Chairman, now that the Dorchester aggregation is at it I feel that Councilor Wilson—I don't blame them for wanting it in their ward, but where I have the best location for transportation, right there at Fields Corner, I think that Councilor Wilson struck it on the head when he said the Dorchester district. I feel the same way as Councilor Wilson. We would like a municipal building in the part of Dorchester where the three Councilors come from. I have one at Uphams Corner but it is not near enough to the other end of Dorchester. So I feel that when they are going to decide where this municipal building is going, it will be put right in place whether it is in Wards 16, 17, 15 or 14; but I would like to see it where the jealousy of the



representatives, the senators and the councilors will all get together and we get that building. I would suggest that all the Dorchester councilors sit in and come to an agreement where this municipal building should be located and then follow it up with his Honor the Mayor, and this year with an outgoing administration it might be kind enough to give it to us.

Coun. BUSH—Mr. Chairman, I rise to a point of information, to ask whether the Dorchester councilors have overlooked the fact that there is a municipal building at the corner of Bird street and Columbia road?

Coun. FISH—Mr. Chairman, I am perfectly willing to scratch out Ward 16 and let the Dorchester councilors get together and let us pick a location for Dorchester.

Chairman DOWLING—The Chair will state for the information of the gentlemen that there is nothing to prevent the introduction of similar orders for each ward.

Referred to the Committee on Finance when appointed.

TRAFFIC PROTECTION, CODMAN SQUARE.

Coun. WILSON offered the following:

Ordered, That the Police Commissioner and the Board of Street Commissioners, through his Honor the Mayor, be, and they hereby respectfully are, requested to provide more adequate traffic protection in Codman square, Dorchester, both by means of a regularly stationed police officer and also by clearly defined crosswalks and safety zones for pedestrians in view of the fact that two jitney bus lines and three surface car lines now converge at that point in addition to through vehicular traffic along Washington street and Talbot avenue as well as from Norfolk and Centre streets.

Passed under suspension of the rule.

EMERGENCY RELIEF STATION, DORCHESTER.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be, and he hereby is, respectfully requested in his approval of the 1929 budget to provide, through the appropriate city department, at least for an emergency relief station in the Dorchester district together with adequate ambulance facilities.

Passed under suspension of the rule.

SPECIAL COMMITTEE ON PARKS AND PLAYGROUNDS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be, and he hereby is, respectfully requested to advise the City Council concerning progress made by the Special Committee on Parks and Playgrounds and particularly what recommendations, if any, have been made with reference to a playground in the center Dorchester district; also what provisions, if any, are being made in the 1929 budget by the Park Department for providing for the very necessary playground required in that rapidly growing district.

Coun. WILSON—Mr. Chairman, I don't want to rush the Special Committee on Parks and Playgrounds, but, on the other hand, it occurs to me that if we are really to have any parks built in the coming summer season, reports should be expected at an early date, particularly as I am informed that there were no new park constructions during 1928.

The order was passed under suspension of the rule.

PASSAGEWAY TO NEW SHAWMUT STATION.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners, through his Honor the Mayor, be, and said Board hereby is, respectfully requested to provide forthwith a convenient passageway through from Allston street to the new Shawmut Station of the Dorchester Rapid Transit, thereby providing

proper facilities for residents in the entire Lyndhurst, Kenwood, Mather, Centre, Allston and Sharp streets district.

Coun. WILSON—Mr. President, I offer this order, having in mind a similar passageway to the one recently constructed from Arcadia street to Charles street. It is the direct route to the new rapid transit tunnel, and it seems to me that the Board of Street Commissioners should be willing to co-operate in the matter. Some time ago I requested the acceptance of a new street through that part of the district, but what people absolutely require is a passageway so that they can get through there without breaking a leg, particularly in this season of the year.

The order was passed under suspension of the rule.

MUNICIPAL BUILDING, DORCHESTER.

Coun. WILSON offered the following:

Resolved, That the City Council hereby approves such legislation as will provide the early construction of a much needed municipal building in the Dorchester district.

Passed under suspension of the rule.

INCINERATION PLANTS.

Chairman DOWLING offered the following:

Resolved, That the City Council hereby approves the enactment of legislation to authorize the city to borrow money outside the debt limit for the establishing of incineration plants.

Referred to the Executive Committee.

VOTES FOR PRESIDENT.

On motion of Councilor DOWD the Council voted to proceed to a ballot for president.

The Clerk called the roll and the members when their names were called announced their choice, with the following results:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Murphy, Murray, Ruby, Sullivan—10.

For Edward M. Gallagher—Coun. Deveney, Dowd, Gallagher, Lynch, McMahon, Ward—6.

For Robert Gardiner Wilson, Jr.—Coun. Bush—1.

For Henry Parkman, Jr.—Coun. Dowling—1.

For William G. Lynch—Coun. McMahon—1.

For Timothy J. Donovan—Coun. Motley—1.

For Herman L. Bush—Coun. Wilson—1.

And there was no choice.

On motion of Coun. DOWD, the Council voted to proceed to another ballot for president.

The Clerk called the roll, and the members when their names were called announced their choice, with the following results:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Murphy, Murray, Ruby, Sullivan—10.

For Edward M. Gallagher—Coun. Deveney, Dowd, Gallagher, Lynch, Mahoney, Ward—6.

For Robert Gardiner Wilson, Jr.—Coun. Bush—1.

For Henry Parkman, Jr.—Coun. Dowling—1.

For William G. Lynch—Coun. McMahon—1.

For Timothy F. Donovan—Coun. Motley—1.

For Herman L. Bush—Coun. Wilson—1.

And there was no choice.

On motion of Coun. DOWD, the councilors voted to proceed to another ballot for president.

The Clerk called the roll, and the members when their names were called, announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Motley, Murphy, Murray, Ruby, Sullivan—11.

For Edward M. Gallagher—Coun. Deveney, Dowd, Gallagher, Lynch, Mahoney, McMahon, Ward—7.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Herman L. Bush—Coun. Wilson—1.

And there was no choice.

Coun. FITZGERALD—Mr. Chairman, I ask the unanimous consent of the Council to make a statement.

Chairman DOWLING—The gentleman may proceed.

Coun. FITZGERALD—Mr. Chairman, for six weeks we have battled on this proposition to elect

a president of the Council. During that time the city's business has been considerably tied up. The people have about exhausted their patience; the Council has been open to ridicule. I come from a section of the city that for nearly fifty years has been represented by a Democratic organization, and during that time it has sent many men to City Hall and to the Legislature, and no man can point a finger and say that they ever were wrong. The organization I represent began the campaign in 1914 for the repeal of the charter which took away from the citizens of this city the right of local representation. When mayors and district attorneys were against it and were unable to hire halls and plead their case before the people, we still continued to carry on that fight. There are many men in this city who remember the bitter fight waged throughout the city year in and year out, and in the Legislature, in this matter, and through the aid of that organization and its friends, who kept up the battle, this present Council, with its local representation, was created. It appears in evidence that I am not the choice of this body. The honor of being president of the body is one that any man might well be proud of, and might well covet. But, Mr. Chairman, in order that the city's business may be properly transacted, and in order that we may have some semblance of law and order, I am going to propose as a compromise candidate the name of a member of this Council who has been decent, who has been honorable, who to my mind, as far as my observation has gone, has kept out of all controversy. He has conducted himself in a manner creditable to this City Council, to the city, and to the section that he represents. I realize full well that the baseball scandal has brought a great deal of discredit upon the Council and has forced many of the members here to array themselves in a contest which never should have taken place; and well did the Finance Commission know that when they started the proceedings they did, without a scintilla of evidence to support them, but because one man who aspired to be chairman of that body saw an opportunity to fill the newspaper columns with vilification, thinking that he might be thereby able to show some good reason for his own future advancement. Therefore, he brought about the most disgraceful situation that we have ever seen in the history of this city. So foul and so indecent were their proceedings that the *Boston Transcript* in an editorial bitterly assailed them, so that they no longer have the least scintilla of support for their existence. It was that paper that was so loyal to the Finance Commission at the beginning of the charter, so now their last support has been taken away. Other newspapers have treated the members of the City Council in a contemptible manner on this baseball situation. But there is one paper, I am proud to say, that has been fair, especially fair, in its reports of the proceedings of our Executive Committee. Those proceedings have in a number of papers been garbled, and those of us who took a position that we thought was right have not been treated fairly. But one paper at least, the *Boston Globe*, living up to the traditions of General Taylor and his noble sons coming after him, has treated us fairly. It has always taken the position, Mr. Chairman, that if it should happen in its columns to treat anybody unfairly, or do them a wrong, an explanation or an apology should be made. Now that I am through I will place in nomination for the presidency of this body, as a compromise candidate, Albert L. Fish.

On motion of Councilor DOWD, the Council voted to proceed to a ballot for president.

The Clerk called the roll, and the members as their names were called announced their choice for president, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Green, Keene, Murphy, Murray, Ruby, Sullivan—8.

For Edward M. Gallagher—Coun. Deveney, Dowd, Gallagher, Lynch, Mahoney, McMahon, Ward—7.

For Henry Parkman, Jr.—Coun. Bush, Dowling—2.

For William A. Motley, Jr.—Coun. Donovan—1.

For Albert L. Fish—Coun. Fitzgerald—1.

For Timothy F. Donovan—Coun. Motley—1.

For Frederic E. Dowling—Coun. Wilson—1.

And there was no choice.

#### RECESS TAKEN.

Coun. SULLIVAN—Mr. Chariman, I make a motion that we take a recess.

Coun. McMAHON—Mr. President, for what purpose, I would like to know?

Coun. SULLIVAN—To transact executive business, Mr. Chairman.

Coun. Sullivan's motion to take a recess subject to the call of the Chair was carried at 2.47 p. m. The members reassembled in the Council Chamber and were called to order by Chairman DOWLING at 5.10 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition of Mildred Sacco (referred today) for children to appear at Elks Hotel on February 19, 1929—that permit be granted.

Report accepted; permit granted on usual conditions.

2. Report on resolve (referred February 4) that the City Council of Boston hereby approves the enactment of legislation authorizing the city to borrow money for the construction of an underpass for pedestrians under Causeway street, from Canal street to the North Station that the same ought to pass.

Report accepted; said resolution adopted.

3. Report on resolve (referred today) that the Boston City Council favors the passage by the Massachusetts Legislature of House Bill No. 453, "An Act regulating taxicab stands in the City of Boston" that the same ought to pass.

Report accepted; said resolution adopted.

4. Report on resolve (referred today), that the City Council hereby approves the enactment of legislation to authorize the city to borrow money outside the debt limit for the establishment of incineration plants—that the same ought to pass.

Report accepted; said resolution adopted.

5. Report on order (referred today) that the liability policy to be furnished with the license for Sunday sports shall be \$100,000 each for Braves Field and Fenway Park, if the law permits professional sports in both or either of these grounds,—recommending the passage of the order in the accompanying new draft:

Ordered, That the liability policy to be furnished with the license for Sunday sports shall be \$100,000 for Braves Field, if the law permits professional sports on that ground.

Report accepted; order passed in said new draft.

6. Report on message of Mayor and order (referred today) for a loan of \$1,000,000 for sewerage works—that the same ought to pass.

Coun. McMAHON—Mr. President, in regard to this million dollar loan order, which we have before us here today, I will simply say that this is not the first time we have had this same million dollar loan order in this order. It is the first time this year, but every year we have had it, and before this loan order is passed I would like to say that I thought at the beginning that the people of Dorchester would be entitled to a little consideration in the new program that is going to be prepared for the year 1929. I would say that I personally am in favor of the million dollar loan order, but I do feel that the 200,000 people of Dorchester who patronize Savin Hill and Coulter's Beaches are entitled to know whether they are going to get a part of this million dollars. You councilors heard the gentleman who is at the head of the Sewer Department demand that we should get some of it. He feels that the particular sewerage work in mind out there would cost at least \$300,000 or \$400,000. I do not expect that we are going to get \$300,000 or \$400,000 at once, but I do feel this way about the matter. In the three years that I have been in this body the Mayor has not seen fit, and the Public Works Commissioner has not seen fit, to give a part of that million dollars to Dorchester. Now, we have two sewers that flow into Savin Hill Beach, and Coulter's Beach, and it is certainly necessary to clean up these beaches where the people of Dorchester go swimming, children and older people, so that they may do so in good, clean water. I understand that it will take only a small sum of money to join these two sewers together, but they don't seem to want to do that. Somebody tells me that we should have another loan order for that purpose. Well, Mr. President, a loan order must come from the Mayor. I cannot introduce a loan order. It would not be worth the paper it was written on. I feel here this after-

noon that Dorchester is entitled to a part of that million dollars for the work we have been yelling for the last twenty or twenty-five years out there. I certainly feel that every councilor elected by the people of Dorchester ought to interest himself in this matter, and I expect the councilors from Ward 7 and from Wards 14, 15, 16 and 17 this afternoon to join with me, the same as they did this afternoon on a municipal building. But even a municipal building cannot be compared in importance with the necessity of removing the nuisance and filth that this particular sewer throws out there. It has been going on for years and I feel that every councilor from the Dorchester section should this afternoon vote to lay this million dollar order on the table, so that we may have an opportunity to get some assurance from his Honor the Mayor about getting a part of the million dollars. If he doesn't want to give that understanding in regard to this particular order, let him put a loan order up to this Council to cover that work, so that we may be sure that that situation will be remedied, taken care of, and that the people of Boston will get a part of what they are entitled to.

The question came on the passage of the order, and the Clerk was directed to call the roll, and called the name of Councilor Arnold.

Coun. SULLIVAN—Mr. Chairman, I would ask the consent of the body to talk on this question.

Chairman DOWLING—The gentleman is out of order. The Clerk is proceeding to call the roll.

Coun. SULLIVAN—I will appeal from the decision of the Chair, Mr. President.

Chairman DOWLING—Is the appeal seconded? (No response.)

The appeal is not seconded. The Clerk will call the roll.

Coun. BUSH—I second the appeal, Mr. Chairman.

Chairman DOWLING—The decision of the Chair has been appealed. The question now is, Shall the decision of the Chair stand as the judgment of the Council. (The councilors responded by voice vote, for and against.) The Chair is in doubt. Those in favor of having the decision of the Chair stand as the judgment of the body will rise and stand until counted. (A number did so.) Those opposed will also rise and stand until counted. (A number did so.) The ruling of the Chair is not sustained. Councilor Sullivan.

Coun. SULLIVAN—Mr. Chairman, I heartily agree with Councilor McMahon of Ward 15 in regard to Dorchester receiving a part of this million dollars under the order before the body today, for sewer work that should be done out there. I will vote in favor of this million-dollar loan, but I want to convey the idea to the Mayor of the City of Boston that I have spent some time on Savin Hill Beach noting conditions, seeing the pollution over there at that beach; and I certainly think the people of my section and Councilor McMahon's section are entitled to a portion of this loan to remedy that situation. If we cannot get a sufficient amount to do the work otherwise I certainly think the Mayor should consider the question of giving us a part of this million dollars. If that cannot be done, he should send in another order to take care of conditions at Savin Hill Beach.

The report was accepted and the order was given its first reading and passage, yeas 22, nays 0.

7. Report on petition of the Boston National League Baseball Company for license for professional athletic games to be held on Lord's Day (referred today) at Braves' Field—that said license be granted.

Coun. WILSON—Mr. President, I shall speak very briefly on this particular question, at this time. I voted in the other room to report back "Ought to Pass," although much against my own personal convictions. I have in mind this fact, however, that the people of Boston, including the people of my ward, voted by a large majority in favor of the Sunday Sports Act. The vote in my ward, as I finally checked it, was, I believe, in excess of three to two, something like 6,700 to 4,000. I still believe, however, that, as a result of the campaign which was conducted, directly or indirectly, by the owners of the Boston National League Club, under cover of other names, the people of the state and the people of Boston were hoodwinked into voting for Sunday baseball; first, in that they believed that in voting for Sunday ball they were voting for it on the parks and playgrounds in this city in the case of Boston, and that

that would be continued and sanctioned, or discontinued, whatever way the referendum or the initiative went. I still think the people of Boston, in voting for that measure, felt that they were favoring the continuance of the playing of Sunday ball on the playgrounds and parks of the city, and that the passage of the particular act would allow money to be collected there by the amateur or semi-professional teams who play on our parks and playgrounds on Sunday. Due to the ruling of the Park Commissioner, the people of Boston to that extent were hoodwinked, because, as I understand the present ruling, there will be no collections allowed in the summer on any park or playground on Sunday in this city by any amateur or semi-professional team. Many of the people of Boston thought, also, when they voted on that ballot that, whether or not there would be amateur or semi-professional baseball, with collections, on the parks or playgrounds of the city, there would at least be professional baseball by all the league teams in this city. They were not aware that Fenway Park was within a thousand feet of a church—as was, of course, well known by those who most strongly pushed the bill. Those people were aware that if Sunday baseball went through, the Red Sox would have to hire the grounds of the National League team. But the people who cast their ballots were not aware of that fact, and I believe from the information I have received that even if the American League should want to play Sunday baseball, the amount that would be charged by the Braves for their field would be so extortionate as to prevent the playing of American League ball in Boston on Sunday. I do not believe, when the people of this city voted by such a substantial majority in favor of Sunday ball, that they realized, boiling it down to the lowest possible denominator, that all they were voting for was Sunday ball and fresh air at Braves Field, and that they were merely going to be able to see the National League Club play ball. I do not believe they knew what they were voting for, Mr. Chairman, and I believe when the boys get out the bats and balls next summer, and when it is found that they were hoodwinked, that they will not have a chance to play on the parks and playgrounds on Sunday and take a collection to pay their expenses, many of the people who voted for this measure, because they believed in Sunday baseball, will be anxious to see the act repealed. And I resent very much, Mr. Chairman, the intimations which have been made that there has been unnecessary delay upon the matter here, and that it should have been acted upon before this. This is the first day that we have ever had properly before us a petition to play Sunday ball in the City of Boston, drawn in proper form, and in the manner provided for under the ordinance which this body passed. This, too, is the first day when we have ever had a petition before us referring to any properly described ball park or field, and signed by somebody who owned the field or had a lease of the field. And so I say now, since, against my own convictions, the people of my district voted for Sunday baseball, although even now I do not believe they knew what they were voting for, I must cast my ballot today in favor of the petition as now brought in.

Chairman DOWLING—The Chair would now like to have Coun. Wilson come to the chair.

Coun. WILSON in the chair.

Coun. DOWLING. Mr. Chairman, I want to say here, so that it will go into the records of this meeting, as I stated in the executive committee, that I am so built and constructed that I have to be consistent at all times. I know that a great many times I have been a lone voter in this Council, so lonesome at times that I looked like the last man of the Lost Tribe of Israel. But every time I voted I voted according to my conscience and according to my judgment. When the so-called Sunday Sports law came before the people in the form of a referendum, I voted against it, because my personal convictions were against playing Sunday professional baseball, and because I believed at the time that a large part of my constituency was not in favor of professional baseball on Sunday. I have not changed my convictions at all, and I don't believe that the sentiment of my district has changed at all. I still believe that a large majority of the people whom I have had the honor to represent here the last three years, and in the Legislature before that, are opposed to professional baseball on Sunday. Now, Mr. Chair-

man, in addition to what I said in the Executive Committee—and perhaps I will not go as far as I intended in this meeting, because what I said there was possibly a little rougher than I would want to have appear in the public record.—I am firmly convinced that the proponents of the Sunday baseball privilege in this city are not people to whom this City Council should give this special privilege. The public prints of this morning and yesterday morning, and the application for the Sunday privilege which has been filed here today, indicate that Mr. Bruce Wetmore, Mr. Charles F. Adams, Mr. Charles H. Innes and Mr. Albert M. Lyon, alleged directors of the Boston National Baseball Club, held a meeting Saturday at which they made formal application for this permit. I believe that I am perfectly justified in calling attention to the fact that Mr. Bruce Wetmore, reputable as he may be in other lines of endeavor, is one of the pawnbrokers to whom Judge Fuchs, the manager of the Boston Baseball Club, appealed in his financial difficulty. I believe I am perfectly justified in the statement that Charles Francis Adams, a wealthy gentleman, is another one of the pawnbrokers to whom Mr. Fuchs appealed for support in his financial difficulty. Now, Mr. Chairman, so long as the referendum which was presented to the people on November 6 contained two distinct propositions—one in favor of the playing of professional baseball on Sunday and one in favor of allowing the young men of this city and their elders to witness and participate in games on public playgrounds, and take up collections,—I am opposed to the granting of a permit merely for the professional games. If Mr. Adams or Mr. Fuchs or Mr. Wetmore or Mr. Innes, who is a park commissioner of this city, would offer me the slightest intimation that the public parks of this city will be open to the young men and boys, and to the men who work all the week, so that they can play baseball on Sunday, and take up collections to defray the expenses of their games, I might feel somewhat differently disposed towards Sunday professional baseball. The so-called Sunday Sports law, which you, sir, have said was accepted by the people under a misapprehension, was supposed to be a law as much in the interest of boys, young men and their elders, enabling them to participate in and enjoy baseball on the playgrounds and public parks of the city, as it was in the interest of the professional baseball player; and I believe it was really intended to be more in the interest of the young men who use the public parks and playgrounds, because their proposition came in the referendum ahead of the Sunday professional baseball proposition. Now, sir, I say that I am going to be consistent. I voted against the Sunday professional baseball law, as a citizen. I have offered every obstacle I could to the enactment or passage of the law in this Council, without one cent or the hope of reward; and I want to now challenge Charles F. Adams, the foul-mouthed liar, to make a statement—now that the immunity of the Supreme Court has been removed—that Fred Dowling either talked with him or solicited him in this matter, or had anyone solicit in my behalf. He dare not make such a statement, Mr. Chairman. The statement he made, heaping calumny and abuse on this Council, was made under the protection of a Supreme Court order; and I now challenge, Mr. Adams, Mr. Fuchs, or any other living soul to issue a public statement tomorrow that I ever did a dishonest thing in my life or that I cast a dishonest vote in this legislative body. Now, let us see who has the guts. Mr. Adams is a fakir. He has abused me beyond repair, and I resent with my whole heart and my whole soul a single utterance from such a scapegoat, who is associated with men of the type of Fuchs. I referred to Fuchs in the Executive Committee in somewhat bold terms, so bold that some of the members did not want them put into this record. But they were true there, and they would be true here if I uttered them here. Now, I am still hoping that there is enough courage in the members of this Council to lead them to vote at least once in favor of the boys who use the playgrounds. There is no reason why the boys should not play on the parks and playgrounds next summer on Sundays, and there is no reason and there is no law to prevent their taking up collections, except the autocratic attitude adopted by the Boston Park Commission, which is so closely associated with the Boston National Baseball Club—probably for the reason that the Boston National Baseball Club does not want so much live compe-

tion in sports on the public playgrounds. Whenever fifty thousand, sixty thousand, or one hundred thousand adults are on playgrounds on Sunday, they represent fifty thousand, sixty thousand, or one hundred thousand adults who like baseball, and who, because of their preference for the clean, manly, decent games played by the boys, and show in that way that they would rather see those games than put their halves, quarters and dollars into the coffers of the National Baseball Club. I am in favor of Sunday baseball games on our parks and playgrounds by the boys, I am in favor of collections for the boys, but I am not in favor of a special law which will allow the Boston National Baseball Club to take up a special collection for their special purposes. (Applause.)

Chairman DOWLING in the chair.

Coun. McMAHON—Mr. President, we have heard a lot in regard to this Sunday baseball permit but I would like to just say how I feel with regard to the vote that I am going to cast on this matter. As one who has always been very much interested in the playing of games on the parks and playgrounds in my home district, and although I feel, coming from the Ward I do, with the vote cast for Sunday baseball, that I must vote for this permit. I do it feeling right down in my heart that one of the best playgrounds in the City of Boston, in my district, is going to be hit right on the head in the matter of Sunday games. That playground out there—in fact two of them,—are as packed and crowded as you would ever want to see, witnessing Sunday baseball and football; but if they are not going to be able to collect, as they have done on week nights, and if the Park Department will do the same thing by them as they have done on the "Two" games on some of the playgrounds, I say that there is some nigger in the woodpile somewhere. They will not come out and tell us as councilors that they will allow them to collect on Sundays; but we know, as you have said yourself Mr. Chariman, that they will not allow them to collect on Sundays and we know that no team can go and play on a playground successfully unless they are allowed to collect, and if they cannot collect, there will be no games. I, as one member personally prefer to go to one of the playgrounds and watch a Sunday afternoon game there, to going to Braves' Field. I would simply say that we have a chairman on our Park Commission who is apparently very much interested, but who will never give you a real answer, or never has up to the present time given a good answer, as to whether he will allow them to collect on Sundays on public playgrounds or whether they will not be allowed to collect, still he can spend this week at Vino Park, St. Petersburg, which happens to be the Braves' headquarters for spring training. I say when we have a park commissioner who can spend his winter days down there, and here in Boston we cannot get an answer from him as to whether they will be allowed to collect Sundays on our playgrounds, there is something wrong. This afternoon, however, on account of the vote that the people of my ward have given on this Sunday baseball matter, I must vote in favor of this permit.

The report was accepted and the license was granted, Chairman DOWLING voting "No" on the *viva voce* vote.

#### "BRAVES" LIABILITY POLICY.

Chairman DOWLING—The Chair is in receipt of a liability bond or policy in the sum of \$100,000, of the Boston National League Baseball Company, filed in connection with the Sunday baseball permit. This bond has received the approval of the Corporation Counsel, and is now presented to the Council. It insures any person or persons receiving bodily injuries by accident at the Braves Field.

The bond referred to was approved by the Council.

#### EXECUTIVE APPOINTMENTS.

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

1. Action on appointments submitted by the Mayor February 4, 1929, of David Epstein, Jacob Goldberg, Robert H. Oliver, Edward A. Reynolds, Abraham Rosenberg and Israel Berenson, to be constables.

The question came on confirmation of the appointments. Committee, Coun. Keene and Donovan. Whole number of ballots 19, yeas 14, nays 5, and the appointments were confirmed.

COLLECTIONS ON PUBLIC PLAY-  
GROUNDS ON SUNDAYS.

Coun. RUBY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to draw up such rules and regulations as will permit collections on the public parks on Sundays where baseball games are played.

Passed under a suspension of the rule.

VOTE FOR PRESIDENT.

Coun. RUBY—Mr. Chairman, I move that we now proceed to the election of a president of this body.

The motion was carried.

The Clerk called the roll and the members as their names were called announced their choice for president, with the following result:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Murphy, Murray, Ruby, Sullivan—10.

For Edward M. Gallagher—Coun. Deveney, Dowd, Gallagher, Lynch, Mahoney, McMahon, Ward—7.

For Henry Parkman, Jr.—Coun. Bush, Dowling—2.

For Timothy F. Donovan—Coun. Motley—1.

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

And there was no choice.

QUARTERS FOR DISABLED AMERICAN  
VETERANS.

Coun. ARNOLD offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to report to the City Council whether the building owned by the City of Boston at the corner of Fayette street and Church street, and formerly used by the Boston Fire Department, can be made available for use as quarters by Silver Star No 3, Disabled American Veterans.

Passed under suspension of the rule.

MOTHERS' REST, MATTAPAN.

Coun. MURPHY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to prepare the land now owned by the city on Rockdale street, Mattapan, for use as a Mothers' Rest.

Passed under suspension of the rule.

MOTHERS' REST, HYDE PARK.

Coun. MURPHY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to locate a Mothers' Rest in the Corriganville section of Hyde Park, Ward 18.

Passed under suspension of the rule.

WELLES 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 Welles street, Rosindale, Ward 18, as a public highway.

Passed under suspension of the rule.

SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for payment of aid to soldiers

and sailors and their families in the City of Boston for the month of February, 1929.

Report accepted; said order passed.

REPORT OF SPECIAL COMMITTEE ON  
PARKS AND PLAYGROUNDS.

Coun. MURPHY offered the following:

Ordered, That his Honor the Mayor be requested to furnish the City Council with copies of the report of the Special Committee on Parks and Playgrounds, appointed by him, with reference to proposed playgrounds in Ward 18.

Coun. GREEN offered the following:

Ordered, That his Honor the Mayor be requested to furnish the City Council with copies of the report of the Special Committee on Parks and Playgrounds, appointed by him, with reference to proposed playgrounds in the Charlestown district.

Passed under suspension of the rule.

NORTH MEAD STREET, WARD 2.

Coun. GREEN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out North Mead street, Ward 2, as a public highway.

Passed under suspension of the rule.

A MOTION TO ADJOURN.

Coun. WILSON moved to adjourn.

The motion was declared carried, Coun. RUBY doubted the vote, and the motion to adjourn was defeated by a rising vote.

VOTES FOR PRESIDENT.

Coun. RUBY—Mr. President, I move that we now proceed to the election of a president.

Coun. WARD—Mr. President, I wish to state here, in connection with this proposed vote for president, that the city's business is greatly impaired by reason of the fact that we have not yet elected a president to preside over the deliberations of this body. I hope that on this ballot the Council will take into consideration the gentleman from Brighton, whom I believe and whom every member of the Council believe, is eminently qualified to fulfill the duties of the office. Therefore, I hope the Council on this ballot will elect Edward M. Gallagher as president of this body.

Coun. Ruby's motion to proceed to a ballot for president is carried. The Clerk called the roll and the members when their names were called announced their choice, with the following result.

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Motley, Murphy, Murray, Ruby, Sullivan—11.

For Edward M. Gallagher—Coun. Deveney, Dowd, Gallagher, Lynch, Mahoney, McMahon, Ward—7.

For Henry Parkman, Jr.—Coun. Bush, Dowling—2.

For Herman L. Bush—Coun. Parkman—1.

For Frederic E. Dowling—Coun. Wilson—1.

And there was no choice.

On motion of Coun. MURRAY, the Council voted to proceed to another ballot for president. Before the Clerk called the roll, Coun. McMahon said.

Coun. McMAHON—Mr. President, I rise on the question of election of president. I feel that we have been going along here now for six or seven weeks without electing a presiding officer. Much has been said about the qualifications of different candidates who have been proposed for election, but I do feel that there is one thing that we might well take into consideration in deciding this question. I feel, as one of the twenty-two members of this body, that we have a councilor here in the body who has been accused, ridiculed and abused, and I as one feel that the body owes something to itself in a matter of this kind, both the Democrats and the Republicans in the body. We have a member of our body here who has been accused of a lot of different things, and he has

been and is a candidate for president, and has shown that he is worthy of representing this body in that position. I feel that this afternoon we should elect Mr. William G. Lynch as president of the body.

The Clerk called the roll, and the members when their names were called announced their choice, with the following result.

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Murray, Ruby, Sullivan—8.

For Edward M. Gallagher—Coun. Dowling, Gallagher, Ward—3.

For Henry Parkman, Jr.—Coun. Bush, Dowling—2.

For Timothy F. Donovan—Coun. Donovan, Dowd, Lynch, Motley—4.

For William G. Lynch—Coun. Mahoney, McMahon, Murphy—3.

For Herman L. Bush—Coun. Parkman—1.

For Frederic E. Dowling—Coun. Wilson—1.

And there was no choice.

Coun. MURPHY—Mr. Chairman, I move you, sir, that we now proceed to the election of a president. The motion was carried. The Clerk called the roll and members, when their names were called, announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Murphy, Murray, Ruby Sullivan—9.

For Edward M. Gallagher—Coun. Deveney, Dowd, Gallagher, Lynch, Mahoney, McMahon, Ward—7.

For Henry Parkman, Jr.—Coun. Bush, Dowling—2.

For William A. Motley, Jr.—Coun. Donovan—1.

For Timothy F. Donovan—Coun. Motley—1.

For Frederic E. Dowling—Coun. Wilson—1.

And there was no choice.

On motion of Coun. RUBY, the Council voted to proceed again to a ballot for president.

The Clerk called the roll and the members, when their names were called, announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Murphy, Murray, Ruby, Sullivan—10.

For Edward M. Gallagher—Coun. Deveney, Dowd, Gallagher, Lynch, Mahoney, McMahon, Ward—7.

For Israel Ruby—Coun. Bush—1.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Timothy F. Donovan—Coun. Motley—1.

For Henry L. Bush—Coun. Parkman—1.

For William G. Lynch—Coun. Wilson—1.

And there was no choice.

On motion of Coun. SULLIVAN, the Council voted to again proceed to a ballot for president of the body.

The Clerk called the roll, and the members, when their names were called, announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Murphy, Murray, Ruby, Sullivan—9.

For Edward M. Gallagher—Coun. Deveney, Dowd, Gallagher, Lynch, Mahoney, McMahon, Ward—7.

For Henry Parkman, Jr.—Coun. Bush, Dowling—2.

For Peter A. Murphy—Coun. Donovan—1.

For Timothy F. Donovan—Coun. Motley—1.

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

And there was no choice.

Adjourned at 6 p. m., on motion of Coun. BUSH, to meet on Monday, February 18, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, February 18, 1929.

Regular meeting of the City Council, in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, in the chair. Absent, Coun. Dowd and Ward.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Mayor, the following appointments were received for the term ending April 30, 1929, viz.:

Weigher of Coal and Measurer of Wood: William Burkard, 44 Colberg avenue, Roslindale, for Whittemore's Sons, 14 Belgrade avenue.

Weigher of Beef: George F. A. McDougall, 383 Main street, Reading, for Fruit Dispatch Company, Boston.

Severally laid over a week under the law.

## LEASE TO MAJOR P. J. GRADY CAMP, NO. 3.

The following was received:

City of Boston,

Office of the Mayor, February 16, 1929.

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 consideration of one dollar per annum, to execute a lease to the Major P. J. Grady Camp, No. 3, Department of Massachusetts, U. S. W. V., in form satisfactory to the Law Department, of the second floor of the premises known as the Old Armory Building, situate on the corner of Maverick and Bremen streets, in that part of Boston called East Boston, said lease to run for a term of five years.

The Superintendent of Public Buildings of the City of Boston in a letter dated February 5, 1929, requested the execution of this lease.

I 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, in consideration of one dollar per annum, to execute a lease to the Major P. J. Grady Camp, No. 3, Department of Massachusetts, U. S. W. V., in form satisfactory to the Law Department, of the second floor of the premises known as the Old Armory Building, situate on the corner of Maverick and Bremen streets, in that part of Boston called East Boston, said lease to run for a term of five years.

Referred to the Committee on Public Lands.

## RELEASE OF LAND TO JOHN J. COLLINS.

The following was received.

City of Boston,

Office of the Mayor, January 30, 1929.

To the Honorable the City Council.

Gentlemen,—Please find enclosed an order authorizing the Mayor in the name and behalf of the City of Boston, for the consideration of one dollar to execute and deliver to John J. Collins, owner of a certain parcel of land situate on a private way known as Washington avenue, in that part of Boston called South Boston, a release satisfactory in form to the Law Department of all the right, title and interest the City of Boston has in and to the fee and soil of Washington avenue, so called, said release to affect only that part of said Washington avenue upon which the land of said John J. Collins abuts, reserving to the said City of Boston and its assigns the right to lay, use and maintain its sewerage works and water pipes in

said Washington avenue. The premises herein referred to were taken by an order of the Board of Aldermen of the City of Boston approved by the Mayor of said city December 2, 1878, for the purpose of laying, using and maintaining a common sewer "together with the right of said city and its assigns to use the same for all the purposes of a way."

The deeds running to the City of Boston from the various owners of the premises at the time of the taking contained the following stipulation.

"This conveyance is also made upon the stipulation to which said city shall be held to assent by accepting this deed and building, said sewer that said city shall within a reasonable time after completing its said sewer build, said Washington avenue to the width of at least twenty-five feet and to the grade of at least fifteen feet above the mean low water mark, and said city shall have the right at any time at its discretion to build said avenue at a greater width of twenty-five feet, but not exceeding fifty feet."

The Chief Engineer of the Street Laying-Out Department of the City of Boston informs us that said Washington avenue is a private way; that the stipulation with reference to building the same as a street has never been complied with, and that in his opinion said Washington avenue is of no use to the city as a street and the only right that the city needs in the premises is that of laying, using and maintaining its common sewer and water pipes therein. Information received by us from the Board of Street Commissioners of the City of Boston is substantially the same as that of the Chief Engineer of the Street Laying-Out Department. The Commissioner of Public Works of the City of Boston has stated that the only interest which his department has in the premises is in the sewer easement.

The fee of certain portions of said Washington avenue has already been registered in the abutting owners and the embankment by the New York, New Haven & Hartford Railroad Company also cuts off said Washington avenue as a street.

The opinion of the Law Department is that the words used in the order of the Board of Aldermen by which this taking was made, to wit, "all the purposes of a way"—were in contemplation of the city having access to its sewerage works and water pipes to be laid, used and maintained in the premises, and not that the premises should be used by the city for all the purposes of a public way or street.

Mr. Collins is seeking to register the title to his land and to have that part of said Washington avenue, upon which his land abuts, included in the certificate of registration, subject to the rights of the City of Boston to lay, use and maintain its sewerage works and water pipes in said Washington avenue.

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 John J. Collins, the owner of a certain parcel of land situate on Washington avenue, a private way situate in that part of Boston called South Boston, for the consideration of one dollar, a release in form satisfactory to the Law Department of all right, title and interest said City of Boston has in and to the fee and soil of said Washington avenue; said instrument of release to affect only that part of said Washington avenue upon which the land of said John J. Collins abuts, reserving to the said city and its assigns the right to lay, use and maintain its sewerage works and water pipes in said Washington avenue.

Referred to the Committee on Public Lands.

## MOTHER'S REST, MATTAPAN.

The following was received:

City of Boston,

Office of the Mayor, February 18, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Chairman of the Park Department in reply to your order of February 11, 1929, relative to a mothers' rest on Rockdale street, Mattapan.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, February 15, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of February 14, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to prepare the land now owned by the city on Rockdale street, Mattapan for use as a mothers' rest.

In reply I desire to say that the land in question comes under the jurisdiction of the Schoolhouse Department and was purchased for school purposes. The Park Department has no jurisdiction over same.

Very respectfully yours,  
WILLIAM P. LONG,  
Chairman.

Placed on file.

#### SUNDAY COLLECTIONS ON PUBLIC PARKS.

The following was received:

City of Boston,  
Office of the Mayor, February 18, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Chairman of the Park Department, in reply to your order of February 11, 1929, relative to the drawing up of such rules and regulations as will permit collections on the public parks on Sundays, where baseball games are played.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Park Department, February 15, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of February 14, with inclosure, order from the City Council, that the Park Commission be requested through his Honor the Mayor, to draw up such rules and regulations as will permit collections on the public parks on Sundays where baseball games are played.

In reply I desire to say that this matter will be taken up by the Board of Park Commissioners with the Law Department immediately as to the advisability of such action.

Very respectfully yours,  
WILLIAM P. LONG,  
Chairman.

Placed on file.

#### EMPLOYMENT BUREAU REPORT.

The following was received:

City of Boston,  
Office of the Mayor, February 18, 1929.  
To the City Council.

Gentlemen,—Attached is a report from the Employment Bureau showing the number of registrations and the number of positions filled for weeks ending January 26, 1929, and February 2, 1929.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston Municipal Employment Bureau,  
February 4, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—Pursuant to the City Council orders inclosed, please find the number of registrations filled directly through this Bureau for the period from January 21 to February 2, 1929, inclusive.

Week January 21 to January 26. Registrations, 251; placed, 171.

Week January 28 to February 2. Registrations, 114; placed, 73.

Respectfully,  
AUGUSTUS SEAVER,  
Assistant Secretary in Charge.

Placed on file.

Later in the session, Coun. WILSON said: Mr. President, I would ask unanimous consent to comment on the report filed by the Finance Commission last week in reference to the Employment Bureau.

Chairman DOWLING—If there is no objection, the gentleman will proceed.  
Coun. WILSON—Mr. President, the very recent

announcement by the Finance Commission concerning the Municipal Employment Bureau is not without interest to the City Council, although perhaps the most surprising thing is that it has taken the Finance Commission over a year to verify facts and figures submitted in the Boston City Council over a year ago. The Finance Commission report tells us that the 1928 expense of running the Employment Bureau amounted to over \$20,000, not including rent, telephone, heat and light. As long ago as December 19, 1927, I presented an order in this body for the purpose of either abolishing the department or instigating such reorganization as would make the Bureau of some practical value to the unemployed of Boston, and thereby justify its continued rather expensive existence. I again pressed for some fair idea of the real facts on January 16, 1928, and again on February 6, 1928, on which latter date—over a year ago—it was pointed out that during the entire month of January, 1928, although there were 411 registrations by men out of work, only 172 men were furnished even temporary employment, and the fair comment was made that with ten employees in a department having a payroll of over \$20,000 annually, the city had some right to expect that more than five men a day should be found even temporary employment in the whole City of Boston. On April 2, 1928, the entire question of the inefficient management of the Municipal Employment Bureau was argued at length by members of this Council, and then as well as thereafter, members of the City Council with a few favored exceptions, have insisted on some drastic change. Now, over a year later, the Finance Commission finds that the Municipal Employment Bureau is inefficiently administered; that time and energy are wasted in useless and misdirected routine; that unemployed men vainly seeking work loaf aimlessly around the filthy quarters of the Bureau all day long hoping to hear their names shouted by some employee peddling the few jobs obtained; that with a few notable exceptions the employees of the department, so eagerly striving to relieve the grave unemployment situation in Boston, stroll into work as late as 11 o'clock in the morning; that discipline is lax and the quarters filthy; that during 1928 the number of employees in the department was increased from ten to twelve; that a Miss Ryan actually runs the men's division, although Mr. Seaver has continued to retain the City Hospital concession. In other words, as was clearly brought out in the recent City Hospital investigation, all placing of City Hospital employees has been a closed-shop proposition. Not only must prospective City Hospital employees check out from the Municipal Employment Bureau, in order to boost the supposed results in that department, but Mr. Seaver, no doubt for political reasons of his own, has reserved that particular line for himself. The care with which the men are chosen was well exemplified by the case of the porter who testified at the McMahon hearings. Since the sending of men to fill existing vacancies at the City Hospital, with the present closed-shop method, is a wholly routine procedure, it would seem that the time of the head of the Employment Bureau might better have been utilized in more constructive and difficult work. And in any event, as was confirmed by the Trustees of the City Hospital, not only might the time of the head of the Municipal Employment Bureau be better employed than by filling existing vacancies at the hospital, but the hospital authorities would much prefer to handle that particular item themselves.

The report does disclose one new item of interest, namely, that with only three more employees than the city, the State Employment Bureau, during the first eleven months of 1928, placed 12,221 men at a per capita cost of \$2.38, compared with the placing of only 3,613 by the city at a per capita cost of \$6.21. But it would be even more interesting to know whether, on the average, the men receiving employment during 1928, each earned enough even to equal the \$6.21 which it cost per man to place them, and also what substantial results, if any, the Municipal Employment Bureau could show without the Boston City Hospital employment concession! I believe that credit should be given where credit is due, and therefore, the Finance Commission might also have noted the fact, brought out in our debate on April 2, that during the biggest year in the history of the City Employment Bureau, which I believe was 1923, a staff of eight men and one woman, with an annual payroll of only \$15,000, put 11,298 men to work at a



per capita cost amounting to only \$1.36. Certainly there is still plenty of unemployment in the City of Boston, in common with the rest of the state, and therefore the recent voluntary cut of five employees from the Employment Bureau, even though the cut started at the wrong end of the personnel, would seem to justify some small part of the criticisms made in this Council as long ago as January, 1928. There is real work to be done by a properly operated employment bureau in this city, and I repeat now what I said with reference to a City Council order passed on March 5, 1928, that if the Public Works Department actually enforced the express contract provision to be found in every street contract, that "citizen labor must be employed if available," and if the Public Works Department worked in conjunction with the City Employment Bureau, there would be hundreds of jobs made available on twenty-four hours' notice. Contractors, who do city work, of course, prefer to pay aliens, who can't even speak English, 40 cents or 50 cents an hour, rather than employ American citizens at 65 cents an hour, if they can get away with it! There is certainly "something rotten in Denmark" when they do get away with it; and they are getting away with it every day in the year. I said so last March, and I repeat it today. Possibly, if on all floors of this building, including this floor, there was a little less interest shown in certain favored contractors and a little more interest shown towards American citizens out of work, the express contract provisions requiring employment of citizen labor, when available, would be more consistently lived up to. You can't tell me that there are no available American laborers now out of work.

**MOTHERS' REST, HYDE PARK.**

The following was received:

City of Boston,  
Office of the Mayor, February 18, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Chairman of the Park Department in reply to your order of February 11, 1929, relative to a Mothers' Rest in the Corriganville section of Hyde Park, Ward 18.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, February 15, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of February 14, with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to locate a Mothers' Rest in the Corriganville section of Hyde Park, Ward 18.

In reply I regret exceedingly to inform you that the department has no funds available for this purpose.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

**APPROPRIATION FOR AIRPORT.**

The following was received:

City of Boston,  
Office of the Mayor, February 18, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Chairman of the Park Department requesting an appropriation of \$250,000 for the further development of the airport and an order covering the same.

I recommend the adoption of this order.  
Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, February 18, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I respectfully request an appropriation of \$250,000 for further development of the airport. This appropriation is asked for the purpose of erecting an Administration Building with necessary waiting rooms, pilot rooms, emergency rooms, administrative offices, radio and weather

rooms; also for grading, surfacing and draining entire area for proper landing of aeroplanes on any part of the field.

It is also absolutely essential that a service road be built immediately in the rear of the five hangars, for which leases have been signed.

Respectfully yours,  
WILLIAM P. LONG, Chairman.

Ordered, That the sum of two hundred fifty thousand dollars be, and hereby is, appropriated to be expended under the direction of the Board of Park Commissioners for the purpose of making improvements at the airport, leased to the city by the Commonwealth of Massachusetts 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.

**PETITIONS REFERRED.**

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

**Claims.**

Mary Campbell, for compensation for injuries caused by an alleged defect in Drayton avenue.

Bessie G. Chapman, to be reimbursed for taxes paid by mistake.

Joseph Devine, for refund on unused refuse tickets.

Charles D. Harrington, for compensation for damage to car caused by an alleged defect at 55 Chickatawbut street.

Albert A. Jacobson, for compensation for damage to automobile by street cleaning cart.

Ethel F. Kamberg, for compensation for damage to car by city truck.

Karas & Karas Glass Company for compensation for damage to property at 167 and 169 Shawmut avenue, caused by break in water main.

James A. Lindsay, for compensation for damage to property at 18 Chappie street, Charlestown, caused by city employees installing meter.

James R. McVicar, for compensation for injuries caused by an alleged defect in Clifford street, Roxbury.

William J. Nason, for compensation for damage to automobile caused by broken limb of tree opposite 44 West Newton street.

Harry G. Nelson, for compensation for damage to property at 20 Lime street, caused by broken water main.

Thomas J. O'Brien, for compensation for damage to automobile by city truck.

William J. Rooney, for refund on wages owed him by city.

Paul W. Russo, for refund on unused refuse tickets.

Guy Spadaro, for compensation for damage to property at 3 Elm street, caused by water from street.

Saul Weiss, for compensation for damage to property at 61 Hanover street, caused by water from street.

Lyon Weyburn, for compensation for damage to property at 20 Lime street, caused by defective water main.

**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, March 4, viz.:

John F. Hynes, 1334 and 1336 Columbus avenue, Ward 11, 2,000 gallons.

Martin Levy, 99-107 Kneeland street, Ward 3, 2,000 gallons.

Christina Maier, 989-997 Harrison avenue, Ward 8, 4,000 gallons.

Standard Oil Company of New York, 586 Commercial street, Ward 3, 3,000 gallons.

Referred to the Executive Committee.

**CONSTABLE'S BOND.**

The constable's bond of Abraham Rosenberg, having been duly approved by the City Treasurer, was received and approved.

## RESIGNATION OF CONSTABLE.

Notice was received from his Honor the Mayor of acceptance of resignation of Julius Richmond as a constable of the City of Boston.  
Placed on file.

## APPROVAL OF APPOINTMENT OF SOLDIER'S RELIEF COMMISSIONER.

Notice was received of the approval by the Commissioners of Civil Service of the appointment of John W. Reth, 5 Metcalf street, Roslindale, to position of Soldiers' Relief Commissioner.  
Placed on file.

## SIDEWALK ON FAIRMOUNT STREET.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Fairmount street, at 43, 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.

## JOHN H. DOHERTY PLAYGROUND.

Coun. FISH offered the following:

Ordered, That the sum of fifty thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission 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.

Coun. FISH—Mr. Chairman, I hope his Honor the Mayor and the chairman of the Board of Park Commissioners will give our local playground serious thought this coming year. Last year I introduced the same order, and the Committee on Finance reported, saying "Ought to pass." This body voted at two different meetings, "Ought to pass." But his Honor the Mayor vetoed that order. It may be all right, Mr. President, to spend thousands of dollars on beautifying the Fens, the Arboretum, the Charles River Basin, but I think the taxpayers of Dorchester are entitled to some consideration on their playgrounds. We have here one of the largest and one of the most densely occupied playgrounds in the City of Boston. Fully 60,000 people will gather at that playground to witness football and other games, and we have no accommodation for the people on that playground. I hope the Mayor will take this matter under serious consideration.

The order was referred to the Committee on Finance.

## NATIONAL ORIGINS CLAUSE OF IMMIGRATION ACT.

Coun. MURPHY offered the following:

Whereas, Legislation of a very grave and far-reaching nature, bearing on proposed changes in existing immigration laws is at present pending before the Seventy-first Congress of the United States of America, and

Whereas, Definite action repealing the so-called National Origins law must be had during the present session of Congress, otherwise this law becomes operative by Presidential Proclamation during the present year; and

Whereas, Under the existing methods of computing the annual quotas from the various European countries which is considered equitable and fair to all the immigrants reaching our shores; and

Whereas, The report of the Special Committee consisting of three members of President Coolidge's Cabinet, after having figures submitted to them by the Special Congressional Committee, stated that "the statistical and historical information available raises grave doubts as to the whole value of those computations as a basis for the purpose intended, and therefore we cannot assume

responsibility for such conclusions under these circumstances." President-Elect Hoover was a member of this cabinet committee; and

Whereas, Legislative Agent Taylor by inference places the American Legion on record for the National Origins clause by declaring that this was the only way in which those races who in the World War were classed as "slackers" could be kept out, the plain inference being that this stigma was placed on those born in France, Sweden, Norway, Denmark, Germany and the Irish Free State, and that Nationals of these races were the chief slackers in America during the World War, and that these are the races who are to be punished by a large cut in their immigration quotas; and

Whereas, Complete refutation of the base charge that men of alien bloods were "slackers" in the World War is contained in the report of Provost-Marshal Enoch H. Crowder, who was in charge of the draft, in which he devoted many pages to an eulogy of the high patriotism shown by men of alien blood in responding to the call of the colors. He termed it a great and inspiring revelation, and said that "The melting pot of the world and the cosmopolitan composition of our population was never more strikingly disclosed than by the events of the World War." He wrote, further, in this section of his report, that "the great inspiring revelation is that men of foreign and of native origin alike responded to the call of arms with a patriotic devotion that confounded the plans of our arch enemy and surprised our highest expectations. Any man who can peruse the muster rolls of one of our camps, or the battle casualty lists in France, without realizing that America has fulfilled one of its highest missions in breeding a spirit of loyalty among all those who owe allegiance to its institutions, is not himself imbued with the high order of patriotism of those who answered the call of arms."

Resolved, That the Boston City Council goes on record as favoring the repeal of the so-called National Origins clause of the Immigration Act; and be it further

Resolved, That the City Clerk be instructed to send copies of this resolution to each United States Senator and each member of the National House of Representatives from the Commonwealth of Massachusetts.

The preambles and resolutions were referred to the Executive Committee.

## PAYMENT TO GUARDIAN OF JAMES LONG.

Coun. FITZGERALD offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation authorizing the city to pay a sum of money to the guardian of James Long in consideration of injuries from a fall while escorting a pupil to the William E. Blackstone School.

Passed under suspension of the rule.

## ARC LIGHT, THOMAS PARK.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light in front of 61 Thomas park, Ward 7.

Passed under suspension of the rule.

## RESURFACING OLD COLONY AVENUE.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Old Colony avenue, South Boston.

Passed under suspension of the rule.

## ANNUITY TO WIDOW OF JOHN J. SULLIVAN.

Coun. LYNCH offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of John J. Sullivan, late member of the Boston Police Department, who died as a result of illness contracted 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 Police Department, Pensions and Annuities.

Referred to Executive Committee.

LAND ADJOINING BILLINGS FIELD.

Coun. KEENE offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to inform the City Council as to the approximate cost of acquiring the tract of land, comprising about two and one half acres, adjoining Billings Field, for an addition to the present playground.

Passed under suspension of the rule.

SEWER, DORCHESTER BAY.

Coun. McMAHON offered the following:

Ordered, That the sum of \$400,000 be, and the same hereby is, appropriated, to be expended by the Commissioner of Public Works for the construction of a surface drain and overflow to provide for the drainage into Dorchester Bay, between Freeport and Bay streets; 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.

Coun. McMAHON—Mr. Chairman, before you refer that to the Committee on Finance,—as you know last week I asked to have a \$1,000,000 sewer loan so that I could get some relief for the thousands of people of Dorchester who use the Savin Hill and Coulter's Beaches for swimming. There are in my ward two sewers that drain the marsh land between Dorchester avenue and Bay street which are a menace to public health. All this sewerage flows into the waters of the Savin Hill and Coulter's Beaches, which makes the water unfit for bathing, and with the joining of these two sewers and having the water controlled by gates so that when the tide is going out these gates can be opened, it will eliminate this dangerous condition which the people in my district have suffered for so many years. And, Mr. Chairman, on this loan order, the reason I am asking not to have it referred to the Committee on Finance is that, by reason of there being no Committee on Finance for some time by the looks of the balloting for president, it looks to me now as though we will continue without having a Finance Committee. So, I will ask for the suspension of the rule and the passage of this order so that the Mayor will have a chance to either put my loan order through or give me a part in the budget.

Referred to the Executive Committee.

APPROPRIATION FOR HOSPITAL DEPARTMENT POWER PLANT.

The Council took No. 1 on the calendar, unfinished business, viz.:

1. Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Hospital Department, Surgical Building, Furnishing and Equipping, \$7,166.98, to the appropriation for Hospital Department, Power Plant, Additions and Alterations, \$7,166.98.

On February 4, 1929, the foregoing order was read once and passed, yeas 21, nays 0.

The order was given its second reading and passage, yeas 17, nays 0.

RECESS.

The Council voted, at 2.34 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 at 3.10 p. m. and were called to order by Chairman DOWLING.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on resolution (referred today) relative to the National Origins clause of the Immigration Act—that the same ought to pass. Report accepted; said resolution adopted.

2. Report on order (referred today) for loan of \$400,000 for sewer, Dorchester Bay—that the same ought to pass.

Coun. SULLIVAN—Mr. Chairman, I would like to go on record in favor of this loan order of \$400,000 for the improvement of the sewer connecting to the ocean, so that we will have better facilities for bathing at Savin Hill Beach. There has been a great controversy on there, and I think if the Mayor is sincere in his desire to help the people of Dorchester and the districts represented by the different councilors here, he will see that, if we do not get this \$400,000 loan order, we will get a certain portion of the \$1,000,000 loan order we passed last week.

Coun. FISH—Mr. Chairman, I want to be recorded as being in favor of the order also. It is a very good order. It affects my district as well as the Savin Hill Beach. Surely, I don't want the beach shut down this coming summer. I hope that his Honor will recognize that order.

Later in the session Councilor Wilson asked to be recorded in favor of the order also.

Report accepted; said order passed, yeas 17, nays 0.

MEDICAL PAVILION, CITY HOSPITAL.

Coun. McMAHON moved to recall from the Committee on Finance the four orders for loans amounting to \$749,000 for Medical Pavilion, City Hospital, referred February 4, 1929.

Coun. McMAHON—I would like to move, Mr. Chairman, to take up No. III on the calendar which was referred to the Committee on Finance, that \$749,000 for the Medical Pavilion at the City Hospital. That is one of the loan orders that I understand the hospital really needs, Mr. Chairman. It is going to take care of a lot of patients there to whom they are unable now to give the treatment and service that the people of Boston are entitled to, and such an important order, if it is going to be referred to the Committee on Finance and stay there, I think and I know ought to be taken from the Finance Committee and voted on here this afternoon, to give the hospital the authority to go ahead with their medical building, of which I know they are in much need.

Chairman DOWLING—Councilor McMahon moves that No. III be recalled from the Committee on Finance, and be referred to the Executive Committee. Those in favor will so signify; those opposed; and it is not a vote.

Coun. McMAHON—I doubt the vote and ask for a rising vote.

Chairman DOWLING—A rising vote is asked for. Those in favor of recalling the matter will rise and stand until counted; now those opposed; and the Chair now acknowledges he was in error. The matter is recalled from the Committee on Finance.

Coun. KEENE—Mr. Chairman, I would like to ask Councilor McMahon whether No. II on the calendar has any connection with that, whether or not those buildings are a part of the plan.

Coun. McMAHON—In answer to the councilor, Mr. Chairman, I had occasion to go to the hospital yesterday, and I talked with the assistant superintendent, and they are in very bad need of the Medical Pavilion. Now, as we all know, the hospital yesterday had something over 1,100 cases, and I know they are in very tough shape over there for room, and if this medical building gets opened up it relieves that situation where we have had so much trouble getting the trustees and the superintendent to co-operate with this body in serving the people that use the City Hospital, and all they were speaking about was this \$749,000. They did not say anything about No. II, and I felt that was important, they really needed it, there ought to be something done about it, but No. III was the one about which I was asked as to what had happened to it. I do not want the councilors here to feel that on this loan order there is anything in there that is not worth while, because this is one of the real items

in the Boston City Hospital they really have to have, and I hope this body will take this action.

Coun. FITZGERALD—Mr. Chairman, I would like to have some one of the councilors furnish me with some information, whether or not they have these plans in connection with this loan order we have just passed. I would like to have somebody furnish that information.

Coun. MOTLEY—Mr. Chairman, in answer to the gentleman from the West End, I have talked with the superintendent of the hospital on Friday, also on Saturday morning, and he informed me that, if these orders were not passed within a reasonable time, it would mean a delay in building the new Medical Pavilion over there from next fall until the next spring, and he spoke of the two orders.

Coun. BUSH—Mr. Chairman, I am not averse to these loan orders for the City Hospital, but I am averse to voting for a loan of a considerable size such as this asked for without some information on the subject, and the Council, so far as I know, has not received any information or any particular reasons on these orders, and, although I would hesitate to say that the Council should wait until the Finance Committee is appointed because it may not be appointed for the balance of the year, I feel that if some necessity for speed exists here for the passage of this order, that such committee be appointed so that they can gather the information and report to the Council on it. I am averse to voting on an order without knowing something about it, what this Medical Pavilion calls for, what its use is for, and how the money is to be expended. There are four orders for loans amounting to \$749,000, and the information here is very meager.

Coun. FITZGERALD—Mr. Chairman, of course the Council evidently know what they are about, and evidently certain members here are bent on transacting business in an entirely different manner from that in which it has been transacted since the inception of the Boston City Council, either under this government or the old government. I am amazed to have certain members of this Council sit here who are supposed to represent Good Government, also supposed to represent the best people in the city, supposed to represent all that is great, good and holy, and allow these things to pass on without any consideration by any committee. We have been voting away hundreds and thousands of dollars of the city's money without one iota of consideration whether they are needed or not. The Legislature in its wisdom created this body with the consent of the people; the Legislature in its wisdom has done a lot of things, and the people had to go to the Legislature for their authority. No matter what amount of money is appropriated, in any legislative body it is always done through the instrument of a committee who must function, who must hear evidence pro and con and the reason why it should be done. Now, since the 7th of January we have been voting in this haphazard manner. Whether it was City Hall, whether it was Deer Island, or whether it was the City Hospital, the money has been appropriated without any due consideration of the city's interests in the matter. Of course, the people who are voting the money have some responsibility. A lot of people say that the City Council of Boston has very little power; that it is merely a debating party—you are merely assembling. Of course, I am one man who believes the City Council has tremendous power. I am also satisfied there are a lot of members of the City Council who do not realize that the City Council has any power. The City Council has more power than the Mayor. They are greater than the Mayor, and they are greater than the heads of departments. The body that appropriates the money and the body that can reduce items and the body that can say what shall be spent and what shall not be spent represents something. The newspapers of this city have given very little consideration to these great items already passed by. They pass very little judgment on whether the Council sits in solemn session in considering these matters or not; they simply pass them over lightly. Now that same thing in regard to the gentleman from Roxbury. I believe that the City Hospital should have all that is required, but we are establishing a bad precedent here. We are establishing a custom here that will come home to half the members of this Council before the year is over. There are things that can be done in the moment of harshness, in the moment of bitterness, and in moments of reflection they

may cause sorrow. But why allow ourselves to be rubber stamps? Why allow this body to do these things without any consideration? I believe the Council could easily wait for one more week, if necessary, for I think in due season, within a very short time, you could bring down to the Council Mr. Manning, and the Executive Committee could well have acted upon this matter, in order that we might have an intelligent idea of what we are voting. Personally it is immaterial to me whether you pass this or not. I simply say we are establishing a bad precedent. Of course, the gentleman from Dorchester served notice on the Council after it was shortly in session for a few moments that it looked as if there would not be any president elected and we would have to transact certain business. We all have something on which we have got to act, and, of course, nobody knows when an election will come about, but we want to remember that there are people of judgment looking down on us. Your friends may be all right but your enemies are always working, they are always trying to find something to do down us and make things out worse against us. Of course, I should not talk in this manner because I am speaking to an enlightened people, but I have my friends and I know how our enemies act when it can be well placed before the people that so much money was appropriated without a moment's notice, and some little matter of little consequence we used several hours debating it. I believe we ought to be cautious in this matter and we ought to go a little slow, and I believe if the Council follows the gentleman who has been chairman of the Committee on Finance for the past year, who knows something about what he is talking and other members here who ought to interest themselves in the matter,—as I first said, if every member of this Council studied municipal finances and government, such as the gentleman from Ward 17 in Dorchester, there would be a different Council. But, however, it would not be right to have three members on this order say they are leaders, leaders in municipal high finance, and the other seventeen are rubber stamps forcing this money through.

Chairman DOWLING—The Chair desires the right to inflict upon the Council an expression of his personal opinion on the matter, because he is unable to go to the floor, but it seems to the Chair that the gentleman from Dorchester might hesitate at this time, and that the loan orders might properly be referred to the Executive Committee, where at least we may go through the orderly procedure of a hearing. And the Chair says for himself that he hesitates now to vote on the orders today while information which might be obtained at an Executive Meeting would give him information that would enable him to vote on the orders intelligently. And the Chair also expresses the hope that the gentleman from Ward 15 will withdraw his motion in order that they might be referred to the Executive Committee so that at least a fair amount of consideration be given to the orders. If the gentleman insists upon his motion, however, the Chair will be forced to put the question.

Coun. McMAHON—Mr. Chairman, my purpose in taking it from the Finance Committee was for the same reason that I saw a particular gentleman in this Council—and I am not a candidate for president, I will let it be known now—but I sat here in this body, and saw a loan order taken off the calendar, and what information did I get when I am one of the councilors asked for some information? I asked on the \$1,000,000 loan order here last week, if that could be held just to give me an opportunity so I could do some inquiring in regard to it.

Chairman DOWLING—It would seem to the Chair that that was done as a committee rather than in the Council.

Coun. McMAHON—Mr. Chairman, I will get to that. It was referred to Executive, Mr. Chairman, and my actions right here I am perfectly willing to let come right out here in this body and let it go right in the record. If there is any man here, or any councilor feels that he did not want that loan order for the hospital, that is their lookout, it isn't mine; and, Mr. Chairman, I, as one member of this Council, have done, probably, the biggest part of the rapping of the City Council and when the gentlemen from there who have charge of the hospital ask me why we hold up the loan order which they are wanting and with which they can make conditions better, I don't know what relief any man out here could give them except that particular loan order. So far as talking against referring this order to Executive, I

would be perfectly willing to withdraw the motion and refer it to Executive, and I ask here to take a recess so that we can have them here, and if there is any information that any particular councilor wants here we have time enough to get it. I know there isn't anybody interested in that hospital we can't get within fifteen minutes or half an hour at the most, who will give us all the information we want on that particular loan order. But I feel that it should not wait. If that is their argument to us, that they need it and that is what they are waiting for, then they should have it. And when I go to the hospital like I did yesterday and the beds are in the aisles over there and that is the only excuse they give—they are waiting for the new building, and I think the conditions there warrant it; and as far as information wanted on that particular loan order, it won't take thirty minutes to get all the information that any councilor wants. And, Mr. Chairman, I will withdraw my motion and refer to Executive, and ask you to call an Executive Meeting here this afternoon.

Coun. WILSON—Mr. Chairman, I agree with some of what has been said by both sides. I agree that to a large extent the members of the Boston City Hospital are rubber stamps, and my notion is that if we were less rubber stamps we would get down to business, elect a president, have a finance committee and carry on the business of the city. I was one of two, three or four councilors last week who made a perfectly reasonable request, in consideration of the spending of a million dollars for new streets, that we let that particular loan order lay over for one week in order to find out, if we could, how much of that had been spent last year, how much is available, in what districts of the city this million is to be spent, and gather what seemed to me very relevant information, and it does seem to me inconsistent to see the same members of the City Council who rushed through the \$1,000,000 street order last week hesitate to rush through the hospital order of this week. I beg to submit that I have been consistent in both matters. I will admit we need \$1,000,000 for streets, but I fail to see why \$1,000,000 for streets is any more of a blanket order which should be rushed through than three-quarters of a million dollars for a City Hospital Pavilion. I am not averse to spending several more hours here this afternoon because in this very room the members of this Council spent days in an investigation of the City Hospital, and one of the things that we found out was that they were cramped for quarters, they need nurses, and are not big enough to do the work that they could do, and it occurs to me that the loan orders may be accompanied by some information, as I would assume that any loan orders totaling three-quarters of a million would be; but whether the information is now available, or whether or not we should call up the City Hospital I, for one, consistent with my attitude last week, am willing to go into the question of three-quarters of a million dollars for a hospital pavilion, and I am willing now and do now ask that we go into Executive, that we get anyone whom we may need to get the information, and that we pass on this particular question this afternoon. I would take also with it the loan order for \$180,000 for hospital buildings and any other hospital loan orders there may be on the calendar. I may be unduly technical but it does offhand occur to me that loan orders for the City Hospital or the City of Boston are of some importance.

Coun. FITZGERALD—Mr. Chairman, I would suggest that the Budget Commissioner be called up to executive session.

Coun. BUSH—It occurs to me, Mr. Chairman, that in the last year we spent some seven and one-half millions or more on the City Hospital, and I do not recall offhand now just what those expenditures were for, but they certainly were for new buildings there of some kind or other. If they built new buildings there to house officers of the hospital and doctors instead of housing patients, I think the Council ought to know it.

Coun. PARKMAN—Mr. Chairman, the minutes of the City Council, dated February 4, contain some little description of what these loan orders refer to, and on page 48 of the City Council record of this year the members of the City Council can find some of the information in regard to which we are inquiring at the present time. Those communications from the City Hospital Trustees to the Mayor and from the Mayor to the City Council show that out of the \$3,000,000 authorization by the Legislature of 1924, there remained \$579,000

unappropriated, and that forms part of the sum of \$749,000 which we are asked to appropriate in these loan orders now before us. The remaining \$170,000 is asked for under chapter 237, half inside the debt limit and half outside. Those letters do not go into very large detail as to what the appropriations are for, but they at least provide some information for the Council. Now I can't help saying, Mr. Chairman while I am on my feet, that I do not agree with the sentiment of the gentleman from the West End that the councilors are rubber stamps. Of course, I might be expected to pay some little more attention to that sentiment if I did not have a very distinct recollection of the fine example of rubber stamping which he himself gave in the budget hearings two years ago. The gentleman from Ward 3 at that time sat on the committee on appropriations for a period of six weeks and did not register his opposition to the recommendations of the committee and then came in here on the Council floor on a Monday afternoon and spiked the committee in the back. So therefore I might be expected to give more attention to the suggestions if I did not have a strong recollection of what happened at that time.

Coun. FITZGERALD—Mr. Chairman, I will say to the gentleman—

Chairman DOWLING—Will the gentleman suspend a moment? The question comes on Councilor McMahon's motion to refer the two orders to the Executive Committee. Now, Councilor Fitzgerald.

Coun. FITZGERALD—Mr. Chairman, I want to say to the gentleman from the Back Bay that I have no apologies to offer for my action in the Appropriations Committee at that time. I voted as I saw fit and proper and conducted myself not as a rubber stamp. I went as far as any man possibly could do. I could not see where certain things that the then chairman wanted to do were within reason. I could not very well afford to vote to cut off a lot of poor men who lived in the district which I represented, also in part of the district which he represented who were working for an outside contractor, to throw them out in the dead of winter that they might find some other place to get their bread and butter. Not being born with a silver spoon in my mouth, I have a little different idea concerning certain things from that which men in the Back Bay have. Everybody agreed that he tried to do laudable work, but there are extremes that you can't go to, and I was not one of those who were willing to go to that extreme. I think the debate at that time would show my attitude on the matter. I tried to do the best I possibly could. I sit here today to carry on the work of the City Hospital or any other institution doing good work, but my only idea was we should not rush the matters through with such little regard, or without having some idea what they were about. The previous speaker presides over a committee at the State House, and I think he views things a little differently, and I should like to see some individual come in for an increase in salary, whether it be the ordinary court clerk, or the ordinary court officer, or maybe a scrubwoman in the State House. It might be he would spend some time going into the matter quite lengthily.

Coun. PARKMAN—Mr. Chairman, just to get the record straight, the gentleman from Ward 3 knows very well that the budget recommendation of the Committee on Appropriations did not involve the cutting of a single employee of the city off the pay roll.

Coun. FITZGERALD—Mr. Chairman, I beg to differ with the gentleman, that he well knows that he tried to cut the appropriation off that provided for these hired teams that were hired by the City of Boston. He knows well that that was his attitude on that occasion, and he voted against it, and there was a bitter debate on the floor of this Council in regard to street watering carts with hired teams that provided work for poor employees. That is a matter of record here. I think he remembers it had to do with the B. E. Grant contract, in which I was charged with being a part owner in the company at that time. His memory fails and my memory does not.

Referred to the Executive Committee.

#### BOULEVARD LIGHTING ON BROADWAY.

Coun. MAHONEY offered the following:  
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install the "boulevard system" of street lighting

on Broadway, from Dorchester street to Farragut road, Ward 6, in continuation of the system of lights now installed from Dorchester avenue to Dorchester street, on Broadway.

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 repave with smooth paving D street, from First street to Summer street, South Boston, Ward 6.

Passed under suspension of the rule.

#### HAZLETON 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 as a public highway that portion of Hazleton street to Harvard street, which is now unaccepted.

Passed under suspension of the rule.

#### GOODALE ROAD.

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 that portion of Goodale road, to Wellington Hill street, Ward 14, which is now unaccepted.

Passed under suspension of the rule.

#### SIDEWALK ON WALK HILL STREET.

Coun. MURRAY offered the following:  
Ordered, That the Commissioner of Public Works make a sidewalk along 24 and 26 Walk Hill 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 ON CLEVELAND STREET.

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 artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### BOULEVARD LIGHTS ON HYDE PARK AVENUE.

Coun. MURPHY offered the following:  
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install the new type "boulevard lights" on Hyde Park avenue, Ward 18.

Passed under suspension of rule.

#### SIDEWALK ON COLUMBIA ROAD.

Coun. LYNCH offered the following:  
Ordered, That the Commissioner of Public Works make a sidewalk along Columbia road, between Edward Everett square and Uphams corner, both sides, Ward 7, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### VOTE FOR PRESIDENT.

On motion of Coun. SULLIVAN, the Council voted to proceed to a ballot for President. The Clerk called the roll and the members when their names were called announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Murphy, Murray, Ruby, Sullivan—10.

For Edward M. Gallagher—Coun. Deveney, Gallagher, Lynch, Mahoney, McMahon—5.

For Henry Parkman, Jr.—Coun. Bush, Dowling—2.

For Timothy F. Donovan—Coun. Motley—1.

For Herman L. Bush—Coun. Parkman—1.

For Frederic E. Dowling—Coun. Wilson—1.

And there was no choice.

#### PATIENTS AT WEST ROXBURY HOSPITAL.

Coun. WILSON offered the following.  
Ordered, That the Trustees of the Boston 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. Chairman, I merely renew that motion again at this time because I am still interested in whether during the past five months any patient was accepted by reason of our vote of October 1 putting nine men over in that vacant building in West Roxbury. It occurred to me during the last winter any time I could perhaps have learned how to play cards for nothing by making a trip to the hospital, but I also thought I could get this information through this source, five months having passed and nine men having been tending the building in the meanwhile.

Passed under suspension of the rule.

#### SECOND RECESS TAKEN.

Coun. McMAHON—Mr. Chairman, I move that we recess in regard to that loan order so that we can take it up in executive session.

Coun. RUBY—Might it not be advisable, Mr. Chairman, to save time so that we can be transacting business? I have no objection to a recess and will be glad to hear from the City Hospital, but it will evidently take some time before we can communicate with them. They have to be called for, and then when they are here we can take the recess. I think that will be advisable now to do.

Coun. McMAHON's motion to take a recess subject to the call of the Chair was carried at 3.45 p. m.

The members reassembled in the Council Chamber and were called to order by Coun. DOWLING at 4.20 p. m.

#### FURTHER REPORT OF EXECUTIVE COMMITTEE.

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

1. Report on message of the Mayor and four orders (referred February 4) for appropriation of \$749,000 for Medical Pavilion at the City Hospital—that the same ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

#### ADJOURNMENT.

Coun. WILSON—I move we adjourn, Mr Chairman.

Chairman DOWLING—On the motion to adjourn those in favor will say aye, those opposed no and it is a vote.

Coun. RUBY—I doubt the vote.

Chairman DOWLING—The vote is doubted. Those in favor of adjournment will rise and stand while they are counted. A majority being counted in the affirmative, the Council stands adjourned.

Adjourned, at 4.23 p. m., to meet on Monday, February 25, 1929, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, February 25, 1929.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, in the chair. Absent, Coun. Bush, Dowd, Ward.

## VETO OF RESOLUTION ON TAXICABS.

The following was received:

City of Boston,

Office of the Mayor, February 21, 1929.

To the City Council.

Gentlemen,—I return herewith, without my approval, your order favoring the passage by the Massachusetts Legislature of House Bill No. 453, "An Act regulating Taxicab Stands in the City of Boston" as this bill has been admitted and my approval or action is not required.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

## SMITH'S FIELD PLAYGROUND.

The following was received:

City of Boston,

Office of the Mayor, February 25, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department in reply to your order of February 4, 1929, relative to the cost of putting Smith's Field Playground, Ward 13, in condition for the coming baseball season.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, February 18, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of February 12, with inclosure, order from the City Council that the Park Commission be requested to furnish same with an estimate of the cost of putting Smith's Field Playground in condition for the coming baseball season.

In reply I desire to say that to properly under-drain this playground so that the water can be removed at the close of the skating season and prevent the ground from settling as it does each year, will cost approximately \$25,000. The erection of additional bleachers, back-stop, etc., will entail an expenditure of \$5,000 more.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

## SKATING ON FRANKLIN FIELD.

The following was received:

City of Boston,

Office of the Mayor, February 25, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department in reply to your order of January 28, 1929, relative to placing Franklin Field in proper condition for skating.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, February 18, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of February 7 with inclosure, order from the City Council

that the Park Commissioners be requested, through his Honor the Mayor, to place Franklin Field in proper condition for skating.

In reply I desire to say that the department tries to keep Franklin Field in the proper condition for skating when the elements will allow of same.

Very respectfully yours,

WILLIAM P. LONG,  
Chairman.

Placed on file.

## LOAN OF \$1,500,000 FOR MAKING OF HIGHWAYS.

The following was received:

City of Boston,

Office of the Mayor, February 25, 1929.  
To the City Council.

Gentlemen,—I submit herewith a loan order providing for the appropriation of \$1,500,000 for Highways, Making of. This sum will be needed to meet the cost of the laying out and construction of new streets as determined by the Board of Street Commissioners for the year 1929. I respectfully recommend adoption of this order by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$1,500,000 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 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 Executive Committee.

## EASEMENT, VERMONT STREET AND ROBERTS AVENUE.

The following was received:

City of Boston,

Office of the Mayor, February 15, 1929.  
To the Honorable the City Council.

Gentlemen,—Inclosed please find draft of order authorizing the Mayor in the name and behalf of the City of Boston to execute an instrument of release in form satisfactory to the Law Department of the easement taken in private land, Vermont street and Roberts avenue, situate in that part of Boston called West Roxbury. The easement herein referred to was taken for sewerage purposes by an order of the Board of Street Commissioners of the City of Boston approved by the Mayor July 30, 1913, and is shown on a plan marked "City of Boston, Plan No. 293, Sewerage Works, Vermont Street and Roberts Avenue, West Roxbury, July 15, 1913, F. O. Whitney, Chief Engineer, Street Laying-Out Department," and said plan is recorded with Suffolk Registry of Deeds, Book 3750, page 631.

The Commissioner of Public Works of the City of Boston in a letter dated January 23, 1929, states that in his opinion the easement herein referred to is no longer required for public purposes.

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 an instrument of release in form satisfactory to the Law Department of the easement taken in private land, Vermont street and Roberts avenue, situate in that part of Boston called West Roxbury. The easement herein referred to was taken for sewerage purposes by an order of the Board of Street Commissioners of the City of Boston approved by the Mayor July 30, 1913, and is shown on a plan marked "City of Boston, Plan No. 293, Sewerage Works, Vermont Street and Roberts Avenue, West Roxbury, July 15, 1913, F. O. Whitney, Chief Engineer, Street Laying-Out Department." Said plan is recorded with Suffolk Registry of Deeds, Book 3750, page 631.

Referred to Committee on Public Lands.

EASEMENT ON LAKE STREET,  
BRIGHTON.

The following was received:

City of Boston,  
Office of the Mayor, February 15, 1929.  
To the Honorable the City Council.

Gentlemen,—Inclosed please find draft of order authorizing his Honor the Mayor, in the name and behalf of the City of Boston, to execute an instrument of release in form satisfactory to the Law Department of a part of the easement taken for sewerage purposes in private land off Lake street situate in that part of Boston called Brighton. The part of said easement to be released is bounded and described as follows:

Beginning at a point distant forty and 95-100 feet from Lake street, as shown on the plan hereinafter mentioned; thence running southwesterly, two hundred eighteen and 7-100 feet; thence twenty-two and 70-100 feet; thence northeasterly again one hundred and eighty-six and 11-100 feet; thence easterly thirteen and 38-100 feet to the point of beginning, containing 1,617 square feet of land, more or less.

The easement herein referred to was taken by an order of the Board of Street Commissioners, approved by the Mayor, May 4, 1920, and is shown on a plan marked "City of Boston, Plan No. 378, Sewerage Works, Lake Street, Brighton, April 20, 1920, F. O. Whitney, Chief Engineer, Street Laying-Out Department." Said plan is recorded with Suffolk Registry of Deeds, Book 4218, page 364.

The Commissioner of Public Works of the City of Boston in a letter dated January 14, 1929, states in his opinion that the easement herein referred to is no longer required for public purposes.

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 an instrument of release in form satisfactory to the Law Department of a part of the easement taken for sewerage purposes in private land off Lake street situate in that part of Boston called Brighton. The part of said easement to be released is bounded and described as follows:

Beginning at a point distant forty and 95-100 feet from Lake street, as shown on the plan hereinafter mentioned; thence running southwesterly, two hundred eighteen and 7-100 feet; thence northeasterly twenty-two and 70-100 feet; thence northeasterly again one hundred eighty-six and 11-100 feet; thence easterly thirteen and 38-100 feet to the point of beginning, containing 1,617 square feet of land, more or less.

The easement herein referred to was taken by an order of the Board of Street Commissioners, approved by the Mayor, May 4, 1920, and is shown on a plan marked "City of Boston, Plan No. 378, Sewerage Works, Lake Street, Brighton, April 20, 1920, F. O. Whitney, Chief Engineer, Street Laying-Out Department." Said plan is recorded with Suffolk Registry of Deeds, Book 4218, page 364.

Referred to the Committee on Public Lands.

PETITIONS REFERRED.

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

Claims.

Belson Pharmacy, for refund on unused refuse tickets.

A. W. Bizorkas, for compensation for damage to automobile caused by city truck.

Henrietta F. Boles, for compensation for loss of clothing at City Hospital.

Bon Ton Shoe Manufacturing Company, for refund on unused refuse tickets.

Browning King & Co., for refund on unused refuse tickets.

Mabel A. Coogan, for compensation for injuries caused by an alleged defect in Iona street, Rosindale.

Abraham Courlang, for refund on building permit.

Harry G. Dixon, for compensation for injuries caused by an alleged defect at Tremont and Beacon streets.

Mrs. Olivia E. Dowrey, for compensation for injuries caused by an alleged defect at 372 Stuart street.

John Gilooly, for compensation for damage to automobile by city truck.

R. H. Gorman, for compensation for loss of shoes at Franklin Field.

Mary Jaspersen, for compensation for injuries caused by an alleged defect in Bicknell avenue.

James P. Jones, for reimbursement for judgment brought against him on account of his acts as a fireman.

Marceline LePage, for compensation for injuries caused by an alleged defect in Washington street.

James W. McMahon, for compensation for damage to automobile caused by city truck.

James W. McMahon, for compensation for damage to automobile caused by city truck.

Francis J. Newell, to be reimbursed for judgment brought against him on account of his acts as a fireman.

Noyes-Buick Sales Company, for refund on fee for used car license.

Nellie Sexton, for compensation for injuries caused by an alleged defect in Warren street.

Town Taxi, Inc., for compensation for damage to property at 49 Batavia street, caused by city truck.

Executive.

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

Fred E. Dowling, Warren Hall, February 21.

Committee on Jitney Licenses.

Petition of Eastern Massachusetts Street Railway Company to operate motor vehicles from Boston Milton line via Granite avenue, Codman street and Dorchester avenue to Ashmont Station.

PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds, amounting to \$8,513.45 for piece work, January 21 to February 16, regular employees February 16 to February 28, was received and approved.

APPROVAL OF APPOINTMENTS.

Notice was received of approval by the Commissioners of Civil Service of the following appointments by the Mayor:

John P. Englert, 30 Hewlett street, West Roxbury, Superintendent of Public Buildings.

Walter E. Wragg, 14 Mattakeset street, Hyde Park, Sinking Funds Commissioner.

Guy W. Cox, 410 Commonwealth avenue, Sinking Funds Commissioner.

Mrs. Evelyn H. Scanlan, 8 Morton road, Milton, Overseer of Public Welfare.

Edward H. Hoyt, 24 Cummings road, Brighton, member City Planning Board.

Placed on file.

CONSTABLE'S BOND.

The constable's bond of Edward A. Reynolds, having been duly approved by the City Treasurer, was received and approved.

CONFIRMATION OF APPOINTMENTS.

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

1. Action on appointments submitted by the Mayor February 18, 1929, of William Burkard to be a weigher of coal and a measurer of wood and bark; and George F. A. McDougall to be a weigher of beef.

The question came on confirmation. Committee, Coun. Donovan and Keene. Whole number of ballots, 13; yeas, 13, nays, 0, and the appointments were confirmed.



USE OF STATION 2 LAND FOR  
BUSINESS LIBRARY.

Coun. KEENE—Mr. Chairman, I would like to call the attention of the Council to the fact that an order for the sale of the Police Station 2 site to Louis E. Kirstein, who has offered to build upon and equip the building as a branch public library, was referred to the Committee on Public Lands. I would move that the same be withdrawn from that committee and referred to the Executive Committee, because I understand that delay in action upon the same is holding back progress in the carrying out of Mr. Kirstein's plan.

The order referred to, introduced and referred to the Committee on Public Lands on December 31, 1928, is as follows:

"Ordered, That his Honor the Mayor be, and hereby is, authorized in the name and in behalf of the city to sell to the said Louis E. Kirstein upon the terms stated in the said agreement made by and between said Louis E. Kirstein and the City of Boston, 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 institute and deliver a deed of the same to the said Louis E. Kirstein in form satisfactory to the Law Department."

Under suspension of the rule, the order was recalled from the Committee on Public Lands and referred to the Executive Committee.

## SIDEWALK ON SUMMIT AVENUE.

Coun. DOWLING submitted the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Summit avenue, from Commonwealth avenue to Brookline line, 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.

## SALARIES OF DEPUTY ASSESSORS.

Coun. DOWLING offered the following:

Ordered, That chapter 49 of the Acts of 1929, entitled "An Act Establishing the Salaries of the Deputy Assessors of the City of Boston" be, and the same hereby is, accepted.

Referred to the Executive Committee.

## EXTENSION OF ST. ANN STREET.

Coun. MURRAY offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to enable the city to borrow money outside the debt limit, for the purpose of extending St. Ann street to Washington street under the New York, New Haven & Hartford Railroad.

Referred to the Executive Committee.

## RECESS.

The Council voted, on motion of Coun. SULLIVAN, 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 Chairman DOWLING at 3.49 p. m.

## \$1,000,000 SEWERAGE LOAN.

Chairman DOWLING called 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 \$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.

On February 11, 1929, the foregoing order was read once and passed, yeas 22.

The order was given its second and final reading and passage, yeas 19, nays 0.

## EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition (referred today) of Fred E. Dowling for children under fifteen years of age to appear at Warren Hall, February 21—that permit be granted.

Report accepted; said permit granted on usual conditions.

2. Report on order (referred today) that chapter 49 of Acts of 1929 entitled "An Act establishing the salaries of Deputy Assessors of City of Boston" be and same hereby is accepted—that same ought to pass.

Report accepted; said order passed.

3. Report on resolve (referred today) that City Council approves enactment of legislation to enable city to borrow money, outside debt limit, to extend St. Ann street to Washington street under the New York, New Haven & Hartford Railroad—that same ought to pass.

Report accepted; said order passed.

4. Report on message of Mayor and order (referred today) for a loan of \$1,500,000 for making of highways—that the same ought to pass.

The report was accepted, but the order on roll call failed of passage (a two thirds vote being necessary), yeas 12, nays 7.

Yeas—Coun. Arnold, Donovan, Fish, Fitzgerald, Gallagher, Green, Keene, Motley, Murphy, Murray, Ruby, Sullivan—12.

Nays—Coun. Devenay, Dowling, Lynch, Mahoney, McMahon, Parkman, Ruby—7.

## LOAN OF \$1,000,000 FOR HIGHWAYS.

Coun. MAHONEY offered the following:

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 authorized to issue from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On motion of Coun. MAHONEY, the rule was suspended, and the order was given its first reading and passage, yeas 19, nays 0.

The order will take its second reading and passage in not less than fourteen days.

## 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 February, 1929.

Report accepted; said order passed under suspension of the rule.

ADDITIONAL LIGHTS ON PARKMAN  
STREET.

Coun. FISH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of four additional electric street lamps on Parkman street, Ward 16.

Passed under suspension of the rule.

ADDITIONAL POLICEMEN FOR  
STATION 11.

Coun. McMAHON offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to assign one hundred of the proposed new members of the

Police Department provided for in the budget for 1929, when appointed, to Station 11, Dorchester.  
Passed under suspension of the rule.

#### LAND FOR ENGINE 32.

Coun. GREEN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to take sufficient land at the junction of Bunker Hill and Medford streets, Ward 2, to provide proper means of entrance and exit of Engine 32 of the Boston Fire Department to and from their quarters.

Passed under suspension of the rule.

#### POLLUTION AT DEWEY BEACH.

Coun. GREEN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to devise ways and means of preventing the pollution of the waters at Dewey Beach, Charlestown.

Passed under suspension of the rule.

#### PROPOSED EXCLUSION OF COMMERCIAL VEHICLES, AUCKLAND STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to exclude commercial vehicles from Auckland street, Ward 13.

Coun. SULLIVAN—Mr. Chairman, in regard to this proposed exclusion of trucks from Auckland street, along last October I had a survey made by the Street Commissioners' traffic division, and they made a recommendation to the other traffic board. You see, we have two traffic boards now, the Street Commissioners' and the one on the same floor as the Council, and between the two of them we get no action. All we get is rebuttal to the effect that when the new traffic board is appointed hearings will be given on the changed traffic rules. In the meantime the people of the district I represent have to suffer the inconvenience of heavy trucks passing through the streets of that district when a diversion might well be made by Savin Hill and Dorchester avenue. I hope his Honor the Mayor will see fit to accommodate the people who suffer from the passing of these trucks at all hours of the night and day, rocking their homes and rocking pictures, plaster and ceilings down, generally ruining the property in the district. You remember the order that Councilor McMahon had passed, introduced October 22, excluding trucks from his part of the district. I will simply say that, cooperating with him and trusting that the matter will be taken up by the traffic board, we trust that notice will be taken of the matter by his Honor the Mayor so that we will have some action.

The order was passed under suspension of the rule.

#### BRANCH LIBRARY, WARD 13

Coun. SULLIVAN 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 vicinity of Savin Hill and Dorchester avenues, Ward 13.

Coun. SULLIVAN—Mr. Chairman, we had quite a discussion in regard to the library situation in our executive meeting, in the other room, awhile ago. The people out there have been pleading with the officials of the City of Boston for a great number of years to get a reading room or branch library for the district that I represent from the other end. I certainly hope that the library trustees will provide in their budget a sufficient amount to take care of a reading room branch library in that district.

The order was passed under suspension of the rule.

#### PROPOSED ACCEPTANCE OF HATHAWAY 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 Hathaway street, from Centre to South streets, Ward 19, as a public highway.

Passed under suspension of the rule.

#### LAYING OUT OF AUGUSTUS AVENUE.

Coun. MURPHY 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, that part of Augustus avenue, Ward 18, which is not now an accepted public highway.

Passed under suspension of the rule.

#### OBJECTION TO "NATIONAL ORIGINS" LAW.

Coun. MURPHY—Mr. Chairman, I have received—

Chairman DOWLING—For what purpose does the gentleman rise?

Coun. MURPHY—For the purpose of reading a communication thanking the Boston City Council for the passage of a resolution last week, into the record, a communication dealing with the "National Origins" law.

Chairman DOWLING—Does the gentleman ask for unanimous consent?

Coun. MURPHY—I ask for unanimous consent, Mr. Chairman.

(There was no objection to Councilor Murphy proceeding.)

Coun. MURPHY—Mr. Chairman and gentlemen of the Council, I received today this communication from the Associated American Immigration Societies of Massachusetts, in Hibernian Building, Dudley street, Roxbury:

Associated American Immigration Societies  
of Massachusetts, February 25, 1929.  
Mr. Peter J. Murphy, City Councilor, City Hall,  
Boston, Mass.

Dear Sir,—I was instructed by the executive officers of the above organization to convey to you their sincere thanks for the interest manifested by you with reference to repeal of the "National Origins" amendment to our immigration laws.

We would appreciate it if you would make known to your colleagues in the City Council our deep appreciation for action taken on your resolution of Monday, February 13. We feel sure that said resolution will have the desired effect on our Massachusetts delegation when this important question comes up for definite action in Congress in the near future.

Respectfully yours,  
RICHARD J. DWYER, President.  
JOHN J. FOLEY, Secretary.

#### BALLOT FOR PRESIDENT.

Coun. DEVENEY moved that the Council proceed to vote for president.

Chairman DOWLING—The Chair will state at this time, as emphatically as possible, that if there is any demonstration in the galleries the officers will clear the galleries. I hope it will not be necessary for the Chair to make this statement again.

Coun. Devaney's motion to proceed to the election of a president was carried.

The Clerk called the roll and the members as their names were called announced their choice for president, as follows:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Motley, Murphy, Murray, Ruby, Sullivan—11.

For Edward M. Gallagher—Coun. Devaney, Gallagher, Lynch, Mahoney, McMahon—5.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Herman L. Bush—Coun. Parkman—1.

For Frederic E. Dowling—Coun. Wilson—1.

And there was no choice.

MOTION TO TAKE KIRSTEIN LIBRARY ORDER FROM TABLE.

Coun. RUBY—Mr. Chairman, I move that the order referred to the Executive Committee with reference to the establishment of a public library on the site of Police Station 2 by Louis E. Kirstein be taken from the Executive Committee and acted upon at this time.

Chairman DOWLING—There must first be a suspension of the rule, to take that order from the committee.

Coun. RUBY—Mr. Chairman, I move a suspension of the rule that the order may be taken from the committee.

The motion to suspend the rule and take the order referred to from the Executive Committee was declared lost.

Coun. RUBY—Mr. Chairman, I doubt the vote and ask for a roll call.

The roll was called and the rule was not suspended, yeas 8, nays 10:

Yeas—Coun. Arnold, Dowling, Fitzgerald, Motley, Murphy, Ruby, Sullivan—8.

Nays—Coun. Bush, Deveney, Gallagher, Green, Lynch, Mahoney, McMahon, Murray, Parkman, Wilson—10.

BALLOTS FOR PRESIDENT.

Coun. RUBY—Mr. Chairman, I move that we now proceed to the election of a president.

The motion was declared carried.

Coun. RUBY—Mr. President, I believe the time has come when we ought to be permitted to settle down to serious business in this body. We have now been in existence for almost two months and have not yet organized and, regardless of what has been said with reference to non-interference with the city business, I for one am of the opinion, which opinion is shared by a tremendous number of people in Boston, that we are handicapping and seriously interfering with the conduct of business in this city, because, not having elected a president, we have been unable to have committees appointed which might otherwise be functioning at the present time. I have in mind a number of committees where work is piling up, demands of people who have claims against the City of Boston, and other important matters of business. I might refer, for instance, to the particular matter that I tried to have settled in this Council this afternoon, that of the old Police Station 2 site out here back of us, upon which a public-spirited citizen of Boston is desirous of erecting a library, for the benefit of citizens of Boston, as a memorial to his father—

Coun. McMAHON—Mr. President, I think the councilor is out of order.

Chairman DOWLING—The Chair will have to rule that the gentleman is speaking to the motion.

Coun. RUBY—Mr. President, starting where I left off, I will say that for one thing I might refer to that case, where a public-spirited citizen of Boston, desirous of giving to the City of Boston a memorial,——

Coun. McMAHON—Mr. President, I still say that the councilor is out of order; that he is not speaking to the question.

Chairman DOWLING—The Chair will rule that the point of order is not well taken.

Coun. RUBY—In spite of the fact, Mr. President, that this public-spirited benefactor, one of the most public-spirited of Boston's citizens—I refer to Louis E. Kirstein,——

Coun. McMAHON—Mr. President, I object to the councilor proceeding. I say that he is out of order.

Chairman DOWLING—The Chair will have to rule that the gentleman is still speaking to the motion, and the Chair would simply suggest that, according to the ordinary method in such cases, Councilor McMahon, if he doubts the judgment of the Chair, may appeal from the Chair's decision.

Coun. McMAHON—Mr. Chairman, I appeal from the decision of the Chair.

Chairman DOWLING—Councilor McMahon appeals from the decision of the Chair. The question comes on sustaining the ruling of the Chair.

The ruling of the Chair was declared sustained.

Coun. RUBY—Mr. Chairman, I was simply illustrating one piece of city business that is being interfered with and neglected because we have not

organized, appointed committees, and proceeded to function as it was intended that we should do under the law, and I will now let it go at that and withdraw any prior statement that I have made, yielding to my good friend from Dorchester. I maintain that, by not electing a president, we are positively interfering, as I have said, with the business of this great city. I believe that we should now elect a president, should have committees appointed, and should proceed as soon as possible to function, doing what as a City Council it was intended by the citizens who sent us here that we should do. Now, so far as the relative qualifications of candidates for presidency of this body is concerned, I hold no brief for anyone, I cast no aspersions on anyone. I have the highest regard for the other twenty-one members of this honorable body. I have, however, chosen to support a man for president, a certain member of this body, and in doing so I cast no reflection on the judgment of others who have seen fit to support somebody else. They are doing what appears to them best; what appears to them to be their duty, as I am. I am supporting a man for president of the Council whom it has been my privilege to know not merely for the length of time I have served in this honorable body, representing the district I come from, but for twenty-five or thirty years. During all the time I have known him I have always known him as one engaged in public service,—not only political public service, but in public benefactions in the district from which he comes. I have known him from the time when he organized young boys, under the age of understanding, leading them on to the years when they grew into manhood, and those men today are his biggest boosters. With me it is not a question in this matter of party politics, Republican or Democratic. It is not with me a question of who is supporting that man, whether the administration in this city or an individual or group of individuals. I am supporting him for this office because, in my humble opinion, he is splendidly equipped for it; because I believe he is a man who is as good a man for the position as any man whom this Council could choose as its presiding officer. I do not doubt the ability of any member of this body to properly perform the duties that would be required of one sitting in the president's chair. I think any member of the Council could go into the president's chair and serve his colleagues in the Council with honor. But since I have become a member of the present Council, knowing the man whom I have voted for, I have voted for him continuously, believing that in so doing I was honestly and sincerely voting for him to occupy that position because I believed he would well fill the bill. I believe in the chair he will do his duty to the best of his ability, showing partiality to nobody, but dealing fairly by all in the appointment of his committees and in the carrying out of the duties devolving upon the president; and not only that he will well fulfill his duties as president of this Council but that he will well administer the duties that may devolve upon him by virtue of presidency of the Council, even at times as acting mayor of the city. I believe he will represent us as president not only with credit to his district and himself, but with the entire membership of the body. He has served with us for three years, and during that time we have elected three different men as president. But, in my opinion, I believe the gentleman for whom I have voted is as honorable and as capable as any man whom we have elected or could elect to the position. I believe he will fill the bill, and for that reason I am supporting the gentleman from Ward 3 (Councilor Fitzgerald). I believe he is a man who, if elected to this office, will serve those who have not voted for him as well as those who have. I believe he is the kind of man who forgets any feelings that may arise in a contest after the contest is over, that he is 100 per cent for his associates and is ready to work with them at all times. Mr. Chairman, he has been a benefit and a credit to the district he comes from, the largest cosmopolitan district of Boston. He has served them faithfully in the House of Representatives and in the Senate of this Commonwealth, as well as in the City Council. For the reasons I have stated, I am supporting him for this office, and I trust that the members will appreciate the fact that such a man deserves their votes as president of the body. Therefore, gentlemen, I trust that you will see your way clear, in your judgment, to vote for John I. Fitzgerald for president of the City Council.

Coun. Ruby's motion to proceed to a vote

for president was declared carried. The Clerk called the roll, and the members with their names were called announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Motley, Murphy, Murray, Ruby, Sullivan—11.

For Edward M. Gallagher—Coun. Deveney, Gallagher, Lynch, Mahoney, McMahon—5.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Herman L. Bush—Coun. Parkman—1.

For Frederic E. Dowling—Coun. Wilson—1.

And there was no choice.

Coun. MURPHY—Mr. President, I move you that we now proceed again to the election of a president.

Coun. WILSON—Mr. President, may I speak on the motion?

Chairman DOWLING—Proceed.

Coun. WILSON—Mr. President, I have listened with some interest to the councilor from Ward 14 (Coun. Ruby), who naturally supports a man whom he has known for so many years. I appreciate his point of view, and might agree with him more fully if the proposed election were less an appointment. We are now, if I am correct, about to take our twenty-fourth ballot for the election of a president of the Boston City Council for the year 1929, and it would seem to be an excellent time for us to take stock in order that the issue before this body may be very clear, in order that there may be no later claims and counterclaims, and in order that this Council may cease making itself ridiculous. I might say in this connection that I have the highest regard personally for the councilor from Ward 3 (Councilor Fitzgerald) and I am not sure but what I could vote for him if it were a question of election, and not of appointment. On the first motion to elect a president, made on January 7 the councilors from Wards 2, 3, 4 and 20 voted in the affirmative. On Councilor Dowd's motion made on January 28 to take a recess in order that the 14 Democratic councilmen might caucus for a possible choice for president, followed by Councilor Ruby's like motion for a Republican caucus, there were 9 votes in the affirmative and 11 in the negative; 8 out of 14 Democrats in favor but 6 Democrats including the councilor from Ward 3 against. And yet two short years ago the records would seem to show that the councilor from Ward 3, to pour oil on troubled waters, said "While we are a nonpartisan body, it is only fair that we take a recess so that the Democrats may arrive at some fair decision in the matter." On Councilor Green's immediate motion thereafter for adjournment to prevent a ballot the councilors from Wards 2, 3, 4 and 20 voted in the affirmative, with 11 votes against. The tenth ballot on February 4 gave Councilor Lynch 10 votes, including 9 Democrats, or 2 more Democratic votes than any Democrat has received on any one of the 21 ballots we have taken. On February 11, before the thirteenth ballot, Councilor Fitzgerald announced that it appeared he was not the choice of the body and graciously nominated Councilor Fish, for whom he voted on that ballot. On February 11, on our fifteenth ballot, both Councilor Fitzgerald and Councilor Gallagher received the votes of 7 Democrats, and Councilor Fitzgerald received the votes of 4 Republicans in addition. In his remarks to the Council on that day, Councilor Fitzgerald quite frankly stated that he considered the office of president an honor to which any member of the Council might with credit aspire, and in that statement I agree with him fully. No man in this room but would appreciate the honor of being elected president of the Boston City Council, but there are too many members of the body now waiting for the lightning to strike, and I submit that after 20 ballots the time has come when personal ambitions should be laid aside. As Councilor Fitzgerald well said two weeks ago, the Council is making itself ridiculous. I was a member of this body three years ago and how well I remember the ringing phrases of militant Democrats calling for vengeance on three Democratic members who had dared to follow the alleged dictation of a Republican Mayor! Some of the very men who shouted and proclaimed their Democracy loudest then have since worn a beaten path to the same Mayor's office. And when I see them still talk Democracy to the gallery here and within an hour curl up and purr in the Mayor's office, I expect some of the great Democrats of

days gone by must turn over in their graves. If a nonpartisan choice cannot be made, there are certainly more than enough Democrats in this body to elect one of their number president, without asking instructions on the second floor before each Monday's balloting. I firmly believe that our president for the year 1929 should be the free choice of this body, and not the nominee of any outside influence. And yet, I would be interested to know whether a single member of this Council has not felt pressure from quarters outside this body for the ratification of a choice which is very plainly not the free choice of the men in this room. It would be interesting to know just what promises have been given, or just what threats have been made to this Parade of the Wooden Soldiers down to the Throne Room each Monday afternoon. Three years ago three Democratic councilors in this nonpartisan body did vote for a Republican, but at least they did so openly and without hypocrisy, as was their right and their privilege. They didn't spend the balance of their term of office ringing in a time clock on the second floor. And I now say to those Democratic councilors who have most often boasted of their militant Democracy, and their freedom from dictation and control, don't flatter yourselves for one moment that you're fooling a blind public. The recorded votes in our 23 ballots taken during the past eight weeks tell plainer than any words the exact story as it really is. So let's have this right out in the open. Let's have the cards face up on the table just where Johnnie Heffernan put them two years ago in this very room when he said, "I think it is high time we sat down and attended to business and elected a man who will be a representative of this body, a body that ought to govern itself. We ought not to tolerate outside interference. It should be left to this body to decide, and this body can govern itself." And there's more nasty talk now than there ever was then. It may be that the newspaper stories are correct in stating that the administration, after eight weeks of pulling and hauling, is now ready to deliver that twelfth vote. If so, perhaps the councilor in question may first rise in his place and enlighten us what words of wisdom suddenly changed his mind after eight long weeks. It ought to be worth hearing. Even a rubber stamp can make an impression. The whole story of the Sunday baseball mess hasn't been told yet. It may never be told. Some of us perhaps would like to hear it all told more than others. But one thing is certain, the lying testimony of Fuchs was not all his own creation. It was some busy little worker, antagonistic to the announced candidacy of Councilor Lynch for the presidency of this body, who whispered to Hans Christian Andersen Fuchs the story which was to pull friend Adams out of a bad hole, if only Bonnie Prince Charlie hadn't let his own imagination run a bit too wild. It took something more than two pints of rye whiskey to furnish Mr. Fuchs of New York the local ornamentation for his "Tales of the Wayside Inn," with every apology to the Copley Plaza Hotel! Fuchs never knew there were twenty-two members in the Boston City Council, let alone the names of the individual councilors until some unprincipled local talent, with a private political axe to grind, and with a very definite purpose, furnished the words to the music. Where did Fuchs, for seven years a resident of New York City, ever hear of Parkman or Wilson? How did Fuchs know the club connections of any member of my immediate family, or that either parent was so much as still alive, until someone fed him his lines. Those were supposed to have been Fuchs' own comments; he didn't say Councilor Lynch told him that. Some of us have served in this Council for over three years with the councilor from South Boston, and we all know just how much of a rambling, noisy talker he isn't. Every man in this room knows the incredibility of his characterizing the battered war veteran from Ward 12 in the words Fuchs would put into his mouth. No man over twenty-one years of age believes the stranger from New York would so much as accurately remember the names of the Council members, let alone a picturesque description of each man, even assuming, for the sake of argument, that Councilor Lynch characterized each as Fuchs testified. There are thirteen names on the list Fuchs said he gave Adams between November 30 and December 17, and yet on the morning of December 17 Adams himself told John Eaton there were ten. And so

it appears to have been a rather fluctuating list, up or down, with room to accommodate just as many as might venture to vote against rushing a certain baseball order through on December 17. And as two members of the Council who were unfortunate enough to be absent on December 17 learned, it didn't make much difference whether you were present or absent. If you weren't present and voting in favor, there was a place reserved for you in the line-up. Which was all simple enough, because nobody but the two inventors themselves ever saw or heard of any list until the vote on December 17 had disclosed who had better be on such a list, unless a perfectly good story was to be ruined. If I myself had heeded the "Gypsy's Warning," at quarter of two on December 17, I suppose, so far as I am concerned, I personally would have been left in a sort of No Man's Land, for apparently it wasn't too late, even then, to change the list in view of the fact that it wasn't to be recited to the Finance Commission until after Christmas. Major Lynch said that Fuchs lied, and I believe him. Read the City Council Minutes for February 4. On that day Fuchs advised the Mayor and the City Council, in writing, over his signature, that unless a permit was issued before February 5, the Schedule Committee of the National League would be absolutely "powerless to assign any Sunday games to Boston." Major Lynch insisted that any such statement was not only false, but that as a matter of fact twelve Sunday games had long since been assigned to Boston on a schedule which had been forwarded every newspaper in the country, with instructions to release on February 14. Do you read the newspapers? Did you read the newspapers of February 14? How many Sunday games were scheduled? Who lied, Fuchs or the councilor from South Boston? And those facts, gentlemen, are matters of public record. And so I say to you, gentlemen, that the high lights in Fuchs' story were carefully painted for him by a Boston author. "Poor slob!" "Haberdasher!" How accurately the visitor from New York City remembered each name, and every detailed description! He remembered, because he was given that little recitation to learn. You can't make me believe that Councilor Lynch ever furnished that intimate local color to the visitor from New York. But he got it somewhere; and he got it from someone who wanted to pull away votes the councilor from South Boston might otherwise receive for election to the presidency of this body. For if Murphy believed it, if McMahon believed it, if Wilson believed it, if Bush believed it, if Ruby believed it, Lynch was the one man who need never expect their votes. That's the story, gentlemen; let's have it on the record. And now, Mr. President, I urge that we get down to business and elect a president for the year 1929. Twelve men should be able to agree on one man out of twenty-two without the snapping of any whip. Is the Boston City Council to be a sort of electoral college, where voting is just a matter of going through the motions? Or is this still a deliberative body, with some small measure of independence? If the annual election of a president of the Council is to be dictated, then why make any further motions to proceed to the election of a president? Let us frankly take up the question under the more appropriate heading of "Appointments Submitted by the Mayor." And then let us be honest enough to admit that the fourth floor is only a sort of a coattroom, where members of this City Council can conveniently check in before their daily trip downstairs for the latest instructions. I have no criticism to make of those councilors who unfaithfully do check in each day at the Mayor's office, like homing pigeons returning to their nest. There is no crime in that, assuming that their object is not to feather that nest, and assuming the councilors are unselfishly working for the good of their districts rather than merely checking up another day's progress made by some friendly and practical contractor! But let's at least have done with hypocrisy. Let us meekly accept the Mayor's appointment of a presiding officer of the Boston City Council, and get down to business, and admit that the only difference between the Mayor's office and the Council Chamber is a matter of two flights of stairs; or let us work on the theory that the City Charter provides for an elective City Council of twenty-two members, with very little power, but still without official desk room in the Mayor's office.

Unless we agree there is nothing left to justify the continued existence of the Boston City Council as a separate department of the City Government, then let's stop shadow boxing. Either let us hold our meetings in the Mayor's office,—where I will admit a quorum of this Council is usually available at very short notice,—or let us function here on the fourth floor, even though it does mean climbing up two additional flights of stairs. I say any man can be pro-Council and yet not be necessarily anti-administration. I say that every member of this Council can well afford to show every respect to the Mayor of the city,—but at least we ought to retain some small semblance of self-respect ourselves. I urge therefore that we honestly proceed to the election of a president, and not the ratification of an appointment. Some members of this body may seem rather successful sticking their heads in the sand like an ostrich now, but the old tail feathers will be in full view next November, and that's when more than one feeble wing will be clipped. The people of Boston have a pretty fair record for distinguishing between imitations and the real thing. And if this sort of horseplay goes into still another week, or if we meekly allow the proper and legitimate functions of this Council to be entirely taken over by the Mayor and his errand boys,—even including the choice of a presiding officer,—then I for one stand ready to admit that the Boston Council has outlived its usefulness. If the Mayor is to run both branches of the City Government then the sooner we annually save \$33,000 of the people's money the better. As mere ornaments the twenty-two members of the City Council are not worth the price. Mr. President, I second the motion by the councilor, that we proceed to ballot for president.

Coun. GREEN—Mr. President, I agree with the councilor from Dorchester in the statement he is supposed to have given the press yesterday, that we should sit in this afternoon until we elect a president of this body and get down to business. But it has been the custom, Mr. President and members, for this same gentleman, in the three years I have had the honor to be a member of this body, to get up every Monday afternoon and attack the character of some man, whether it be a member of this body or the man on the second floor. He made some statements this afternoon, Mr. President, about the baseball scandal. I thought that matter was entirely cleaned up. But I am going to say to you, Mr. Councilor from Dorchester,

Coun. DEVENEY—Mr. President.

Coun. GREEN—Mr. President, I refuse to yield.

Coun. DEVENEY—Mr. President, I rise to a point of order, that the gentleman is not talking to the question.

Chairman DOWLING—The Chair will have to rule that the gentleman is talking to the question.

Coun. GREEN—I was going to say to you, Mr. Councilor from Dorchester—and I will talk loud enough so that you will have no need to put your hand up to your ear, and I am going to tell you the truth. I visited Mr. Fuchs' office, and in sworn testimony and under oath admitted that, and for that I apologize to no man. But I never received one dollar of Adams' money or Fuchs' money, and every time that I mentioned the name of Councilor Lynch it was before that body and under oath. I never brought up the name of that man in Fuchs' company at any time. It is pretty hard for you, Mr. Councilor, to hold one toe in the Harvard Club and the other in South Boston, pretty hard for you to play with men of the type of Lynch, Green and Fitzgerald; and there must be some reason for it, because I don't think you like the blood that flows in their veins. You stand here this afternoon and by inference and innuendo intimate that there was something wrong with Murray, Green and Ward, and possibly with the councilor from Ward 3 (Coun. Fitzgerald). Then, you are going to produce the facts. I am going to the District Attorney's office tomorrow and ask him to produce the facts. Let him bring you in, and let him bring me in, and I will put my cards on the table. If it is a crime to be a friend of Judge Fuchs, then I plead guilty to that crime. If it is a crime to stand on the floor of this Council and advocate what 95 per cent of the people voted for, then I plead guilty to that crime. If it is a crime, Mr. Councilor, to stand on the floor of this Council and ballot consistently for the man whom I have known all my life, a man for whom I have a friend-

ship that has existed since boyhood, then I plead guilty to that crime. And you will find me voting consistently for that gentleman, because I never change my attitude or stand. I never left a friend holding the bag yet. And I want to say to you, Councilor Wilson,—excuse me for mentioning the name, the councilor from Dorchester,—that I demand a retraction. I am going to the District Attorney of Suffolk County in this matter. I owe that to the people whom I represent. I owe that to the people who have been sending me to some branch of the Legislature or to this hall religiously for the last fifteen years. Nobody can point a finger at me or at mine. There is no brother of Mike Ward's or brother of Tom Green's or brother of John I. Fitzgerald or of Councilor Murray, that was ever on the pay roll of Judge Fuchs or of Charlie Adams. And I repeat again that I never mentioned the name of the councilor from South Boston; and if that is your appeal for votes, through arousing hatred in this body, then I am ashamed of you. You intellectual giant! The man that received benefits that we never did. I received what little education I have in the college of adversity, but I will match my wits and talents with you. If you are agreeable, Mr. President, and if the councilor from Ward 20 is agreeable to sitting here until 12 o'clock, if necessary, to elect a president, so that we may get down to business and transact the business of this city, I will stay with you. I might appeal to the gallery and say that there are men in the gallery who might be able to go to work, if you would get down to business. They were not born with silver spoons in their mouths like the councilor from Dorchester, 90 per cent of them. They never received the benefits of a Harvard education or the degrees of A.B. or *cum laude*. I have never come into this Council yet with a prepared speech. Any speeches I have ever made have been extemporaneous. I never sat down and said, "Now, what will we say about Fitzgerald in this line, and what will we say about Murray in this line, and what will we say about Green in that line?" You would think that the fellow who had received all the benefits of the Harvard education would be able to stand up here and make one of those speeches. I have never attacked a member of this body until I have been attacked first. I hope this body will get down to business, and I hope a president will be elected here this afternoon. If my man wins I will feel pleased, if he doesn't win I will take my defeat with a smile, because his defeat will be my defeat. I am with him because he is John I. Fitzgerald, and I am not with him, like you are with a man, because you are playing the game.

The Council voted to proceed to the election of a president.

Several members addressed the Chair.

Chairman DOWLING—The Chair would remind the members that we are proceeding to the election of a president. The Clerk will call the roll.

Coun. WILSON—Mr. President, I rise to a question of personal privilege. I think I am entitled to reply to the gentleman, who seems to have taken it upon himself to bear some cross here.

Chairman DOWLING—The Clerk will call the roll.

The Clerk called the roll and the members as their names were called announced their choice for president, as follows:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Motley, Murray, Ruby, Sullivan—10.

For Edward M. Gallagher—Coun. Gallagher, Lynch, Mahoney, McMahon—4.

For William G. Lynch—Coun. Deveney, Murphy, Wilson—3.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Timothy F. Donovan—Coun. Parkman—1.  
And there was no choice.

Coun. MURRAY—Mr. President, I would like to speak to a question of personal privilege.

Chairman DOWLING—If there is no objection, the councilor will proceed.

Coun. MURRAY—Mr. President and fellow members of the Council, an inference was drawn a short time ago by one of the councilors in regard to some councilor telling some stories. I never told the real story of why I was at the Copley-Plaza, and I want now to tell it. I was sitting up here around the chamber and I was telephoned to come down to the Copley-Plaza. The president of this body asked me to come up there. I was with Fuchs, with the baseball magnate or with anybody in the town who wanted Sunday baseball,

because the people of my district wanted it. I am not accountable, and am not to be held accountable, by the Finance Commission or the Good Government Association, because they never indorsed a man by the name of Murray, and I am not accountable to the baseball magnates or any member of the Council. I went there, and if the same thing came about tomorrow, I would go there, trying to do something that was desired by the people of my district. Nobody in town who knows me ever found me to be a Benedict Arnold, and I want to say if the inference is going about here in regard to somebody, and they are alluding to someone, that someone is not me.

Coun. RUBY—Mr. President, I move that we proceed to another ballot for president.

Coun. MURPHY—Mr. President, it is not very satisfying to sit here and listen to different members of this Council engaging in a debate that, in my opinion, reflects upon both the dignity and the honor of this Council. My only purpose in making the motion that we take the last ballot was that we might forget our differences and get down to business, to the end that we would elect a president. I have no particular love for one councilor in this Council above another. I believe that either Councilor Lynch or Councilor Fitzgerald could fill the position which they seek with honor and dignity to the City of Boston. I have on some occasions voted for John I. Fitzgerald, on other occasions during the day's voting, I have voted for Councilor Lynch, but to no avail. If both of these men are unable to secure a majority of this Council, then I believe there ought to be some kind of an understanding to the end that a man be picked who would be satisfactory to both sides. It is needless for me to say that the business of the city is being and has been impaired because of the honest differences of opinion on the part of various councilors, with the result that no agreement has been reached in the matter of election of a president. But I say to both gentlemen, as I have said before, that I would not be ashamed to vote for either of them, if they can be elected. I do believe, however, that they have had chance enough. Ballot after ballot has been taken, without result; and Councilor Fitzgerald said here two meetings ago that he believed, in view of the fact that he had not been able to get a majority of the votes, he was not the choice of the Council. If Councilor Lynch thinks he can make the grade, I will vote for him. But if they cannot make the grade, then I say, let them try to unite on somebody else. This body is elected for the purpose of doing something else than taking ballots. It should get down to business and elect a president, and show those who are attacking us from the outside that we are doing everything that we are created for. And let me say to those who have engaged in argument across from one side of the chamber to another, that it would be far better if the members of this Council would adhere to the proper parliamentary procedure of the Council, cutting out the innuendoes, cutting out the personalities—and, if you have education and training, illustrate it by your action in this Council.

Coun. WILSON—Mr. President, I simply want to clear up perhaps a couple of misunderstandings. The gentleman across the room (Coun. Green) apparently took everything that I said largely unto his own bosom. It was for that reason, because of that possible contingency, that I carefully prepared that which I proposed to say, and for his benefit I would say that when I bring in something prepared it is because I want the record accurate, as I don't want to have to say later that I did not mean something that I said, or that I got excited. When I prepare figures, I try to prepare them and bring them in in proper shape so that there may be no inaccuracy and no post-mortems. No reference was made to the gentleman in Ward 2 (Coun. Green) or to the gentleman on this side of the Chamber (Coun. Murray), nor was reference made to the effect that the information which was furnished to the New York judge necessarily came even from this Council Chamber. The point that I wished to make was this, that the story was undoubtedly prompted locally. So the gentlemen in this body who have spoken are unduly sensitive when they take it to their own bosoms. I cannot, however, let pass a suggestion of the gentleman from Ward 2 (Coun. Green) that meeting after

meeting I rise to attack somebody's character. I do not believe the records will support him in that contention, and I certainly arose in my place today not to attack but to defend another man's character, a man for whom I have the highest regard and who, I conceive, has had a rotten break in the City of Boston through the publicity he received and which he never deserved. For that reason I did stand up—not to attack the character of any man in this room, but to defend the character of a man who, I will admit, needs no defence from those who know him. Reference was also made by the councilor to the effect that I had some difficulty in keeping one toe in South Boston and one in the Harvard Club. To the gentleman from Ward 2 (Coun. Green), I would simply say that he is much in error when he speaks of my difficulty in keeping a toe in South Boston. There is more reason for my keeping a toe there than in the Harvard Club, simply because I was born in a three-family house on 1 street, South Boston, without, so far as I know, a silver spoon in my mouth, and I am not even a member of the Harvard Club.

The Council voted to proceed to a ballot for president.

The Clerk called the roll, and the members, as their names were called, announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Murphy, Murray, Ruby, Sullivan—9.

For Edward M. Gallagher—Coun. Gallagher, Lynch—2.

For Henry Parkman, Jr.—Coun. Dowling—1.

For William G. Lynch—Coun. Deveney, Mahoney, McMahon—3.

For Timothy F. Donovan—Coun. Donovan, Motley, Parkman—3.

For Frederic E. Dowling—Coun. Wilson—1.  
And there was no choice.

Coun. ARNOLD—Mr. President, I move that we proceed to another ballot for president. May I say this, Mr. President? I have voted consistently in this body for a man who has on several ballots received half the votes of the members of this Council. I have always been of the opinion that when a man can come within one vote of an election, it ought to be generously and generally conceded that he is the choice of the body. I cannot follow the leadership of the member from Dorchester (Coun. Wilson), who has, if my memory serves me—I have not the record before me at the moment,—voted practically alone for four different members of the Council, and has at no time voted for one who has received half the votes of the membership of this body. I want to decline with thanks his nomination of me as among those who aspire for the presidency of this body, because I am probably the only man in the body who is not a candidate for the presidency of it. Therefore, Mr. Chairman, I do hope that the membership of this body will follow the suggestion of these councilors on the other side of the room so far as it relates to an election this afternoon, this evening, tonight or tomorrow morning.

Coun. Arnold's motion to proceed to a ballot was carried. The Clerk called the roll, and the members, when their names were called, announced their choice with the following result:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Murphy, Murray, Ruby, Sullivan—10.

For William G. Lynch—Coun. Deveney, Mahoney, McMahon—3.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Edward M. Gallagher—Coun. Gallagher—1.

For Peter J. Murphy—Coun. Lynch—1.

For Timothy F. Donovan—Coun. Motley, Parkman—2.

For Seth F. Arnold—Coun. Wilson—1.

And there was no choice.

Coun. SULLIVAN—Mr. President, I make the motion that we proceed to the election of a president. Mr. President, after the prepared speech we have heard in regard to how ridiculous we look to the outside public, to the people outside of this chamber, the people in the gallery, I think it would be wise for the members of the body who feel that way to vote consistently with the position they have taken in that respect and elect a president, not making a burlesque of this body. I say it is time that we got down to business and elected a president of this body, and I am willing to stay here for forty-eight hours, until we elect a man who is capable of filling the chair.

Coun. Sullivan's motion to proceed to a ballot for president was carried.

The Clerk called the roll and the members, as their names were called, announced their choice, as follows:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Murray, Ruby, Sullivan—7.

For William G. Lynch—Coun. Deveney, Mahoney, Murphy—3.

For William A. Motley, Jr.—Coun. Donovan—1.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Edward M. Gallagher—Coun. Gallagher, Lynch, McMahon—3.

For Timothy F. Donovan—Coun. Parkman—1.

For Frederic E. Dowling—Coun. Wilson—1.

And there was no choice.

On motion of Coun. GREEN the Council again voted to proceed to a ballot for president.

The Clerk called the roll, and the members, as their names were called, announced their choice with the following result:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Murphy, Murray, Ruby, Sullivan—10.

For William G. Lynch—Coun. Deveney—1.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Edward M. Gallagher—Coun. Gallagher, Lynch—2.

For Timothy F. Donovan—Coun. Parkman—1.

For Frederic E. Dowling—Coun. Wilson—1.

And there was no choice.

Upon motion of Coun. LYNCH the Council voted to proceed for another ballot for president.

The Clerk called the roll, and the members, when their names were called, announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Murray, Ruby, Sullivan—8.

For William G. Lynch—Coun. Deveney, Mahoney, McMahon—3.

For Timothy F. Donovan—Coun. Donovan, Motley, Parkman—3.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Michael J. Mahoney—Coun. Murphy—1.

For Edward M. Gallagher—Coun. Gallagher, Lynch, Wilson—3.

And there was no choice.

On motion of Coun. LYNCH, the Council again voted to proceed to a vote for president.

The Clerk called the roll, and the members, as their names were called, announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Motley, Murray, Ruby, Sullivan—10.

For William G. Lynch—Coun. Deveney, Mahoney—2.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Edward M. Gallagher—Coun. Gallagher, Lynch, Wilson—3.

For Peter J. Murphy—Coun. McMahon—1.

For Thomas W. McMahon—Coun. Murphy—1.

For Timothy F. Donovan—Coun. Parkman—1.

And there was no choice.

Coun. MOTLEY—Mr. President, I move that the Council now take a recess of one hour.

Coun. Motley's motion was declared lost.

On motion of Coun. McMAHON the Council again voted to proceed to the election of a president.

The Clerk called the roll, and the members when their names were called announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Motley, Murray, Ruby, Sullivan—10.

For William G. Lynch—Coun. Deveney, Mahoney—2.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Edward M. Gallagher—Coun. Gallagher, Lynch, Wilson—3.

For Peter J. Murphy—Coun. McMahon—1.

For Thomas W. McMahon—Coun. Murphy—1.

For Timothy F. Donovan—Coun. Parkman—1.

And there was no choice.

Coun. MOTLEY—Mr. President, I move that the Council now take a recess of one hour.

Coun. Motley's motion was declared lost.

On motion of Coun. McMAHON the Council again voted to proceed to the election of a president.

The Clerk called the roll, and the members when their names were called announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Motley, Murray, Ruby, Sullivan—10.

For William G. Lynch—Coun. Deveney, Mahoney—2.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Edward M. Gallagher—Coun. Gallagher, Lynch, Wilson—3.

For Peter J. Murphy—Coun. McMahon—1.

For Thomas W. McMahon—Coun. Murphy—1.

For Timothy F. Donovan—Coun. Parkman—1.

And there was no choice.

Coun. MOTLEY—Mr. President, I move that the Council now take a recess of one hour.

Coun. Motley's motion was declared lost.

On motion of Coun. SULLIVAN, the Council voted to proceed to another ballot for president.

The Clerk called the roll, and the members as their names were called announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Motley, Murray, Ruby, Sullivan—10.

For William G. Lynch—Coun. Deveney, Mahoney—2.

For William A. Motley, Jr.—Coun. Donovan—1.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Edward M. Gallagher—Coun. Gallagher, Lynch—2.

For Peter J. Murphy—Coun. McMahon—1.

For Timothy F. Donovan—Coun. Parkman—1.

For Frederic E. Dowling—Coun. Wilson—1.

And there was no choice.

On motion of Coun. SULLIVAN, the Council voted to proceed to another ballot for president.

The Clerk called the roll, and the members as their names were called announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Motley, Murray, Ruby, Sullivan—10.

For William G. Lynch—Coun. Deveney, Mahoney—2.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Edward M. Gallagher—Coun. Gallagher, Lynch—2.

For Peter J. Murphy—Coun. McMahon—1.

For Roger E. Deveney—Coun. Murphy—1.

For Timothy F. Murphy—Coun. Parkman—1.

For Frederic E. Dowling—Coun. Wilson—1.

And there was no choice.

#### PLANTING OF LINDEN TREES ON ETHEL STREET.

Coun. MURPHY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to plant European linden trees on Ethel street, Ward 18.

Passed under suspension of the rule.

#### USE OF LAND FOR PLAYGROUND.

Coun. WILSON offered the following:

Ordered, That the Boston School Committee, through his Honor the Mayor, be, and they hereby are, respectfully requested to allow the use of the land in the rear of and adjacent to the Dorchester High School for Boys for use as a public playground.

Coun. WILSON—Mr. President, I offer that order at this time for the reason that the Dorchester High School, in the center of Dorchester, has a large playground back of it, entirely surrounded by a fence. Nobody uses it, even the boys that attend the school; and having in mind that perhaps the placing of a playground in that and other wards may be indefinitely delayed, it seems to me the best thing the City of Boston can do, through the School Committee or those in authority at City Hall, is to open up such playgrounds as are available while we are awaiting the opening up of new playgrounds. For that reason I present the order at this time without the usual prepared speech.

The order was passed under suspension of the rule.

#### ADDITIONAL BALLOTS FOR PRESIDENT.

On motion of Coun. FISH, the Council voted to again proceed to a ballot for president.

The Clerk called the roll, and the members when their names were called announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Murray Ruby, Sullivan—9.

For William G. Lynch—Coun. Deveney, Mahoney—2.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Edward M. Gallagher—Coun. Gallagher, Lynch—2.

For Peter J. Murphy—Coun. McMahon—1.

For Timothy F. Donovan—Coun. Motley, Parkman—2.

For William A. Motley—Coun. Murphy—1.

For Frederic E. Dowling—Coun. Wilson—1.

And there was no choice.

Coun. MOTLEY—Mr. Chairman, I move that we now proceed to take a recess, subject to the call of the Chair.

Chairman DOWLING—The Chair would suggest that if that motion is carried we will go home and not come back again.

Coun. MOTLEY—Mr. Chairman, I withdraw my motion.

On motion of Coun. RUBY, the Council voted again to proceed to a ballot for president.

The Clerk called the roll, and the members when their names were called announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Murphy, Murray, Ruby, Sullivan—9.

For William G. Lynch—Coun. Deveney, Mahoney—2.

For Peter J. Murphy—Coun. Donovan, McMahon—2.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Edward M. Gallagher—Coun. Gallagher, Lynch—2.

For Timothy F. Donovan—Coun. Motley, Parkman—2.

For Frederic E. Dowling—Coun. Wilson—1.

And there was no choice.

Adjourned at 5.16 p. m., on motion of Coun. MURPHY, to meet on Monday, March 4, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, March 4, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, presiding. Absent, Coun. Bush and Ward.

## JURORS DRAWN.

Jurors were drawn under the law, Coun. RUBY presiding at the box in the absence of the Mayor, as follows:

Twenty-six traverse jurors, Superior Criminal Court, First Session, to appear April 1, 1929:

Arthur J. Gallagher, Ward 1; Michael McGowan, Ward 1; William F. Murphy, Ward 1; Raymond A. Hart, Ward 2; Harry A. Bixby, Ward 4; Frederick Blake, Ward 5; Eben H. Gay, Ward 5; James M. Newell, Jr., Ward 5; Harry M. Wing, Ward 5; James D. Curtin, Ward 6; John J. Geary, Ward 6; Hans C. Hansen, Ward 6; Eugene D. Knox, Ward 10; Thomas J. Scollin, Ward 10; James Frederick Bowers, Ward 14; Edward F. Galligan, Ward 15; Peter L. Kuhn, Ward 16; Jeremiah F. Sullivan, Ward 17; William F. Diek, Ward 18; Carl M. Mitchell, Ward 18; Gordon L. Parker, Ward 18; Bernard W. Conrad, Ward 19; Edward Erickson, Ward 19; Edward R. Williams, Ward 19; John E. Amback, Ward 20; William H. Vance, Ward 20.

Thirty-two traverse jurors, Superior Criminal Court, Fourth Session, to appear April 1, 1929:

George L. Betts, Ward 1; Joseph J. Barry, Ward 2; Thomas F. Cronin, Ward 3; George W. Chester, Ward 4; Alexander F. O'Connor, Ward 4; James D. Ennis, Jr., Ward 4; Karl R. Steinauer, Ward 4; Byron W. Armstrong, Ward 5; Frank Douglass, Ward 5; William E. Thayer, Ward 5; George E. Desmond, Ward 6; Bartholomew F. Donahue, Ward 6; Oliver S. Thompson, Ward 7; William J. Garvin, Ward 8; Michael H. Kelley, Ward 10; John J. Kenneally, Ward 10; James Templeton, Ward 11; Henry Franks, Ward 12; Emil Hackel, Ward 12; Blighon E. Hain, Ward 12; William J. O'Neil, Ward 13; John J. Tobin, Ward 13; James Karman, Ward 15; William E. Bryen, Ward 16; William E. Richards, Ward 16; Leo C. Finn, Ward 17; Allen M. Gillrist, Ward 18; William F. Henderson, Ward 18; William E. Russell, Ward 18; Jeremiah J. Houriban, Ward 19; Charles E. Heath, Ward 21; Charles E. Smith, Ward 21.

Thirty-two traverse jurors, Superior Criminal Court, Fifth Session, to appear April 8, 1929:

James J. Halley, Jr., Ward 1; Albert C. Devlin, Ward 2; William Hoare, Ward 2; James A. McGrath, Ward 2; Oliver Elliott, Ward 3; Patrick F. Gately, Ward 3; Pasquale Mirabelli, Ward 3; John M. Thornton, Ward 3; Arthur W. Dibblee, Ward 5; Charles P. Wilson, Ward 5; Alexander J. Burke, Ward 6; Patrick A. Byrnes, Ward 7; Frederick J. Cooke, Ward 7; Herman Dickman, Ward 7; Patrick J. Cronin, Ward 8; Owen Cunningham, Ward 8; Patrick Joseph Goodwin, Ward 8; Leonard W. Gould, Ward 9; Joseph H. Connell, Ward 10; Walter F. Jeffery, Ward 9; Frederick L. Conroy, Ward 10; William G. Fitzsimmons, Ward 10; Thomas E. Greene, Ward 11; Patrick F. Norton, Ward 11; Warren G. Milliken, Ward 12; Phillip Greenberg, Ward 14; Frank L. Metcalf, Ward 16; Patrick J. O'Hanlon, Ward 16; Richard B. Ross, Ward 16; Albert F. Knox, Ward 18; William R. Holt, Ward 20; Willis M. Swain, Ward 21.

Twenty-seven traverse jurors, Superior Civil Court, First Session, April Sitting, to appear April 1, 1929:

Edward C. Foley, Ward 1; William L. O'Brien, Ward 1; Joseph A. Trevor, Ward 1; John H. Canavan, Ward 2; James E. Phelan, Ward 2;

Angus D. McDonald, Ward 2; Lawrence J. Wiermer, Ward 2; Frank B. Brown, Ward 3; John H. Roth, Ward 4; Michael Gannon, Ward 6; Thomas J. McCann, Ward 6; Thomas H. Barrett, Ward 7; Francis J. McNulty, Ward 7; John J. Mulligan, Ward 7; John J. Carter, Ward 9; Stephen F. McNamara, Ward 10; Thomas H. O'Connor, Ward 10; Lyman F. Harrington, Ward 11; Robert F. Garrett, Ward 13; John J. O'Neil, Ward 13; James A. Crowley, Ward 15; William H. Dana, Ward 16; George A. Hall, Ward 19; William L. Ryan, Ward 19; Henry T. Smith, Ward 20; Frank E. White, Ward 20; Frank M. Knott, Ward 21.

Twenty-eight traverse jurors, Superior Civil Court, Second Session, April Sitting, to appear April 1, 1929:

Lawrence J. Driscoll, Ward 1; James E. Flynn, Ward 1; Edward G. Murray, Ward 3; James I. Gayton, Ward 4; Peter E. Carleton, Ward 7; James A. Keegan, Ward 8; Archie Andrews, Ward 9; John Looney, Ward 9; Carl H. Lovgren, Ward 10; Daniel P. Miley, Ward 10; Thomas J. Underwood, Ward 10; James L. Hewitt, Ward 12; Patrick Carey, Ward 13; Patrick F. Doolin, Ward 13; Thomas J. Kane, Ward 14; David B. Knopf, Ward 14; Arthur Eckert, Ward 15; Thomas V. McCue, Ward 15; Henry J. Cross, Ward 16; Jeremiah McCarthy, Ward 17; Joseph G. Pickard, Ward 17; William F. Hill, Ward 18; Frank A. Sweet, Ward 18; Merlon A. Hodges, Ward 20; John F. Killion, Ward 20; Lester A. Magoun, Ward 20; James A. Mulherin, Ward 21; Phillip N. Winkler, Ward 21.

Twenty-nine traverse jurors, Superior Civil Court, Third Session, April Sitting, to appear April 1, 1929:

Claude L. Brannen, Ward 1; John J. Brow, Ward 1; Frank Evans, Jr., Ward 1; Cornelius J. Cadogan, Ward 2; Peter B. Livoti, Ward 2; Charles H. Parker, Ward 5; Frederick F. Whitehouse, Ward 5; Thomas Daly, Ward 7; Alfred H. Jacques, Ward 7; Daniel J. Cairnes, Ward 8; Frederick A. McLean, Ward 8; Lawrence M. Hurley, Ward 9; George E. Totman, Ward 9; George Davies, Ward 19; Bernard F. Heiler, Ward 10; Joseph B. Lunnin, Ward 10; Neill Osgood, Ward 10; John W. West, Ward 10; John H. Glennon, Ward 11; Charles R. Westlund, Ward 11; James A. Fowle, Ward 13; William F. Munns, Ward 13; Fred M. Blake, Ward 14; James H. D. Morrissey, Ward 15; Edwin H. Young, Ward 16; Fred F. Adams, Ward 18; Michael F. Dee, Ward 18; Malcolm B. Blue, Ward 20; Charles A. Clark, Ward 20.

Twenty-eight traverse jurors, Superior Civil Court, Fourth Session, April Sitting, to appear April 1, 1929.

Albert Ginsburg, Ward 1; James E. McNabb, Ward 1; Ezra E. Fisher, Ward 2; Francis J. Meley, Ward 2; John P. Field, Ward 4; Joseph Rosen, Ward 5; Timothy E. Sullivan, Ward 6; Michael P. Finn, Ward 7; Patrick J. Lonergan, Ward 7; Thomas J. Murphy, Ward 7; John P. Brooker, Ward 9; Chester A. Robinson, Ward 10; Michael J. Cogan, Ward 13; William H. Nixon, Ward 13; Richard J. Hodges, Ward 14; John C. Stoteran, Ward 14; Alfred D. Wheaton, Ward 14; Roscoe W. Crediford, Ward 15; Charles J. Maretti, Ward 15; Charles W. Sullivan, Ward 15; Leon W. Barritt, Ward 17; Robert H. Smith, Ward 17; William D. Cody, Ward 19; Thomas J. Connolly, Ward 19; John A. Farley, Ward 19; Henry Lank, Ward 19; Frederick P. MacDougall, Ward 19; Rudolph C. B. Bartsch, Ward 20.

Twenty-eight traverse jurors, Superior Civil Court, Fifth Session, April Sitting, to appear April 1, 1929:

Henry Delorey, Ward 1; Thomas F. Digan, Jr., Ward 1; William J. Williams, Ward 1; John J. Gill, Ward 2; William L. Mulveyhill, Ward 2; Charles A. Lundgren, Ward 4; Harold G. Malloy, Ward 4; Frederick S. Varney, Ward 4; Joseph C. Walter, Ward 4; Joseph V. Beaudry, Ward 5; Michael J. Flynn, Ward 6; William J. Keohoe, Ward 6; Alfred J. Mitchell, Ward 6; James E. Mallen, Ward 7; Charles Callahan, Ward 10; Henry W. Cuddy, Ward 11; Joseph M. Ward, Ward 11; William A. MacMillan, Ward 12; John Maguire, Ward 13; Cyril O. Huntington, Ward 14; John F. McLaughlin, Ward 15; Roger A. Krohn, Ward 14; Ernest G. Peterson, Ward 17;

Louis C. Saxe, Ward 17; Harry L. Burdick, Ward 19; Robert F. Waul, Ward 19; George E. Young, Ward 20; Arthur H. Cox, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, Sixth Session, April Sitting, to appear April 1, 1929:

Patrick J. Hayden, Ward 1; Jeremiah Collins, Ward 2; Daniel Connors, Ward 2; Dennis J. Hayes, Ward 2; William R. McCarthy, Ward 3; George E. Clapp, Ward 4; Herbert N. A. Hart, Ward 4; William C. Chick, Ward 5; Edward J. Delaney, Ward 6; Edward L. Geary, Ward 6; Frederick McDonough, Ward 6; William N. Wells, Ward 6; John T. Cummings, Ward 7; Otto P. Faul, Ward 7; John A. Saunders, Ward 7; Patrick Spellman, Ward 8; Thomas G. Cooper, Ward 9; William R. Davies, Ward 9; William D. Vickers, Ward 9; Cecil R. Cannell, Ward 10; Gustav Engewald, Ward 10; John E. McCue, Ward 12; Thomas J. Joyce, Ward 13; Michael J. Larkin, Ward 17; Lawrence A. Upton, Ward 17; James J. Ford, Ward 22; Herbert H. Huke, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Seventh Session, April Sitting, to appear April 1, 1929:

Timothy S. Ahern, Ward 2; Harry F. Jay, Ward 2; Joseph J. Mahoney, Ward 2; Joseph A. Brennan, Ward 5; John F. Barry, Ward 6; Karl F. Stahl, Ward 6; William McNamara, Ward 7; Thomas Buckley, Ward 8; Thomas E. Keefe, Ward 8; John Pilling, Ward 8; John F. Carrigan, Ward 9; Walter T. Driscoll, Ward 10; Thomas F. Reddish, Ward 10; Frank A. Weitz, Ward 11; Martin J. Hussey, Ward 12; Winslow Rouse, Ward 12; Thomas Keady, Ward 13; Henry E. Keane, Ward 13; William Forbes, Ward 16; Stephen M. Donahue, Ward 17; George F. Smith, Ward 17; William O. Tuckerman, Ward 18; George T. Whittington, Ward 18; Frederick G. Freiburger, Ward 18; William C. Imberscheid, Ward 19; Arthur F. Vyteal, Ward 21.

Forty-five traverse jurors, Superior Civil Court, Eighth Session, April Sitting, to appear April 1, 1929:

John J. Keller, Ward 1; James J. Bratton, Ward 2; Patrick Judge, Ward 2; John Kelly, Ward 2; James M. O'Hara, Ward 2; Michael J. Duggan, Ward 3; Edgar L. Wentzel, Ward 3; John J. Curran, Ward 6; George H. Waitt, Ward 6; George U. Clough, Jr., Ward 7; John J. Griffin, Ward 7; Thomas F. Waters, Ward 7; John C. McAuley, Ward 8; Carl R. Peterson, Ward 8; Louis Flaherty, Ward 9; Lawrence J. Daly, Ward 9; Joseph F. Colby, Ward 9; Edward Boogusch, Ward 9; Francis W. Sprague, Ward 10; William J. Sullivan, Ward 10; John C. Bennett, Ward 11; Edward J. Udovin, Ward 12; Barney J. Harris, Ward 13; Samuel J. Weiner, Ward 14; Patrick Carolan, Ward 15; James D. Regan, Ward 15; Joseph F. Adams, Ward 16; Joseph E. Fitzgerald, Ward 16; Charles J. Harmon, Ward 16; George P. James, Ward 16; Edmund A. Higgins, Ward 17; James E. Young, Ward 17; George Davidson, Ward 18; Joseph E. Enneking, Ward 18; Frank J. Morrison, Ward 18; Samuel L. Weston, Ward 18; Charles O. Wilson, Ward 18; James E. Aitken, Ward 20; John J. Flinn, Ward 20; George C. Oliver, Ward 20; August F. Oswald, Ward 20; Charles Worley, Ward 20; John J. King, Ward 21; Clarence W. Wyatt, Ward 21; John J. Leary, Ward 22.

(While the jurors were being drawn, Coun. Keene was called to the chair and Coun. Dowling reassumed the chair after the drawing of jurors had been completed.)

#### APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted appointments for the term ending April 30, 1929, as follows:

Weights of goods: Harry W. Conant, Boston & Maine Railroad Mystic Wharf Scale House.

Weighter of coal: Mary Margaret Hynes, 59 Greaton road, West Roxbury, Lamartine Coal Company, 139 Lamartine street, Jamaica Plain.

Constable: Irving Sampson, 24 Goodale road, Mattapan.

Several laid over a week under the law.

#### ADDITIONAL TRAFFIC PROTECTION, CODMAN SQUARE.

The following was received:

City of Boston,  
Office of the Mayor, March 4, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner, in reply to your order of February 11, 1929, requesting more adequate traffic protection in Codman square, Dorchester, by means of a regularly stationed police officer and also by clearly defined crosswalks and safety zones for pedestrians.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

February 25, 1929.

Mrs. Ida Hibbard, Chief Clerk, Office of the Mayor.

Dear Madam,—Replying to your note of February 19, with which you inclosed an order of the City Council, passed February 11, 1929, that the Police Commissioner and the Board of Street Commissioners be requested, through his Honor the Mayor, to provide more adequate traffic protection in Codman square, Dorchester, I would say that I have taken this matter up with Deputy Superintendent Goode and Captain Laffey of this department and they have informed me that after February 23 the traffic post in Codman square will be made permanent.

With reference to crosswalks and safety zones for pedestrians, I would say that we will replenish the white lines in Codman square as soon as the stormy winter weather has passed and the frost in the ground has abated sufficiently so as to allow white paint and white tape lines to hold to the pavement.

I am returning herewith 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.

#### ADDITION TO BILLINGS FIELD PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, February 28, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department in reply to your order of February 18, 1929, relative to the approximate cost of acquiring the tract of land, comprising about two and one half acres, adjoining Billings Field for an addition to the present playground.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, February 27, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of February 25, with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to inform the City Council as to the approximate cost of acquiring the tract of land, adjoining Billings Field for an addition to the present playground.

In reply I desire to say that the assessed valuation of the land is \$7,525 or seven cents per foot. There are 107,500 square feet of land.

I personally feel that the playground does not require this addition.

Very respectfully yours,  
WILLIAM P. LONG,  
Chairman.

Placed on file.

#### LOAN FOR NEW POLICE BOAT.

The following was received:

City of Boston,  
Office of the Mayor, March 4, 1929.  
To the City Council.

Gentlemen,—At the urgent request of the Police Commissioner, I submit herewith a loan order providing for an appropriation of \$205,000 to meet

the cost of the construction of a new police boat. This boat when constructed will replace the "Guardian," which was constructed in 1886 and has been in continuous service ever since. I have had engineers of the Ferry Division make an exhaustive examination of this boat and the results of this examination are reported in reports attached herewith. These reports indicate that unless a new boat is soon available the United States Steamboat Inspection Service will order extensive repairs on the "Guardian," which will undoubtedly cost in the neighborhood of \$70,000. Such an expenditure on a boat which is over forty years old is deemed to be unwise. I accordingly recommend adoption of the accompanying order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

October 18, 1928.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mayor Nichols,—I desire to call to your attention at this time that owing to the condition of the police boat "Guardian," it will be necessary within the coming year to provide a new boat to take its place.

The present boat was built in 1886 and has been continuous service ever since. The boilers are in such a condition that I am afraid the steamboat inspectors will condemn them as they have had several blowouts in the past few years. In order to replace these boilers with new ones it would be necessary to rip out the whole top deck of the boat.

I have had a survey made of the condition of the boat by Clark and Church, marine surveyors, 79 Milk street, Boston, and they indicate to me in their report that there is already considerable decay to be found in the boat. The amount cannot be accurately ascertained unless the steamer is docked and a considerable portion of the hull torn out; but as a matter of experience it is reasonable to forecast that to assure a life of the hull comparable to that of new boilers would necessitate a large amount of work. New boiler keelsons would undoubtedly have to be put in and this work would probably aggregate to one quarter or one third the cost of a new hull, to say nothing of the cost of rebuilding the entire upper works of the boat.

During the period of building a new boat this boat must be kept in commission until such time as new boat could be put into service. The engines in the present boat have been kept up-to-date and are in fairly good shape, but would consider it poor economy to place these old engines in a new boat and that could not very well be done as a boat must be kept in commission at all times.

I have consulted Mr. Rupert S. Carven, City Auditor, relative to this matter and he informs me that it will be necessary to provide for this steamer by a loan order; therefore, I respectfully request that early in the coming year you provide sufficient funds in a loan order to build this boat. I have had no estimated cost made of the same, but I should judge it would take from \$200,000 to \$225,000.

Plans and specifications will have to be made and I think that work should be started at once as it will take five or six months to get these drawings in proper shape to advertise and award a contract, but before I proceed with that portion of the work, I would like to have your approval of my contemplated plans.

Very respectfully yours,  
HERBERT A. WILSON,  
Police Commissioner.

Ordered, That the sum of \$250,000 be, and hereby is, appropriated to be expended under the direction of the Police Commissioner for new police boat, and that to meet said appropriation the City Treasurer be authorized to issue from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

PETITIONS REFERRED.

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

Claims.

Charles Alesandro *et al.*, for compensation for injuries caused by explosion of manholes on Summer street.

Atlantic National Bank of Boston, for refund on refuse tickets.

Robert Bagley, for compensation for injuries caused by an alleged defect at 190 Eustis street.

Herbert A. Brooks, for compensation for damage to property at 20 Lime street, caused by defective water main.

Charles F. Buckley, for compensation for damage to car by city truck.

Benjamin S. Canner, for compensation for damage to truck caused by an alleged defect at 111 St. Andrew road.

Maud Shattuck, for compensation for injuries caused by explosion of manholes on Summer street.

Marathon Baking Company, for compensation for damage to truck by city car.

Charles J. McCarty, for compensation for injuries caused by an alleged defect in Dorchester avenue.

Nellie McKenna, for compensation for damage to property at 38 Norton street, Dorchester, caused by defective sewer.

George Michelson, for compensation for damage to automobile by city truck.

Morris-Ireland Safe Company, for compensation for damage to car by city cart.

Samuel Noyes, for compensation for damage to automobile by city truck.

William Shapiro, for compensation for damage to car by city car.

Silver Brothers, Inc., for compensation for damage to car by city car.

James E. Thompson, for compensation for damage to automobile caused by an alleged defect at 95 Main street, Charlestown.

George Valsamakis, for compensation for damage to property at 613 Broadway, caused by defective sewer.

Frances M. Weidman, for compensation for injuries caused by an alleged defect at Stuart and Tremont streets.

Addie F. Wildes, for compensation for injuries caused by an alleged defect at Warren and Washington streets.

Mrs. Anna Wollman, for compensation for damage to property at 20 Washington place, caused by city team.

Jacob Wolsky, for compensation for damage to property at 57 and 59 Glenway street, caused by defective water meter.

Executive.

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

Mildred C. Sacco, Joseph H. Barnes School Hall, March 8.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway for license to operate motor vehicles between Ashmont Station and the junction of Norfolk and Morton streets, Dorchester, over Dorchester avenue, Peabody square, Talbot avenue, Codman square, Norfolk street, Morton street, Evans street, Corbet street.

APPOINTMENT OF MICHAEL H. MURRAY.

Notice was received of appointment of Michael H. Murray, as collector of samples in Milk Laboratory of Health Department, effective February 21, 1929.

Placed on file.

MINORS' LICENSES.

Chairman DOWLING submitted petitions of thirty-six newsboys and four vendors for minors' licenses, and same were granted under the usual conditions.

CUMMINS HIGHWAY.

Notice was received from the Board of Street Commissioners that the names of public ways known as Ashland street, West Roxbury, from Washington street to Harvard street, and Oakland street, Dorchester, from Harvard street to River street, are changed to, and hereafter will be known as Cummins Highway.

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 March 18, viz.:

William A. Ford, 85 Roberts street, Ward 20, 3,000 gallons.

Graham-Paige Company of New England, 1075 Commonwealth avenue, Ward 21, 1,000 gallons.

Merchants' Towel Supply and Laundry Company, 71 Norfolk avenue, Ward 8, 1,000 gallons.

Carrie Stone Murray, 3 Weld park, Ward 19, 3,000 gallons.

Referred to the Executive Committee.

## ACCEPTANCE OF STREETS, 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 the following streets in Ward 16: Elm avenue, Milton street, Fairview street, Wilcox road and Guild road.

Passed under suspension of the rule.

## RESURFACING OF JULIAN STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Julian street, and construct granolithic sidewalks thereon, from Howard avenue to Blue Hill avenue, Ward 13.

Passed under suspension of the rule.

## PLAYGROUND, WEST END.

Coun. FITZGERALD offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Board of Park Commissioners and the Legislative Counsel of the City of Boston to appear before the Committee on Metropolitan Affairs of the Massachusetts Legislature, in favor of the adoption of the amendment to House Bill 1050 whereby the Boston & Maine Railroad is to give certain lands north and east of the Charles river dam to the City of Boston for playground purposes.

Referred to the Executive Committee.

## RECESS.

The Council voted, on motion of Coun. ARNOLD, 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 Chairman DOWLING at 4.10 p. m.

## EXECUTIVE COMMITTEE REPORTS.

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

1. Report on order (referred today) requesting the Mayor to instruct the Board of Park Commissioners and the legislative counsel of the City of Boston to appear in favor of the adoption of the amendment to House Bill 1050, whereby the Boston & Maine Railroad is to give certain land north and east of the Charles river dam to the City of Boston for playground purposes—that the same ought to pass.

Report accepted; said order passed.

2. Report on petition (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Mildred C. Sacco, in Joseph H. Barnes School Hall, on March 8.

Report accepted; said petition granted on usual conditions.

## LOANS FOR HOSPITAL MEDICAL PAVILION.

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

1. Ordered, That under the authority of chapter 352 of the Acts of 1924, the sum of \$386,000

be, and the same hereby is, appropriated, to be expended by the trustees of the Boston City Hospital for medical pavilion, 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 \$193,000 be, and the same hereby is, appropriated, to be expended by the trustees of the Boston City Hospital for medical pavilion, 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 authority of chapter 237 of the Acts of 1928, the sum of \$85,000 be, and the same hereby is, appropriated, to be expended by the trustees of the Boston City Hospital for medical pavilion, 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 237 of the Acts of 1928, the sum of \$85,000 be, and the same hereby is, appropriated, to be expended by the trustees of the Boston City Hospital for medical pavilion, 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 February 18, 1929, the four foregoing orders were read once and passed, yeas 19, nays 0.

The orders were given their second and final reading and passage, yeas 19, nays 0.

## DRAINAGE INTO DORCHESTER BAY.

Chairman DOWLING called up, under unfinished business, No. 2 on the calendar, viz.:

2. Ordered, That the sum of \$400,000 be, and the same hereby is, appropriated, to be expended by the Commissioner of Public Works for the construction of a surface drain and overflow to provide for the drainage into Dorchester Bay between Freeport and Bay streets, 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 February 18, 1929, 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.

## BALLOTS FOR PRESIDENT.

On motion of Coun. MOTLEY, the Council voted to proceed to ballot for president. The Clerk called the roll, and the members when their names were called announced their choice, as follows:

For Peter J. Murphy—Coun. Deveney, Dowd, Dowling, Lynch, Mahoney, McMahon, Murphy, Wilson—8.

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Motley, Murray, Ruby, Sullivan—10.

For Albert L. Fish—Coun. Gallagher—1.

For Timothy F. Donovan—Coun. Parkman—1.

And there was no choice.

On motion of Coun. SULLIVAN, the Council voted to proceed to another ballot for president. The Clerk called the roll and the members when their names were called announced their choice, as follows:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Lynch, Murray, Ruby, Sullivan—9.

For Peter J. Murphy—Coun. Deveney, Dowd, Dowling, Lynch, Mahoney, McMahon, Murphy, Wilson—8.

For Albert L. Fish—Coun. Gallagher—1.

For Timothy F. Donovan—Coun. Motley, Parkman—2.

And there was no choice.

SCHOOLHOUSE IN CODMAN HILL  
SECTION.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be, and he hereby is, respectfully requested to urge upon the School Committee of the City of Boston the early construction of a schoolhouse building to accommodate the younger children of the Codman Hill section of Dorchester.

Coun. WILSON—Mr. Chairman, I will merely say with reference to this particular order that a situation in the Codman Hill district has been called to my attention, by reason of which children of the lowest grades, six and seven years of age, are compelled to walk one mile four times a day to the nearest school, on Thetford avenue, and not only is that the case, but practically none of the streets of the mile over which they walk are completed—for example, Milton avenue extension, Codman Hill avenue, and that end of Washington street. Instead of criticizing the Schoolhouse Commission for building too many schools, in my district the criticism is that they are not putting up enough schools. The order was passed under suspension of the

rule.

ENDORSEMENT OF HOUSE BILL 453.

Coun. WILSON offered the following:

Resolved, That the Boston City Council hereby goes on record as favoring the passage by the Massachusetts Legislature of House Bill 453, and be it

Ordered, That the Clerk be, and he hereby is, instructed to so advise the appropriate committee of the Massachusetts Legislature forthwith.

The order was declared referred to the Executive Committee.

Coun. WILSON—Mr. Chairman, I would ask a suspension of the rule at this time, if possible, so that the order may be passed, for this reason: This particular bill is the bill in reference to the taxicab monopoly in the City of Boston. I am unaware just how much desire there may be to have this bill go through at the State House, but I will simply say that the councilor who introduced a similar order two weeks ago, it would seem by the records, had his order returned by the Mayor with the suggestion that this bill had been introduced into the Legislature. Therefore, the Mayor returned the order, as I understand it, without his approval. I don't know the purpose of the order of the councilor from Roxbury, but certainly the purpose of my order is that such action as it outlines may be taken at once. I desire to have the rule suspended, and the order passed, inasmuch as the matter is to come before the legislative committee at the State House tomorrow. I think they should be given an opportunity to realize that at least a majority of the City Council of Boston are sick and tired of the present taxicab monopoly in the City of Boston, not only because it fails to give a break to the Independent taxicabs as against the Checker cabs, in which a person may ride over to Soldiers Field and almost to his seat, whereas the Independent cabs are hardly allowed to come within gunshot, there being that discrimination from the standpoint of the cab driver; but also the fact that invariably the general public are discriminated against. I feel that we have stood this thing long enough. We know how it is here when we go across the street. Therefore, I move a suspension of the rule, so that the order may be passed at this time. As I say, I understand that the taxicab matter comes up at the State House tomorrow morning.

The order was passed under suspension of the rule.

LAND FOR GOLF COURSE.

Coun. WILSON offered the following:

Ordered, That the sum of two hundred and twenty-five thousand dollars 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 of Boston.

Referred to the Committee on Finance.

PAVING OF CLIFFORD 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 Clifford street, Ward 18.

Passed under suspension of the rule.

REPAVING OF CLEVELAND 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 Cleveland street, Ward 18.

Passed under suspension of the rule.

REPAVING 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.

REPAVING OF HAMILTON 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 Hamilton street, Ward 18.

Passed under suspension of the rule.

BALLOTS FOR PRESIDENT.

On motion of Coun. DOWD, the Council voted to proceed to a ballot for president. The Clerk called the roll, and the members as their names were called announced their choice, as follows:

For John I. Fitzgerald—Coun. Arnold, Donovan, Dowd, Fish, Fitzgerald, Green, Keene, Motley, Murray, Ruby, Sullivan—11.

For Peter J. Murphy—Coun. Deveney, Dowling, Lynch, Mahoney, McMahon, Murphy, Wilson—7.

For Albert L. Fish—Coun. Gallagher—1.

For Timothy F. Donovan—Coun. Parkman—1.

And there was no choice.

On motion of Coun. ARNOLD, the Council voted to proceed to another ballot for president. The Clerk called the roll, and the members as their names were called announced their choice, as follows:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Green, Keene, Murray, Sullivan—9.

For Peter J. Murphy—Coun. Deveney, Dowling, Lynch, Mahoney, McMahon, Murphy, Wilson—7.

For Timothy F. Donovan—Coun. Dowd, Motley, Parkman—3.

For Albert L. Fish—Coun. Gallagher—1.

And there was no choice.

LAYING OUT OF HARDY STREET.

Coun. LYNCH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Hardy street, Ward 7, as a public highway.

Passed under suspension of the rule.

BALLOTS FOR PRESIDENT.

On motion of Coun. GREEN, the Council voted to proceed to a ballot for president. The Clerk

called the roll, and the members as their names were called announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Fish, Fitzgerald, Green, Keene, Motley, Murray, Ruby, Sullivan—9.

For Peter J. Murphy—Coun. Deveney, Dowling, Lynch, Mahoney, McMahon, Murphy, Wilson—7.

For Timothy F. Donovan—Coun. Donovan, Dowd, Parkman—3.

For Albert L. Fish—Coun. Gallagher—1.

And there was no choice.

On motion of Coun. MOTLEY, the Council voted to proceed to another ballot for president. The Clerk called the roll, and the members as their names were called announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Donovan, Dowd, Fish, Fitzgerald, Green, Keene, Motley, Murray, Ruby, Sullivan—11.

For Peter J. Murphy—Coun. Deveney, Dowling, Lynch, Mahoney, McMahon, Murphy, Wilson—7.

For Albert L. Fish—Coun. Gallagher—1.

For Timothy F. Donovan—Coun. Parkman—1.

And there was no choice.

#### INFORMATION REGARDING BUDGET.

Coun. PARKMAN offered the following:

Ordered, That the Budget Commissioner be requested, through his Honor the Mayor, to advise the Council the reason for the transfer of \$73,142.38 to the item of materials in the Paving Service of the Public Works Department; and

That the Budget Commissioner be further requested to advise the Council what steps have been taken to further the methods of budget control recommended in the report of a special committee to the Council on January 10, 1927.

Coun. PARKMAN—Mr. Chairman, my reason for introducing that order at this time is that in the auditor's exhibit for December 31, 1928, as recently issued, for the item of materials in the Paving Service of the Public Works Department, there is shown among appropriations \$202,700, and as a transfer to that particular item there is shown the amount of \$73,142.38, or well over 33 1/2 per cent of the original appropriation. Those members of the Council who are now serving their second term will remember that in 1927 a report was made by a special committee of the Council, which made a study of the subject of budget control, and it was pointed out that, once the appropriation bill was passed, there was no method by which the Council or the Budget Commissioner could control the expenditure of money for the purposes and in the amounts set forth in the appropriation bill. Conferences were had at that time with his Honor the Mayor, the auditor and the Budget Commissioner, as well as outside sources, to determine how budgets were operated, and there was a general agreement reached at that time that the Mayor would put into effect by executive order a system by which the Budget Commissioner could exercise some control over the purposes for which money was appropriated. As matters are at the present time, there appears to be no control whatsoever over the expenditures of money, to make sure that those expenditures are limited to the purposes and to the amounts of the appropriation bill as passed by the City Council early in the year. This particular instance I have picked out gives, it seems to me, a case where a third more than the original appropriation is transferred to that item to enable the necessary expenditures to be made for whatever commitments are being made by that department. It seems to me it is time to take account of stock, and that the recommendations of the committee of 1927 with regard to the proper operation of the budget system should be observed, with a view to seeing whether an executive order of the Mayor would bring adequate results. Apparently so far there has been a failure to carry out that recommendation. Therefore, I have introduced this order at this time, asking the Budget Commissioner to make a report and advise us what, if any, progress has been made.

The order was passed under suspension of the rule.

#### BALLOTS FOR PRESIDENT.

On motion of Coun. RUBY, the Council voted to again proceed to a ballot for president. The

Clerk called the roll, and the members when their names were called announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Donovan Dowd, Fish, Fitzgerald, Green, Keene, Motley, Murray, Ruby, Sullivan—11.

For Peter J. Murphy—Coun. Deveney, Dowling, Lynch, Mahoney, McMahon, Murphy, Wilson—7.

For Albert L. Fish—Coun. Gallagher.

For Timothy F. Donovan—Coun. Parkman—1.

And there was no choice.

#### COUN. FITZGERALD WITHDRAWS HIS CANDIDACY.

Coun. FITZGERALD—Mr. Chairman, I ask unanimous consent to make a statement. It appears that I have received eleven votes for president, and I have received a vote today that I had not received before since the balloting started. I feel as though I am not the choice of this body. I also feel that I should not appear in the role of an obstructionist and attempt to tie up the business of the city. For that reason, I will now ask the members to refrain from voting for me, and would suggest that we take a recess for five minutes to give the members an opportunity to talk matters over, if they so see fit. I will not press that, if it is not the judgment of the body. I do feel, however, that if more time were taken perhaps the matter could be decided today. I feel satisfied that if all concerned could get together for a few moments in an earnest effort to arrive at a decision, we could decide the thing. I realize that some of the members here have business that they wish to attend to. I realize that the gentleman from Ward 4 (Coun. Parkman) is a professional man and has matters demanding his attention, and I realize that there are others who have things that they wish to look after. I do think that in five minutes we can readily find out whether the Council can come to an understanding. I desire to thank those who have so generously voted for me and to assure those who have not voted for me that I have no animosity whatever towards them. I realize that all the members here have exercised their judgment to the best of their ability, and that those who have not voted for me have felt that there were others better fitted than I for the position. With regard to those who have either voted for or against me, I have used no methods that can be called questionable. Those who have been friendly to my candidacy, and who have voted for me, have done so freely, of their own volition. I, perhaps, will continue in the game, and may survive after some others have passed, and may not. Of course, the time will never come when all matters are settled to everybody's satisfaction. But on this occasion I will not continue as a candidate any longer. A lot of people say, "You should stand." But I am not going to be so stubborn as to try to hold things up or prevent things that are necessary to be done from being done. I might say that there has been a good deal of talk brought to bear about the influence of his Honor the Mayor in this matter. I can truthfully say that I had a talk with the Mayor and I told him that under no conditions would I wish him to do anything for me that would result in his mortgaging the office in any respect or that would result in placing him under obligation to the members of this body. My friendship for the Mayor is a matter of long standing. It does not date from the present. I served with him many years ago, and strong ties of friendship were then formed. I served with him in the Legislature, and if there is one place more than another where the test of man is made it is there. The friendships I formed there are friendships I can never forget. The friendships you form with men who serve with you in that body are friendships that last. I have received letters of commendation and good wishes from a number of men with whom I served there, in connection with this matter. As a Democratic member, I have even had a little standing there. Mr. Chairman, I can point with pride to the fact that on three different occasions, the Republican Speaker of the House appointed me to represent my party as a minority member on recess committees, positions of trust and responsibility. My actions have been an open book, and I am not ashamed of them. It may be that one of the other gentlemen here will attain his goal. If he

doesn't, it will perhaps satisfy his ambitions that he has taken a few votes away from me. May the best man win. I would have been with the gentleman from South Boston on the first day, and perhaps if the thing had been pushed to an issue he would have received the votes then. Delays are always dangerous; perhaps they have been more dangerous for me than for anyone. But I have no malice against any member, because I feel that they have all exercised their prerogatives to the best of their ability.

RECESS.

On motion of Coun. RUBY the Council voted to take a recess for ten minutes, at 4.33 p. m. The members reassembled and were called to order by Chairman DOWLING at 4.53 p. m.

Chairman DOWLING—The Council will be in order

BALLOTS FOR PRESIDENT.

Coun. SULLIVAN—Mr. Chairman, I make a motion that we proceed to the election of a president.

Coun. WILSON—Mr. Chairman, I have listened with a great deal of interest to the remarks of the councillor from Ward 3 (Coun. Fitzgerald) for whom I have a great deal of respect and the highest personal regard. I agree that he would make an admirable presiding officer, and I was not able to vote for him for the reasons that I have previously expressed. I agree with him, however, that this constant deadlock is proving more or less ridiculous. Unfortunately, however, with one-seventh of the membership of the City Council absent today it is going to be exceedingly difficult to arrive at a decision. Perhaps the difficulty will be removed with the return of those members. It occurs to me that we would make some progress if those members were present. I assume that their illness is not serious and that they may be with us another week. I would move, therefore, that we now adjourn, with the expectation that at our next meeting our full membership will be present.

The motion to adjourn was lost by a rising vote, 9 to 9.

The question came on Coun. Sullivan's motion to proceed to another ballot for president.

Coun. DOWD—Mr. President, my reason for voting not to adjourn at this time is because I am of the opinion that the members of the Council here today at least have this opportunity to exercise their own right and use their own minds and their own judgment in the election of a president. If we adjourn to one week from today, some kind of a steam roller is going to be put into effect on some of the members of the Council, and they will therefore come in here next Monday expected to vote for a certain candidate. I trust, therefore, that we will break the deadlock today. I have voted for John L. Fitzgerald, whom I have bitterly opposed for three years in this Council. I voted for him for this reason. I am absolutely convinced that the Mayor of Boston is content and satisfied to have a Republican occupying the place of acting president. He is absolutely content, when the budget comes before us in a week or two, to have it presented to the Executive Committee,—presided over by whom? Charles G. Keene, the Mayor's spokesman,

Chairman DOWLING—The gentleman will refrain from giving names of members of the Council.

Coun. DOWD.—Mr. President and members of the Council, I say that we should be able to decide among ourselves whom we are going to choose as president of this Council. I am at this time going to make a motion. I have been a staunch advocate of the gentleman whom I am going to nominate. I believe he is entitled to the position, I believe he is well liked, highly respected, and has made no enemies in this body in the last three years. He has the necessary ability and can win this election if the members of this Council are fair. So I now place in nomination the name of Coun. Lynch of South Boston.

Coun. Sullivan's motion, that the body proceed to a ballot for president, was carried. The Clerk called the roll, and the members as their names were called announced their choice with the following result:

For Timothy F. Donovan—Coun. Arnold, Donovan, Motley, Parkman, Ruby, Sullivan—6.  
For Peter J. Murphy—Coun. Deveney, Lynch, Mahoney, McMahon, Murphy, Wilson—6.  
For William G. Lynch—Coun. Dowd—1.  
For Henry Parkman, Jr.—Coun. Dowling, Keene—2.  
For Edward M. Gallagher—Coun. Fish—1.  
For Albert L. Fish—Coun. Fitzgerald, Gallagher—2.  
For Peter A. Murray—Coun. Green—1.  
For Roger E. Deveney—Coun. Murray—1.  
And there was no choice.

INFORMATION AS TO JUNIOR HIGH SCHOOL, CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That the Schoolhouse Commission be requested, through his Honor the Mayor, to inform the City Council as to when work will be started on the proposed new Junior High School in the Charlestown district.

Passed under suspension of the rule.

BALLOTS FOR PRESIDENT.

On motion of Coun. ARNOLD, the Council voted to again proceed to a ballot for president. The Clerk called the roll and the members when their names were called announced their choice as follows:

For Timothy F. Donovan—Coun. Arnold, Donovan, Fitzgerald, Green, Motley, Parkman, Ruby, Sullivan—8.  
For Peter J. Murphy—Coun. Deveney, Dowd, Lynch, Mahoney, McMahon, Murphy, Murray, Wilson—8.  
For Henry Parkman, Jr.—Coun. Dowling—1.  
For Edward M. Gallagher—Coun. Fish—1.  
For Albert L. Fish—Coun. Gallagher, Green—2.  
And there was no choice.

MOTION TO ADJOURN.

Coun. KEENE—Mr. Chairman, I move that we do now adjourn.

The motion was declared carried.

Coun. DOWD doubted the vote and asked for the yeas and nays.

The motion to adjourn was lost, yeas 2, nays 18:  
Yeas—Coun. Keene, Motley—2.  
Nays—Coun. Arnold, Deveney, Donovan, Dowd, Dowling, Fish, Fitzgerald, Gallagher, Green, Lynch, Mahoney, McMahon, Murphy, Murray, Parkman, Ruby, Sullivan, Wilson—18.

BALLOT FOR PRESIDENT.

On motion of Coun. PARKMAN, the Council proceeded to another ballot for president. As the Clerk called the roll, the members announced their choice, with the following result:

For Timothy F. Donovan—Coun. Arnold, Donovan, Dowd, Fitzgerald, Green, Keene, Motley, Parkman, Ruby, Sullivan—10.  
For Peter J. Murphy—Coun. Deveney, Lynch, Mahoney, McMahon, Murphy, Murray—6.  
For Henry Parkman, Jr.—Coun. Dowling—1.  
For Edward M. Gallagher—Coun. Lynch, Wilson—2.  
For Albert L. Fish—Coun. Gallagher—1.  
And there was no choice.

LOCKER BUILDING, JOHN A. DOHERTY PLAYGROUND.

Coun. FISH—Mr. Chairman, I desire to make a motion in regard to a loan order I put in two weeks ago, which was then referred to the Committee on Finance, providing for a locker building on the John A. Doherty Playground. I would like to have that taken from the Finance Committee and acted upon this afternoon.

The rule was suspended, and the Council voted to take from the Committee on Finance the order introduced by Coun. Fish two weeks ago to raise money by loan for the erection of a locker building on the John A. Doherty Playground.

The order, having been taken from the Committee on Finance, was then referred by the Chairman to the Executive Committee.

#### BALLOT FOR PRESIDENT.

On motion of Coun. PARKMAN, the Council voted to again proceed to a ballot for president. The Clerk called the roll and the members when their names were called, announced their choice as follows:

For Timothy F. Donovan—Coun. Arnold, Donovan, Motley, Parkman—4.

For Peter J. Murphy—Coun. Deveney, Lynch, Mahoney, McMahon, Murphy, Wilson—6.

For Peter A. Murray—Coun. Fitzgerald, Green, Keene, Ruby, Sullivan—4.

For Robert G. Wilson, Jr.—Coun. Dowd—1.

For Henry Parkman, Jr.—Coun. Dowling—1.

For Edward M. Gallagher—Coun. Fish—1.

For Albert L. Fish—Coun. Gallagher—1.

For Charles G. Keene—Coun. Murray—1.

And there was no choice.

Adjourned, on motion of Coun. McMAHON, at 5 08 p. m., to meet on Monday, March 11, at 2 p. m.



CITY OF BOSTON.

Proceedings of City Council.

Monday, March 11, 1929.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at 2 p. m., Coun. DOWLING, senior member, presiding. Absent, Coun. Ward.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted appointments for the term ending April 30, 1929, as follows:

Weigher of Coal: Thomas Butts, 724 Seventh street, South Boston, for Stimpert Fuel Supply Company.

Constables: Henry James Gilmore, 11 Alleghany street, Ward 10; Augustus Seaver, 599 Columbus avenue, Ward 9.

Severally laid over a week under the law.

APPROPRIATION FROM PARKMAN FUND.

The following was received:

City of Boston,  
Office of the Mayor, March 11, 1929.

To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Board of Park Commissioners in which they request that \$47,000, representing income now available in the George F. Parkman Fund, be appropriated for improvements at Boston Common, Public Garden, Arnold Arboretum, and the Riverway. I submit this request for your consideration and respectfully recommend adoption of the accompanying order.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, March 8, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to make a request on the City Council for a transfer from the income of the George F. Parkman Fund of the following amounts, which are now available, for the purposes stated below:

Boston Common Improvements:	
Granolithic walks, repairing and reconstructing tool house, fertilizing and tree surgery work .....	\$27,500
Public Garden Improvements:	
Rearrangement of walks and lawns and planting specimen trees .....	4,000
Arnold Arboretum Improvements:	
Granolithic walks .....	7,500
Riverway Improvements:	
Granolithic walks .....	8,000
Total .....	<u>\$47,000</u>

Respectfully yours,  
WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$47,000 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:

Boston Common and Public Garden Improvements .....	
Improvements .....	\$31,500
Arnold Arboretum Improvements .....	7,500
Riverway Improvements .....	8,000

Referred to the Committee on Parkman Fund.

ADDITIONAL POLICE FOR STATION 11.

The following was received:

City of Boston,  
Office of the Mayor, March 11, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner in reply to your order of February 25, 1929, relative to assigning "one hundred of the proposed new members of the Police Department provided for in the budget for 1929, when appointed, to Station 11, Dorchester."

Yours very truly,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Police Department, March 7, 1929.  
Mrs. Ida Hibbard,  
Chief Clerk,  
Office of the Mayor.

Dear Madam,—Your note of March 5, together with inclosure of order of the Boston City Council, passed on February 25, 1929:

"Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to assign one hundred of the proposed new members of the Police Department provided for in the budget for 1929, when appointed, to Station 11, Dorchester," has been received.

If new police officers are to be provided for this department for this year, I, as Police Commissioner, must take into consideration the needs of the entire city. I cannot concentrate on any one particular division and, of course, the assignment of one hundred new police officers to any one particular division would be entirely out of proportion.

I realize that the Dorchester district is a thickly settled and rapidly growing community and it will receive its proper share of the new officers if I am authorized by his Honor Mayor Nichols to appoint them.

I am returning herewith 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.

SALE OF FORMER POLICE STATION 2 TO LOUIS E. KIRSTEIN.

The following was received:

City of Boston,  
Office of the Mayor, March 7, 1929.  
To the City Council.

Gentlemen,—I am resubmitting to you a copy of the agreement made between Mr. Louis E. Kirstein and the City of Boston in connection with the order now before you for the sale of the land and buildings on City Hall avenue, formerly known as Police Station 2. This new agreement is similar to the agreement previously submitted to your honorable body with the exception that the words "heirs, executors, administrators and assigns" are inserted therein. This insertion was made at the request of your body at its last meeting because some of your members felt that it would be advisable to insert in the agreement language that would make certain that in the event of Mr. Kirstein's death his legal representatives would be required to carry on the generous purposes and desires of Mr. Kirstein to give the city this much needed library.

I am in receipt of a copy of the opinion of the Law Department recently submitted to your honorable body with reference to this solicitude for the welfare of the city. This opinion clearly indicates that the agreement as originally executed was in proper form.

On the other hand the amendment meets the points raised by your honorable body and should set at rest all doubts expressed during your discussion.

It is my earnest hope that the order as now presented will meet with no further delay.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Referred to the Executive Committee.

**POLLUTION OF WATERS, DEWEY BEACH.**

The following was received:

City of Boston,  
Office of the Mayor, March 11, 1929.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of February 25, 1929, relative to ways and means to prevent pollution of waters at Dewey Beach, Charlestown.

Yours very truly,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, March 7, 1929.  
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 Park Commission be requested, through his Honor the Mayor, to devise ways and means of preventing the pollution of the waters at Dewey Beach, Charlestown.

In reply I desire to say that samples of the water at all beaches are taken frequently by the Boston Board of Health. Our reports show that the pollution at Dewey Beach is less than various other beaches under the jurisdiction of this department. There is no way in which this department can prevent vessels from burning oil on the Mystic river or from throwing debris over the sides of the vessels, which frequently washes onto the shores of the beach. The control of the river comes under the United States Government and the Department of Public Works at the State House.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

**PLANTING OF TREES ON ETHEL STREET.**

The following was received:

City of Boston,  
Office of the Mayor, March 11, 1929.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Park Department in reply to your

order of February 25, 1929, relative to planting of European linden trees on Ethel street, Ward 18.

Yours very truly,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, March 6, 1929.  
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 Park Department be requested, through his Honor the Mayor, to plant European linden trees on Ethel street, Ward 18.

In reply I desire to say that the department will be pleased to make an investigation of the soil conditions during the month of April. If it is possible to plant trees at no great expense, the matter will be attended to during the month of May.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

**APPROPRIATIONS FOR COUNTY OF SUFFOLK.**

The following was received:

City of Boston,  
Office of the Mayor, March 11, 1929.  
To the City Council.  
Gentlemen,—I submit herewith my budget recommendations for the County of Suffolk for the fiscal year 1929 in full segregated form, in substitution for the lump sum recommendations submitted on January 30, 1929.

The allowances as recommended total \$3,675,519.90. This total represents a reduction of \$121,302.32 in the estimates as originally submitted and is \$94,906.34 in excess of the total county appropriations for 1928. The following schedule indicates in comparative form the main points of difference between the appropriations of 1928 and the proposed budget for 1929.

**SCHEDULE A.**

**TWO-YEAR BUDGET COMPARISON.**

Group.	1928.	1929.	Increase.
A. Personal Service.....	\$2,007,543 24	\$2,116,560 28	\$109,017 04
B. Contractual Services.....	924,819 95	876,378 25	* 48,441 70
C. Equipment.....	84,395 68	89,581 00	5,185 32
D. Supplies.....	324,303 00	333,852 00	9,549 00
E. Materials.....	35,938 00	37,165 00	1,227 00
F. Special Items.....	196,213 69	214,483 37	18,269 65
G. Miscellaneous.....	6,400 00	6,500 00	100 00
Social Law Library.....	1,000 00	1,000 00	—
	\$3,580,613 56	\$3,675,519 90	\$143,348 04
		3,580,613 56	* 48,441 70
Net Increase.....		\$94,906 34	\$94,906 34

\* Decrease.

The following explanations are offered in connection with the changes indicated in the various groups:

**Personal Service.**

The personal service requirements of Suffolk County for 1929 are \$109,017.04 in excess of the requirements of 1928. The make-up of this group increase is indicated in the following table:

Increased appropriations for permanent employees.....	\$104,127 81
Increased appropriations for temporary employees.....	5,114 23
	\$109,242 04
Decreased appropriations for overtime.....	225 00
Net Increase.....	\$109,017 04

The increase indicated in the requirements for permanent employees may be attributed to salary increases granted to county employees, new positions provided in county departments where increased business warrants, and to the overlay resulting from personal service changes made during the previous year. The following analysis indicates the cost apportionment of the various items entering into the increase in the item under discussion:

Overlay from 1928 .....	\$71,872 39
Cost of new positions.....	25,678 50
Cost of increases.....	22,176 82
	<u>\$119,727 71</u>
Less budget savings .....	15,599 90
Net increase.....	<u>\$104,127 81</u>

The heavy overlay from 1928 is caused by salary increases granted and new positions established in that year. Because of the rapid increase in population of the County Jail and the House of Correction, it was deemed necessary in the latter part of 1928 to provide for an increase in the number of officers attached to these two correctional institutions. In accordance with special legislation the number of assistant clerks in the civil division of the Municipal Court was increased during 1928. These changes, together with the salary increases allowed county employees last year, were effective for only part of the year 1928 and, consequently, the full year burden which must be borne in 1929 reflects an increased requirement which is termed "overlay," since it is the natural result of changes initiated in the previous year.

Due largely to increased business in the central

Decreases:

B-4, Transportation of persons.....	\$5,100 00
B-34, Jurors.....	27,000 00
B-35, Fees, service of venires, etc.....	7,000 00
B-39, General plant.....	18,715 00
	<u>\$57,815 00</u>

Increases:

B-1, Printing and binding.....	\$2,800 00
B-8, Light, heat and power.....	1,300 00
B-29, Stenographic, copying, etc.....	3,875 00
B-37, Photographic and blueprinting.....	1,650 00
	<u>9,625 00</u>
Net decrease.....	<u>\$48,190 00</u>

The first three decreases indicated in the above table may be attributed to economies practised by officials of the Superior Court. In anticipation of the Legislature authorizing a loan for the erection of a new central courthouse in Pemberton square a marked reduction has been made in the allowance for repairs on the existing building.

An increased printing appropriation has been found necessary in the Superior Court, Civil Session, because of the increased size of the docket in this court. An increased binding appropriation has been provided in the Registry of Deeds to permit additional binding of old records. Increased use of the facilities available in county buildings is reflected in an increased appropriation for lighting requirements. An increase in the number of capital crimes to be tried in the Superior Criminal Court, together with an expansion in the work of the Index Commissioners, is reflected in an increased appropriation for stenographic, copying and indexing service. Compliance with section 23, chapter 127, of the General Laws, which makes mandatory the photographing of inmates sentenced to county correctional institutions for felonies, accounts for the increased appropriation for photographic service.

Equipment.

The increase of \$5,185.32 shown in Schedule A under this group may be attributed, in the main, to the increased number of inmates to be found in the correctional institutions of the county. This increase in numbers necessitates additional appropriations for wearing apparel and for furniture and fittings. It has also been necessary under this group to provide an increased appropriation for

and district courts, it has been necessary to provide seventeen new positions in the current year's budget. These positions are spread through nine county departments. Salary increases have been provided for 256 county employees. The bulk of these increases is to be found in the House of Correction, where the pay of officers is regulated under sliding scales, in the Registry of Deeds, where sliding scales are effective for a large number of clerical employees, and in the Superior Criminal and Municipal Courts, where the justices have statutory power to fix salaries of employees attached to the probation offices of these courts.

The amount designated "budget savings" represents deductions made from personal service appropriations either because of existing vacancies or because of "slack" anticipated to develop during the year due to vacancies occurring through the sickness, death or retirement of employees. If advantage had not been taken of these savings the county budget for 1929 would have been approximately \$15,600 in excess of the total recommended.

The increase indicated for temporary employees may be attributed to increased demands in this respect in the estimates of the eighth district courts. The establishment of Armistice Day as a holiday has revised upward the per diem rates of associate justices and substitutes employed during vacation periods. Increased business has also made necessary additional grants for extra clerical assistance.

Contractual Service.

Appropriations for services to be rendered to the county by individuals and corporations during 1929 show a net decrease of \$48,441.70 over similar appropriations for the previous year. The important items entering into this decrease are indicated below:

the fitting out and equipping of an additional court room in the District Court of Chelsea. Under existing law, Boston is required to pay the maintenance expenses of this court despite the fact the city of Chelsea receives the benefit of all revenues collected by the court.

Supplies.

The net increase of \$9,549 shown in Schedule A under this group may be directly allocated to two county departments, namely, the County Jail and the House of Correction at Deer Island. In both of these institutions additional population makes necessary increased appropriations for office supplies and for foodstuffs. The increase of \$18,000, which is present under these two items, has been offset by a decrease of over \$8,000 in the fuel requirements at Deer Island, due to economies made possible at this institution by the completion of the new central heating plant.

Special Items.

The increase indicated in Schedule A under this group may be directly attributed to the increase in county debt requirements. Loans authorized and issued during the past two years for the erection of modern heating plants at the two correctional institutions have occasioned increased appropriations to meet increased serial loan and interest requirements.

Conclusion.

Since 1918 the tax assessed upon the citizens of Boston for county purposes has increased approximately 30 per cent. In the same period, the tax assessed for city purposes, exclusive of schools, has increased approximately 18 per cent. The

expenditures of the County of Suffolk are largely regulated by statute. This fact naturally precludes the possibility of making marked reductions in the estimates as submitted by county officials. The tendency of county expenses to increase from year to year is something over which the City of Boston has little, if any, control. It must be apparent that the time is rapidly approaching when serious consideration must be given to relieving our city, at least in part, from this growing tax burden.

I submit this county budget in advance of the city budget in order that your honorable body may have ample time to study the county estimates and allowances. I respectfully recommend adoption of the accompanying orders.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1929, 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, 1929, and taxes to the amount of \$3,675,519.90 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 1929 be due and payable on the fifteenth day of September, 1929; that interest shall be charged on all taxes remaining unpaid after the second day of October, 1929, 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, 1929, 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.

COUNTY DEPARTMENTAL ESTIMATES AND AMOUNTS ALLOWED BY MAYOR FOR 1929.

	Estimate.	Allowance.
Suffolk County Courthouse (Custodian).....	\$181,487 77	\$180,154 07
Suffolk County Courthouse (County Buildings).....	91,358 00	78,160 00
County Buildings.....	120,739 94	114,262 94
Jail.....	246,998 33	244,387 75
Supreme Judicial Court.....	61,882 08	61,882 08
Superior Court, Civil Session (General Expenses).....	569,597 00	569,597 00
Superior Court, Civil Session (Clerk's Office).....	175,706 61	164,802 56
Superior Court, Criminal Session.....	511,883 49	473,300 03
Probate Court.....	25,809 00	24,709 00
Municipal Court.....	418,281 00	416,481 00
Municipal Court, Charlestown District.....	33,436 45	33,394 78
East Boston District Court.....	31,551 55	31,301 05
Municipal Court, South Boston District.....	26,967 05	26,817 05
Municipal Court, Dorchester District.....	28,995 60	28,645 60
Municipal Court, Roxbury District.....	81,004 00	80,004 30
Municipal Court, West Roxbury District.....	32,699 25	32,399 25
Municipal Court, Brighton District.....	19,686 60	18,203 60
Boston Juvenile Court.....	29,112 04	28,314 76
District Court of Chelsea.....	35,908 07	33,182 87
Registry of Deeds.....	190,907 13	189,847 15
Index Commissioners.....	25,075 00	24,748 00
Insanity Cases.....	34,115 00	34,115 00
Land Court.....	7,375 00	7,175 00
Medical Examiner Service, Northern Division.....	27,295 00	26,576 66
Medical Examiner Service, Southern Division.....	16,410 00	16,276 66
Associate Medical Examiner Service, Northern Division.....	2,120 00	2,035 00
Associate Medical Examiner Service, Southern Division.....	1,955 00	1,900 00
Miscellaneous Expenses:		
Auditing Department.....	955 00	955 00
Collecting Department.....	1,304 16	1,304 16
Sheriff.....	3,200 00	3,200 00
Treasury Department.....	5,540 00	5,540 00
Granite Avenue Bridge.....	7,231 70	7,206 70
Social Law Library.....	1,000 00	1,000 00
Penal Institutions Department:		
Office Expenses.....	36,469 87	35,588 98
House of Correction.....	493,403 21	463,914 58
Steamer "Michael J. Perkins".....	78,698 50	73,473 50
	<u>\$3,656,158 40</u>	<u>\$3,534,856 08</u>
County Debt Requirements.....	<u>\$140,663 82</u>	<u>\$140,663 82</u>

REPAIR OF ALBANY STREET AND  
SHAWMUT AVENUE BRIDGES.

The following was received;

City of Boston,

Office of the Mayor, March 11, 1929.

To the City Council.

Gentlemen,—I am in receipt of the inclosed letter from the division engineer in charge of the Bridge Service of the Public Works Department in which he points out the condition of the Albany Street Bridge and the Shawmut Avenue Bridge and the necessity for their repair. Before this work can be started, it will be necessary to petition the Department of Public Utilities for its decision as to the necessity for the alteration or alterations contemplated. I therefore recommend passage by your honorable body of the accompanying orders.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, March 11, 1929.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—Albany Street Bridge, over the tracks of the Boston & Albany Railroad, and Shawmut Avenue Bridge, over the tracks of the New York, New Haven & Hartford Railroad and Boston & Albany Railroad, are being badly corroded by locomotive gases and the steel work is being deteriorated to such an extent that both the bridges are rapidly approaching a dangerous condition and should be rebuilt this year.

Before work can be started on them it will be necessary to get a decision from the Public Utilities Department as to the necessity of rebuilding and I would respectfully recommend that the Mayor put in an order to the City Council petitioning the Public Utilities Department for orders as to the necessity of rebuilding.

Yours very truly,

JOHN E. CARTY,

Division Engineer.

Whereas, Shawmut avenue, a public way in the City of Boston, which crosses the tracks of the New York, New Haven & Hartford Railroad and the tracks of the Boston & Albany Railroad, by an overhead bridge, commonly known as the Shawmut Avenue Bridge; and

Whereas, We are of the opinion that it is necessary for the security and convenience of the public that any alteration be made which does not involve the abolition of the crossing at grade but which does require the rebuilding of said overhead bridge and its approaches;

Ordered, That the Corporation Counsel, in the name and behalf of the City Council, apply to the Department of Public Utilities for its decision upon the necessity of such alteration or alterations, and for prescribing the manner and limits within which it shall be made; and if the decision of the Department of Public Utilities is that an alteration or alterations is necessary, that the Corporation Counsel take such legal proceedings as are necessary to have such decision carried into effect in compliance with sections 59 to 64, both inclusive, of chapter 159 of the General Laws of Massachusetts, 1921, or any additions or amendments thereto.

Whereas, Albany street, a public way in the City of Boston, which crosses the passenger tracks of the Boston & Albany Railroad by an overhead bridge, commonly known as Albany Street Bridge over the passenger tracks of the Boston & Albany Railroad; and

Whereas, We are of the opinion that it is necessary for the security and convenience of the public that an alteration be made which does not involve the abolition of the crossing at grade but which does require the rebuilding of said overhead bridge and its approaches;

Ordered, That the Corporation Counsel, in the name and behalf of the City Council, apply to the Department of Public Utilities for its decision upon the necessity of such alteration or alterations, and for prescribing the manner and limits within which it shall be made; and if the decision of the Department of Public Utilities is that an alteration or alterations is necessary, that the Corporation Counsel take such legal proceedings as are necessary to have such decision carried into effect in compliance with sections 59 to 64, both inclu-

sive, of chapter 159 of the General Laws of Massachusetts, 1921, or any additions or amendments thereto.

Referred to the Executive Committee.

CONVEYANCE OF LAND TO TUDOR  
COMPANY.

The following was received:

City of Boston,

Office of the Mayor, March 8, 1929.

To the City Council.

Gentlemen,—I herewith submit for your consideration an order authorizing the Mayor, in the name and behalf of the city, for the consideration of \$6,593.50, to convey to the Tudor Company all the right, title and interest of the city in and to the southerly portion of Charles River avenue discontinued as a public street.

The Tudor Company is a subsidiary company of the Boston *Globe* and is the only abutter and user of this avenue. The portion of the avenue was discontinued as a public street under a resolve and order of the Street Commissioners passed January 26, 1926, and the Commissioner of Public Works states that the locus is no longer needed for public purposes.

Respectfully submitted,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, February 15, 1929.

Mr. F. F. Harrington,

Law Department, Boston.

Dear Sir,—Replying to your letter of February 12, regarding the proposed sale of city land on the easterly side of Charlestown Bridge, between the bridge and Charles river, I wish to say that the matter has been investigated by the Division Engineer of the Bridge and Ferry Division.

A copy of Mr. Carty's report is attached, from which you will note that the city has rights in the pier locations to protect and that some provision should be made for the protection of the important lines of the Edison Electric Illuminating Company and the Boston Consolidated Gas Company. Under these conditions, I don't see any objection to the sale.

Yours very truly,

JAMES H. SULLIVAN,

Commissioner of Public Works.

City of Boston,

Transit Department, November 19, 1920.

Mr. E. V. B. Parke,

Secretary to the Mayor.

Dear Sir,—In reply to your letter of the 18th instant, by chapter 548, section 30, Statutes of 1894, the Boston Transit Commission was required to build a new bridge to Charlestown, and the land in question was taken for the approach to this bridge.

On February 1, 1900, at the request of the commission and by order from the Mayor, the Street Department assumed the care and maintenance of the bridge, and on January 22, 1901, the same department took charge of the storehouses under the bridge.

In the eleventh annual report of the Boston Transit Commission, dated June 30, 1905, appears the following statement with reference to the sale of certain land which had been taken for bridge purposes:

"and by this transaction the connection of the commission with the Charlestown Bridge is closed."

The control of the land mentioned by you on Warren avenue would appear to rest with the Public Works Department.

Yours very truly,

MALCOLM E. NICHOLS, Chairman.

City of Boston,

Public Works Department, February 12, 1929.

Mr. F. F. Harrington,

City Law Department.

Dear Sir,—As per your request I am forwarding herewith a plan showing Charles River avenue, Charlestown, between Water street and the Harbor Commissioners' line, Boston Harbor. This plan shows the portion of the avenue to be discontinued, and also shows the location of the 30-inch by 36-inch brick sewer belonging to the City of Boston, which acts as an overflow for the system

of common sewers in Water street, and discharges through the existing seawall approximately 355 feet southeast of the easterly line of Water street. It will be necessary to retain, without incumbrance, the overflow sewer for the proper maintenance of the sewers in this district.

Respectfully,  
THOMAS F. BOWES,  
Division Engineer, Sewer Division.

City of Boston,  
Public Works Department, February 15, 1929.  
To the Commissioner of Public Works.

I return to you a letter from Mr. F. F. Harrington of the Law Department, dated February 12, 1929, requesting some information relative to a piece of land on the easterly side of Charlestown Bridge, lying between Charlestown Bridge and Charles River avenue.

Mr. Harrington desires an official communication from you that this land is no longer required by the city for public purposes, if such is a fact.

This land is encroached upon by two of the piers of Charlestown Bridge, also by the conduits of the Edison Electric Illuminating Company which pass under Charles river at this point, and furthermore by two 30-inch gas pipes which also pass under the river at this point.

The conduits of the Edison Electric Illuminating Company and the gas pipes encroach only upon the northerly portion of the parcel of land but the pier foundations of the girder spans of the bridge encroach somewhat upon the parcel around the middle part.

If this land is to be sold I think that the city should reserve its rights for the maintenance of the piers and some provisions should also be made to protect the Edison Electric Illuminating Company and the gas company, as these are very important lines for both companies.

Yours very truly,  
JOHN E. CARTY,  
Division Engineer.

City of Boston,  
Street Laying-Out Department, February 8, 1929.  
Frank S. Deland, Esq.,  
Corporation Counsel.

Dear Sir,—Under an order of the Board of Street Commissioners, approved by the Mayor January 26, 1929, a portion of the way known as Charles River avenue, Charlestown district, measuring approximately 265 feet along the easterly line and 248.5 feet along the westerly line, containing 12,837 square feet, more or less, has been discontinued as a public street.

Respectfully yours,  
JOSEPH F. SULLIVAN, Secretary.

Ordered, That his Honor the Mayor, in the name and behalf of the city, be, and hereby is, authorized to convey to the Tudor Company of Boston, a corporation duly established by law, for the sum of six thousand five hundred ninety-three 50-100 dollars, by an instrument satisfactory in form to the Law Department, all the City of Boston's right, title and interest in and to a portion of Charles River avenue in the Charlestown district of said Boston, being the southerly part of said avenue, containing 12,837 square feet of land, more or less, and discontinued as a public street by a resolve and order of the Board of Street Commissioners, approved by the Mayor on January 26, 1929. The premises herein referred to are shown on a plan by William J. Sullivan, Chief Engineer, Street Laying-Out Department, dated July 27, 1925, on file with said Board of Street Commissioners.

Referred to the Committee on Public Lands.

#### PETITIONS REFERRED.

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

##### Claims.

American Railway Express Company, for compensation for damage to property at 2417 Washington street, caused by defective condition of street.

First National Stores, Inc., for compensation for damage to automobile by fire truck.

Albert Gott, for compensation for injuries caused by an alleged defect in Albany street.

Mrs. Grody, for compensation for damage to property at 1189 Commonwealth avenue, caused by defective water main.

David T. Ryan, for compensation for damage to property at 66 Bloomfield street, caused by break, in water main.

Margaret C. Smith, for compensation for injuries caused by an alleged defect in Dighton street, Brighton.

Thomas A. Smith, for refund on unused refuse tickets.

Earle I. Rogoff, for compensation for damage to automobile by snow truck.

M. Weitzman, for compensation for damage to property at 61 and 63 Hampden street, caused by fire truck.

Yawman & Erbe Manufacturing Company, for compensation for damage to property at 70 Franklin street, caused by leak in water pipe.

##### Executive.

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

John F. Power, Tileston School Hall, March 18.

Margaret G. Rowan, Bloomfield Hall, March 15.

##### Committee on Jitney Licenses.

Petition of Boston Elevated Railway to operate motor vehicles between junction of Columbus avenue and Warren avenue (Columbus square), and South Station, over Columbus avenue, Stuart street, Kneeland street, Atlantic avenue (this being a modification of the route now being operated between Columbus square and South Station).

#### CONSTABLE'S BOND.

The constable's bond of Walter M. Lougee, having been duly approved by the City Treasurer, was received and approved.

#### NOTICE OF INTEREST IN CONTRACT.

Notice was received from Joseph A. Tomasello, a member of the Board of Appeal, of interest in contract of A. G. Tomasello & Son with City of Boston for snow and ice removal in Section 15.

Placed on file.

#### LOCATION TO EDISON ELECTRIC ILLUMINATING COMPANY.

Notice was received from the Metropolitan District Commission of order granting to Edison Electric Illuminating Company of Boston a location for wires in Old Colony Parkway as petitioned for by said company on January 15, 1929.

Placed on file.

#### REGISTRY OF DEEDS PAY ROLL.

The pay roll of the Registry of Deeds, from March 1 to March 15, inclusive, to the amount of \$4,288.33, was received and approved.

#### PAYMENT TO THOMAS GORDON.

Coun. FISH offered the following:

Ordered, That chapter 35 of the Acts of 1929, entitled "An Act Authorizing the City of Boston and the Town of Milton to Reimburse Thomas Gordon for Money Paid by Him in Satisfaction of a Certain Execution," be, and the same hereby is, accepted.

Ordered, That under the provisions of chapter 35 of the Acts of 1929 the sum of seven hundred forty-six dollars and fifteen cents be allowed and paid to Thomas Gordon, in reimbursement of the expense of an action brought against him on account of his acts as an employee of the Granite Bridge Commission, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

WIDENING OF NORTH HARVARD STREET.

Coun. GALLAGHER offered the following:

Ordered, That the Board of Street Commissioners, through his Honor the Mayor, be requested to widen to a width of 60 feet North Harvard street from Cambridge street to Western avenue.

Passed under suspension of the rule.

ADDITIONAL CLERICAL SERVICE, MUNICIPAL CRIMINAL COURT.

Coun. KEENE—Mr. President, there has been referred to the Committee on County Accounts a communication relative to an allowance for additional clerical service in the Municipal Criminal Court. I would move that the communication be taken from the Committee on County Accounts and referred to the Executive Committee.

Under suspension of the rule, the communication was recalled from the Committee on County Accounts and referred to the Executive Committee.

REPAVING OF CLIFFORD 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 Clifford street, Ward 12.

Passed under suspension of the rule.

ACCEPTANCE OF CERDAN AVENUE.

Coun. KEENE offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept, lay out and extend Cerdan avenue, from Weld street to Sunset Hill road, Ward 20.

Passed under suspension of the rule.

HALF-HOLIDAY, EVACUATION DAY.

Coun. MAHONEY offered the following:

Ordered, That the heads of departments be authorized to allow all city employees whose services can be dispensed with without detriment to the service, a half-holiday without loss of pay on Evacuation Day, March 18.

Passed under suspension of the rule.

CLEANING OF SOUTH BOSTON STREETS.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to have cleaned and put in proper condition, not only the streets to be used for the parade on Evacuation Day, March 18, 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.

PARKING RESTRICTIONS ON MARCH 18.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Police be requested, through his Honor the Mayor, to prohibit the parking of automobiles on Broadway, between Dorchester avenue and Farragut road, during the passing of the parade on March 18.

Passed under suspension of the rule.

PURCHASE OF MIMEOGRAPH MACHINE.

Coun. DOWD offered the following:

Ordered, That the City Messenger be requested

to include in the budget a sum sufficient to provide for the purchase of a mimeographing machine. Referred to the Executive Committee.

REPAVING OF WARD 16 STREETS.

Coun. FISH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Wrentham street, from Bruce street to Adams street, Ward 16; also recondition Centre street, from Dorchester avenue to Adams street, Ward 16.

Passed under suspension of the rule.

PROPOSED ACCEPTANCE OF BROOKS 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 Brooks street, from Dorchester avenue to Hutchinson street, Ward 16.

Passed under suspension of the rule.

RECESS.

On motion of Coun. RUBY, 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 3.15 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Reports on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

John F. Power, Tileston School Hall, March 18.  
Margaret G. Rowan, Bloomfield Hall, March 15—that permits be granted.

Report accepted; said permits granted under usual conditions.

2. Report on order (referred today) that the City Messenger be requested to include in budget a sum sufficient to provide for purchase of mimeographing machine—that same ought to pass.

Report accepted; said order passed.

3. Report on communication (taken earlier in the meeting from the Committee on County Accounts and referred to the Executive Committee) relating to expenditures for clerical assistance in the Municipal Criminal Court—recommending the passage of the following:

Ordered, That until otherwise ordered the sum of \$14,500 per annum be allowed for clerical assistance in the office of the Clerk of the Municipal Court for Criminal Business, and the said clerk is hereby authorized to expend annually the said sum for said purpose.

Report accepted; said order passed.

4. Report on message from Mayor (referred today) resubmitting copy of agreement made between Louis E. Kirstein and City of Boston in connection with order for sale of land and buildings on City Hall avenue, formerly known as Police Station 2—that same be placed on file.

Report accepted; said message placed on file.

5. Report on message of Mayor and order (referred February 25) for sale of land on former Police Station 2 to Louis E. Kirstein, having in view the establishment thereon by Mr. Kirstein of a library for the city—that same ought to pass.

The report was accepted, and the question came on the passage of the orders.

Coun. BUSH—Mr. President, before we vote on this matter I would like to make a correction in the minutes of February 25, 1929, at which meeting, although I was absent, I am quoted as against the motion to take the Kirstein library order from the table. That appears on page 77 of the minutes, and I would like to have that correction made.

Chairman DOWLING—The gentleman's statement will appear in the records of the meeting, and will serve as a correction.

The order was read once and passed, yeas 18, nays 0.

Assigned for fourteen days for final action.

6. Report on order (taken from Committee on Finance and referred to the Executive Committee March 4) for a loan of \$50,000, to be expended under the direction of the Park Commission for the construction of a sanitary and locker building, with necessary equipment, at the John H. Doherty Playground—that said order ought to pass.

Report accepted; said order passed, yeas 16; nays—Coun. Bush, Dowling—2.

#### CORRECTION IN REMARKS ON CITY HOSPITAL.

Coun. BUSH—Mr. President, I rise to a point of correction, as I don't like to be misquoted and perhaps brought to task by others as having made incorrect statements. At the meeting of the Council on February 18, as appears on page 71 of the minutes, near the bottom of the first column, I am quoted as saying, "It occurs to me, Mr. Chairman, that in the last year we spent some seven and one-half millions or more on the City Hospital." That should be three and one-half millions. Therefore, I desire to make the correction.

Chairman DOWLING—The gentleman's statement will serve as a correction and will appear in the record.

#### 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, 1929.

Report accepted; said order passed.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Chairman DOWLING called up, under unfinished business, Nos. 1 and 2 on the calendar, viz.:

1. Action on appointment submitted by the Mayor March 4, 1929, of Irving Sampson to be a Constable.

2. Action on appointments submitted by the Mayor March 4, 1929, of Harry W. Conant to be a Weigher of Goods, and Mary M. Hynes to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Arnold and Murphy. Whole number of ballots 19, yeas 19, and the appointments were confirmed.

#### LOAN FOR HIGHWAYS, MAKING OF.

Chairman DOWLING called up, under unfinished business, No. 3 on the calendar, viz.:

3. Ordered, That the sum of \$1,000,000 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 authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On February 25, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

The order was given its second and final reading and passage, yeas 18; nays, Coun. Bush—1.

#### ACCEPTANCE OF SUPPLE ROAD.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Supple road, from Blue Hill avenue to Normandy street, Ward 14, as a public highway.

Passed under suspension of the rule.

#### NAMING OF 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 high way now known as the Southern Artery, Dorchester.

Coun. MAHONEY—Mr. Chairman, I would like to say just a word in regard to this order. Some few months ago I introduced a similar order in this Council, which was passed under suspension of the rule. We had a public hearing this year before the Board of Street Commissioners, where some of the members of the Council went and voiced their opinions and expressed their approval of the action proposed in the order. It was an order conceived and sponsored by one of the leading newspapers in Boston, the *Boston Post*, and one which had the support of public officials and representatives throughout the city, and the case in support of naming this boulevard after the late lamented congressman representing the Twelfth Congressional District was ably presented. For some reason the Street Commissioners and his Honor the Mayor saw fit to disapprove of the order. I am now, however, submitting the order again, knowing that the next Mayor of Boston, Mayor Curley, does favor it, and that it will have his approval when it comes before him as a matter of unfinished business in 1930. Therefore, I ask a suspension of the rule and the passage of the order.

The order was passed under suspension of the rule.

#### BRANCH LIBRARY, BARRY'S CORNER.

Coun. GALLAGHER offered the following:

Ordered, That the Library Trustees be requested, through his Honor the Mayor, to establish a branch library and reading room in the vicinity of Barry's Corner, Ward 22.

Passed under suspension of the rule.

#### BRANCH LIBRARY, MARKET STREET AND WESTERN AVENUE.

Coun. GALLAGHER offered the following:

Ordered, That the Library Trustees be requested, through his Honor the Mayor, to establish a branch library and reading room in the vicinity of Market street and Western avenue.

Passed under suspension of the rule.

#### MOTION TO ADJOURN.

Coun. WILSON—Mr. President, I move that we adjourn for two weeks.

The question was put, and the Chair being in doubt a rising vote was taken, the motion being lost.

#### BALLOTS FOR PRESIDENT.

On motion of Coun. RUBY, the Council voted to take a ballot for president.

The members when their names were called by the Clerk, announced their choice, as follows:

For John I. Fitzgerald—Coun. Arnold, Donovan,

Fish, Gallagher, Green, Keene, Ruby, Sullivan—8.

For Frederic E. Dowling—Coun. Bush—1.

For William G. Lynch—Coun. Deveney—1.

For Peter J. Murphy—Coun. Dowd, Lynch,

Mahoney, McMahon, Murphy, Wilson—6.

For Herman L. Bush—Coun. Dowling—1.

For Israel Ruby—Coun. Fitzgerald—1.

For Timothy F. Donovan—Coun. Motley—1.

And there was no choice.

On motion of Coun. ARNOLD, the Council voted to proceed to another ballot for president. The members, when their names were called by the Clerk announced their choice, as follows:

For John I. Fitzgerald—Coun. Arnold, Donovan, Dowd, Fish, Gallagher, Green, Keene, Motley, Murray, Ruby, Sullivan—11.

For Peter J. Murphy—Coun. Bush, Lynch, Mahoney, McMahon, Murphy, Wilson—6.

For William G. Lynch—Coun. Deveney—1.

For Herman L. Bush—Coun. Dowling—1.

For Peter A. Murray—Coun. Fitzgerald—1.

Before the result was announced, Coun. FITZGERALD said: Mr. President, I wish to change my vote from Peter A. Murray to John I. Fitzgerald.

Coun. MURRAY—And I desire to change my vote, Mr. Chairman, to Peter J. Murphy.



Chairman DOWLING—Councilor Fitzgerald changes his vote from Peter A. Murray to John I. Fitzgerald, and Councilor Murray changes his vote from John I. Fitzgerald to Peter J. Murphy.

Coun. WILSON—Mr. Chairman, not having been seen during the week, I will let my vote stand for Councilor Murphy.

Chairman DOWLING—The result of the ballot just taken gives Councilor Fitzgerald 11 votes, Councilor Murphy 7 votes, Councilor Lynch 1 vote, Councilor Bush 1 vote, and there is no choice.

On motion of Coun. RUBY, the Council voted to proceed to another ballot for president. The Clerk called the roll, and the members as their names were called announced their choice, as follows:

For John I. Fitzgerald—Coun. Arnold, Dowd, Fish, Fitzgerald, Gallagher, Green, Keene, Motley, Murray, Ruby, Sullivan—11.

For Peter J. Murphy—Coun. Bush, Lynch, Mahoney, McMahon, Murphy, Wilson—6.

For William G. Lynch—Coun. Deveney—1.

For William A. Motley, Jr.—Coun. Donovan—1.

For Herman L. Bush—Coun. Dowling—1.

For Timothy F. Donovan—Coun. Parkman—1.

And there was no choice.

Coun. DEVENEY moved to adjourn; lost.

On motion of Coun. RUBY, the Council voted to proceed to another ballot for president.

The Clerk called the roll, and the members as their names were called announced their choice, as follows:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Gallagher, Green, Keene, Motley, Ruby—9.

For Peter J. Murphy—Coun. Bush, Dowling, Lynch, Mahoney, McMahon, Murphy—7.

For William G. Lynch—Coun. Deveney—1.

For Timothy F. Donovan—Coun. Dowd, Parkman, Sullivan—3.

For John F. Dowd—Coun. Murray—1.

And there was no choice.

Chairman DOWLING called Coun. Wilson to the chair.

Coun. DOWLING—Mr. Chairman, we have been proceeding now for almost ten weeks without a president. I have been casting my vote pretty constantly for a member of this Council who enjoys the respect, the confidence and high regard of every member of the Council. I have been hoping that this Council would be able to meet, not perhaps a very disturbing situation but a serious situation that is confronting it, and would be able to cover itself with glory, by the election of a man as president who has the confidence, respect and regard of every member of the Council. I am, therefore, going to ask the Republican members of this Council—the Democrats having failed so many times to arrive at a choice—to cast their votes at least once for Henry Parkman. The gentleman from Ward 5 has been here as long as any of us, he is as familiar as anyone with the duties of a councilor, and he has a serious interest in the welfare of the city—which I think may be said, also, of every other member of the Council. The name of Coun. Parkman is one that means a great deal to the City of Boston. There are hundreds and thousands of Boston boys and girls who are enjoying their outdoor recreation and acquiring health and happiness, due to the benefactions of a member of the Parkman family. I do not believe there is a Democratic politician or leader in the city who would even criticize any Democratic member of this Council for casting a vote for Henry Parkman as president of the body. We have associated with him here from day to day. We have heard it said sometimes that Mr. Parkman's social attainments are a little different from ours, but we have always found Henry Parkman a high-class, decent, honorable, democratic associate. Therefore, I express once more the hope that the Republican members of the Council will vote for Mr. Parkman, and I express the hope, too, that the Democratic members of the Council—if it is to be insisted that there are Democratic lines here, those who happen to be members of the Democratic party, although they have not been elected to this body as Democrats—will rise to the occasion, and let us have a president who will reflect glory on the Council, glory

on ourselves and glory on the city. I move, therefore, that we proceed to another ballot for election of president.

Coun. BUSH—Mr. Chairman, not only do I heartily second the remarks of the previous speaker, but I wish to recall to the memories of the Democratic members of this body that it was Mr. Parkman whose vote determined the election of a Democratic president last year, he then showing by that action that he was big enough, when there was a deadlock in this body, and when only one vote was needed to break that deadlock, to thus vote and elect a Democratic member of this Council. I fail to see where any harm or odium can come to any Democratic member of this Council by voting for a man of the type of Henry Parkman, Jr.

Coun. DOWD—Mr. President, I regret very much that the Republican councilor from Brighton (Coun. Dowling) has seen fit to inject party lines into this contest. However, under the circumstances, the Democrats here today cannot do anything else than accept the challenge which has been laid down by the gentleman who is evidently acting as spokesman of the Republican party. Everything he has said about Henry Parkman is absolutely true, but I go a little farther and say that every Democratic member of this body is just as able to perform the duties of president of the body as any Republican in this Council. We have fourteen Democrats in this body. Unfortunately, we have a Republican Mayor. Now, are we going to allow ourselves, fourteen Democratic members representing Democratic districts, to vote for a Republican president of the body? Let me call attention to the fate of three councilors who voted three years ago for a Republican. They went down to defeat when they were candidates for re-election. Personally, I think Henry Parkman is a splendid fellow, but there are fourteen splendid Democrats here today. The Republican from Brighton (Coun. Dowling) has called on his Republican colleagues to vote for the election of a Republican president to this body; and I now as a Democratic member of the body, will simply say that we have here fourteen Democratic members of the Council, enough to elect any man on whom we can agree as president of the body. Therefore, let us go into caucus and unite on some one man,—be it Fitzgerald, Murphy, Lynch, or any other Democrat,—and I will vote for that man when we have so agreed. But I will not allow myself, Mr. Chairman, to be coerced into voting for a Republican to preside over this Democratic body, in Democratic Boston.

Coun. PARKMAN—Mr. Chairman, I appreciate more than I can express what has been said with reference to myself by the various councilors who have spoken. I have a high regard for the City Council of the City of Boston, and I consider it a great honor to serve here. I have the highest regard for the position of president of this body. However, as it happens, state and city elections do not coincide, and besides being a member of this body, I also have the honor of serving the State of Massachusetts in the Legislature. Under the circumstances, I would not be able to accept an election as president of this body and I shall, therefore, withdraw my name.

Coun. MURRAY—Mr. President, at this time, as three Republicans have spoken, I will now cast my vote for the majority Democratic candidate in this Council, John I. Fitzgerald.

Coun. DOWLING—Mr. Chairman, in order that the remarks of the gentleman from Ward 8 (Coun. Dowd) may not lead other members of the body too much astray, I would merely like to say that there is no effort on my part to rally the Republican members of this Council together, because I find myself almost as much out of step with them sometimes as with the Democratic members. But, while I do not feel that I am the only fellow in the parade who is keeping time, the fact remains just the same that the gentleman from Ward 8 does not keep very good time with his fellow Democrats, either. If the members will recall the facts, we had had up to last Monday forty-five ballots for the presidency. There are twenty-two members of the City Council, so that 990 possible votes for the presidency have been cast for that office, save for the lack of eighty-five votes by reason of the illness of the gentlemen from Ward 9 (Coun. Ward), Ward 12 (Coun. Bush), and the gentleman from Ward 8 (Coun. Dowd). So 905 votes have already been cast for the presidency of this body in the past nine weeks,

The members of the Council who are members of the Democratic party have cast eight votes for Republican candidates for president and 567 votes for members of the Council who are members of the Democratic party. In contrast with that, and showing conclusively that all this delay has not been caused by the Republican members but has been occasioned by members of the Council who are Democrats, the Republican members of the Council have cast 225 votes for Democratic candidates, while casting only 105 votes for candidates who are members of the Republican party. I am as thoroughly sick and disgusted with this procedure as is the average man in the street. He does not look upon the City Council as being too large a body except numerically. I have heard comments of the man on the street a good many times, and the same comments must have come to the ears of some of you gentlemen. It has been no pleasure to me, I assure you, to sit here in that chair for the last nine weeks, with two raging Democratic volcanoes ready to break out at any time. I have had my hands full, although I am ready to assume my share of responsibility at any time, socially, politically, or otherwise. But, frankly, I have not enjoyed for one minute acting as presiding officer over twenty-two human beings, American human beings, who cannot agree in the simple matter of electing a man as leader. It is no pleasure to sit there, Mr. President, and that is the reason why I am on the floor here today to ask the members of the Council to have gumption enough, guts enough, and enough interest in the city's affairs, to elect a president. I think I may say, without being charged with being over-impressed by my own importance, that if the work of the Council has progressed at all during the last nine weeks, some of that progress has been due to my efforts in keeping matters from going to committees that were not likely to be appointed for some time to come. By sending important matters to the Executive Committee, where they could be considered and acted upon, we have kept things going, and as a result the administration—whether you are friendly with it or not makes no difference—has been enabled to keep things moving. Work is being prepared for and contracts let in connection with the sewer loan, for example, and we have just passed the \$1,000,000 highway loan here today, so that work may proceed under that. As I say, the Republican members are not the ones who have been holding things up, but it is the Democratic members, those who are Democratic in politics, who have been quarreling. I now hope that the Council will rise to the occasion and elect somebody as president here today, so that I can go home, look my constituents in the face, and say that I have done my duty. But are we doing our duty when we are lallygagging around here, taking silly votes, and getting nowhere. I hope the Council will ballot for and elect a president, whether Republican or Democrat.

Coun. McMAHON—Mr. Chairman, it is very amusing to have the Democratic councilor from Ward 8 (Coun. Dowd) after being out absent two weeks, come in here and throw the torch in front of the other Democratic members and also the Republican members. But if he is sincere, and if the other Democrats in this body are sincere, the thing ought to be very simple, now that it is proposed to make this a Democratic or Republican election. If the councilor from Ward 8 and the rest of the Democrats are sincere, there is one gentleman in this body, who happens to be a Democrat, who has received nine or ten votes out of the fourteen Democratic votes in the body, practically twice as many votes as any Democratic members outside of himself. We have had an attempt here every Monday to elect a president of the body. We have one candidate who has been very close to the presidency, with eleven votes. But out of the eleven votes, there are practically five or six that are Democratic, and the rest are Republican votes, in the case of that gentleman. So I say, if the Democratic members are sincere in this Council, and if they want to vote for the Democrat who has been given the highest number of Democratic votes, on this next ballot they will vote for William G. Lynch.

Coun. MURPHY—Mr. President and members of the Council, I want to say at the outset that I deem it an honor to have been mentioned as a candidate for president of this body and to have received the votes of eight members of the Council for the presidency of the body. I have

watched, in the light of my experience during the past year, the procedure of the Council for the past nine weeks in trying to elect a president. At times I have voted for William G. Lynch, at other times I have voted for John I. Fitzgerald, and at different times I have voted for practically every Democrat in the Council. Last Monday I was more or less surprised when I found that eight members, or seven members besides myself, had picked me as their choice for president. Of course, any man in public life would deem it an honor to head this body, but to one like myself it seemed more than an honor, because of the twenty-one other members of this Council who have the God-given privilege to have been born in the greatest country under the sun—America—seven voted for one who was born in a country that has been persecuted all down through the centuries of history. You do not know, Mr. Chairman and members, how it feels to one who has migrated here from Ireland, to be privileged first by vote of the people of his district to sit here representing a part of Boston, and second, to have his brother members in this body, both Republicans and Democrats, vote on different ballots for his selection as president; and I would be an ingrate to the race of people from which I sprung, if I did not stand here today and thank those men who did that, who were fearless enough not to vote as Democrats or as Republicans, but to vote for a fellow member who is an adopted son from another land. I have no feeling but that of respect and esteem for any member of this Council. Reference has been made to Coun. Parkman. In my opinion, Coun. Parkman—and I want to say this so that it will go into the record—is one of the cleanest men with whom I have ever had the pleasure of associating since I have been connected with politics in Boston. But party lines have now been drawn, and they say, "Let us caucus." I am and have been willing to sit down with the so-called Democrats in this Council, and whoever a majority might select as their candidate I am willing and have been willing to support. But that seems to be out of the question at the moment, because the Democrats do not seem to be united. I want to say to the Democrats of this Council that it would not be a slight to the honorable Republicans who sit in this Council to exercise your majority in this Council by electing a Democratic president, if fourteen of us should take a recess, caucus and come in here united—if you mean just what you say, that you are Democrats. As far as I am concerned, myself, I have received all the honor that I desire in the votes that you have given me; and I now say to those who have voted for me that I will not be the instrument whereby this Council is going to be delayed further in organizing. I am not going to vote for myself, and I ask as a favor that those who have voted for me stop doing so any further. And, if it is the sense of this body that the Democrats should caucus, I move you now, sir, that we take a recess for ten minutes for the purpose of having a Democratic caucus and choosing one who may be elected to the presidency of this Council.

Coun. BUSH—Mr. Chairman, before we go ahead and act on that motion to take a recess, I would like to make just these few remarks. Although I have been a member of this body for over three years, at no time can I remember a Republican member of this Council ever raising the issue of partisan politics in connection with the election of a president or dealing with any other matter that has come before the body. It grieves me deeply to find, however, that again a Democratic member has thrown down the gauntlet and has created partisan lines in this body. We were elected as a nonpartisan body, and have functioned as such more times than not. Yet at any time when there happens to be some crisis of this sort arise, some Democratic member of the Council gets up and interjects partisan politics into the body. There certainly has been no attempt on my part to do such, as my votes for the presidency have shown. I have been just as ready to vote for a Democratic president of the body as for a Republican president, and have been just as ready to vote for all sorts of Democratic measures as for Republican measures. I think I have clearly shown my impartiality in that respect, and I think practically every other Republican member of the Council has taken the same position. So I am sorry to see some of the Democratic members of the Council taking the

position they do. On occasion there are Democratic members of the Council—and I don't care to mention their names, they are not in the majority—who are always rising here and interjecting the partisan spirit, as they are doing now. If the Democratic members wish to have a caucus and to decide on one of their own members and elect him as president of the Council, that is perfectly agreeable to me. But I feel that the president of the Council should not be elected on a purely partisan basis, but on the basis of the mental qualities he possesses for the position, which are necessary for the conduct of the office.

Coun. DOWLING in the chair.

Chairman DOWLING—The question is on Coun. Murphy's motion to take a recess.

Coun. ARNOLD—Mr. President, I hope the Council will not take a recess for the purpose of having a caucus. I believe a caucus is not necessary, Mr. Chairman, I believe, if it were held, and if the advice of two of the so-called Democratic members of this Council were taken, the caucus would unite upon the name bearing the label of Democrat in this body, that has received nine out of the fourteen Democratic votes at one time and another during the past ten weeks. Also, it would seem that the Republicans are not uniting upon any particular candidate. I can assure you that they have not caucused for any such purpose, and, if my figures are correct, fully one half the members of the Republican party of this body cast their votes for a Democratic candidate. So I believe the raising of party lines here is altogether wrong and contrary to the facts, as they have been displayed in the voting up to this time. I am, therefore, going to invite the councilor from Ward 21 (Coun. Dowling) to vote for my candidate, seeing that his candidate has withdrawn. That will help materially, if he really is sincere in desiring to help out in this instance. I would also suggest to the Democratic members, or to the two Democratic members who are so anxious to have a caucus of the Democratic members of this body, that they abide by the decision of the majority of their members in this Council and vote for the candidate for whom I am going to vote on the next ballot. I shall move, therefore, when this vote for a recess is defeated, as I hope it will be, that we proceed to another ballot for president, and I hope we will have the sincerity of purpose that will lead us to follow out our own advice in the matter, uniting upon the man who has, up to this time, received the votes of thirteen members of this body.

Coun. WILSON—Mr. Chairman, perhaps it will save the Chair the embarrassment of leaving the chair to answer the member from Ward 4 (Coun. Arnold) if I make the reply that there is no doubt in the Chair's mind that, while the gentleman from Ward 21 (Coun. Dowling) may still vote for a man who has withdrawn, the gentleman from Ward 4 (Coun. Arnold) promises to exercise the privilege of voting for a man who has twice withdrawn! That, of course, is neither here nor there, perhaps, except that two of the Republican members of the City Council seem to have the rather doubtful distinction of not yet having voted for a Republican. Personally, I think I may perhaps well feel that I have some title to sitting in this body as a non-partisan. Possibly I can well do so, in view of the fact that, while I am classed as Republican in state politics, I happen to have been elected the last time to this body from a Democratic ward. I would prefer to see the election of president of this body carried through without any caucus of so-called Republican or Democratic members. On the other hand I would much prefer seeing the fourteen Democratic members of this Council go into a caucus and bring in a candidate nominated by themselves, rather than to see a minority of the Democrats in this Council join with Republican members, not electing a presiding officer of their own choice, but taking their instructions from outside of the body. That being my sentiment, I would rather see whoever is elected president represent the choice of this body, the Democrats of this body deciding whom they will support, and the Republicans of the body deciding whom they will support, than to see any candidate voted for as the result of outside dictation. For that reason, I shall vote for such a caucus.

Coun. ARNOLD—Mr. Chairman, I am not a mind reader, like the gentleman who has just taken his seat. I cannot read your mind, Mr. Chairman, nor can I read his. But when he says he wishes the members of the Council to vote for a candidate of their choice, from one party or the other, may I remind him that 50 per cent of the Republican members of this body have voted consistently for one candidate, and 75 per cent of the Democrats have also at some time voted for that same candidate?

Coun. SULLIVAN—Mr. Chairman, I rise to a point of order. I think there is a motion that comes before the one for a recess.

Chairman DOWLING—The Chair made a motion on the floor, and withdrew it. The question is now on Councilman Murphy's motion to take a recess, subject to the call of the Chair.

Coun. Murphy's motion was declared lost. Coun. DOWD doubted the vote and asked for the yeas and nays.

Coun. Murphy's motion to take a recess of ten minutes was lost, yeas 10, nays 11.

Yeas—Coun. Bush, Deveney, Dowd, Dowling, Lynch, Mahoney, McMahon, Murphy, Parkman, Wilson—10.

Nays—Coun. Arnold, Donovan, Fish, Fitzgerald, Gallagher, Green, Keene, Motley, Murray, Ruby, Sullivan—11.

On motion of Coun. ARNOLD, the Council voted to proceed to another ballot for president. When the Clerk called their names the members announced their choice, as follows:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Fitzgerald, Gallagher, Green, Keene, Motley, Murray, Ruby, Sullivan—11.

For Henry Parkman, Jr.—Coun. Bush—1.

For William G. Lynch—Coun. Deveney, Mahoney, McMahon, Murphy—4.

For Edward M. Gallagher—Coun. Dowd—1.

For Herman L. Bush—Coun. Dowling—1.

For Timothy F. Donovan—Coun. Parkman—1.

For Peter J. Murphy—Coun. Lynch, Wilson—2.

And there was no choice.

Coun. WILSON—Mr. Chairman, just a question of information. Of course, it may be answered or not. May I ask any one of the Democratic members of the Council who voted against a caucus of the Democratic councilors what was their fear of going into such a caucus or at least talking over the situation? I don't suppose there would be any objection if a representative of the Mayor's office were invited to sit in at such a caucus! May I ask those who voted against going into such a caucus why they were against going into a caucus where there would be a free choice?

Coun. DONOVAN—Mr. Chairman, as one member who voted against going into caucus, I would simply call the attention of the councilor from Dorchester to something that is very vivid in my mind, as a result of what happened two years ago. I was led to believe two years ago, the night before, that a caucus would not be held. Imagine my coming into the Council the next day and learning that a caucus had been held. Let me also say, for one, as a member who has voted for Councilor Fitzgerald, that that was not through dictation of the Mayor, but because of personal friendship, a continual friendship for Councilor Fitzgerald lasting through many years. And it is not at the dictation of anybody that I have voted against going into caucus at this time.

On motion of Coun. FISH, the Council voted to proceed to another ballot for president. The Clerk called the roll, and the members when their names were reached announced their choice, with the following result:

For John I. Fitzgerald—Coun. Arnold, Dowd, Fish, Fitzgerald, Gallagher, Green, Keene, Motley, Ruby, Sullivan—10.

For Peter J. Murphy—Coun. Bush—1.

For William G. Lynch—Coun. Deveney, Mahoney, McMahon—3.

For Edward M. Gallagher—Coun. Donovan—1.

For Herman L. Bush—Coun. Dowling—1.

For Timothy F. Donovan—Coun. Lynch, Murphy, Murray, Parkman, Wilson—5.

Before the result was announced, Coun. Bush changed his vote from Coun. Murphy to Coun. Donovan, and Coun. Murray changed his vote from Coun. Donovan to Coun. Fitzgerald.

And there was no choice.

On motion of Coun. MOTLEY, the Council voted to again proceed to a ballot for president.

The members, when their names were called, announced their choice as follows:

For John I. Fitzgerald—Coun. Arnold, Donovan, Fish, Gallagher, Green, Keene, Murray, Ruby, Sullivan—9.

For Timothy F. Donovan—Coun. Bush, Deveney, Dowd, Dowling, Lynch, Mahoney, McMahon, Motley, Murphy, Parkman, Wilson—11.

Before the result was announced, Coun. DONOVAN said:

Mr. Chairman, I desire to change my vote from John I. Fitzgerald to Timothy F. Donovan.

Coun. ARNOLD—Mr. Chairman, I wish to change my vote from John I. Fitzgerald to Timothy F. Donovan.

Coun. GALLAGHER—Mr. Chairman, I desire to change my vote from John I. Fitzgerald to Timothy F. Donovan.

Coun. SULLIVAN—Mr. Chairman, I would like to change my vote to Donovan.

Coun. MOTLEY—Mr. Chairman, I move that the election of Councilor Donovan be made unanimous.

Chairman DOWLING—The motion is out of order.

Coun. GREEN—Mr. Chairman, I was about to make the same motion, and I now second Coun. Motley's motion.

Chairman DOWLING—The motion is out of order.

Coun. RUBY—Mr. Chairman, I wish to change from Fitzgerald to Donovan.

Coun. FITZGERALD—Mr. Chairman, I would like to be recorded for Timothy F. Donovan.

Coun. FISH—Mr. Chairman, I also wish to be recorded in favor of Mr. Donovan.

Coun. KEENE—And I desire, Mr. Chairman, to change my vote to Donovan.

Coun. MURRAY—And I desire, Mr. Chairman, to change from Fitzgerald to Donovan.

Coun. GREEN—Mr. Chairman, I would like to change from Fitzgerald to Donovan.

Chairman DOWLING—Timothy F. Donovan has twenty-one votes, and is therefore elected President of the City Council. The Chair appoints Councilor Parkman and Motley to escort the President-elect to the chair.

The committee performed the duty assigned, escorting President Timothy F. Donovan to the chair.

Chairman DOWLING—Mr. President, I want to say that it gives me great pleasure to be the first member of the Council to address you by your title, and I take great pleasure in transmitting to you this gavel, as your badge of authority.

President DONOVAN—And I want to say that I thank the members for the action they have taken. It is a great honor you have conferred upon me, to be the President of this honorable body. I had no expectation at the outset of receiving this honor at the hands of my colleagues, and I simply want to say now that I will endeavor to be fair and impartial as your presiding officer during the ensuing year. I thank you. (Applause.)

#### PROPOSED CONSTRUCTION OF LEFEVRE STREET.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and construct Lefevre street, Ward 18, as a public highway.

Passed under suspension of the rule.

#### PROPOSED CONSTRUCTION OF GREEN-FIELD ROAD.

Coun. MURPHY offered the following:

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

Passed under suspension of the rule.

#### SMITH'S FIELD PLAYGROUND.

Coun. MURPHY offered the following:

Ordered, That the sum of thirty thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Board of Park Commissioners for the placing in proper condition for the use of the citizens the Smith's Field Playground, Ward 18, and that to meet such expense the City Treasurer be authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the City to said amount.

Coun. MURPHY—Mr. President, that order referring to the Smith's Field Playground is the outcome of an order that was introduced requesting the Park Commissioners to furnish an estimate of the cost required to put Smith's Field in good condition. They stated that it would cost \$30,000. Therefore, I am introducing this order, hoping that his Honor the Mayor will grant this request of the people of Hyde Park, who are sadly in need of a decent playground.

The order was passed under suspension of the rule.

#### PROPOSED RECONSTRUCTION OF WESTERN AVENUE.

Coun. GALLAGHER offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct Western avenue, Ward 22.

Passed under suspension of the rule.

Adjourned at 4.19 p. m. on motion of Coun. MOTLEY, to meet on Monday, March 25, at 2 p. m.

## CITY OF BOSTON

## Proceedings of City Council.

Monday, March 25, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN presiding. Absent, Coun. Deveney.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted appointments for the term ending April 30, 1929, as follows:

Constables: David Tobey, 109 Humboldt avenue; Jacob Bergson, 187 Townsend street; Angelo Sorenci, 29 Maverick square; Frank J. Macchia, 4 Charter street.

Weigher of Goods: Patrick J. Kelley, 43 Washington street, Charlestown, for the Revere Sugar Refining Company, Charlestown.

Severally laid over a week under the law.

## VETO OF \$400,000 LOAN ORDER.

The following was received:

City of Boston,  
Office of the Mayor, March 15, 1929.  
To the City Council.

Gentlemen,—I am returning herewith, without my approval, loan order for \$400,000 for the construction of a surface drain and overflow to provide for the drainage into Dorchester Bay between Freeport and Bay streets, for the reason that the city cannot legally authorize these bonds in view of the fact that \$1,000,000 have already been authorized for sewerage works for this year.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Coun. McMAHON—Mr. President, just a word in regard to this nice message which we have received from his Honor the Mayor in regard to my loan order. I want to state here that I was told that if I put a separate loan order through it would not have to come out of the budget. I did that, and I feel now that his Honor the Mayor is not treating properly the wards surrounding that bay, especially Savin Hill Beach and Coulters Beach in acting upon this matter as he has today, as set forth in his communication. I hope when the Committee on Appropriations of this Council goes into the matter of the budget, it will carefully look over the sewer budget so as to know just how certain sections of the City of Boston have fared in the last three years, to see what their quota of the \$1,000,000 for sewers each year has been. I feel that Dorchester this year is entitled to at least a loan of \$400,000 to deal properly with the unhealthy conditions that have come about through this Dorchester Bay situation for the last twenty or twenty-five years. Later on, on the floor of this Council, Mr. President, I will probably have more to say in regard to the budget and the amount appropriated for sewers. But I do hope that this whole question may be thoroughly looked into this year.

The communication was placed on file.

## ARC LIGHT AT 752 EAST BROADWAY.

The following was received:

City of Boston,  
Office of the Mayor, March 25, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of October 22, 1928, relative to the installation of an arc light in front of 752 East Broadway, at L street, South Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, March 20, 1929.  
To the Honorable the Mayor.

I return order of the City Council, requesting the installation of an arc lamp in front of 752 East Broadway, South Boston, and report that it has been installed and is now in service.

Yours very truly,

J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

## LIGHTS ON ORCHARDFIELD STREET.

The following was received:

City of Boston,  
Office of the Mayor, March 25, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works in reply to your order of July 20, 1928, relative to the installation of two additional lights on Orchardfield street, Ward 15, at the Dorchester avenue end.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, March 20, 1929.  
To the Honorable the Mayor.

I return order of the City Council, relative to lighting conditions in Orchardfield street, Dorchester, and report that the request contained in the order has been complied with by the installation of an arc lamp at the corner of Orchardfield street and Dorchester avenue. This lamp has been in service since the 5th of January.

Yours very truly,

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 25, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the director, Boston Public Library, in reply to your order of February 25, 1929, relative to the establishment of a branch library in the vicinity of Savin Hill and Dorchester avenues, Ward 13.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Boston, March 12, 1929.

Mrs. I. Hibbard, Chief Clerk, Office of the Mayor,  
City Hall, Boston.

My dear Mrs. Hibbard,—At a meeting of the Board of Trustees held last week I had the privilege of presenting for their consideration the order of the City Council of February 25, being the request for the trustees to establish a Branch Library in the vicinity of Savin Hill and Dorchester avenues, Ward 13.

I have been directed by the Board to state as in the past that the Library Department has no appropriation whereby a new branch could be established. The Board feels that the present Central Library and its existing branches should be put into proper condition, that they should be adequately supplied with books and adequately administered before the system is enlarged.

Very truly yours,

CHARLES BELDEN,  
Director.

Placed on file.

## REPAIRS ON RIVER STREET.

The following was received:

City of Boston,  
Office of the Mayor, March 25, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of December 31, 1928, relative to repairs on River street, from Standard street to Mattapan square, Ward 18.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, March 12, 1929.  
To the Honorable the Mayor.

I return order of the City Council, relative to River street, Ward 18, from Standard street to Mattapan square, and report that for about a month, when weather conditions permitted, the department force has been at work on repairs in this street. The repairs are still in progress and we will do what we can to keep the street in shape until arrangements can be made for its reconstruction later in the season.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### ARC LIGHT IN FRONT OF 61 THOMAS PARK.

The following was received:

City of Boston,  
Office of the Mayor, March 25, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of February 18, 1929, relative to the installation of an arc light in front of 61 Thomas park, Ward 7.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, March 19, 1929.  
To the Honorable the Mayor.

I return order of the City Council, requesting that an arc lamp be installed in front of 61 Thomas park, South Boston. The Edison Company has been directed to install this lamp, and the work of placing it will receive attention as soon as possible.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### RESURFACING OF SUDAN STREET.

The following was received:

City of Boston,  
Office of the Mayor, March 25, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of January 28, 1929, relative to the resurfacing of Sudan street, Ward 13, from Dorchester avenue to Sydney street, with smooth pavement.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, March 12, 1929.  
To the Honorable the Mayor.

I return order of the City Council, requesting that Sudan street, Ward 13, from Dorchester avenue to Sydney street, be resurfaced with smooth pavement.

It will cost about \$7,000 to lay a smooth pavement in this street, and we will consider it in connection with the program of work being laid out.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### ERECTION OF HEALTH DEPARTMENT BUILDING.

The following was received:

City of Boston,  
Office of the Mayor, March 25, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a copy of chapter 104 of the Acts of 1929, being an Act Relative to the Erection and Maintenance of a Health Department Building within the Limits of the Back Bay Fens in the City of Boston.

The character and scope of the many and various activities of the Health Department have increased and changed to such a degree that the present location and size of its quarters are entirely inadequate and unsuited for the proper conduct of the work.

It is highly important that this department should function in a separate building of its own, because frequently diseases of a contagious form are brought to the office for diagnosis and care, and under present conditions these cases come through the City Hall Annex Building and through crowded elevators.

One of the outstanding needs of the department is a proper and up-to-date laboratory, and this is impossible under present conditions. The Boston Health Department has done pioneer service in the field of preventive medicine and has well earned an international standing in this work, so much so that every government of this world has sent delegations through the Rockefeller Foundation to Boston to study our methods. After spending a week or more in surveying the work, they were well pleased with what they saw, but marvelled how the department could carry on, handicapped as it is in such surroundings, and many of them have so expressed themselves.

The medical teaching staffs of the three universities of Boston are affiliated with this department and conduct their clinics and this is unique in this country, if not in the world.

Much thought and study was given to this project by the medical societies and professions, together with the Health League, and affiliated societies doing social and preventive health work in this city were consulted and heartily approve of the movement.

The work of the department under present conditions has been seriously handicapped even to the extent of making necessary the curtailment of certain activities, particularly in the laboratory section.

No line of human endeavor bears so important a relationship to the welfare of a community as a proper health department and in the interest of the fullest measure of service in this direction, I strongly recommend its acceptance by your honorable body.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That chapter 104 of the Acts of 1929 entitled "An Act Relative to the Erection and Maintenance of a Health Department Building within the Limits of the Back Bay Fens in the City of Boston" be, and the same hereby is, accepted.

Referred to the Executive Committee.

#### LOAN FOR PUBLIC HEALTH BUILDING.

The following was received:

City of Boston,  
Office of the Mayor, March 25, 1929.  
To the City Council.

Gentlemen,—I am in receipt of the attached communications from the Health Commissioner relative to the erection of a new public health building in the Fenway. It is estimated that the construction cost of such a building will be \$300,000. I accordingly submit a loan order for this purpose and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Health Department, March 22, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I respectfully request that you submit to the Boston City Council the necessary bill or order that will provide for the erection of the proposed new public health building in the Fenway, at an estimated cost of \$300,000. The necessity for this building has already been outlined to you in a letter of November 30, explaining the result of study made by a committee appointed by your Honor, composed of the Building Commissioner, the Park Commissioner and the Health Commissioner. I inclose a copy of this letter.

Yours respectfully,  
F. X. MAHONEY, M. D.,  
Health Commissioner.

Ordered, That under the provisions of chapter 104, of the Acts of 1929, the sum of \$300,000 be, and the same is hereby, appropriated to be expended under the direction of the Health Commissioner for the erection and establishment of a

Health Department Building within the limits of the Back Bay Fens 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 the Committee on Finance.

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.

FUNDS FOR TWO BUREAUS.

BUDGET FOR 1929.

The following was received:

The following was received:

City of Boston,  
Office of the Mayor, March 25, 1929.  
To the City Council.

City of Boston,  
Office of the Mayor, March 25, 1929.  
To the City Council.

Gentlemen,—I am advised by the City Auditor that the funds authorized for the Commercial, Industrial and Publicity Bureau, and for the Municipal Employment Bureau, are practically exhausted and that unless further authorization is secured it will be necessary to withhold the pay of employees attached to these bureaus. It is my desire that the activities of these two bureaus be continued for at least the balance of this year. I, consequently, submit herewith two orders providing for the authorization of necessary funds and respectfully recommend adoption of these orders by your honorable body.

Gentlemen,—I submit herewith my budget recommendations for the City of Boston for the fiscal year 1929 in full segregated form in substitution for the lump sum recommendations submitted on January 30, 1929.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

The allowances as recommended total \$43,444,201.93. This total represents a reduction of \$2,555,770.11 in the estimates as originally submitted and is \$2,466,883.64 in excess of the total of similar budget recommendations in 1928. The detail of this excess is shown in the following table:

Ordered, That the sum of \$5,000 be, and the same hereby is, appropriated to be expended by the Commercial, Industrial and Publicity Bureau, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund, when made.

Increase in city maintenance total.	\$2,066,539 09
Increase in city debt requirements,	293,639 03
Increase in income department appropriations.....	106,705 52
	<u>\$2,466,883 64</u>

Ordered, That a sum not in excess of \$10,000 be, and hereby is, appropriated to be expended by the

CITY MAINTENANCE.

The following schedule indicates in comparative form the main points of difference between the appropriations for city maintenance requirements in 1928 and the proposed budget for 1929:

SCHEDULE A.

TWO-YEAR BUDGET COMPARISON.

GROUP.	1928.	1929.	Increase.
A. Personal Service.....	\$19,335,275 45	\$20,161,173 76	\$825,898 31
B. Contractual Service.....	4,060,628 00	4,419,370 00	358,742 00
C. Equipment.....	1,146,629 30	1,280,966 44	134,337 14
D. Supplies.....	2,055,217 00	2,214,960 00	159,743 00
E. Materials.....	545,785 00	600,370 00	54,585 00
F. Special Items.....	2,880,788 09	3,301,616 58	420,828 49
G. Miscellaneous.....	54,721 53	126,379 68	71,658 15
Special appropriations.....	1,512,800 00	1,553,547 00	40,747 00
	<u>\$31,591,844 37</u>	<u>\$33,658,383 46</u>	<u>\$2,066,539 09</u>

The following explanations are offered in connection with the changes indicated in the various groups in the above schedule.

PERSONAL SERVICE.

The personal service requirements of the city for 1929 are \$825,898.31 in excess of the requirements of 1928. The make-up of this group increase is indicated in the following table:

Increased appropriations for permanent employees.....	\$735,825 97
Increased appropriations for overtime.....	91,752 92
	<u>\$827,578 89</u>
Decreased appropriations for temporary employees.....	1,680 58
Net increase.....	<u>\$825,898 31</u>

The increase indicated in the requirements for permanent employees may be attributed to salary increases granted to employees of the city, new

positions provided in city departments where increased business warrants, and the overlay resulting from personal service changes made during the previous year. The following analysis indicates the cost apportionment of the various items entering into the increase of the item under discussion.

Overlay from 1928.....	\$367,797 51
Cost of increases.....	311,354 62
Cost of new positions.....	265,347 40
	<u>\$944,499 53</u>
Less budget savings.....	208,673 56
Net increase.....	<u>\$735,825 97</u>

The heavy overlay from 1928 is caused by salary increases granted and new positions established in that year. Among the important changes of this nature may be mentioned an increase in the maxima of patrolmen and privates in the Police and Fire Departments, step increases for employees working under established sliding scales, new posi-

tions allowed in the Hospital Department because of additional buildings, and the establishment of a Traffic Division within the Street Laying-Out Department. These changes took place during the course of the year and were, consequently, effective for only part of the year 1928. The full year burden which must be borne in the present year reflects an increased requirement which is termed "overlay," since it is the natural result of changes initiated in the previous year.

It is estimated that the proposed budget contains increases for 3,548 employees. In the main, these increases have been granted in departments where the pay of employees is regulated under sliding scales. In certain instances increases have been made in existing maxima, as for example, in the cases of officers in the uniformed forces of the Police and Fire Departments, stationary engineers and firemen employed in the various heating and power plants maintained by the city, and the lower paid groups of institutional employees.

The proposed budget contains provision for 387 new positions. This increase in number is centered in four departments of the city, namely, Police, Fire, City Hospital and Long Island Hospital. In order that life and property may be better protected, it has been deemed expedient to increase the number of patrolmen in the Police Department by 125 and the number of men attached to the uniformed forces of the Fire Department by 59. To properly administer new buildings recently completed at the City Hospital and the Long Island Hospital, it has been necessary to provide 135 and 40 additional institutional employees, respectively, at these hospitals.

Increases:

B- 1, Printing and binding.....	\$9,800 00
B- 4, Transportation of persons.....	2,200 00
B- 8, Light, heat and power.....	58,100 00
B-13, Communication.....	6,000 00
B-14, Motor vehicle repairs.....	69,800 00
B-17, Care of persons.....	70,400 00
B-21, Removal of snow.....	143,700 00
B-22, Medical.....	8,600 00
B-29, Stenographic, copying, etc.....	5,500 00
B-39, General plant.....	18,400 00
	<u>\$392,500 00</u>

Decreases:

B-10, Rent, taxes, water.....	\$1,200 00
B-16, Care of animals.....	1,500 00
B-18, Cleaning.....	8,800 00
B-19, Removal of waste.....	7,400 00
B-20, Disposal of waste.....	5,700 00
B-28, Expert.....	8,700 00
	<u>33,300 00</u>
	<u>\$359,200 00</u>

The printing of new and revised editions of the rules and regulations of the Fire Department and the pocket manuals used by the uniformed forces of the Police Department account for the increase indicated in the first item in the above table. Additional transportation requirements are occasioned by an increase in the number of visits being made by visitors attached to the various welfare departments of the city and nurses attached to the Health Department. The large number of additional street lamps which have been installed throughout the city during the past two years, together with the additional expense of lighting new buildings, account for the increase in lighting requirements. Additional telephone facilities at the City Hospital and other institutions are reflected in increased communication costs. The large trucks used for garbage and waste collections and snow work are in their third year of service and, naturally, increased amounts must be expended this year for their maintenance and upkeep. Increased payments for citizens in state sanatoria and private hospitals, and increased numbers of children under the control of the Child Welfare Division, make necessary additional payments for care of persons. Approximately \$150,000 was paid to outside contractors for their services during the February snowstorms. Increased clinical activities due to additional health units are reflected in increased appropriations for the services of doctors, dentists, etc. The administration by the Assessing Department of the new automobile excise tax requires the employment of stenographic and mailing service, in addition to the regular office force of the de-

The amount designated "budget savings" represents deductions made from personal service appropriations because of existing vacancies, because of "slack" anticipated to develop during the year due to vacancies occurring through the sickness, death or retirement of employees, or because of the discontinuance of certain positions no longer deemed essential. If advantage had not been taken of these savings, the city budget for 1929 would have been approximately \$209,000 in excess of the total recommended.

The increase indicated for overtime payments may be attributed entirely to the snowstorms which occurred during the month of February. It is estimated that the use of department forces outside of regular working hours on these storms cost the city in excess of \$75,000. While the appropriations for temporary employees show a slight decrease over those of 1928, this reduction would have been more marked if it had not been for the occurrence of the storms previously mentioned. The reduction in the number of election functions this year would ordinarily reflect a saving of approximately \$60,000 in this item, but as must be evident, this saving has been offset by the increased numbers of temporary employees hired to facilitate the removal of snow.

CONTRACTUAL SERVICE.

Appropriations for services to be rendered to the city by individuals and corporations not permanently attached to the municipal pay rolls show a net increase of \$358,742 over similar appropriations for the previous year. The important items entering into this increase are indicated below:

partment. The increase in plant repairs may be directly attributed to the remodeling and renovations proposed in the present quarters of the Soldiers' Relief Department.

The old police headquarters building in Pemberton square is no longer under lease by the city, hence, a slight reduction is evident in the item of rent. The gradual replacement of horses by motor vehicles is reflected in a downward movement in the expense item for their care. Better contract prices for the cleaning of sewers and for the removal and disposal of ashes, dirt and garbage are reflected in the appropriations for these purposes. The hire of architects, conveyancers and lawyers has been reduced to a minimum and as a result a marked decrease is reflected in the item for their services.

EQUIPMENT.

The increase of \$134,337 14 shown on Schedule A under this group may be allocated to six items as indicated below:

C- 2, Machinery.....	\$6,000 00
C- 3, Electrical.....	15,000 00
C- 4, Motor vehicles.....	29,000 00
C-10, Library.....	15,000 00
C-12, Medical and surgical.....	19,000 00
C-16, Wearing apparel.....	50,000 00
	<u>\$134,000 00</u>

An additional road roller for use by department forces in the repair of streets has been provided



in the budget of the Paving Division. The replacement of approximately one hundred old and obsolete fire-alarm boxes necessitates an additional appropriation for electrical equipment. Increased allowances for motor apparatus in the Fire Department and the replacement throughout city departments of motor vehicles that have depreciated through long service accounts for the increased appropriations for this class of equipment. The additional library grant will be used in connection with the purchase of books for the new business men's branch library, the construction of which is made possible under a gift from Mr. Louis Kirstein. Increased population at

our hospitals and institutions resulting directly from the opening of new buildings has made necessary additional amounts for the purchase of medical, surgical and laboratory equipment. The increase in the uniformed forces of the Police and Fire Departments makes necessary additional appropriations for the uniforms furnished by the city to such employees.

SUPPLIES.

The important items entering into the net increase of \$159,743 shown in Schedule A under this group are indicated in the following table:

Increases:		
D- 1, Office.....		\$8,000 00
D- 2, Food.....		135,500 00
D- 5, Medical and surgical.....		37,000 00
D- 8, Laundry and cleaning.....		3,000 00
D-11, Motor vehicle.....		4,500 00
D-14, Marine.....		1,000 00
		<u>\$189,000 00</u>
Decreases:		
D- 3, Fuel.....	\$17,000 00	
D- 4, Forage and animal.....	13,500 00	
		<u>30,500 00</u>
Net increase.....		<u>\$158,500 00</u>

The natural expansion of city business is reflected in increased requirements for office supplies to be used throughout the departments of the city. Increased population at our hospitals and institutions make necessary additional appropriations for foodstuffs, medical, surgical, laboratory, laundry and cleaning supplies. Increased cost of gasoline and oil may be attributed directly to the gasoline tax now effective in this state. The increased service now being rendered by the steamers operating in conjunction with the Long Island Hospital have made necessary additional grants for marine supplies used on these boats.

Improvements in the power and heating plants of our institutions and hospitals are reflected in a reduction in fuel requirements. The gradual replacement of horses by motor vehicles is naturally attended by a reduction in the appropriations for the purchase of hay, grain and other animal supplies.

MATERIALS.

The major item of the net increase of \$54,585 shown in Schedule A under this group is the \$36,000 advance in the appropriation for highway materials, such as crushed stone, sand, paving blocks, etc., used by the Paving Division forces in the repair of highway surfaces. Of the 625 miles of improved streets in this city, approximately 60 per cent are of water-bound macadam construction. Many of these streets were constructed fifteen and twenty years ago when the horse-drawn vehicle was the chief mode of conveyance.

With the general adoption of motor transportation, these streets have been subjected to wear and tear which their type of construction cannot withstand, and, as a natural result, each year added to their age means increased costs for repair and maintenance. New hospital and institutional buildings erected by the city in recent years are equipped with the latest electrical machines and devices. The purchase of materials used in the operation of these machines, such as fuses, switches, brushes, bulbs, etc., is reflected in an increase of approximately \$2,100 in the appropriations for electrical materials. The increasing use of motor vehicles in all branches of city service is responsible for an approximate increase of \$16,300 in the appropriations covering the purchase of motor vehicle repair parts.

SPECIAL ITEMS.

The increase of \$420,828.49 indicated in Schedule A under this group may be attributed to increased pension and welfare disbursements. Pension appropriations in the budget cover the noncontributory allowances provided by statute for members of certain groups of employees who were in the employ of the city prior to the adoption of the Boston Retirement System. The largest group to enjoy the benefit of this item are the members of the uniformed forces of the Fire and Police Departments, who are entitled, under certain age limitations, to retire on half-pay. Anticipated

retirements in these two departments account for the entire \$34,000 increase reflected in this year's budget in the departmental appropriations for Pensions and Annuities. Welfare relief is distributed by two departments of the city, namely, the Soldiers' Relief and Public Welfare Departments. Appropriations in the former department are \$13,000 in excess of 1928, whereas, in the latter department appropriations for Care of Departments and Mothers' Aid show increases of \$300,000 and \$75,000 respectively.

MISCELLANEOUS.

The presence of two new items in this group accounts for the \$71,658.15 increase shown in Schedule A. This year will mark the first full year of the existence of the Municipal Airport at East Boston. While for the most part the expenditures on this project during the current year will be of a capital nature, and therefore financed by the issuance of loans, nevertheless, it has been necessary to provide \$30,000 in the budget for the estimated maintenance expenses which will arise during 1929. The budget of the City Hospital contains an appropriation of \$37,000 for furnishing and equipping the new House Officers' Building. In prior years expenditures of this character have been financed by the issuance of a loan, but to avoid delays and permit the early opening of the building it was deemed expedient to provide a budget appropriation for this purpose.

SPECIAL APPROPRIATIONS.

The increase indicated in Schedule A under this heading is caused by the presence of two new items—projects for which no appropriation was provided in last year's budget. While it has been the custom in recent years to make annual appropriations for the special item Ferry Improvements, the appropriation was omitted from the 1928 budget because of the presence in the item at the beginning of the year of a large unexpended balance. Work performed during 1928, however, has practically exhausted this balance so that it is necessary in order to provide for new work contemplated during the current year to provide an appropriation under this item. The item of Valuation Survey is to be expended under the direction of the Assessing Department for the purpose of improving the assessment records of the city. The work will consist chiefly in the preparation of maps by competent engineers and draughtsmen, which will show the location and character of every piece of property in the city upon which a tax is assessed. While the initial cost of this work will be large, it is anticipated that in time a marked saving will be possible in the annual operating costs of the department. The most important end to be achieved, however, by such a survey is that it will serve to equalize valuations throughout the city and, in general, make possible a marked improvement in the manner of assessing property in this city. In so far as the regular

special appropriations are concerned, Repair and Reconstruction of Streets and Bridge Repairs are continued at the same figure as last year. Rainsford Island, Reserve Fund and Street Signs show reductions from last year's appropriations, while Granolithic Sidewalks and Repair and Reconstruction of Park Roadways show increases over 1928 appropriations.

CITY DEBT REQUIREMENTS.

The 1929 appropriations for Sinking Funds, Serial Loans and Interest are \$293,639.03 in excess of similar appropriations for 1928. This increase is one which lies more or less beyond the control of the financial officers of the city. In the main it may be attributed to the prevalence in financial circles of higher interest rates and a general shortening in the terms or periods for which loans are being issued.

INCOME DEPARTMENTS.

Appropriations included in this budget for departments which are supported by their own revenue or income are \$106,705.52 in excess of similar appropriations in 1928. This excess is due to an anticipated increase in the activities of the Water Division of the Public Works Department in the matter of laying mains in newly developed sections of the city and relaying mains wherever necessary throughout the city. The bringing of water to the homes and places of business of our citizens is one of the most important services rendered by the city. Demands for such service cannot very well be refused or overlooked. It is believed that the appropriations

proposed under this head will adequately meet the requirements of the present year.

CONCLUSION.

The budget herewith submitted is the fourteenth of its kind to be submitted since the adoption of the segregated budget plan in 1916. Thirteen years is comparatively a short period in the life of any city, and yet, in such a short space of time, a marked change has taken place in all lines of municipal activity. Congestion of population has made necessary traffic control, street widenings, unusual fire protection, additional police and better street lighting. Increasing humanitarianism has prompted better hospital and institutional facilities and more comprehensive care of the sick and needy. Higher standards of living have resulted in increased salaries and wages for municipal employees. These higher standards of living have also called for the extensive development and maintenance of parks, boulevards, museums, libraries, etc. Scientific development has compelled the technical and expensive administration of old activities, particularly relating to public health, water supply and the removal and disposal of snow and waste. Municipal government today is necessarily technical, complex and costly.

The chief concern of those responsible for the administration of municipal activities should be to see that first-class service is rendered to citizens and taxpayers at the lowest consistent cost. This thought has never been lost sight of in the preparation of the 1929 budget, consequently I respectfully recommend adoption of the accompanying orders.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

DEPARTMENT ESTIMATES AND AMOUNTS ALLOWED BY MAYOR FOR 1929.

	Estimate.	Allowance.
Art Department.....	\$1,225 00	\$1,215 00
Assessing Department.....	332,572 41	321,937 17
Auditing Department.....	81,510 18	80,309 87
Boston Retirement Board.....	29,403 87	28,677 26
Budget Department.....	12,227 66	12,227 66
Building Department.....	272,698 86	267,403 33
Board of Appeal.....	14,223 66	10,629 33
Board of Examiners.....	5,374 16	5,313 33
City Clerk Department.....	54,375 86	51,913 22
City Council.....	68,550 00	68,450 00
City Council Proceedings.....	12,250 00	12,250 00
City Documents.....	42,000 00	42,000 00
City Planning Board.....	33,383 99	30,201 77
Collecting Department.....	182,383 29	176,634 72
Election Department.....	218,071 80	212,956 23
Finance Commission.....	50,000 00	50,000 00
Fire Department.....	4,826,746 45	4,605,611 50
Wire Division.....	110,262 58	109,791 32
Health Department.....	1,061,105 73	1,011,320 42
Hospital Department.....	2,628,774 21	2,558,162 11
Sanatorium Division.....	459,504 81	422,953 42
Institutions Department:		
Central Office.....	54,034 50	53,140 28
Child Welfare Division.....	237,269 86	228,894 71
Long Island Hospital.....	714,390 47	673,460 73
Steamer "George A. Hibbard" and Launch "James J. Minot".....	42,931 97	40,717 64
Rainsford Island, care of.....	3,000 00	1,800 00
Law Department.....	97,831 13	96,321 28
Library Department.....	1,261,969 00	1,171,544 00
Licensing Board.....	33,958 00	33,908 00
Market Department.....	18,155 29	17,245 63
Mayor, Office Expenses.....	86,533 78	86,533 78
Public Celebrations.....	75,000 00	65,000 00
Park Department.....	1,821,460 01	1,693,980 57
Cemetery Division.....	195,239 12	173,615 01
Police Department.....	6,020,239 82	5,922,742 45
Public Buildings Department.....	802,152 89	610,743 71
Public Welfare Department:		
Central Office.....	2,372,826 02	2,368,259 06
Temporary Home.....	12,585 00	12,350 00
Wayfarers' Lodge.....	21,245 82	20,571 88
Public Works Department:		
Central Office.....	92,453 58	90,856 73
Bridge Service.....	480,780 70	472,630 19
Ferry Service.....	570,478 28	564,238 20
Lighting Service.....	1,031,820 86	1,014,428 00
Paving Service.....	2,080,621 71	1,938,343 28
Sanitary Service.....	3,517,467 75	3,199,828 79
Sewer Service.....	753,173 28	722,185 08
Registry Department.....	56,357 94	54,861 36
Reserve Fund.....	500,000 00	425,000 00
Sinking Funds Department.....	3,300 00	3,300 00
Soldiers' Relief Department.....	398,825 98	339,960 55
Statistics Department.....	17,464 45	15,546 03

	Estimate.	Allowance.
Street Laying-Out Department.....	\$252,620 98	\$237,328 42
Supply Department.....	51,275 00	51,162 70
Treasury Department.....	67,650 00	66,889 97
Weights and Measures Department.....	55,488 82	49,285 67
Bridges, repairs, etc.....	147,000 00	100,000 00
Ferry improvements, etc.....	25,000 00	20,000 00
Granolithic sidewalks.....	200,000 00	75,000 00
Reconstructing and repairing streets by contract.....	1,000,000 00	750,000 00
Reconstructing and repairing parkways by contract.....	101,747 00	71,747 00
Street signs.....	25,000 00	20,000 00
Valuation survey.....	25,000 00	25,000 00
	<u>\$35,820,983 63</u>	<u>\$33,658,383 46</u>
City debt requirements.....	<u>\$7,737,847 42</u>	<u>\$7,737,847 42</u>
City Record, publication of.....	<u>\$29,060 00</u>	<u>\$29,060 00</u>
Public Works Department:		
Water Service.....	\$1,783,859 26	\$1,690,711 23
Collecting Department, Water Division.....	59,796 33	59,774 42
Water Service, debt requirements.....	268,425 00	268,425 00
	<u>\$2,112,080 59</u>	<u>\$2,018,910 65</u>

RECAPITULATION OF AMOUNTS ALLOWED BY MAYOR FOR 1929.

From taxes:		
For city purposes within the tax limit.....	\$33,658,383 56	
City debt requirements.....	7,737,847 82	
City total.....		\$41,396,231 28
From revenues:		
City Record, publication of.....	\$29,060 00	
Public Works Department, Water Service.....	1,690,711 23	
Collecting Department, Water Division.....	59,774 42	
Water Service, debt requirements.....	268,425 00	
		<u>2,047,970 65</u>
Grand total.....		<u>\$43,444,201 93</u>
		BASIS OF ESTIMATES, 1928.
Average valuation \$1,882,009,556.67.....		
\$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>
		BASIS OF ESTIMATES, 1929.
Average valuation \$1,909,255,300.00.....		
\$12.75 on the thousand brings.....		\$24,343,005 07
Estimated income and cash in treasury.....		9,315,378 39
Amount available for appropriation inside tax limit.....		<u>\$33,658,383 46</u>

WAYS AND MEANS OTHER THAN TAXES FOR 1929.

An estimate of ways and means, other than taxes, of meeting expenditures of the City of Boston and County of Suffolk for the year ending December 31, 1929.

Building Department.....	\$80,000 00
City Clerk Department.....	19,000 00
Collecting Department.....	40,000 00
Fire Department.....	118,000 00
Health Department.....	22,000 00
Hospital Department.....	280,000 00
Institutions Department.....	10,000 00
Interest.....	550,000 00
Library Department.....	21,000 00
Licensing Board.....	52,000 00
Market Department.....	147,000 00
Mayor.....	52,000 00
Park Department.....	105,000 00
Pedlers' Licenses.....	8,000 00
Police Department.....	52,000 00
Public Buildings Department.....	20,000 00
Public Welfare Department.....	375,000 00
Public Works Department.....	290,000 00
Registry Department.....	12,000 00
Soldiers' Relief Department.....	30,000 00
Street Laying-Out Department.....	62,000 00
Weights and Measures Department.....	14,000 00
County of Suffolk.....	600,000 00
Corporation Tax.....	3,400,000 00
Street Railway Tax.....	170,000 00
	<u>\$6,529,000 00</u>
Available cash in treasury, December 31, 1928.....	2,786,378 39
	<u>\$9,315,378 39</u>

SALARIES OF CITY OFFICIALS.

The following was received:

City of Boston,  
Office of the Mayor, March 25, 1929.

To the City Council.

Gentlemen,—In the course of the last three years salary increases have been granted to a number of city officials and in order to bring into alignment the salaries of those department officials whose compensation has remained stationary I deem it advisable to recommend the passage of the accompanying orders providing for the amendment of existing ordinances relative thereto.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

An Ordinance Concerning the Salary of the Superintendent of Public Buildings.

Be it ordered by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the superintendent of public buildings by striking out the words "forty-five hundred" and inserting in place thereof the words "five thousand."

An Ordinance Concerning the Salary of the Penal Institutions Commissioner.

Be it ordained by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the penal institutions commissioner by striking out the words "five thousand" and inserting in place thereof the words "six thousand."

An Ordinance Concerning the Salary of the Chairman of the Statistics Trustees.

Be it ordained by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances is hereby amended in the clause establishing the salary of the chairman of the statistics trustees by striking out the words "thirty-five hundred dollars" and inserting in place thereof the words "four thousand dollars."

An Ordinance Concerning the Salaries of the Election Commissioners.

Be it ordained by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances is hereby amended in the clause establishing the salary of the chairman of the election commissioners by striking out the words "six thousand" and inserting in place thereof the words "seven thousand," and in the same clause establishing the salaries of the three other commissioners by striking out the words "five thousand" and inserting in place thereof the words "six thousand."

An Ordinance Concerning the Salaries of the Street Commissioners.

Be it ordained by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances is hereby amended in the clause establishing the salary of the chairman of the street commissioners by striking out the words "six thousand" and inserting in place thereof the words "seven thousand," and in the same clause establishing the salaries of the two other commissioners by striking out the words "five thousand" and inserting in place thereof the words "six thousand." Referred to the Committee on Ordinances.

#### PETITIONS REFERRED.

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

##### Claims.

William F. Ahern, for compensation for damage to automobile caused by an alleged defect in Tremont street.

Boston Nickel Plating Company, for compensation for expenses incurred in repairing sewer pipe.

Ralph L. Dennis, for compensation for damage to automobile by city truck.

Concetta Donnaruma, for compensation for damage to car by city truck.

Andrew Dutton Company, for compensation for damage to truck caused by an alleged defect in Milton street, Dorchester.

Mrs. Ashton, for compensation for injuries caused by an alleged defect at North Station.

Mary G. Burke, for compensation for injuries caused by an alleged defect at 249 Congress street.

Joseph Cadiff, for compensation for damage to automobile caused by an alleged defect in Columbus avenue.

Lelia Chapski, for compensation for damage to property at 208 Belgrade avenue, caused by broken water pipe.

F. J. Daly, for compensation for damage to automobile caused by an alleged defect at 780 Huntington avenue.

Mrs. A. M. Doolin, for compensation for injuries caused by an alleged defect at L and Third streets.

Benjamin F. Earl, for compensation for damage to automobile caused by an alleged defect in Columbus avenue.

John Fay, for compensation for injuries caused by defective freight elevator in Memorial High School.

Harry D. Finberg, for refund on unused refuse tickets.

Helen R. Francis, for compensation for injuries caused by an alleged defect at 15 Corey street.

Thomas Frazier, for compensation for loss of overcoat at City Hospital.

Mrs. Gallagher, for compensation for damage to property at 113 Elm street, caused by balls thrown from Prescott School yard.

William T. Handy, for compensation for damage to automobile caused by an alleged defect at 785 Tremont street.

T. W. Headley, for compensation for collapse of boiler at 59 St. Germain street, caused by water being shut off.

Katherine M. Hurley, for compensation for injuries caused by an alleged defect in St. James avenue.

John T. Kaler, for compensation for damage to property caused by an alleged defect at 253 Marlborough street.

Samuel Kaufman and Thomas Deveney, for compensation for damage to property caused by fire apparatus.

P. Kaxman, for compensation for damage to sidewalks and gateposts.

William Lawlor, for compensation for damage to car by city car.

Mrs. Anna Lerman, for compensation for injuries caused by an alleged defect at 7 Oneida street.

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

Alice McBrien, for compensation for injuries caused by an alleged defect in Harrison avenue.

John McGonagle, for compensation for damage to car by city wagon.

James L. McGrath, for compensation for damage to automobile caused by an alleged defect at 897 Hyde Park avenue.

Maurice P. Moriarty, for compensation for injuries caused by being struck by shovel.

William J. Nason, for compensation for damage to car by falling tree.

Israel Ribock, for compensation for injuries caused by an alleged defect in Dedham street.

Mrs. Ida Ring, for compensation for injuries caused by an alleged defect at 222 Seaver street.

George W. Roebing, Inc., for compensation for damage to car by city truck.

Earle Rogoff, for compensation for damage to car by city truck.

John H. Round, for compensation for damage to car by ash truck.

Angeline Sarro, for compensation for injuries caused by an alleged defect in Maverick street.

Ida Saxe, for compensation for injuries caused by an alleged defect in Chambers street.

Samuel J. Sigel, for compensation for damage to automobile caused by an alleged defect in Columbus avenue.

Moses Steinzeig, for compensation for injuries caused by an alleged defect at Essex and Kingston streets.

Dennis Stodder, for compensation for injuries caused by an alleged defect in Chauncy street.

Helen A. Sullivan, for son, for compensation for loss of clothing at City Hospital.

Luigi Tempesta, for compensation for damage to team by city truck.

John Timons, for compensation for damage to automobile by city truck.

Whitaker & Co., for compensation for damage to property at 45 South Market street, caused by defective hydrant.

A. A. White, for refund on refuse tickets.

Mary Wiggin, for compensation for injuries caused by an alleged defect at Iona street.

Neil Williamson, for compensation for damage to coat caused by an alleged defect at 110 Tremont street.

Allied Realty Company, for compensation for damage to property at 305 Warren street, Roxbury, caused by flooding of cellar.

Cushing & Anderson, for compensation for damage to property at 307 Warren street, caused by flooding of cellar.

##### Executive.

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

Julia A. Reily, Tileston School Hall, April 2.

Lilla Frances Viles, Current Events Club House, April 27.

#### SPECIAL COMMITTEE ON JITNEY LICENSES.

Petition of Boston Elevated Railway Company to operate motor vehicles between Cleary square, Hyde Park and Mattapan square, Dorchester, over River street and Mattapan square.

Petition of Boston Elevated Railway Company to operate motor vehicles between Wolcott square, Hyde Park and Cleary square, over Hyde Park avenue.

Coun. MURPHY—Mr. President, I rise to speak on the application for a change in the fare between Mattapan square and Cleary square and Wolcott square, Hyde Park. After many conferences with the Boston Elevated Railway Company, I was able to secure a reduction in the local fare, both on buses from Mattapan square to Cleary square and from Wolcott square to Cleary square, from 10 to 6½ cents, and the only thing that holds up the putting of the plan into effect, with the lower fare, at the present time, is the fact that it has to pass through the Boston City Council. So I desire at this time to ask for a suspension of the rules and the passage of the order, so that the people may enjoy the reduction in fare as soon as possible.

President DONOVAN—The Chair will suggest that the petitions be referred to the Executive Committee.

Coun. MURPHY—All right, Mr. President. The petitions were referred to the Executive Committee.

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, viz.:

March 25.

Harold G. King, 195 Northern avenue, Ward 6, 600 barrels gasolene.

April 1.

Francis T. Keefe, 1704 Centre street, Ward 20, 3,000 gallons.

Daniel Marr & Son Company, 155-161 Old Colony avenue, Ward 7, 15,000 gallons.

April 8.

Thomas F. Fallon, 1523 Blue Hill avenue, Ward 18, 5,000 gallons.

Simon Keller, 1185-1260 River street, Ward 18, 1,500 gallons.

Abraham Palsky, 239 Oakland street, Ward 18, 2,000 gallons.

William H. Tornton, 912 Saratoga street, Ward 1, 2,000 gallons.

Referred to the Executive Committee.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from Frederic H. Fay of interest in contract of firm of Fay, Spofford & Thorndike with City of Boston to design and supervise construction of a fire station in the Brighton district.

Placed on file.

CONSTABLE'S BOND.

The constable's bond of Henry J. Gilmore, having been duly approved by the City Treasurer, was received and approved.

COMMUNICATION FROM SCHOOL COMMITTEE.

The following was received:

The School Committee of the City of Boston, 15 Beacon Street, March 12, 1929.

Mr. Wilfred J. Doyle, City Clerk, City Hall, Boston.

Dear Sir,—On March 6, 1929, the School Committee gave consideration to the order of the City Council of February 25, 1929, which reads as follows:

"Ordered, That the Boston School Committee, through his Honor the Mayor, be, and they hereby are, respectfully requested to allow the use of the land in the rear of and adjacent to the Dorchester High School for Boys for use as a public playground."

After careful discussion of this order of the City Council, the School Committee arrived at the conclusion that it is inadvisable to grant the request. Much of the field in question has been graded and resurfaced, and made suitable for pupils of the Dorchester High School for Boys,

who on school days use the grounds frequently as late as 6 o'clock in the evening.

Very truly yours,

J. E. BURKE,  
Superintendent of Public Schools.

Placed on file.

APPOINTMENTS OF COMMITTEES.

President DONOVAN announced the appointment of the following committees for the ensuing year, the councilor named first being in each case chairman of the committee:

Executive.

Charles G. Keene, Chairman. All members of Council.

Appropriations.

Coun. Edward M. Gallagher, Albert L. Fish, Peter J. Murphy, John F. Dowd, Israel Ruby, Frederic E. Dowling, Michael J. Mahoney.

Claims.

Coun. Herman L. Bush, Peter A. Murray, William G. Lynch, Thomas W. McMahon, Albert L. Fish.

County Accounts.

Coun. John I. Fitzgerald, Robert G. Wilson, William G. Lynch, Seth F. Arnold, Thomas H. Green.

Finance.

Coun. William A. Motley, Peter A. Murray, John F. Dowd, Henry Parkman, Jr., Frank B. Sullivan, Thomas H. Green, Roger E. Deveney.

Inspection of Prisons.

Coun. Michael J. Mahoney, Thomas W. McMahon, John F. Dowd, William G. Lynch, Herman L. Bush.

Jitney.

Coun. Robert G. Wilson, Peter A. Murray, John F. Dowd, Michael J. Ward, Herman L. Bush.

Legislative Matters.

Coun. Henry Parkman, Jr., John I. Fitzgerald, Frederic E. Dowling, Michael J. Ward, Robert G. Wilson.

Ordinances.

Coun. Thomas H. Green, Seth F. Arnold, John I. Fitzgerald, Frank B. Sullivan, Robert G. Wilson, William A. Motley, Israel Ruby.

Parkman Fund.

Coun. Henry Parkman, Jr., John F. Dowd, Seth F. Arnold, Thomas W. McMahon, Israel Ruby.

Printing.

Coun. Thomas W. McMahon, Michael J. Mahoney, Roger E. Deveney, Michael J. Ward, Frederic E. Dowling.

Public Lands.

Coun. William A. Motley, Israel Ruby, Thomas H. Green, Robert G. Wilson, William G. Lynch.

Rules.

Coun. Seth F. Arnold, Thomas W. McMahon, Peter J. Murphy, John I. Fitzgerald, Edward M. Gallagher.

Soldiers' Relief.

Coun. William A. Motley, Michael J. Mahoney, Herman L. Bush, Frederic E. Dowling, Henry Parkman, Jr.

Public Safety.

Coun. Peter J. Murphy, Michael J. Mahoney, Henry Parkman, Jr., John F. Dowd, Peter A. Murray, Israel Ruby, Albert L. Fish.

Unclaimed Baggage.

Coun. John I. Fitzgerald, Thomas H. Green, Charles G. Keene.

Parks and Playgrounds.

Coun. Frank B. Sullivan, Edward M. Gallagher, Herman L. Bush, Roger E. Deveney, Albert L. Fish.

RESIGNATION FROM COMMITTEES.

Coun. BUSH submitted the following:

I hereby tender my resignation as chairman of the Committee on Claims.

President DONOVAN—The Chair will accept the resignation of Coun. Bush and will appoint Coun. Ruby in his place.

Later in the session Coun. McMahon resigned as chairman of the Committee on Printing.

President DONOVAN—The Chair accepts the resignation of Coun. McMahon as chairman of the Committee on Printing, and appoints Coun. Green in his place.

#### OPPOSITION TO NEW CONSOLIDATED GAS RATES.

Coun. MURPHY offered the following:

Whereas, The Boston Consolidated Gas Company has made an application to the Public Utilities Commission for approval of an increase in rates of fifty cents per customer to be known as a service charge, and

Whereas, A hearing is to be held on said application on May 1, 1929,

Ordered, That the City Council of Boston requests his Honor the Mayor to originate an appropriation for the employment of a utility expert to represent the City of Boston and the citizens of Boston at said hearing or any future hearings in opposition to the proposed service chart.

Coun. MURPHY—Mr. President, my reason for introducing that order is this. The Boston Consolidated Gas Company has petitioned the Department of Public Utilities for a 50-cent increase in gas rates, to be known as a 50-cent service charge. There are 287,300 customers taking gas from the Boston Consolidated Gas Company. Out of that we have 203,000 who are customers residing within the limits of the City of Boston. If this company is granted by the Department of Public Utilities an increase of 50 cents, it will mean an increase in the bills of the customers in the City of Boston of \$1,206,660. It seems, Mr. President, that the utility companies of Boston are running wild in placing the burden of the expense of running their corporations on the backs of the working people. Some time ago the Boston Consolidated Gas Company applied, as I understand, for a service charge of \$1.25; later on they applied for \$1, and later on for 75 cents. They are now applying for 50 cents. I see no good reason why the Boston Consolidated Gas Company should be granted this increase, which is to be added to the gas bills of the people. Some time ago there was a hearing on the petition of the Dedham and Hyde Park Gas Company, which made a similar request of the Department of Public Utilities for a 50-cent service charge. The 50-cent service charge was granted, and the customers of the company in my ward, Hyde Park, were not notified of the hearing. I understand, Mr. President, that the Public Utilities Commission are not required under the law to notify the people. They did, however, notify the people residing in Dedham, representing a very small minority of the customers. After the people of Hyde Park were confronted with an increase in their gas bills, they immediately petitioned the Department of Public Utilities for another hearing in order to present their side of the case. That hearing was held about a month ago, and in my contact at the time with the attorney for the Dedham and Hyde Park Gas Company I asked him some questions. I first asked him if the company was going through a financial crisis, and he answered, "Yes," stating that the period of that crisis was three years. I said, "You found that it was absolutely necessary to apply to the Public Utilities Commission for an increase in order to save the corporation?" He answered, "Yes." I said, "During that three years of financial crisis, did you increase the salary of the president of your company \$1,000 a year?" He said, "Well, I am not acquainted"—I said, "Please answer the question. You are the attorney of the gas company." Finally I got from him an answer to the question, "Yes." I followed that up by saying, "Did you increase the salary of the treasurer of the Dedham and Hyde Park Company \$1,000?" And his answer was, "Yes." "During that period what dividends did you pay to the stockholders of the gas company?" He said, "Ten per cent." And I rested my case with the Department of Public Utilities on those three questions. These exorbitant salaries, Mr. President, paid to these officers of the several companies, are coming from the

pockets of the working people and I, as one who stands for a living wage for the workers, am absolutely opposed to these fabulous sums being paid out to the heads of these companies. I believe his Honor the Mayor will be doing justice to the people of Boston if he employs not a lawyer, but a public utilities expert, to fight the case of the people and stop this 50-cent service charge from going into effect.

Coun. WILSON—Mr. President, I heartily indorse what Coun. Murphy of Hyde Park has said, and especially that part of his remarks concerning the need of having an expert to represent the city before the Department of Public Utilities, at the State House, because I have in mind certain figures I have endeavored to get in the last few years in reference to the manner and method by which the Edison Electric Illuminating Company's rates were fixed, and what proportion of the electric light charge was allocated to the poles on the streets. I know I was amazed to find, or at least to be told, that neither the Edison Company officials nor the Department of Public Utilities were able to give any facts, figures or explanation as to how they finally reached the compromise rate they did reach five or six years ago. So I say, if there is to be a hearing on gas rates, let us not follow the preposterous plan followed in connection with the electric light rates. Let us at least know after the hearings are over how they reached their conclusions, how they arrived at the facts, and if they were fair figures after they were reached.

The order was passed under suspension of the rule.

#### PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds, from February 18 to March 16, piece work, from March 16 to March 31, regular employees, amounting to \$8,491.34, was received and approved.

#### REINSTATEMENT OF JAMES J. KEIRNAN.

Coun. FISH offered the following:

Resolved, That the City Council hereby favors the enactment of legislation authorizing the City of Boston to reinstate James S. Kiernan as clerk in the office of the Overseers of Public Welfare in said city.

Referred to the Executive Committee.

#### ACCEPTANCE OF FLAVIA 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 Flavia street, Ward 16.

Passed under suspension of the rule.

#### 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.

#### ANNUITY TO WIDOW OF JOHN J. FITZGERALD.

Coun. DOWD offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of John J. Fitzgerald, a member of the Police 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 Police Department, Pensions and Annuities.

Referred to the Executive Committee.

CONDITION OF ELEVATED STRUCTURE.

Coun. GREEN offered the following:

Ordered, That the trustees of the Boston Elevated Railway Company be requested, through his Honor the Mayor, to inform the City Council as to the truth of the report that a rail has been sprung at the corner of Pleasant and Main streets, Charlestown, causing the Elevated structure at this point to drop 4 inches, and also to advise the City Council as to the condition of the structure at the present time between Sullivan and City squares.

Passed under suspension of the rule.

POLICE OFFICER AT CHARLESTOWN HEIGHTS.

Coun. GREEN offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to assign a police officer to Charlestown Heights, both day and night, for the safety and protection of the children of the district.

Passed under suspension of the rule.

BUILDING ON CHARLESTOWN HEIGHTS.

Coun. GREEN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to include in their program for this year the work of remodeling the building on Charlestown Heights and the installation of shower baths therein for use during the entire year.

Passed under suspension of the rule.

ADDITIONAL BENCHES FOR FRANKLIN PARK.

Coun. BUSH offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to furnish additional benches for Franklin Park.

Coun. BUSH—Mr. President, there have been numerous complaints made to me in reference to the scarcity of benches at Franklin Park, by mothers who go there with the children and cannot find places to sit down. That section has tremendously increased in population in the last year or two. Large apartment houses have gone up, there being something like 500 or 600 apartments opposite the park and in the immediate vicinity. The result is a great increase in the population, and mothers taking children out for a stroll are unable to find places to sit down in the park. Some provision ought to be made for an increase in the number of benches there.

The order was passed under suspension of the rule.

PLANTING OF TREES ON POND VIEW AVENUE.

Coun. MURRAY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to plant trees on Pond View avenue, Ward 19.

Passed under suspension of the rule.

ROPING OFF UNION PARK STREET.

Coun. DOWD offered the following:

Ordered, That the City Messenger be, and he hereby is, authorized to rope off Union Park street, between two thirty and four thirty post meridian on April 13 for the cross country run of the Cathedral Club, the expense to be charged to the appropriation for City Council, Flags, Ropes and Stakes.

Passed under suspension of the rule.

SIDEWALK ON REEDSDALE STREET.

Coun. DOWLING submitted the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Reedsdale street, from Commonwealth avenue to Brighton 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, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

SALARY OF ASSISTANT CITY CLERK.

Coun. ARNOLD offered the following:

An Ordinance Concerning the Salary of the Assistant City Clerk.

Be it ordained by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the assistant city clerk by inserting after the words "assistant city clerk" the words "not more than" so as to read as follows: "The assistant city clerk, not more than fifty-five hundred dollars."

Referred to the Committee on Ordinances.

SIDEWALK ON SANFORD STREET.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Sanford street, between Washington street and Cedar street, both sides, 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.

COMPLETION OF WORK ON MORTON STREET EXTENSION.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be, and he hereby is, requested at once to proceed with completion of street work on the so-called Morton street extension, between Druid and Washington street, Dorchester, particularly in view of the fact that under date of December 27, 1928, the City Council has been advised that money for such work is on hand and available.

Coun. WILSON—Mr. President, I would like merely to say for the purpose of the record, in reference to the particular order concerning the Morton street extension job in Dorchester, which has now been hanging fire for about five years, in spite of the fact that the Legislature long ago authorized the loan for the construction, that last December I received a petition signed by scores, if not hundreds of people in the district, protesting against the present condition of Morton street, from Oakridge street to Sanford street, also Morton street extension and the lot left vacant at the southerly corner of Washington and Sanford streets. These petitions stated that the above mentioned thoroughfares were extremely dangerous to pedestrians, especially so as automobiles were traversing what were supposed to be sidewalks. Those petitioners trusted that the city would act quickly in remedying these conditions. It was in response to those petitions that I filed an order in the City Council last December asking whether or not the city had money available to complete this work. We were advised that the money was available. That being so, I again urge at this time that the work be completed, particularly on the Washington street end, where the work has been left by the Department of Public Works without any definite line between the part of the street that is supposed to be occupied by the sidewalk and that part of the street along which there is supposed to be vehicular traffic. So I trust that the work will be completed, Mr. President, and not left in its present uncompleted state.

The order was passed under suspension of the rule.

INFORMATION FROM PUBLIC WORKS  
DEPARTMENT.

Coun WILSON offered the following:

Ordered, That the Public Works Department, through his Honor the Mayor, advise the City Council forthwith:

1. Is the customary provision that "citizen labor must be employed if available" still included in contracts let out by the City of Boston for sewer and street construction?

2. What are the names and addresses of all individuals or firms now holding contracts from the City of Boston for sewer or street work, and covering work on what streets?

3. On each job now in process, what number of laborers are employed by each contractor and how many of such laborers on each job are aliens? Referred to the Executive Committee.

INFORMATION FROM MUNICIPAL  
EMPLOYMENT BUREAU.

Coun. WILSON offered the following:

Ordered, That the Municipal Employment Bureau, through his Honor the Mayor, advise the City Council forthwith the number of unemployed men now registered with the Employment Bureau as eligible for and desiring work as laborers.

Coun. WILSON—Mr. President, with reference to these two orders, I was interested to read in the Boston *Transcript*, on March 4, about Martin T. Joyce, the legislative agent of the American Federation of Labor, appearing with other representatives at the State House apparently in support of a bill presented by Senator Kincaide of Quincy, that cities and towns be authorized to appropriate and borrow money from reserve funds for the purpose of employing citizens on public works in times of business depression. It was pointed out by the labor representatives that there are probably, at a conservative estimate, at least half a million idle citizens in the Commonwealth of Massachusetts at the present time. I have every sympathy with that sort of a bill, but in reading the newspaper reports it occurred to me that the passage of such bills, as far as the City of Boston is concerned, would be of little assistance unless the Public Works Department insist on the provisions that have in the past been supposed to be contained in every contract,—namely, that citizen labor shall be employed if available. That joker, I understand, appears in every street contract, and in February of 1928 the members of this Council will probably remember the discussion we had. As I remember it, Coun. McMahon at the meeting of February 27, 1928, produced a letter from the division engineer of the Sewer Division of the Public Works Department, in which certain facts were clearly brought out in regard to the labor that was being employed on contract jobs. For instance, on a job on Centre street there were fifteen men employed, of whom nine were aliens; on the Southern Artery thirteen were employed, of whom ten were aliens; on River street twenty were employed, of whom nine were aliens; on Auckland street twenty-eight, of whom fifteen were aliens,—and so on. If you will refer to the minutes of February 27, 1928, you will find that statement. For that reason I have presented these two orders at this time. The first is intended to ascertain from the Public Works Department whether that provision that citizens must be employed by contractors if citizens are available is still in the city contract; the second, to find out the names and addresses of the contractors now doing street work; and third, to find out whether there is proper supervision of the contracts, whether they are being followed up or not to see whether their provisions are being observed. It is very easy to see, of course, how important it may be to contractors not to have these provisions observed, because if they hire aliens, instead of their having to pay a white man's wage, 65 cents an hour or better, with lax supervision, they can hire aliens, men who cannot speak the language, at 45 cents an hour. And, if they can do it, of course they are going to do it. The second order is addressed to the Municipal Employment Bureau, with its present hazy and fluctuating system, to find out from them if they are still functioning, how many city laborers are registered with the bureau as eligible for and desiring work as laborers. I shall

insist on an answer to both of these orders. It seems to me if the Municipal Employment Bureau is still on the job, with scores or hundreds of citizens out of work on its list, the contractors should be held up to the contract provisions, and those men should be given employment. Under the first order, the Commissioner of Public Works should give the desired information; under the second order the information desired should be furnished by the Municipal Employment Bureau.

The order was passed under suspension of the rule.

RECESS.

The Council voted at 2.39 p. m., on motion of Coun. MOTLEY, to take a recess subject to the call of the chairman. The members reassembled in the Council Chamber and were called to order by President DONOVAN at 4.57 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.:

Julia A. Reily, Tileston School Hall, April 2; Lilla Frances Viles, Current Events Club House, April 27—that permits be granted.

Report accepted; said permits granted under usual conditions.

2. Report recommending that licenses be granted on the following petitions of the Boston Elevated Railway Company to run jitneys (referred today):

Between Cleary square and Mattapan square. Between Wolcott square and Cleary square.

Report accepted; licenses granted on usual conditions.

3. Report on message from Mayor and order (referred today) that chapter 104 of the Acts of 1929, entitled "An Act relative to the erection and maintenance of a health department building within the limits of the Back Bay Fens in the city of Boston" be hereby accepted—that said order ought to pass.

Report accepted; said order passed.

4. Report on order (referred today) that the Public Works Department advise the City Council through the Mayor (1) whether the provision that citizen labor must be employed if available is still included in contracts let out by the city for sewer and street construction; (2) the names and addresses of all individuals or firms now holding contracts from the city for sewer or street work, and covering work on what streets; and (3) what number of laborers are employed on each job now in process by each contractor, and how many of such laborers on each job are aliens—that the same ought to pass.

Report accepted; said order passed.

5. Report on resolution (referred today) that the City Council hereby favors the enactment of legislation authorizing the City of Boston to reinstate John S. Kiernan as clerk in the office of the Overseers of Public Welfare in said city—that the same ought to pass.

Report accepted; said resolution passed.

6. Report on preambles and orders (submitted by the Mayor and referred March 11) that the Corporation Counsel, in the name and behalf of the City Council, apply to the Department of Public Utilities for its decision upon the necessity for alterations in the Albany Street Bridge and in the Shawmut Avenue Bridge over the tracks of the Boston & Albany Railroad—that the same ought to pass.

Report accepted; said preambles and orders passed.

7. Report on County Budget for 1929 (submitted by the Mayor March 11) recommending reference to the Committee on Appropriations.

Report accepted; said reference ordered.

8. Report that the following two orders (submitted by the Mayor and referred March 25) ought to pass.

Ordered, That the sum of \$5,000 be, and the same hereby is, appropriated to be expended by



the Commercial, Industrial and Publicity Bureau, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund, when made.

Ordered: That a sum not in excess of \$10,000 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.

The report was accepted and the question came on the passage of the orders.

Coun. DOWLING—Mr. President, I don't want to make any extended remarks, but I do desire to be recorded as opposed to the passage of both orders.

Coun. WILSON—Mr. President, I ask that the orders be acted upon separately. In my opinion there is absolutely no valid reason why members of the City Council should refuse to wait for one week until we can obtain some further information in regard to the Commercial, Industrial and Publicity Bureau, if I have got it all in, whatever that means,—it is over my head. If we wait until a week from today in regard to that matter, we can perhaps hear from some source what they do with the money, and what their multifarious duties are. I would therefore propose that the two orders be read and acted upon separately, and that the order for \$5,000 for that bureau be laid on the table for one week.

Coun. Wilson's motion was declared lost.

Coun. WILSON doubted the vote and a rising vote was taken, and the order appropriating \$5,000 for the Commercial, Industrial and Publicity Bureau was assigned to the next meeting, by a vote of 10 to 9.

The question then came on the passage of the order appropriating \$10,000 for the Municipal Employment Bureau.

The order was passed, yeas 17; nays—Coun. Bush, Dowling, McMahon—3.

9. Report on order (submitted by the Mayor and referred February 18) for a loan of \$180,000 to be expended by the trustees of the Boston City Hospital for hospital buildings, plans, etc.—that the same ought not to pass.

Coun. BUSH—Mr. President, it seems to have developed from the debate in the Executive Committee that this is a loan order for a sum of money to be voted for architects' fees for work which is not to be done for a period of years. On the principle of the thing I am opposed to paying such a sum as that for architects' fees for plans and supervision of work which in all likelihood will not be started for some little period of time.

The report was accepted, and the order was rejected, the vote on its passage being yeas 8, nays 12:

Yeas—Coun. Arnold, Donovan, Fish, Fitzgerald, Gallagher, Green, Keene, Murray—8.

Nays—Coun. Bush, Dowling, Lynch, Mahoney, McMahon, Motley, Murphy, Parkman, Ruby, Sullivan, Ward, Wilson—12.

SALARIES OF SUFFOLK COUNTY JAIL CHAPLAINS.

Coun. FITZGERALD offered the following:

Ordered: That his Honor the Mayor be requested to take up with the Sheriff of Suffolk County the advisability of increasing the salaries of the chaplains assigned to the Suffolk County Jail.

Passed under suspension of the rule.

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 March, 1929.

Report accepted; said order passed.

KIRSTEIN MEMORIAL LIBRARY.

On motion of Coun. BUSH, the Council took up, under unfinished business, No. 4 on the calendar, viz.:

4. 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.

On March 11, 1929, 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.

BUILDING ON JOHN H. DOHERTY PLAYGROUND.

On motion of Coun. FISH, the Council took up under unfinished business No. 3 on the calendar, viz.:

3. 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 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.

On March 11, 1929, the foregoing order was read once and passed, yeas 16, nays 2.

The order was given its second and final reading and passage, yeas 18, nays—Coun. Dowling, Parkman—2.

CONFIRMATION OF APPOINTMENTS.

On motion of Coun. MURRAY the Council took up under unfinished business No. 2 on the calendar, viz.:

2. Action on appointment submitted by the Mayor March 11, 1929, of Henry J. Gilmore and Augustus Seaver, to be Constables.

The question came on confirmation.

Coun. DOWLING—Mr. President, I ask for a division of the question No. 2, that we ballot on the two names separately.

Coun. MURRAY—And I would ask, Mr. President, to have the name of Mr. Seaver taken up first.

President DONOVAN—The request is hardly in order. The Chair would rule that the name of Mr. Gilmore will be taken up first.

The question came on confirmation of the appointment of Henry J. Gilmore to be a constable. Committee, Coun. Green and Keene. Whole number of ballots 16; yeas 14, nays 2, and the appointment was confirmed.

President DONOVAN—The question now comes on the appointment of Augustus Seaver as constable, and the Chair will appoint Coun. Mahoney and Dowling to receive, sort and count ballots.

Coun. DOWLING—Mr. President, I desire to speak against the appointment of Mr. Seaver.

President DONOVAN—The gentleman is in order. He may proceed.

Coun. DOWLING—Mr. President, Augustus Seaver came into the employ of the city with the beginning of this administration. Previous to that time, I believe, he had no official connection with the city employ. He was assigned to one of the most important social jobs that this administration had to give, being placed in charge of the Municipal Employment Bureau, which spends \$10,000, \$15,000, possibly \$25,000 a year. The work of that Employment Bureau is to deal considerably, kindly and humanely, and intelligently, with men and women who find themselves unable to get work. His conduct of the office while he was rated as in charge of the Employment Bureau was anything but what I have described. I cannot understand a single reason now why Mr. Seaver should be rewarded with a \$1,500 gratuity, or, worse than that, a \$1,500 annuity, by having his name placed on the list of constables of the city, being assigned to regular employment in the Street Laying-Out Department. I can see no reason for it at all. I know, you know, Mr. President, and every member of this Council knows, that there are more constables employed in the Street Laying-Out Department today than there is work to do. If Mr. Seaver could be visualized as I visualize some of the men in my district every day, if he had been a service man and had come home with one arm, or had been an enlisted man in the service, or had ever contributed one thing to the city, the state or the country, I could imagine myself voting for him in connection with a job that paid \$1,500 a year salary. But that is not the case, Mr. President. Now, in the first place, his services are not necessary. There is no reason in the world why this city should support him. His work while in charge of the Employment Bureau did not redound to his credit at all, but gave him a black eye; and, while there are thousands of men in my district who would like a \$1,500 job so that they might support a wife and two or three little kiddies, I am not in favor of giving a job of that kind to Mr. Seaver, who has done nothing whatever for the city. I was chairman of the Draft Board in my district during the war and I sent 2,000 young men into military service. They went willingly and gladly, and did their duty, and a number of them spilled their blood on Flanders Field. Some of them every day are asking me for a job like this, and I would not dare look them in the face tomorrow morning, after telling them I can do nothing for them here, with the record of voting that Mr. Seaver have this job, a man who has performed no such service. I cannot see how men in this Council, thirteen or fourteen of us former service men—some in the war of thirty years ago and some in that of twelve years ago—can vote to give such a nonentity as Seaver is a \$1,500 job, and pass over the men in our districts with whom we have been associated, men who have served as soldiers, who have done something for their city, their state and their country, and who, with their wives and children, are just as hungry as Seaver ever can be—and he is certainly not hungry, judging from his appearance. He has been living on the fat of the land. I am in favor, Mr. President, of giving jobs to men who have rendered military service, who have rendered some sort of service to their state or country; and I certainly hope that the members of this Council who have so frequently expressed their opinions against the conduct of Mr. Seaver in the Employment Bureau will not now heap coals of fire on his head by taking action which will result in his remaining in this position the rest of his life, because that will be what the appointment will amount to. If Mr. Seaver had some of the qualifications that would warrant it, I might consider them. But I believe he has not, and we do not even know for certain what the salary is to be. You do not even know today whether Mr. Seaver, in going into the Street Laying-Out Department, may not receive the salary that he has been receiving as superintendent of the Employment Bureau. Down there he got \$2,500 a year, \$50 a week. You do not even know but what today it is proposed that he shall go into the Street Commissioners' office at \$2,500 a year, while other constables are receiving but \$1,500.

And so, Mr. President, until his Honor the Mayor gives us some more information as to the necessity for employing Mr. Seaver's services in this capacity, and what the salary is to be, I shall not vote for him, and I hope that the Council will have the manhood to vote against the confirmation of Augustus Seaver as constable at this time.

The question came on the confirmation of the appointment of Augustus Seaver to be a constable. Committee, Coun. Mahoney and Dowling. The committee proceeded to collect and count the ballots, and before the announcement of the result Coun. DOWLING said:

Mr. President, we have found the ballots somewhat as we sometimes find them in Democratic elections. We find more ballots here than there are councilors present. I ask, Mr. President, that another vote be taken and that the members of the Council give a little intelligent thought to settling questions that properly come before them. There are twenty-three ballots here.

President DONOVAN—The Chair heartily coincides with Coun. Dowling and asks the members to preserve proper decorum, and to cast only one vote and not two or three. The Chair will ask Coun. Mahoney and Dowling to collect the ballots.

The committee proceeded to again collect the ballots.

Coun. MURPHY—Mr. President.

President DONOVAN—For what purpose does the gentleman rise?

Coun. MURPHY—Mr. President, I rise to disagree with Coun. Dowling. I do not agree with him that this is the same as a Democratic election. (Laughter.)

The committee completed the duty assigned, and reported as follows: Whole number of ballots 18; yeas 12, nays 6, and the appointment of Augustus Seaver to be a constable was confirmed.

President DONOVAN called up under unfinished business No. 1 on the calendar, viz.:

1. Action on appointment submitted by the Mayor March 11, 1929, of Thomas Butts, to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Motley and Fish. Whole number of ballots 18; yeas 18, and the appointment was confirmed.

#### REPAVING OF LOGAN STREET.

Coun. WARD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Logan street, Ward 9.

Passed under suspension of the rule.

#### PROPOSED ACCEPTANCE OF WASHINGTON PLACE.

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 Washington place, Ward 9.

Passed under suspension of the rules.

#### DEATH OF MARSHAL FOCH.

Coun. WARD offered the following:

Resolved, That the Boston City Council is grieved at the death of Marshal Foch, generalissimo of the allied armies in the World War, and that it pays its tribute to his memory by standing in silent prayer.

Passed under suspension of the rule, and the members of the Council stood for a minute in silent prayer.

#### ACCEPTANCE OF PERCIVAL STREET.

Coun. McMAHON 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 Percival street, from Fox street to Ronan Park, Ward 15.

Passed under suspension of the rule.

## REPAVING OF WARD 15 STREETS.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving the following streets in Ward 15:

Charles street, Topliff street, Draper street, Olney street, Bellevue street, Homes avenue, from Juliette street to Adams street.

Passed under suspension of the rule.

## SPECIAL COMMITTEE ON HOSPITALS.

Coun. McMAHON offered the following:

Ordered, That the President of the Boston City Council appoint a committee of five members, to be called the "Special Committee on Hospitals."

Referred to the Committee on Rules.

## SIDEWALK ON FLORENCE STREET.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Florence street, both sides, 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 1927.  
Passed under suspension of the rule.

## ACCEPTANCE OF WARD 18 STREETS.

Coun. MURPHY offered the following orders:

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

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway, Cook terrace, Ward 18.

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

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and construct as a public highway, Groveland street, Ward 18.

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

The orders were severally passed under suspension of the rule.

Adjourned, on motion of Coun. DOWLING, at 5.25 p. m., to meet on Monday, April 1, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, April 1, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Fitzgerald and Parkman.

## JURORS DRAWN.

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

Sixteen additional traverse jurors, Superior Criminal Court, First Session, to appear April 8, 1929:

James J. Elwell, Ward 1; William P. Gebow, Ward 4; George W. Goddard, Ward 5; James F. Carleton, Ward 6; Clarence Hanf, Ward 6; Irving T. Havender, Ward 6; Frank E. Horton, Ward 7; Coleman E. Clougherty, Ward 13; Israel Stone, Ward 14; Percy Kearney, Ward 16; Charles S. Linnehan, Ward 16; Richard K. Grayson, Ward 18; Harold E. W. Stuart, Ward 18; Newman A. Horton, Ward 20; Thomas Jackson, Ward 20; Jacob Baer, Ward 21.

Thirty-two traverse jurors, Superior Criminal Court, First Session, to appear May 6, 1929:

Thomas M. Coleman, Ward 1; Peter La Court, Ward 1; George L. Allen, Ward 2; William J. Crimlisk, Ward 2; James Nelville, Ward 4; James William Rodgers, Ward 4; Frank Welzig, Ward 4; Joseph S. Fitzpatrick, Ward 6; John T. Spillane, Ward 6; William F. Batts, Ward 7; Thomas S. Husher, Ward 8; Peter Powers, Ward 8; Joseph D. Doran, Ward 9; William Myers, Ward 10; Joseph A. Dick, Ward 11; Clarence E. Somerville, Ward 12; William A. Howsberger, Ward 11; Alexander L. Davis, Ward 14; Patrick M. Mooney, Ward 15; Alexander M. Donaldson, Ward 16; Mathew Fallon, Jr., Ward 16; Thomas F. Meleedy, Ward 16; Harry E. Rambeau, Ward 16; John Birmingham, Ward 17; James P. Brown, Ward 17; Charles H. Lewis, Ward 17; Charles J. MacBride, Ward 18; Leslie H. Henry, Ward 19; Louis Ehrets, Ward 20; Axel H. Johnson, Ward 21; John F. Shaw, Ward 21; Francis J. N. Joyce, Ward 22.

Seventeen traverse jurors, Superior Criminal Court, Second Session, to appear May 13, 1929:

Edward J. Doyle, Ward 1; Harold W. Murphy, Ward 3; William F. Kelleher, Ward 4; John Lavelle, Ward 6; James A. Ryan, Ward 6; Henry J. Daly, Ward 7; Timothy J. Donovan, Ward 8; John Good, Ward 11; John Hale, Ward 11; William Schneider, Ward 11; Harry Simons, Ward 12; John E. Barry, Ward 16; John E. Jacobsen, Ward 18; Harry E. Nilson, Ward 18; John P. Paige, Ward 18; Oswald W. Stewart, Ward 18; William P. Cleary, Ward 22.

Thirty-two traverse jurors, Superior Criminal Court, Fourth Session, to appear May 6, 1929:

William E. Barnes, Ward 1; James Douglas Callahan, Ward 1; Michael J. Christopher, Ward 1; John J. Feeney, Ward 3; Thomas L. Leonard, Ward 4; Otis E. Little, Ward 5; Edward J. McCabe, Ward 7; John F. Sullivan, Ward 7; John Cormier, Ward 9; Hugo R. Dollman, Ward 9; Edward Green, Ward 9; David Frazer, Ward 8; Frank Krotman, Ward 9; Frank C. Dolan, Ward 10; Owen McNicholas, Ward 10; Thomas F. Walsh, Ward 10; John W. Connor, Ward 13; William J. Leaver, Ward 13; Arthur Rosenberg, Ward 14; Joseph P. McCarthy, Ward 15; Edmond L. Sweeney, Ward 15; Leo F. Galvin, Ward 16; George W. Killion, Ward 16; Bartholomew F. Lee, Ward 18; William C. McKenna, Ward 18; Will R. Davis, Ward 19; August Sander, Ward 19; Frederic A. Winchester, Ward 19; Harry A. Smith, Ward 20; Roy A. Sutherland, Ward 21; William M. Eagan, Ward 22; John H. Schroeder, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, First Session, April Sitting, to appear May 6, 1929.

James R. Nolan, Ward 1; Hugh Visto, Ward 1; John Harrington, Ward 2; John Harty, Ward 2; George F. Hunter, Ward 2; John McNelly, Ward 2; John L. Kammerer, Ward 4; William N. Marion, Ward 4; Patrick F. McGrath, Ward 7; Ernest W. Piscopo, Ward 8; William Wood, Ward 8; Francis H. Dolan, Ward 10; Bernard A. Fay, Ward 11; Rollin H. Richardson, Ward 12; John S. Casey, Ward 13; George F. Holthaus, Ward 13; John E. Smith, Ward 13; Patrick H. Shea, Ward 15; Bernard J. Brewin, Ward 16; Fred W. Doyle, Ward 16; Morton Bumstead, Ward 16; Harry H. O'Malley, Ward 19; Alexander W. Clark, Ward 20; Frank Spang, Ward 20; Benjamin E. Van Ness, Ward 20; Walter G. Dennison, Ward 22; John S. McPherson, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Second Session, April Sitting, to appear May 6, 1929:

Edward W. Quirk, Ward 1; Joseph A. Pieroni, Ward 2; Matthew P. Shea, Ward 2; Patrick F. Hastings, Ward 3; Chandler H. Pratt, Ward 4; Albert D. Baldwin, Ward 4; Albert W. White, Ward 4; Robert F. Blake, Ward 5; William Brooks Hazelton, Ward 5; Patrick T. Hackett, Ward 6; Patrick Kenneally, Ward 6; Charles J. Scanlon, Ward 6; Daniel P. Shea, Ward 6; Peter Gill, Ward 8; Matthew J. Wasielewsky, Ward 8; Harvey H. Whitney, Ward 8; Maurice F. Finn, Ward 10; Donald Gillis, Ward 10; Thomas A. Howe, Ward 13; John Lane, Ward 13; Neil J. McGaffigan, Ward 13; John C. Hardy, Ward 14; John J. Ryan, Ward 15; Frank W. McGrady, Ward 16; Robert E. Forsyth, Ward 18; John A. Samson, Ward 18; Carroll N. Wheeler, Ward 19; Benjamin E. Grant, Ward 20.

Twenty-eight traverse jurors, Superior Civil Court, Third Session, April Sitting, to appear May 6, 1929:

Thomas J. McGrane, Ward 1; John J. Bergen, Jr., Ward 2; Nicholas Scaremelle, Ward 3; George F. Hopkins, Ward 5; Henry S. Howes, Ward 5; Patrick F. Farmer, Ward 6; Allen Smith, Ward 7; Henry J. Gillen, Ward 8; John P. Lynch, Ward 8; Frederick O. Smith, Ward 9; William A. Fitzgerald, Ward 11; Horace M. Gilson, Ward 11; George Henry Johnson, Ward 11; James A. Molloy, Ward 11; William S. Rumrill, Ward 12; Isaac Alkon, Ward 14; Harry Studley, Ward 14; Joseph M. Walsh, Ward 15; William F. Morrell, Ward 16; William Nedvins, Ward 16; Frederick Sogstad, Ward 16; Edward P. Ternan, Ward 16; Richard T. Wall, Ward 16; George T. Kelly, Ward 17; James Duncan Milne, Ward 18; Pearley H. Riddle, Ward 18; Alexander Dick, Ward 19; Francis P. Hilman, Ward 20.

Twenty-six traverse jurors, Superior Civil Court, Fourth Session, April Sitting, to appear May 6, 1929:

William Callagher, Ward 1; James R. Kruger, Ward 1; Hyman D. Miller, Ward 1; Charles O'Rourke, Ward 1; Thomas C. Paterson, Ward 1; John E. Smith, Ward 1; James J. Barry, Ward 2; James J. Halpin, Ward 2; Laurence K. Magee, Ward 2; Martin C. Tallent, Ward 2; Joseph Hana, Ward 3; James A. McCoull, Ward 3; Nathan J. Sullivan, Ward 3; Everett J. Johnson, Ward 5; William H. Duffy, Ward 8; William J. Dwyer, Ward 8; Joseph H. L. Brehm, Ward 9; Martin Hennessey, Ward 9; Frederick B. Munro, Ward 10; Arthur O'Brien, Ward 11; William F. Cullen, Ward 12; Israel Weinberg, Ward 12; George L. Goodwin, Ward 14; Paul F. Ochs, Ward 15; Irving S. Elliott, Ward 17; Judson O. Rogers, Ward 20.

Twenty-six traverse jurors, Superior Civil Court, Fifth Session, April Sitting, to appear May 6, 1929:

Edward F. Flynn, Ward 4; Charles Pease, Ward 4; Arthur Cassie, Ward 5; Frank L. Young, Ward 5; James F. Buckley, Ward 6; Patrick J. Wallace, Ward 6; Cornelius Collins, Ward 7; Thomas E. Gerah, Ward 7; Patrick F. McAuliffe, Ward 7; John F. Montgomery, Ward 7; Elliott W. Oliver, Ward 8; Howard S. Black, Ward 9; Edward J. Collins, Ward 11; John J. Corcoran, Ward 11; Joseph I. Sawyer, Ward 11; Edmund C. Spillane, Ward 12; George A. Gallagher, Ward 13; Patrick Shields, Ward 13; Charles I. Newell, Ward 14; Julius M. Power, Ward 15; Saul L. Rosenthal,

Ward 14; Patrick Phelan, Ward 16; Herbert W. Marshall, Ward 17; Thomas E. Leary, Ward 19; Charles J. Nichols, Ward 20; Louis Markus, Ward 21.

Twenty-seven traverse jurors, Superior Civil Court, Sixth Session, April Sitting, to appear May 6, 1929:

Robert F. Gallagher, Ward 1; Edward L. Mahan, Ward 2; David B. Saunders, Ward 4; George McCarthy, Ward 6; Paul O. Krauth, Ward 7; Joseph H. Lund, Ward 7; Paul W. Riemer, Ward 7; Herbert W. Bryant, Ward 8; LeRoy H. Pray, Ward 8; John F. Gavin, Ward 9; George F. L. White, Ward 9; Luke Kelley, Ward 11; Milton V. P. Weigold, Ward 11; Harry E. Brown, Ward 12; Frederick E. Bowes, Ward 13; James E. Connors, Ward 13; Morris B. Lamb, Ward 14; John P. McCoole, Ward 15; William J. Klock, Ward 18; Patrick Rooney, Ward 18; Harold Gadman, Ward 19; Allen H. Hackett, Ward 19; James T. Forgie, Ward 20; Albert W. Grant, Ward 20; Andrew Hamilton, Ward 20; Edward P. Condry, Ward 22; Eugene D. Libbey, Ward 22.

Twenty-eight traverse jurors, Superior Civil Court, Seventh Session, April Sitting, to appear May 6, 1929:

George A. Allavesen, Ward 1; Samuel Bowie, Ward 1; William F. J. Doherty, Ward 1; John L. McCarthy, Ward 1; Frank Murphy, Ward 3; John D. McLeod, Ward 4; Arthur W. Adams, Ward 5; James V. Drummey, Ward 6; George H. Perkins, Ward 6; Cornelius V. Dever, Ward 7; John J. Cronin, Ward 8; Edward J. McDonald, Ward 8; John W. Donovan, Ward 9; Henry S. Anderson, Ward 11; Robert J. Culbert, Ward 12;

William H. Metzger, Ward 13; J. Hector Gair, Ward 17; Wendell H. Fraser, Ward 18; Lambert W. Hatch, Ward 18; Joseph E. Hesson, Ward 18; Patrick J. Reynolds, Ward 19; James Aykroyd, Ward 20; Howard M. Fall, Ward 20; John J. Butler, Ward 21; Stillman R. Dunham, Ward 21; Owen B. Dwyer, Ward 22; Joseph H. Kelly, Ward 22; Albert A. Merrifield, Ward 22.

SEGREGATED BUDGET FOR PRINTING DEPARTMENT.

The following was received:

City of Boston,  
Office of the Mayor, April 1, 1929.  
To the City Council.

Gentlemen,—I submit herewith my segregated budget recommendations for the Printing Department for the fiscal year 1929. Delay on the part of the Civil Service Commission in rendering a decision relative to the rating and classification of certain employees of the department prevented the inclusion of these recommendations in the regular city budget.

The allowance recommended for this department totals \$465,867.53. This total represents a reduction of \$5,513.96 in the estimates as originally submitted and is \$13,542.71 less than the total of the budget recommendations made for this department in 1928.

I suggest that your honorable body consider the recommendations submitted herewith in conjunction with your deliberations on the budget recommendations already before you.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

GENERAL ITEMS.  
Printing Department.

A. Personal Service as per Schedule A.....		\$256,157 23
1. Permanent employees.....	\$245,957 23	
2. Temporary employees.....	8,000 00	
3. Unassigned.....	2,200 00	
B. Service Other than Personal.....		73,365 00
1. Printing and binding.....	\$49,000 00	
4. Transportation of persons.....	30 00	
5. Cartage and freight.....	75 00	
8. Light, heat and power.....	4,000 00	
10. Rent, taxes and water.....	15,250 00	
12. Bond and insurance premiums.....	800 00	
13. Communication.....	600 00	
14. Motor vehicle repairs and care.....	200 00	
18. Cleaning.....	1,000 00	
22. Medical.....	50 00	
28. Expert.....	350 00	
35. Fees, service of venires, etc.....	10 00	
39. General plant.....	2,000 00	
C. Equipment.....		7,930 00
2. Machinery.....	\$5,000 00	
3. Electrical.....	250 00	
4. Motor vehicles.....	250 00	
7. Furniture and fittings.....	200 00	
9. Office.....	200 00	
13. Tools and instruments.....	30 00	
17. General plant.....	2,000 00	
D. Supplies.....		2,870 00
1. Offices.....	\$20 00	
2. Food and ice.....	25 00	
5. Medical, surgical, laboratory.....	25 00	
8. Laundry, cleaning, toilet.....	175 00	
11. Motor vehicle.....	150 00	
13. Chemicals and disinfectants.....	75 00	
16. General plant.....	2,400 00	
E. Materials.....		57,315 00
9. Machinery.....	\$1,800 00	
10. Electrical.....	15 00	
13. General plant.....	55,500 00	
F. Special Items.....		1,230 30
7. Pensions and annuities.....	\$1,030 30	
11. Workingmen's compensation.....	200 00	
G. Miscellaneous.....		67,000 00
3. Stationery.....	\$30,000 00	
4. Postage.....	37,000 00	
		<u>\$465,867 53</u>

LOAN FOR HOSPITAL PLANS.

The following was received:

City of Boston,

Office of the Mayor, April 1, 1929.

To the City Council.

Gentlemen,—Under date of February 4 I sent you the following communication:

"Under the provisions of chapter 237 of the Acts of 1928, the trustees of the City Hospital are authorized to expend \$3,000,000 for the expansion of the hospital facilities of this institution. Because of the size of the project and the amount of money involved, it is desirable that a comprehensive program covering the entire work be prepared before the actual construction of any individual unit in the program is attempted. In the attached communication, the trustees recommend that an appropriation equivalent to 6 per cent of the total sum authorized be made available immediately for architect's fees in connection with the preparation of a comprehensive plan. This proposal is similar to the one made five years ago by the trustees when the work in connection with the first \$3,000,000 building program was undertaken. In the light of experience, I feel that the trustees' recommendation is a proper one and I accordingly submit herewith a loan order providing for the appropriation of \$180,000 to be expended for architect's fees. I respectfully recommend the adoption of this order by your honorable body."

The order accompanying this communication failed of passage. I hardly need remind you of the pressing need of additional facilities at the City Hospital. Plans for construction work, the need for which is obvious, should be in process now so that there may be no delay in adapting the facilities of the hospital to demands which are constantly increasing for the service it provides. I can conceive of no more grave neglect of official duty than failure on the part of the city to make necessary provision for the relief of its sick. There can be no doubt that delay, if allowed to continue, would subject the city to severe and merited criticism.

For this reason I again present an appropriation order in the sum of \$180,000 to be expended by the trustees of the Boston City Hospital for hospital buildings and plans, and for the same I urge your prompt and favorable action.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Ordered, that the sum of \$180,000 be, and the same hereby is, appropriated to be expended by the trustees of the Boston City Hospital for Hospital Buildings, Plans, etc., 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.

SALARY OF SUPERINTENDENT OF PUBLIC BUILDINGS.

The following was received:

City of Boston,

Office of the Mayor, April 1, 1929.

To the City Council.

Gentlemen,—I submit herewith an ordinance increasing the salary of the Superintendent of Public Buildings from \$4,500 to \$5,500 per year.

This ordinance is submitted in substitution of the ordinance recommended by me on March 25, 1929, relating to the salary of the Superintendent of Public Buildings, which ordinance is hereby withdrawn.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

In the Year Nineteen Hundred and Twenty-nine. An Ordinance Concerning the Salary of the Superintendent of Public Buildings.

Be it ordained by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the superintendent of public buildings by striking out the words "forty-five hundred" and inserting in place thereof the words "fifty-five hundred."

Referred to the Committee on Ordinances.

PETITIONS REFERRED.

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

Claims.

F. E. Callahan, for compensation for damage to property at 6 Greenwood circle, caused by ash truck.

Joe Ciccarelli, for compensation for loss of hat at City Hospital.

Agnes M. and Denis P. Clune, for compensation for damage to property at 490 Quincy street, caused by fire apparatus.

Columbus Avenue Auction Mart, for compensation for damage to car by fire apparatus.

Sarah Duffey, for compensation for injuries caused by alleged defect in City Hall.

Isabel M. Ferry, for compensation for injuries caused by an alleged defect in Brown avenue.

Lillian Gallagher, for compensation for injuries caused by an alleged defect in Mystic street.

Meyer Goldberg, for compensation for damage to automobile by city team.

Margaret M. Houghton, for compensation for injuries caused by an alleged defect in Buckingham street.

Arthur T. Lent, for compensation for damage to car caused by an alleged defect in Alexander street.

Benjamin Levy, for compensation for injuries caused by an alleged defect at Clifford street and Blue Hill avenue.

E. Curtis MacNutt, for compensation for damage to car caused by an alleged defect at 302 Beech street.

Raymond Miele, for compensation for injuries caused by an alleged defect caused by city truck.

Edward M. Milward, for compensation for injuries received on ferryboat.

Mrs. Elen Moriarty for compensation for injuries caused by an alleged defect in Seventh street.

Martin Petelski, for compensation for damage to automobile caused by city truck.

Raymond & Joe, for compensation for damages caused by city truck.

W. J. Spinney, for compensation for damage to property at 32 Faneuil Hall square, caused by flooding of cellar.

Jacob Springer, for compensation for broken plate glass window caused by fire apparatus.

Mrs. Margaret Sullo, for compensation for loss of false teeth at City Hospital.

Louis S. Turner, for compensation for damage to automobile caused by an alleged defect in Church street.

Committee on Jitney Licenses.

Petition of Eastern Massachusetts Street Railway Company to operate motor vehicles from the Boston-Milton line via Adams street, Washington street, River street and Central avenue to the Boston-Milton line.

Executive.

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

John C. Pennell, East Boston High School, April 5.

Margaret P. Banks, Tileston School Hall, April 2.

Ethel H. Forrest, Jordan Hall, May 17.

MINORS' LICENSES.

President DONOVAN submitted report recommending granting of minors' licenses to thirty-three newsboys and eleven vendors.

Approved under usual conditions by the Council and granted.

CONSTABLES' BONDS.

The constables' bonds of Arthur Glass and Thomas Fee, having been duly approved by the City Treasurer, were received and approved.

APPOINTMENT OF FIRST ASSISTANT  
ASSESSORS.

Notice was received from the Assessing Department of appointment of first assistant assessors at \$1,700 per annum, effective March 30, 1929, as follows:

George O. Wood, 504 Ashmont street, Dorchester.

Matthew J. Peters, 11 Beacon street, Boston.  
Placed on file.

APPOINTMENT OF SECOND ASSISTANT  
ASSESSOR.

Notice was received from the Assessing Department of appointment of second assistant assessor, at \$5 per diem, as follows:

Charles Duckering, 465 Washington street, Dorchester.

Placed on file.

CHAIRMAN OF ELECTION COMMISSION.

Notice was received from the Mayor of designation of Frank Seiberlich as chairman of the Board of Election Commissioners for one year from April, 1929.

Placed on file.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings to be held on petitions for storage and sale of gasolene, on April 15, viz.:

Gladys T. Besarick, 1336-1350 Washington street, Ward 3, 2,000 gallons.

John F. Coleman, Spectacle Island, 5,000,000 gallons.

William J. McDonald, 305 Congress street, Ward 3, 2,000 gallons.

N. M. Samya, 4873 Washington street, Ward 20, 2,000 gallons.

Referred to the Executive Committee.

APPOINTMENT OF JOHN E BOWEN.

The appointment by the Mayor of John E. Bowen, 543 Commercial street, Boston, as member of the Board of Zoning Adjustment, was received and placed on file.

ARC LIGHT AT SUMNER AND EAST  
COTTAGE STREETS.

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 at the corner of Sumner and East Cottage streets, Ward 13.

Passed under suspension of the rule.

SIDEWALK ON ADAMS STREET.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 236 Adams 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.

Passed under suspension of the rule.

SIDEWALK ON CENTRE STREET.

Coun. FISH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Nos. 153, 155 and 157 Centre street, Ward 16 in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

SIDEWALK ON WRENTHAM STREET.

Coun. FISH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Wrentham street, Bruce street to Adams street, both sides, 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.

ADDITIONAL COPIES OF DOCUMENT 46.

Coun. DOWLING offered the following:

Ordered, That the Superintendent of Printing be authorized to have printed and delivered to the City Messenger for public distribution one thousand additional copies of Document 46 of 1929, the amended city charter; the expense to be charged to the appropriation for City Documents.

Passed under suspension of the rule.

ROPING OFF STREETS APRIL 19.

Coun. MURRAY offered the following:

Ordered, That the City Messenger be authorized to rope off Centre street, Jamaica Plain, from Walden street to Westery street, on the occasion of the Michael J. O'Connell Post, American Legion, road race on April 19, 1929, the expense attending same to be charged to the appropriation for City Council, Flags, Ropes and Stakes.

Passed under suspension of the rule.

ACCEPTANCE OF CHAPTER 95.

Coun. GALLAGHER offered the following:

Ordered, That chapter 95 of the Acts of 1929, entitled "An Act Establishing the Office of Assistant Clerk for the Municipal Court of the Brighton District of the City of Boston" be, and the same hereby is, accepted.

Referred to the Executive Committee.

RESIGNATION OF COUNCILOR BUSH.

The following was received:

April 1, 1928.

To the Honorable the President of the City Council.  
Sir—I herewith tender my resignation as a member of the Jitney Committee, to take effect at once.

Respectfully,

HERMAN L. BUSH.

Coun. BUSH—Mr. President, I was unaware at the time when the President appointed the committees that my name had been placed in the list as a member of the Jitney Committee. In view of the fact that I am an attorney at law and have occasion at times to settle cases with the Boston Elevated, who are much interested in matters pending before the Jitney Committee, I think it inadvisable for me to act as a member of the Jitney Committee. I therefore ask that my resignation be accepted.

Coun. Bush's resignation from the Jitney Committee was accepted, and President DONOVAN appointed in his place Coun. Deveney.

Coun. WILSON—Mr. President, I rise to a question of personal privilege, that I am at present chairman of the Jitney Committee, that I have already served on that committee as a member of this Council, and that I am still a member of the bar. Although a member of the bar, Mr. President, I still believe that I retain the privilege of being able to serve on the Jitney Committee and treat the Elevated and the public fairly, and still retain the respect of the constituents who elected me to the body.

President DONOVAN—The Chair will simply say that he has appointed a fellow member, a lawyer, to take the place of Councilor Bush on the committee.



## ARC LIGHT ON CHELSEA STREET.

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 an arc light on Chelsea street, Charlestown, in front of number 2 gate of the Navy Yard.

Passed under suspension of the rule.

RESURFACING OF WASHINGTON STREET,  
DORCHESTER.

Coun. WILSON offered the following:

Ordered, That the Public Works Commissioner, through his Honor the Mayor, be, and he hereby is, respectfully requested to resurface Washington street, Dorchester, from Codman square to River street.

Coun. WILSON—Mr. President, with reference to that particular order, I will state that, in view of the introduction of bus lines beyond Codman street, the Elevated has stopped all elevated street car transfers beyond Codman square, in the Codman Hill section; that being so, the usual difficulty in having the Elevated and the Public Works Department work in conjunction is eliminated in this case. It seems to me, under all the circumstances, that now is the proper time to resurface that part of Washington street, as the Elevated no doubt are prepared to abandon the street car rails.

The order was passed under suspension of the rule.

## PLANS FOR TERCENTENARY.

Coun. WILSON offered the following:

Ordered, That the Director of Public Celebrations, through his Honor the Mayor, be, and he hereby is, respectfully requested to advise the City Council forthwith in detail the definite official plans, if any, now in effect for the proper and appropriate celebration of the 1930 Tercentenary Celebration of the Founding of the Massachusetts Bay Colony in 1630.

Coun. WILSON—Mr. Chairman, I trust that the name is right, not to mention the appropriation and the date. There has been a good deal of criticism in the papers recently concerning the state of the plans for this particular celebration. If correct, I read recently in one of the Boston papers that there is a bill before the Legislature involving the possibly doubtful procedure of borrowing money outside the debt limit to carry on this celebration. I don't know whether a dispute between the Legislature and the framer of the bill has caused delay, or whether it has also been delayed by the fact that unfortunately one administration is going out this year, which would naturally be expected to do the planning for next year, and Mr. Ward assures me definitely of the name of the next mayor, who is not yet in the saddle. So there is the possible question of plans being made by one administration and carried out by the next. In view of the situation that has arisen, I do feel that the City Council should at an early date be advised as to what definite plans, if any, are being made at the present time for this celebration.

The order was passed under suspension of the rule.

JITNEY PETITIONS REFERRED TO  
EXECUTIVE COMMITTEE.

Coun. WILSON—Mr. President, if there is no objection, I would ask that two pending petitions of the Eastern Massachusetts Street Railway Company, one filed October 15 of last year and one filed February 25 of this year, be taken from the Committee on Jitneys, if they are there, and, in accordance with Senator Ward's suggestion, sent to the Executive Committee.

[The petitions of the Eastern Massachusetts Street Railway Company, referred to by Coun. Wilson, are as follows:

That the company (petition referred February 25, 1929) be granted a license to operate jitneys between Ashmont Station and Granite Avenue Bridge.

That the company (petition referred October 15, 1928) be granted a license to operate jitneys between Ashmont Station and East Milton.]

The petitions referred to were taken from the Committee on Jitneys and referred to the Executive Committee.

## RECESS.

The Council voted, on motion of Coun. MAHONEY, at 2.54 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. KEENE, at 4.06 p. m.

## EXECUTIVE COMMITTEE REPORTS.

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

1. Report on order (referred March 11) that chapter 35 of the Acts of 1929, entitled "An Act authorizing the City of Boston and the Town of Milton to Reimburse Thomas Gordon for Money Paid by Him in Satisfaction of a Certain Execution," be, and the same hereby is, accepted—that the same ought to pass.

Report accepted; said order passed.

2. Report on order (referred March 11) that under the provisions of chapter 35 of the Acts of 1929 the sum of \$746.15 be allowed and paid to Thomas Gordon in reimbursement of the expense of an action brought against him on account of his acts as an employee of the Granite Bridge Commission—that the same ought to pass.

Report accepted; said order passed.

3. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, that permits be granted, under usual conditions, viz.:

John C. Pennell, East Boston High School, April 5.

Margaret P. Banks, Tileston School Hall, April 2.

Ethel H. Forrest, Jordan Hall, May 17.

Report accepted; said permits granted on the usual conditions.

4. Report on order (referred today) that chapter 95 of the Acts of 1929, entitled "An Act Establishing the Office of Assistant Clerk for the Municipal Court of the Brighton District for the City of Boston," be, and the same hereby is, accepted—that the same ought to pass.

Report accepted; said order passed.

5. Report on petition of Eastern Massachusetts Street Railway Company (referred October 15, 1928) for license to operate motor vehicles between Ashmont Station and East Milton—that petitioner have leave to withdraw.

Report accepted; petitioner given leave to withdraw.

6. Report on petition of Eastern Massachusetts Street Railway Company (referred February 25) for license to operate motor vehicles between Ashmont Station and Granite Avenue Bridge—that petitioner have leave to withdraw.

Report accepted; petitioner given leave to withdraw.

## REPORT OF COMMITTEE ON RULES.

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

1. Report on order (referred March 25) that the President of the Council appoint a committee of five members, to be called the Special Committee on Hospitals—that same ought to pass.

Report accepted; said order passed.

## FINANCE REPORTS.

Coun. MOTLEY, for the Committee on Finance, submitted reports as follows, viz.:

1. Report on message of Mayor and order (referred February 18) appropriating \$250,000 for airport improvements—that same ought to pass.

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

2. Report on order (referred March 25) for loan of \$30,000 for bleachers on McConnell Playground—that same ought to pass.

The report was accepted, and the order was given its first reading and passage, yeas 16, nays, Coun. Bush, Dowling, 2.

#### SIDEWALK ON SPRING PARK AVENUE.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Spring Park avenue, Centre street to Chestnut street (both sides), 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 ON HOLBROOK STREET.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Holbrook street, Centre street to Dane street (both sides), 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.

#### ROPING OF STREETS FOR MARATHON RACE.

Coun. KEENE, for 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, 1929, under the auspices of the Boston Athletic Association, the expense attendant thereto to be charged to the appropriation for City Council, Flags, Ropes and Stakes.

Passed under suspension of the rule.

#### REPAVING OF ELM HILL AVENUE.

Coun. BUSH offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to repave with smooth paving Elm Hill avenue, Ward 12.

Passed under suspension of the rule.

#### GARAGE FOR CITY TRUCKS.

Coun. GREEN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to consider the advisability of erecting a garage to replace the present wooden buildings now housing the trucks of the Sanitary, Street Cleaning and Sewer Divisions in Charlestown, which constitute a fire and health menace.

Passed under suspension of the rule.

#### ACCEPTANCE OF WARD 18 STREETS.

Coun. MURPHY offered the following:

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

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

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

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

The rule was suspended, and the question came on the passage of the orders.

Coun. MURPHY—Mr. President, the several orders I have introduced for the acceptance of streets are introduced because of the conditions prevailing in my ward. The people are continually reporting that they have to do without proper service of the Fire Department, without medical assistance, and that they have to get garage service to tow their cars in order to get them to their homes. The conditions prevailing in Ward 18 in this respect are absolutely deplorable and if his Honor the Mayor has any consideration for the people of Ward 18 there is no better way for him to show it than by having those streets accepted.

The orders were passed under suspension of the rule.

#### REPAVING OF HYDE PARK AVENUE.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Hyde Park avenue, Ward 18, with smooth paving.

Passed under suspension of the rule.

#### SIDEWALK ON CLEVELAND STREET.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Cleveland street, from River street to Brainerd street, Hyde Park, 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.

#### CONFIRMATION OF APPOINTMENTS.

Chairman KEENE called up under unfinished business, Nos. 1 and 2 on the calendar, viz.:

1. Action on appointments submitted by the Mayor March 25, 1929, of David Tobey, Jacob Bergson, Angelo Screnzi, and Frank J. Macchia to be Constables.

2. Action on appointment submitted by the Mayor March 25, 1929, of Patrick J. Kelley to be a Weigher of Goods.

The question came on confirmation of the appointments. Committee, Coun. Deveney and Green. Whole number of ballots 16, yeas 16, and the appointments were confirmed.

#### PAVING OF WARD 6 STREETS.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave M street, Ward 6, with smooth paving.

Passed under suspension of the rule.

Adjourned, on motion of Coun. WILSON, at 4.17 p. m., to meet on Monday, April 8, 1929, at 2 p. m.

## CITY OF BOSTON

## Proceedings of City Council.

Monday, April 8, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Parkman and Ward.

VETO OF LOCKER BUILDING, JOHN H. DOHERTY PLAYGROUND.

The following was received:

City of Boston,

Office of the Mayor, April 5, 1929.

To the City Council.

Gentlemen,—I return herewith, without my approval, your order in the sum of \$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.

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.

APPOINTMENT OF CONSTABLES.

The following was received:

City of Boston,

Office of the Mayor, April 8, 1929.

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, 1929.

All of the persons named in this list are reappointments.

Commissions of constables not named herein will expire on April 30, 1929, and such constables are hereby removed from office from and after May 1, 1929, 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, Lawrence J. Conley, Andrew B. DeCourcy, James J. Dolan, Weldon A. Duley, Joseph W. Ferris, Joseph Fucillo, John Graumann, 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, Edward M. Richardson, Augustus Seaver, Irving Shalett, Frank B. Skelton, Thomas H. Staples, John J. Sullivan, Rudolph F. Watson.

With Animal Rescue League.

Julian Codman, Frederick O. Houghton, Archibald C. McDonald, Frank J. Sullivan.

With Massachusetts S. P. C. T. A.

Harry L. Allen.

AUTHORIZED TO SERVE CIVIL PROCESS UPON FILING BONDS.

John S. Avramides, Daniel J. Barry, John J. Bavis, Ernest M. Bellows, David Belson, Joseph L. Bennett, Aleck Berg, Carl Birger Berg, Jacob Bergson, George W. Bloomberg, George A. Borofski, Thomas F. Brett, Charles B. Broad, George W. Brooker, Francis E. Brown, Warren A. Brown, Louis Budd, John H. Burke, Henry P.

Burns, Sherman H. Calderwood, James A. Canton, Daniel B. Carmody, Thomas C. Carr, Matthew W. Chait, Hyman Charney, William K. Coburn, William F. Cogan, Louis Cohen, William A. Collupy, Arthur E. Connor, William S. Cooper, Albert A. Crosby, Dwight Cummings, Joseph P. Cutter, William Davis, Paul V. Diccio, George G. Drew, John A. Duggan, Charles W. Duran, James S. Duval, Louis Ebb, John F. Farrell, Thomas Fee, Terence F. Feely, Peter C. Foy, Harris Friedberg, Paul R. Gast, George L. Gilbert, Henry J. Gilmore, Arthur Glass, Maurice J. Glick, Abraham Goldberg, Joseph S. Goldberg, Louis Goldberg, Samuel Goldkrand, Samuel Goldmeer, Samuel Goldsmith, Alexander Goodman, Edmund C. Grady, John S. Grady, Joseph Granara, Sears H. Grant, Salvatore Grassa, George W. Green, Harry Greenbaum, William C. Griffin, William C. Gregory, Charles F. Hale, St. Clair E. Hale, John F. Halligan, John D. Hayes, Abraham M. Hecht, Raphael Hersey, Walter H. Holland, John H. Howard, William A. Iannone, Jacob Isgur, Walter Isidore, Charles H. Jackson, Max Jacobs, Harry Kahn, Moses F. Kalish, 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, Joseph Labagnara, Leo A. Lamkin, Martin J. Leggett, Barnet Levenbaum, John J. Levy, Allen Libby, Philip E. Lieberman, Antonio Longarini, Walter M. Lougee, Joseph G. Luke, Frank J. Macchia, Salvatore Maffei, Bernard H. Magee, William P. Maginnis, Morris J. Mandell, Leslie P. Mann, Isie Martin, Anthony D. McMann, William P. Miles, John Milgroom, 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, John A. O'Halloran, Francis J. O'Loughlin, Phillip S. Phillips, Leonard M. Pike, Michael M. Plepys, Robert L. Pollack, James A. Quinn, George A. Ramacorti, Robert Reid, Edward A. Reynolds, Julius Richmond, Bartholomew F. Roach, William H. Robinson, Abraham Rosenberg, Hyman Rossman, Robert E. Scott, Angelo Screnci, Samuel Semiansky, Samuel Shain, Frank Shaw, Sidney J. Sheinfeld, Jacob Silverman, Henry J. D. Small, Leon Small, Clinton F. Smith, George C. Souther, Henry D. Stetson, John Suslich, Jerome Suvale, Benjamin J. Tackeff, Frank J. Thomas, David Tobey, Francis J. Tobin, Joseph Todisco, Joseph M. Torr, Jeremiah A. Twomey, Aber Uckerman, Roman J. Vasil, Sidney A. Vinton, John J. Walsh, James J. Waugh, Harry A. Webber, Joseph M. Weinberg, Joseph Weiner, Abraham I. Weiss, John F. Welch, Karl H. West, Richard W. Whipple, David H. Wilkinson, Philip C. Wolf, Max Wortsmann, John A. Wragg, Maurice Zeeman, Max Zimmerman.

Severally laid over a week under the law.

ADDITIONAL LOAN FOR MAKING OF HIGHWAYS.

The following was received:

City of Boston,

Office of the Mayor, April 8, 1929.

To the City Council.

Gentlemen,—Under date of February 25, 1929, I transmitted to your honorable body a loan order in the sum of \$1,500,000 for the laying out and construction of streets. This order included the amount estimated by the Board of Street Commissioners as necessary to complete the widening of Exchange street. The order was reduced by your honorable body to the sum of \$1,000,000, thus leaving an amount insufficient to cover the entire program of work planned by the Street Commissioners.

I therefore transmit to you herewith an order in the sum of \$500,000 for the laying out and construction of highways.

Respectfully yours,

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 1905, 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.

POLICE OFFICER AT CHARLESTOWN HEIGHTS.

The following was received:

City of Boston,  
Office of the Mayor, April 8, 1929.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Police Commissioner in reply to your order of March 25, 1929, relative to assigning a police officer to Charlestown Heights, both day and night, for the safety and protection of the children of the district.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Boston, April 1, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mayor Nichols,—In reply to your communication of March 29, together with an order of the City Council, stating that the Police Commissioner be requested to assign a police officer to the Charlestown Heights, both day and night, for the safety and protection of the children of the district, I wish to state that I have had an investigation made of this matter, and find that owing to the limited number of police officers now assigned to police divisions, it would be impossible to cover this place as requested.

Yours respectfully,  
HERBERT A. WILSON,  
Police Commissioner.

Placed on file.

CONDITION OF ELEVATED STRUCTURE.

The following was received:

City of Boston,  
Office of the Mayor, April 8, 1929.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Boston Elevated Railway Public Trustees in reply to your order of March 25, 1929, relative to truth of report that rail has been sprung at the corner of Pleasant and Main streets and also to advise as to the condition of the structure at the present time between Sullivan and City squares.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Boston Elevated Railway Public Trustees.  
April 2, 1929.

His Honor, Malcolm E. Nichols,  
Mayor of Boston.  
Dear Mr. Mayor,—This letter is in reply to a communication from your office, dated April 1, and inclosing an order passed by the City Council on March 25 asking that the Council be informed, through you, "as to the truth of the report that a rail has been sprung at the corner of Pleasant and Main streets, Charlestown, causing the Elevated structure at this point to drop four inches," and also to advise the Council as to the present condition of the Elevated structure, between Sullivan and City squares.

The meaning of that part of the order relating to a "sprung" rail causing the Elevated structure to drop four inches, is not clear. There has been no "sprung" rail, or rail in any way defective, at the corner of Pleasant and Main streets, Charlestown. The facts in the matter follow:

A drain pipe leading to a sewer from a building at the corner of Pleasant and Main streets, Charlestown, ran through the foundation of an Elevated column. The pipe broke and the water escaping from it softened the soil around the column and allowed it to sink three or four inches. Immediately the column was supported by "crib work" so that at no time was there any danger.

In order to determine the cause of the trouble, the ground was excavated near the column and water was found at the base. The Public Works Department of Boston made an investigation and found that the water was coming from the sewer connection. The Sewer Department of Boston installed a new pipe from the building around the Elevated column.

When the water has been pumped out, the Elevated foundation was found in perfect condition. The Elevated column was raised to its former level and the space between the bottom of the column

and the top of the concrete foundation was filled in with steel plates, welded and fastened into place.

Permanent repairs on the Elevated column were completed on Saturday, March 16, and the "crib work" was removed Saturday, March 23, after test had shown no further settlement.

Examination showed no settlement of any of the other Elevated columns in the vicinity. The Elevated structures between Sullivan and City squares are in first-class condition.

Rails and structures in service on rapid transit lines are constantly under inspection so that any defect is immediately detected and corrected.

I hope that the information contained above answers the questions raised in the order passed by the Council.

PUBLIC TRUSTEES OF THE BOSTON  
ELEVATED RAILWAY,  
by EDWARD DANA,  
General Manager.

Placed on file.

ADDITIONAL BENCHES FOR FRANKLIN PARK.

The following was received:

City of Boston,  
Office of the Mayor, April 8, 1929.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Park Commission in reply to your order of March 25, 1929, relative to furnishing additional benches for Franklin Park.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, April 1, 1929.  
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 Park Commission be requested, through his Honor the Mayor, to furnish additional benches for Franklin Park.

In reply I beg to inform you that I will be pleased to make arrangements to erect seats adjacent to Seaver street in the near future.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

REMODELING OF BUILDING ON CHARLESTOWN HEIGHTS.

The following was received:

City of Boston,  
Office of the Mayor, April 8, 1929.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Park Commission in reply to your order of March 25, 1929, relative to remodeling of building on Charlestown Heights and installation of shower baths therein for use during the entire year.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, April 1, 1929.  
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 Park Commission be requested, through his Honor the Mayor, to include in their program for this year the work of remodeling the building on Charlestown Heights and the installation of shower baths therein for use during the entire year.

In reply I regret exceedingly to inform you that there are no funds available for this purpose and also that the building is not adapted for shower baths.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

TREES ON POND VIEW AVENUE,

The following was received:

City of Boston,  
Office of the Mayor, April 8, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Commission in reply to your order of March 25, 1929, relative to planting trees on Pond View avenue, Ward 19.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, April 1, 1929.  
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 Park Commission be requested, through his Honor the Mayor, to plant trees on Pond View avenue, Ward 19.

In reply I regret exceedingly to inform you that it will be impossible for the department to do this work at the present time, due to the fact that there are no funds available, and on account of the large amount of spring planting already arranged for and material being delivered for same.

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, April 8, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Employment Bureau in reply to your order of March 25, 1929, relative to number of unemployed men now registered with the employment bureau as eligible for and desiring work as laborers.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Municipal Employment Bureau,  
March 30, 1929.  
Hon Malcolm E. Nichols,  
Mayor of Boston.

Your Honor,—Pursuant to City Council order of March 25, 1929, Re: Number of unemployed men now registered with the Employment Bureau, as eligible for and desiring work as laborers, please find inclosed the number of applicants seeking employment as laborers from July, 1923, to December, 1928, and from January, 1929, to March 30, 1929.

Relative to the inclosed table, it is impossible to ascertain accurately the number unemployed at present, as this would necessitate calling each and every applicant to this office for personal questioning.

Respectfully,  
STEPHEN C. SULLIVAN,  
Assistant Secretary to Mayor.

LIST OF APPLICANTS APPLYING FOR LABORING WORK ONLY.

	Totals.
Number registered on June 30, 1928.....	2,260
New registrations:	
July, 1928.....	42 2,302
August, 1928.....	92 2,394
September, 1928.....	101 2,495
October, 1928.....	62 2,557
November, 1928.....	70 2,627
December, 1928.....	87 2,714
January, 1929.....	78 2,792
February, 1929.....	48 2,840
March, 1929.....	40 2,880
Total registrations on this date for laborers,	2,880.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Cambridge Taxi Company, Inc., for compensation for damage to taxicab by city truck.

Benjamin R. Kupperstein, for compensation for damage to automobile by city car.

Abraham L. Lapidus, for compensation for injuries caused by an alleged defect in Alford street.

James J. Mack, for refund on refuse tickets.

John C. McDermott, for compensation for damage to property at 40 Delle avenue, caused by ashmen.

Mrs. Nancy Petrone, for compensation for injuries caused by an alleged defect in Paris street, East Boston.

John N. Preble, for compensation for damage to automobile by fire chief's car.

Helen G. Smith, for compensation for damage to car by city team.

Executive.

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

Maria Paporello, Jordan Hall, May 8.

Marion T. Hiltz, Municipal Building, May 16.

Mildred C. Sacco, East Boston High School, April 12.

Committee on Jitney Licenses.

Petition was received from the Boston Elevated Railway to operate motor vehicles between the junction of Bowdoin and Church streets (Eaton square) and Savin Hill Station on Savin Hill avenue, Dorchester, over Eaton square, Bowdoin street, Hancock street, Pleasant street and Savin Hill avenue.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings to be held on petitions for storage and sale of gasolene on April 22, viz.:

The Macallen Company, 16 Macallen street, Ward 6, 1,200 gallons.

John J. Tullish, 291 Heath street, Ward 10, 2,000 gallons.

Referred to the Executive Committee.

PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds for the period from April 1 to April 15, to the amount of \$4,283.49, was received and approved.

CONSTABLE'S BOND.

The constable's bond of David Tobey, having been duly approved by the City Treasurer, was received and approved.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from Alice M. Twigg, examiner in Boston public schools, of interest in Harvard Tests—French Vocabulary, Form A, now authorized for use in Boston public schools.

Placed on file.

COMMITTEE ON HOSPITALS.

The President announced the appointment of Coun. Dowd, Mahoney, Sullivan, McMahon and Wilson to be members of the Special Committee on Hospitals.

LEASE TO EDWARD M. CUNNINGHAM CAMP.

Coun. DOWLING offered the following:  
Ordered, That the Superintendent of Public Buildings be hereby authorized to lease, for a nominal consideration, to Edward M. Cunningham Camp, United Spanish War Veterans, the quarters in the Old Town Hall, Brighton, formerly occupied by Francis Washburn Post 92, G. A. R.

Passed under suspension of the rule.

RECESS.

The Council voted at 2.14 p. m., on motion of Coun. MOTLEY, 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 DONOVAN at 2.41 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.:

Maria Paporello, Jordan Hall, May 8; Marion T. Hiltz, Municipal Building, May 16; Mildred C. Sacco, East Boston High School, April 12—that permits be granted.

Report accepted; said permits 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 the City of Boston for month of April, 1929.

Report accepted; said order passed.

#### REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. MOTLEY, for the Committee on Public Lands, submitted reports as follows:

1. Report on message of Mayor and order (referred February 25) for release of easement on land at Lake street—that same ought to pass.

2. Report on message of Mayor and order for release of restrictions on land at 550 Tremont street (referred December 27, 1928)—that same ought to pass.

Coun. McMAHON—Mr. President, I would like a little explanation before voting upon those matters.

Coun. WILSON—Mr. President, I can explain both of them, although I believe the explanation in regard to Tremont street has been made before. I would state, however, in reference to Tremont street, that the question of that particular easement has been before the City Council since some time in last December, if I am correct, and that the order is simply introduced in order to clear a title which has previously been passed by an official connected with the City of Boston. The passing of the title has been held up, however, subject to this correction in the title. This is merely a matter of form, and should have been passed upon long since.

Coun. DOWLING—And, Mr. President, if the gentleman wishes further information, let me say that the same explanation applies to the other matter.

The reports were accepted and the orders passed, yeas 19, nays 0.

#### REPORT OF COMMITTEE ON PARKMAN FUND.

Coun. RUBY, for Coun. Parkman, for the Committee on Parkman Fund, submitted report as follows:

1. Report on message of Mayor and order (referred March 11) appropriating \$47,000 to be expended from income of Parkman Fund—that same ought to pass.

Report accepted; order passed, yeas 19, nays 0.

#### REPORTS OF JITNEY LICENSE COMMITTEE.

Coun. WILSON, for the Committee on Jitney Licenses, submitted reports as follows:

1. Report on petition of Boston Elevated Railway (referred March 4) to operate motor vehicles between Ashmont Station and junction of Norfolk and Morton streets—that license be granted.

2. Report on petition of Boston Elevated Railway (referred March 11) to operate motor vehicles between Columbus square and South Station—that license be granted.

Coun. WILSON—Mr. President, I want to have

some letters incorporated in the record in reference to these proposed jitney licenses. On the first one the committee reported ought to pass in view of the affirmative position, about 7 to 5, taken by residents of the district, showing the popular demand for the line. With reference to the Columbus avenue and South Station line, I wish to have incorporated in the record a letter over the signature of the manager of the Elevated, Mr. Dana, under date of April 1, 1929, stating that this proposed line "is to be a substitution for the existing route between these points." While I believe the Committee on Jitneys is absolutely against the extension of Elevated bus lines in the congested parts of the city, this particular line now requested will have much less effect on traffic than the line they are now giving up. Having that in mind the Committee on Jitneys reported "ought to pass," but wished to have the letter put in the record.

The letter referred to is as follows:

Boston Elevated Railway, April 5, 1929.

R. G. Wilson, Esq., Chairman, Committee on Jitneys.

Dear Mr. Wilson,—With reference to the application of this company for license to operate motor vehicles between Columbus square and South Station, under date of March 4, 1929, as orally stated at the hearing today by Mr. Mulcahy, this is to be a substitution for the existing route between these points, which was granted by the City Council under date of November 14, 1928, and upon the granting of the license as now applied for the old license will be surrendered as revoked and canceled.

Yours very truly,

EDWARD DANA,  
General Manager.

Reports accepted; licenses granted on the usual conditions.

3. Report on petition of Eastern Massachusetts Street Railway Company (referred April 1) to operate motor vehicles from Pierce square to Milton Station over Central avenue, River street and Washington street—that license be granted.

Coun. WILSON—Mr. President, this particular application by the Eastern Massachusetts Street Railway Company is granted by the Committee on Jitneys especially on the assurance given to the committee over the signature of Vice President Cummings of the Eastern Massachusetts, under date of April 5, 1929. With the distinct understanding conveyed in this letter, the Committee on Jitneys report "ought to pass."

The letter submitted by Coun. Wilson is as follows:

Eastern Massachusetts Street Railway Company.  
April 5, 1929.

Committee on Jitneys, Boston City Council,  
Robert Gardiner Wilson, Jr., Chairman.

Gentlemen,—In connection with our application for a license to operate five motor vehicles in the City of Boston incident to an operation between Pierce square and Milton, it is understood and agreed that it is the intention of this company to operate on that part of Central avenue lying in the City of Boston, and on River street, between Central avenue and Pierce square, only during the period that the highways at and in the immediate vicinity of the Milton Lower Mills Station of the rapid transit are not open to vehicular traffic, and that just as soon as these highways are cleared, and it is possible for us to operate our buses over them, that the alternative route on Central avenue in the City of Boston, and on River street, shall be abandoned, and that the operation shall then be, so far as the City of Boston is concerned, on Adams street and Washington street to Pierce square, the buses to make the turn around the island in Pierce square.

Very truly yours,

FRED A. CUMMINGS,  
Vice President.

Coun. BUSH—Mr. President, I would like to ask the gentleman whether the fact that both of the letters are dated the same day is a mere coincidence?

Coun. WILSON—Well, Mr. Chairman, the Committee on Jitneys was trying to handle these matters in a way that the ex-member will appreciate, with due regard to the protection of the public and, therefore, while voting to grant the petitions, did so with the understanding the letters should be furnished setting forth the exact

situation and which would be made a matter of record. So we not only had the personal assurance of representatives of the Elevated and of the Eastern Massachusetts, but voted "ought to pass" provided their statements were supplemented by letters. The present Jitney Committee is handling matters in that way, and desires such matters to be made matters of record—although several members of the committee are members of the bar.

Report accepted; license granted, on the usual conditions.

#### ARC LAMP, TOPLIFF STREET.

Coun. McMAHON 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 Topliff street and Geneva avenue, Ward 15.

Passed under suspension of the rule.

#### REPAVING OF WARD 19 STREETS.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Grovener road, from Centre to Pond streets, Ward 19.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Lochstead avenue, Ward 19.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave South street, from Washington street to Archdale road, Ward 19, with smooth pavement.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Harris avenue, Ward 19.

Severally passed under suspension of the rule.

#### ACCEPTANCE OF ROY 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 Roy road, Ward 19, as a public highway.

Passed under suspension of the rule.

#### SIDEWALK ON LOCHSTEAD AVENUE.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Lochstead avenue, Centre street to Jamaica way (both sides), 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 ON FORBES STREET.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Forbes street (right-hand side), from Centre street to Chestnut 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 granolithic, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### TUNNEL UNDER FOREST HILLS RAILROAD TRACKS.

Coun. MURRAY offered the following:

Ordered, That the sum of one hundred and fifty thousand dollars be, and hereby is, appropriated, to be expended under the direction of

the Commissioner of Public Works, 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, 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 Committee on Finance.

#### REPAVING OF WARD 12 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 Woodbine street, Ward 12.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Munroe street, Ward 12.

Passed under suspension of the rule.

#### SPECIAL COMMITTEE ON CONSTABLES.

Coun. RUBY offered the following:

Ordered, That a special committee of five members of the City Council be appointed by the President to investigate candidates for reappointment as constables.

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, from Seaver to Washington streets, Ward 14, as a public highway.

Passed under suspension of the rule.

#### ELECTION OF SCHOOLHOUSE COMMISSIONERS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to petition the Legislature at the present session for the enactment of legislation to provide that the Schoolhouse Commission of the City of Boston be elected by the voters.

Coun. DOWD—Mr. President, as we all know, for a considerable number of years the practice of selecting our Schoolhouse Commission has been delegated to his Honor the Mayor, who has performed that function for some time. We all know that recently the School Committee, who have been elected to that office for a considerable number of years on the platform of keeping the schools out of politics, are trying to inject themselves into the political life of Boston by taking away from his Honor the Mayor the right to appoint the Schoolhouse Commission. If they were fair in the matter, and had the appointments made by those interested in Boston and the government of Boston, that might be one thing. But, no, they ask that the Governor of Massachusetts, who has no direct interest in the City of Boston, name one of these commissioners. They also ask that the School Committee of five members select one commissioner and that his Honor the Mayor select one commissioner. I am not here to defend the Schoolhouse Commission. Whether there is graft there or not, I don't know. But I do know this much that if the present bill, as presented by the School Committee, passes the Legislature, there will be more graft in the Schoolhouse Commission of Boston in one year than there has been for ten years; and if you are going to do that, you are going to allow the children of Boston to be sadly neglected by the School Committee. In the past we had eight or ten candidates for School Committee, but if this bill passes the Legislature, as I believe it will from the present outlook, there will be found that the position of member of the School Committee of the City of Boston will be considered one of the choicest

plums, perhaps second only to the position of Mayor of Boston. And so I say to the Legislature, in view of the fact that, after all, this body is governing body so far as the Schoolhouse Commission is concerned, last year appropriating \$1,609,475 for the maintenance and upkeep of the School Department, that if there is anything radically wrong up there we, as members of the City Council, have a right to speak, in the interest of the protection of the citizens of Boston. We also further approved, on behalf of the Legislature, of an amount of \$3,408,407.55 for new buildings, or a total expenditure last year of \$5,017,882.55. I do not believe that the Schoolhouse Commission should be taken out of the province of the people of Boston, but it looks very much as if the Governor of Massachusetts is going to have his hands in the pie. We all realize that if the School Committee are to have the appointing power of one man, his Honor the Mayor of one man, and the Governor of one man, it is going to be absolutely impossible to have a fair and impartial commission to function in these matters. And so I say that there is only one solution of this problem. We read in the papers only yesterday about the rottenness, as it was referred to by members of the Legislative Committee, in schoolhouse affairs all over the City of Boston. If that is so, can the Mayor of Boston in the closing hours of his administration be supposed to remedy it? Gentlemen, there is only one solution. This is a problem to be decided by the people of Boston. Let them decide who are going to run the Schoolhouse Department. Why should the School Committee, who were elected to take care of the education and wants and requirements of the children, mix and meddle in repairs and contracts, dealings with certain contractors in the City of Boston? I am not saying that the Schoolhouse Department is above reproach, but I do say that if the bill now presented in the Legislature is ever passed there will be more graft in the City of Boston in one year than in ten years under the present plan. Mr. President and members of the City Council, the people of Boston pay the taxes. The people paid last year over \$5,000,000 to be expended by this commission. It is the people's problem, and I say to the Legislature, let the people of Boston at the next city election elect the Board of Schoolhouse Commissioners. A plan can be drawn up, with three or five commissioners and one man as director, the people can vote for them, and they will be responsible to the people. Then, if they are found to be untrustworthy, the people of Boston can retire them to private life. We all know the situation at the present day. The Schoolhouse Commission is dictated to by whoever is Mayor of Boston, and, after all, they are not to blame for any action that may be taken by their department. So I am asking the Council to pass this order under suspension of the rule, and then the Mayor, if he is fair and impartial in the matter, can make this request for legislation. At the present time they will allow such a bill to be introduced under suspension of the rule, and I trust that the people of Boston will then be allowed at the next city election to elect a board of Schoolhouse Commissioners to guide the destinies of the Schoolhouse Department, keeping the School Committee where they belong, out of politics, and the Governor where he belongs, guarding the destinies of the state but not of the city.

Coun. WILSON—Mr. President, I subscribe to many of the suggestions of the councilor from Roxbury, to most all of them, in fact. I certainly resent state domination of Boston affairs. I resent very much the suggestion in the bill pending in the Legislature that one of the members of this proposed body be appointed by the Governor, as though the people of Boston were not competent to govern themselves in matters of this kind, but had to be taken in hand by legislators from the Berkshires and down on the Cape. On the other hand, however, I cannot subscribe to the idea, as set forth in the request for legislation proposed by the councilor from Roxbury, that we should at this time, inferentially, prejudice the outcome and interfere in the fight now going on in the Legislature between the School Committee and the Schoolhouse Commission. Having in common with other members of the Council had some experience not long ago with this matter of prejudging the actions of members of this body without any evidence to back up the accusations. I hesitate to inferentially prejudice any case. It seems to me that if we pass a vote that the School-

house Commission should be done away with and that there should be a new Schoolhouse Commission, to be elected by the people of Boston, to that extent we are interfering with the present investigation, and to that extent, perhaps in a small way, are casting a reflection on the present Schoolhouse Commission, who may be in the right or may be in the wrong. Hesitating to prejudice anyone, I would want to see some delay and some investigation before we pass an order of this kind under suspension of the rule.

Coun. DOWD—Mr. President, it is not my desire or intention to prejudice the Schoolhouse Commission, but I am aware of the fact that the present bill presented by the Survey Board on behalf of the School Committee will—this is almost an acknowledged fact—pass the Legislature. If the bill passes the Legislature, the present Schoolhouse Commission will then be out of existence; the new Schoolhouse Commission will then come into being, and the Governor of the state will have the right to appoint a member of that commission, having charge of affairs that concern the City of Boston. It is a known fact, as I am personally led to believe, having talked with various members of the Legislature, that that will be the procedure, that the matter is to be taken out of the hands of the present Mayor of Boston, and we will then see a new commission appointed, of which the Mayor will appoint but one member, and the Governor and the School Committee the other two members. That being the case, I say it is time that this Council acted. After all, we provide the money. We are sent here by the citizens of Boston, and I don't know why the citizens of Boston should be governed as a result of the present investigation in the Legislature by members from East Sandwich and East Jalope, when it comes to the schoolhouses erected and repaired in the City of Boston for its citizens, under the Schoolhouse Commission. That is the only reason why I have any disposition to prejudice the action on the Schoolhouse Commission, if that is what our action is called. As a matter of fact, if we are to take action, it should be at once. I have not intimated that there is any graft there. It is simply my desire to forestall the action that is proposed to be taken under the present bill. Certainly, if the Legislature is in fear, instead of accepting that bill and letting the Governor, the School Committee and the Mayor each appoint one member of the new commission, they will let the citizens of Boston elect their own commissions, and if the members of this Council are sincere in their representation of the people of this city, they cannot very well in this instance vote against the city's interest. I say to you, in my opinion, that rather than have the present bill passed, almost any bill would be acceptable. Certainly a plan by which the citizens of this city will elect the commissioners, to my mind, would be most acceptable.

Coun. RUBY—Mr. President, in view of the fact that I think the order which has been offered is a very important one, I would suggest that the matter be referred to the executive committee, so that it may be studied. I feel that we should not be asked to vote on such an important matter this afternoon.

Coun. DOWD—Mr. President, I think every member of the Council has had an opportunity to acquaint himself with the present investigation going on in the Legislature. I would ordinarily have no real objection to having this sent to the Executive Committee, but I feel that, in this case, if the suggestion of the gentleman should be adopted, it would mean that the order would go to nothing but a graveyard there. Therefore, I do not intend to agree, so far as I am personally concerned, that the order shall go to the Executive Committee. If action is to be taken, under the circumstances, it should be immediate, not waiting for a week or two weeks from now. So, regardless of how the other members of the Council may feel, I am going to ask a suspension of the rule for the passage of the order at this time.

Coun. RUBY—Mr. President, I don't think that the Executive Committee of our Council can at all be considered as a graveyard. I think there is no warrant for such a characterization. Off-hand, I know of no important matters that have not been acted upon or brought out of that committee into the Council, when it seemed necessary to do so. I do believe, as the councilor from Ward 17 (Coun. Wilson) has said, that in this case we are asked to make a decision anticipating a



contemplated decision that may be made by the legislative body of this state. I am not afraid of any decision that they may make, one way or the other. I have appeared before the Legislature on several occasions at this past session, and have opposed interference with home rule in Boston. I do not believe, however, that we are in a position at the present time, upon this order which has just been presented, to decide the case one way or the other, so far as prejudging what should or may be done with the present Schoolhouse Commission in Boston. I do not believe that I ought to be called upon at the present time, upon an order which has just been introduced, to immediately cast my vote. I have followed the investigation by the legislative committee, and I do not think that at the present time they are ready to make a decision. If I read the papers correctly yesterday, I am of the opinion that the present committee on cities is planning to ask the Legislature for further investigation, probably through a recess committee, of this whole problem. They have had the matter before them for a number of weeks, have held public hearings, one or two of which I personally attended, and I do not think that at the present time they are going to ask the Legislature to pass the present bill, but that they are going to ask for continued study and investigation, so that the matter may be thoroughly understood. I do feel at the present time, however, talking for myself, that I am in no position to vote on that particular question. I suggest, therefore, that the matter go to the Executive Committee, so that they may study it and bring back a report next Monday.

The Council refused to suspend the rule, by a rising vote, and the order was referred to the Executive Committee.

#### SIDEWALK ON LA GRANGE STREET.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along La Grange street, Centre street to Washington street (one side), 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 ON NEWBURG STREET.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Newburg street (both sides), Belgrade avenue to West Roxbury Parkway, 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 ON PRIMROSE STREET.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Primrose street, Walter street to Fairview 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 ON BIGELOW STREET.

Coun. GALLAGHER offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Bigelow street, from Hardwick to Dunboy street, southeast side, 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 granolithic, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### ADDITIONAL SUM FOR COMMERCIAL BUREAU.

On motion of Coun. SULLIVAN the Council took from the table No. 1 on the calendar, viz.:

1. Ordered, That the sum of \$5,000 be, and the same hereby is, appropriated to be expended by the Commercial, Industrial and Publicity Bureau, under the direction of the Mayor, 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. BUSH—Mr. President, at the last executive session, when Mr. Johnson was called before the committee, I heard no satisfactory explanation of why this \$5,000 should be granted to the Commercial, Industrial and Publicity Bureau. Last year there was a similar order introduced for \$7,500, and it was then shown that of that \$7,500, \$6,800 had been spent for salaries, in return for political favors rendered as a result of the last mayoralty campaign. All inquiry has failed to elicit any information showing that the expenditure of money by this Bureau was justified. Apparently no work which is beneficial to the city has been done by the members of the Bureau. It also seems apparent that whatever work is done is done really under other departments while the salaries are drawn under cover of this department. I can see no reason for voting \$5,000 for that purpose.

Coun. WILSON—Mr. President, I agree with some of what the councilor from Roxbury has said in reference to this particular item. I was interested to see the speed with which it was called from the table today, interrupting the offering of orders and resolutions. There must be some emergency, some strong reason for getting it by. I have the highest regard for the Collector of Taxes in his proper field. I believe that he is one of the best collectors and one of the best public celebration commissioners we have had. But that does not necessarily mean that I, as a member of this Council, on a matter upon which I am not convinced, feel that I should vote blindly on any item, of \$5,000 or any other amount, that may be presented to us in this way. When this came in two weeks ago the question arose as to what this particular department does. We were unable to get down here the man supposedly in charge of the department or the second in command. We were able to hear from Mr. Johnson, a man who is so busy in his other positions, and quite properly so, that he had no concrete and definite information to give us on this matter. I am in favor of a publicity bureau, but before I vote \$5,000 for its continuance I would like to know about something it does, besides furnish editorials and front page literature for the *City Record*, which, as has been well said, chiefly enables contractors to find out what the bids were on some street job. I can also understand why an item of this kind, which is really primarily an item concerning a department which is a branch of the Mayor's office, should properly be included in the budget of the Mayor's office. But why should this item of \$5,000, a wash entry, be placed against the Reserve Fund? Possibly I am all out of step as to what the Reserve Fund is meant for and should be used for, but quite frankly it seems to me that one of the last places in the world from which such an item should be taken, is from the Reserve Fund—simply an item to do some publicity work for the reigning administration. Certainly we are entitled to some definite information as to why this cannot be taken from some other fund than the Reserve Fund, and the reason for the item, anyway. I agree that the good-looking young lady in the department is working all the time, and I understand from what has been said that the supposed head of the department is working all the time. If so, why not put the item where it belongs, in the budget of the Mayor's office, instead of creating the empty street for the three of them to walk on?

Coun. McMAHON—Mr. President, so far as the position that the young lady holds is concerned, I will agree, from my experience of the last three years going into that office as we all do on days that concern our several districts, that this young

lady surely does put in a good day's work, and, of course, money should come from some fund to pay her salary. I have not had time to find out just what the amount she gets from this is. But, when we are told about the necessity of taking this \$5,000 item off the table at this time, I will simply say that I am satisfied that the young lady's salary will still go on, that it will not be held up. She will get her pay. That is simply an excuse that is used here universally, when they want to get items of this sort through. They will say, for instance, in this case, "Put the thing through, or this young lady will not get her money." Personally, if it can be done, I would favor taking out of this order the necessary sum to pay the young lady's salary, and if that cannot be done I guess she will have to go a little while longer, until we get some more information from that particular department as to what they are going to do and when they are going to do it. But, of course, they will use the old bluff, that unless the councilors vote for this item the young lady's salary will be held up. That is always the cry here, when they want to get certain things through. But there is no intention whatever on our part to hold her up at all, and there is no reason why she should be held up, because of our action in this matter. I would like to ask if some amendment might be adopted that would cover the amount necessary to meet the young lady's salary, if that is needed.

President DONOVAN—The Chair would state to the councilor that the order cannot be amended. Coun. McMAHON—It cannot be, Mr. President?

President DONOVAN—No.

Coun. McMAHON—Then, I would suggest, Mr. President, that we either lay the order on the table or kill it, one thing or the other, and then have an order put in to cover the young lady's salary. Of course, none of us wish to do anything that would injure the young lady.

President DONOVAN—The question is on the passage of the order appropriating \$5,000.

Coun. MURPHY—Mr. President, I want to speak in favor of the passage of the \$5,000. There are employees of this city, whether they come under the direct pay roll of the Mayor of Boston, or some other pay roll, who, according to what I find, are performing work for the City of Boston, and who should be paid. Much has been said about the publicity end of it and much more could be said, but why dicker about a \$5,000 appropriation that is meant for the payment of salaries of employees, whether they come under the pay roll of the Mayor or any other pay roll? Sometimes, Mr. President, when I am listening to discussions upon matters of this sort, I feel that I have to get up and say a word. I did not vote for the present Mayor of Boston. I voted for a Democrat, and I will vote for a Democrat next time, and I hope the Democrats of Boston will not be fools enough to fight among themselves and create a division whereby a Republican Mayor will be elected. I say, also, that they ought to be sensible enough not to be dickering and backing and filling over a picayune \$5,000 appropriation for the payment of salaries of employees, whether they come under the Mayor of Boston or under some other department of this city. I think it is cheap business to be trying to pick out individuals in any such way. If we are going to have a fine comb, let the fine comb be drawn through the entire city government. When the City Council is attacked unjustly, we are the very first men in the city to protest against it; and I say now that I am not going to be a party to holding up the wages or money of the employees of this city. I say, gentlemen, you should not dicker over such a small thing as this unless you can prove absolutely that these men are not working for the city.

Coun. McMAHON—Mr. President, \$5,000 may be a small item to some, but, as one member of the Council who sat there in executive session a week ago and could not obtain any information that satisfied me in regard to this particular department, I am not satisfied. Last week, also, when we came into this Council Chamber, at the time when the Appropriation Committee was considering the budget, the matter of the appropriation for this particular department came up, and there is no man sitting in this body who can get up on this floor and tell me or any other member of the Council what they do or what they are supposed to do in that department, as a result of information obtained at that hearing. When

the man in charge of the department cannot do it, I don't know why any individual councilor should take it upon himself to refer to this \$5,000 as picayune. Certainly \$5,000 is not a picayune amount to me. With me it is not a case of throwing the bunk on the pretext of getting a laborer his money, or anything else. I am not affiliated with representatives of any union. I am affiliated with those with whom I live and whom I represent, and I am not going to come here and vote for something when I don't know what I am voting for. There is not a man in this body with sufficient knowledge of this matter to get up here and explain to me or to any other member of the Council what it is all about, and what he is voting for when he votes for it. When the head of the department was here he gave us an explanation, so called. Now, I have no feeling against any individual so far as this particular order is concerned, but I am not going to sit here and listen to anybody speak upon this \$5,000 item as a small, a picayune thing, without having a word to say. Five thousand dollars is to me a lot of money. We are not hurting anybody by taking time to give this matter proper consideration. We have been hearing, ever since this item was held up, that the councilors are the ones who are holding up the pay of certain individuals by not passing this order. Well, that is old talk. We had an experience of that sort a year ago here in regard to a million-dollar street loan. That certainly was not a picayune thing. Every paper in the City of Boston said that we, the members of the City Council, were keeping laboring men out of work, that in not voting immediately for that order we were keeping them out of employment. Well, the order was passed, and now let one of the men so much interested in the labor situation in Boston show me where, out of that million dollars for streets, they have been able to put any men at work. Not a man has gone to work, and now we are hearing the same sort of talk that we heard a year ago, that we are holding up an order which, if passed, will mean the payment of certain employees. That is the sort of talk we hear every year. We are hearing it this year. We heard it last year, we heard it two years ago. But you will find the foreign element getting the contracts in the City of Boston, as was the case last year and two years ago, and that there is not a white man going to work for them. If it is going to be a question of who is going to work for the City of Boston, let us decide it, if we can do so. I don't care whether it is \$1,000,000 or \$5,000—when I don't know what it is for, when I don't know what it is all about I will not vote for it. So I say, as one member of the Council this afternoon, either put this back on the table or kill it outright.

Coun. MURPHY—Mr. Chairman, I have no desire to enter into a controversy with any member of the Council on this particular order. I think the labor situation will take care of itself. What I am here to vote upon is an appropriation that has been sent here by his Honor the Mayor for the purpose of continuing the Publicity Bureau. I have not received any information to the effect that there are employees in that particular department who are not performing their duties as prescribed by the department heads. Furthermore, it is not my business in the Boston City Council, and while I do not wish to reflect upon anybody, I do not think it is the business of any other member of the Council to investigate the various departments and find out the amount of work performed by the employees of the City of Boston. There are men getting paid to do that class of work, but they cannot pay me enough to get me to do it. I am merely suggesting—and I thought I was following along the lines of the previous speaker—that there was at least one employee of that department who was performing her work in a very efficient manner, and who should be paid. I assume that an investigation would enable us to say the same thing of every employee in that particular department. After all, there are just so many jobs, and the employees of the city are performing their work somewhere. But the money has to be obtained through this particular loan that is sent up here to us, in order to pay the employees. So, if there is any wrong in the matter, it surely must be with the Mayor of Boston himself. If there are people on the pay roll who are not performing work for which they are receiving compensation, it is not our fault, and I am not going to place that indictment at the door of any man until

such time as I have been absolutely convinced of such a condition. I hope that the order will pass.

Coun. BUSH—Mr. President, it may be that the previous speaker is a little bit difficult to convince as to the justification for the expenditure of this money. Personally, I should be more inclined to vote for this order if it were entitled, "An Order for the Mayor's Personal Publicity Bureau." Some assertions have been made to the effect that the girl who is employed by this Bureau works in a very efficient manner, of which there is not the slightest doubt, but none of the speakers have stated whether the work she does is for the City of Boston or is to advance the Mayor's personal publicity. If the work she does is to advance the Mayor's personal publicity, acting merely as an advertising agency for him, then I certainly see no reason why the city and the taxpayers of the city should pay the freight for that purpose. It certainly is apparent that none of this money has been spent in behalf of and for the benefit of the city. None of the publicity that has been put out by the Commercial, Industrial and Publicity Bureau is of a nature such as to benefit the city in any way. Unless it can be shown that this Bureau does function in such a manner as to benefit the city and not some individual officeholder in the city, I fail to see how this Council can possibly pass the appropriation.

Coun. McMAHON—Mr. President, so far as the young lady who gets paid out of this \$5,000 by the Commercial, Industrial and Publicity Bureau is concerned, I will simply say that in my experience of three years here, doing business with that young lady, in connection with public celebrations, for which that is an appropriation, I have found that the business she is doing is the business pertaining to public celebrations. Now, this whip is being held over us, saying that unless we pass this order this young lady will not get paid out of the budget from which she should get paid, for the Commercial, Industrial and Publicity Bureau. But, Mr. President, this girl's work, if I am not mistaken, must be pretty nearly ninety-nine per cent public celebration work, dealing with the celebration of each holiday that the city has. So I cannot see why, if this young lady is on the pay roll of the Commercial, Industrial and Publicity Bureau, we should worry because of her, when the great bulk of the work she really does is on public celebration. Let us be honest and fair with the people of Boston. We know that that young lady's pay will never be held up. She should be paid, of course, out of public celebrations. She will be so paid. You, Mr. President, and every other member here, knows that when any matter concerning public celebration is up she is the one whom we see about it. But the fact is, Mr. President, that here is an item of which we have not had any explanation, and it is simply put up to the Council in this blind way and we are told to pass it. If there is some information here that concerns individuals in the personnel of the Commercial, Industrial and Publicity Bureau, I don't see why we should not get it. On the other hand, if this young lady is being paid out of another item, why give the impression that in order for her to be paid this item for the Commercial, Industrial and Publicity Bureau must be passed? I hope that the order will not pass.

The order was passed, yeas 15, nays 5:

Yeas—Coun. Arnold, Donovan, Dowd, Fish, Fitzgerald, Gallagher, Green, Keene, Lynch, Mahoney, Motley, Murphy, Murray, Ruby, Sullivan—15.

Nays—Coun. Bush, Deveney, Dowling, McMahon, Wilson—5.

#### SIDEWALK ON FAIRMOUNT STREET.

Coun. WILSON offered the following:  
 Ordered, That the Commissioner of Public Works make a sidewalk [along Fairmount street (both sides), from Milton avenue to Capen 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.

#### FOOT PASSAGE ACROSS NEPONSET RIVER.

Coun. WILSON offered the following:

Ordered, That the Transit Department be requested, through his Honor the Mayor, to take up with the Trustees of the Boston Elevated Railway Company forthwith the construction of a foot passage across the Neponset river incident to the present construction of a bridge across the Neponset river to the new Milton Station of the rapid transit extension.

Coun. WILSON—Mr. President, with reference to that particular order, I will state that there has been more or less furor in the Lower Mills section, looking towards a way station as a part of the new rapid transit route, at the Butler street location. In view of the fact that the Elevated Railway Company and the Transit Department have decided to refuse that request, the suggestion has been made that the least the Elevated and the Transit Commission can do is to provide a foot passageway across the Neponset river as a part of the bridge that is now being built there. This particular order is being put in at this time because we have finally been advised by the Transit Department that they feel that the matter is entirely up to the Trustees of the Boston Elevated. I merely wish to state, as a matter of record, at this time, that that is the attitude of the Transit Department. So I respectfully request that they take it up with the Elevated, with a view to having this necessary improvement put through, now that the Transit Department is building the bridge.

The order was passed under suspension of the rule.

#### CONVENIENCE STATION, WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to provide for a convenience station at Cleary square, Ward 18.

Passed under suspension of the rule.

#### CONSTRUCTION OF RIVER STREET BRIDGE.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to expedite the completion of the construction of the River Street Bridge, Ward 18.

Passed under suspension of the rule.

#### CONSTRUCTION OF CUMMINS HIGHWAY.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to expedite the completion of the construction of Cummins Highway.

Passed under suspension of the rule.

#### ACCEPTANCE OF PROVIDENCE STREET.

Coun. MURPHY 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 Providence street, Ward 18.

Passed under suspension of the rule.

#### REMOVAL OF TREE, WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to remove the tree in front of 57 Westminster street, Ward 18.

Passed under suspension of the rule.

#### TRAFFIC LIGHTS AT CLEARY SQUARE.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Police be requested, through his Honor the Mayor, to

arrange for the installation of traffic signal lights at Cleary square, Ward 18.

Passed under suspension of the rule.

REPORT OF HEARINGS ON SCHOOL-  
HOUSE COMMISSION.

Coun. FITZGERALD offered the following:

Ordered, That the stenographic proceedings taken down on the bill pertaining to the abolishment of the Boston Schoolhouse Commission heard by the Committee on Cities be procured for the use of the members of the City Council, the expense to be charged to the appropriate item of the City Council appropriation.

Passed under suspension of the rule.

BUS LINE IN CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That the Trustees of the Boston

Elevated Railway Company be requested, through his Honor the Mayor, to consider the advisability and feasibility of substituting a bus line for the present street car line on Main street, Charlestown, and of including Rutherford avenue in the bus route.

Passed under suspension of the rule.

GRANOLITHIC STEPS, 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 Johnswood road to Sherwood street and Brown avenue, Ward 19, which are now in an unsafe and dangerous condition.

Passed under suspension of the rule.

Adjourned, on motion of Coun. DOWLING, at 3.34 p. m., to meet on Monday, April 15, at 2 p. m.

## CITY OF BOSTON

## Proceedings of City Council.

Monday, April 15, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Bush, Dowd, Fish, Keene and Ward.

## PARKING OF VEHICLES IN PRIVATE WAYS.

The following was received:

City of Boston,  
Office of the Mayor, April 15, 1929.  
To the City Council.

Gentlemen,—By the provision 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.

Respectfully 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 the 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.

Sect. 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.

## REPORT OF EMPLOYMENT BUREAU.

The following was received:

City of Boston,  
Office of the Mayor, April 15, 1929.  
To the City Council.

Gentlemen,—Attached please find report from Employment Department relative to registrations and placements for the period from March 4, 1929, to April 6, 1929, inclusive.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Boston, April 8, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.  
Dear Mr. Mayor,—Pursuant to the City Council orders inclosed please find the num-

ber of registrations filed directly through this Bureau for the period from March 4, 1929, to April 6, inclusive:

	Registra- tions.	Placed.
Week of March 4 to March 9...	112	104
Week of March 11 to March 16...	92	65
Week of March 18 to March 23...	100	47
Week of March 25 to March 30...	96	72
Week of April 1 to April 6...	103	110

Respectfully,  
STEPHEN C. SULLIVAN,  
Assistant Secretary.

Placed on file.

## APPOINTMENT OF OFFICERS PAID BY FEES.

The following was received:

City of Boston,  
Office of the Mayor, April 15, 1929.  
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, 1929. The appointments of all such officers not named herein are hereby revoked from and after April 30, 1929.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

[The list of appointments is contained in City Document No. 53.]  
Laid over for one week under the law.

## PETITIONS REFERRED.

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

Climas.

Giacomina Agnese, for compensation for injuries caused by defect in Sun Court street.

W. C. Anderson, for compensation for damage to automobile caused by an alleged defect in Huntington avenue.

Thomas J. Ball, for compensation for injuries caused by city cart.

Bertram W. Bernhardt, for compensation for damage to automobile by city truck.

Joseph T. Connelly, for compensation for damage to automobile caused by an alleged defect at 11 Rollins street.

James J. Donahue, for compensation for damage to property by ash truck.

Eastern Manufacturing Company, for refund on refuse tickets.

Mrs. A. Eldridge, for compensation for damage to property by fire apparatus.

Jack Glantz, for compensation for damage to car by city truck.

Winifred T. Kearns, for compensation for injuries caused by an alleged defect in Tremont street.

Herbert L. Johnson, for compensation for damage to automobile caused by an alleged defect at Centre and Fletcher streets.

Samuel Levine, for compensation for injuries caused by an alleged defect in Causeway street.

Bernard Lewis, for refund on unused refuse tickets.

Herbert Lord, for compensation for damage to automobile by city cart.

Mary E. McLaughlin, for compensation for damage to property by falling tree.

Georgiana McWade, for compensation for injuries caused by an alleged defect at 561 Dudley street, Dorchester.

Mrs. H. A. Morrison, for compensation for damage to property by fire apparatus.

Gordon C. O'Brien, for compensation for damage to taxicab caused by an alleged defect at 75 Kneeland street.

Celia Rosenberg, for compensation for injuries caused by an alleged defect at 404 Blue Hill avenue.

Mrs. Mary G. Rowan, for compensation for damage to automobile by city truck.

Mary Willis, for compensation for loss of garbage cover by ashmen.

#### Executive.

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

Anthony Zydanowicz, Municipal Building, May 5.

#### APPOINTMENT OF KARL ADAMS.

Notice was received of appointment by the Mayor of Karl Adams, 36 Beacon street, Boston, to position of trustee of Hospital Department.

Placed on file.

#### APPOINTMENT OF CLIFFORD N. CANN.

Notice was received of appointment by the Mayor of Clifford N. Cann as member of Board of Zoning Adjustment.

Placed on file.

#### REINSTATEMENT OF DAVID M. CLEARY.

Coun. GREEN offered the following:

Ordered. That chapter 218 of the Acts of 1929, entitled "An Act Authorizing the Temporary Reinstatement, for Purposes of Retirement only, of David M. Cleary as a Member of the Fire Department of the City of Boston," be, and the same hereby is, accepted.

Referred to the Executive Committee.

#### ADDITIONAL COURT OFFICERS— CHELSEA COURT.

Coun. DONOVAN offered the following:

Ordered. That chapter 208 of the Acts of 1929, entitled "An Act Authorizing the Appointment of an Additional Court Officer for the District Court of Chelsea," be, and the same hereby is, accepted.

Referred to the Committee on County Accounts.

#### HEALTH DEPARTMENT BUILDING IN FENS.

Coun. DONOVAN, for Coun. Keene, offered the following:

Ordered. That under the provisions of chapter 104 of the Acts of 1929, the Mayor and City Council of the City of Boston hereby determine that a health department building be erected and maintained within the limits of the Back Bay Fens, the location of said building to be subject to the approval of the Park Commission.

Referred to the Committee on Finance.

#### RECESS.

The Council voted, on motion of Coun. RUBY, at 2.13 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 DONOVAN at 2.57 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 places of public amusement, viz.: Anthony Zydanowicz, Municipal Building, May 5—that permit be granted under usual conditions.

Report accepted; said permit granted under usual conditions.

2. Report on order (referred today) that chapter 208 of the Acts of 1929, entitled "An Act Authorizing the Temporary Reinstatement, for Purposes of Retirement only, of David M. Cleary as a Member of the Fire Department of the City of Boston," be, and the same hereby is, accepted—that the same ought to pass.

Report accepted; said order passed.

#### JITNEY REPORTS.

Coun. WILSON, for the Committee on Jitney Licenses, submitted the following:

1. Report on petition of the Boston Elevated Railway Company (referred April 8) to operate motor vehicles between Eaton square and Savin Hill Station—recommending that license be granted.

Report accepted; license granted under usual conditions.

2. Report on petition of the Boston Elevated Railway Company (referred from last year) to operate motor vehicles between the junction of Bowdoin and Hancock streets and Savin Hill Station,—recommending leave to withdraw.

Report accepted; petitioner given leave to withdraw.

#### COMMITTEE ON CONSTABLES.

President DONOVAN announced the appointment of the following Committee on Constables:

Coun. Ruby, Dowd, Murray, Sullivan and Wilson.

Coun. DOWLING in the chair.

#### ARC LIGHTS ON LEONARD STREET.

Coun. McMAHON offered the following:

Ordered. That the Commissioner of Public Works be requested, through his Honor the Mayor, to install such electric arc lamps on Leonard street, Ward 15, as will provide for the adequate lighting of that thoroughfare.

Passed under suspension of the rule.

#### EAST BOSTON IMPROVEMENTS.

Coun. DONOVAN 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 purchase of land in what is known as the Fourth Section area of East Boston, and the grading, construction, etc., thereof as a playground, 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.

Ordered. That the sum of \$50,000 be, and hereby is, appropriated, to be expended under the direction of the Park Commission, for the construction of a new bath house at Wood Island Park, 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.

Ordered. That the sum of \$15,000 be, and hereby is, appropriated, to be expended under

the direction of the Park Commission, for the erection of bleachers as follows:

\$5,000 Wellington Street Playground,

\$5,000 Eagle Hill Playground,

\$5,000 John H. L. Noyes Playground,

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. DONOVAN—Mr. President, if I may be permitted to say a word with reference to the bath house and the bathing facilities in East Boston, by virtue of the fact that the state has reclaimed all that land, instead of the beautiful bathing beach we once had, there is nothing left but an old swimming hole. I am, therefore, asking for an appropriation of \$50,000 for a new bath house, because the old bath house is obsolete. It is one of those stucco structures that they cannot move. So that is my reason for offering that order.

The several orders were referred to the Committee on Finance.

#### PLAYGROUNDS IN EAST BOSTON.

Coun. DONOVAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to grade, roll, etc., all the playgrounds in the East Boston district.

Passed under suspension of the rule.

#### REPAVING OF EAST BOSTON STREETS.

Coun. DONOVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Saratoga street, Ward 1, from Orient Heights to the Winthrop Bridge.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Bennington street, Ward 1, from Central square to Day square.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Liverpool street, Ward 1, from Sumner street to Central square.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Sumner street, Ward 1.

Passed under suspension of the rule.

#### CONDITIONS AT CHARLESTOWN HEIGHTS.

Coun. GREEN offered the following:

Ordered, That the Park Department be requested, through his Honor the Mayor, to investigate the unfavorable conditions at the summer house on Charlestown Heights, and to apply the proper remedy.

Passed under suspension of the rule.

#### REPORT OF COMMITTEE ON CLAIMS.

Coun. RUBY, for the Committee on Claims, submitted the following:

1. Report on petition of William J. Conley (referred December 11, 1928) for reimbursement for money expended—recommending passage of the accompanying order, viz.:

Ordered, That the sum of \$275 be allowed and paid to William J. Conley in reimbursement for the amount of a judgment against him on account of his acts as a fireman, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

2. Report on petition of James P. Jones (referred February 25) for reimbursement for money expended—recommending passage of the accompanying order, viz.:

Ordered, That the sum of \$33.50 be allowed and paid to James P. Jones in reimbursement

for the amount of a judgment against him on account of his acts as a fireman, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

3. Report on petition of Francis J. Newell (referred February 25) for reimbursement for money expended—recommending passage of the accompanying order, viz.:

Ordered, That the sum of \$204.60 be allowed and paid to Francis J. Newell in reimbursement for the amount of a judgment against him on account of his acts as a fireman, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

#### REPAVING OF 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 smooth paving Blue Hill avenue, from Seaver street to Talbot avenue.

Passed under suspension of the rule.

#### SIDEWALK ON GLENWAY STREET.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 51 Glenway 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.

#### IMPROVEMENT OF AIRPORT.

On motion of Coun. MOTLEY, the Council took up, under unfinished business, No. 2 on the calendar, viz.:

2. Ordered, That the sum of two hundred fifty thousand dollars be, and hereby is, appropriated, to be expended under the direction of the Board of Park Commissioners for the purpose of making improvements at the airport, leased to the city by the Commonwealth of Massachusetts, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On April 1, 1929, the foregoing order was read once and passed, yeas 18, nays 0.

The order was given its second and final reading and passage, yeas 17, nays 0.

#### BLEACHERS FOR McCONNELL PLAYGROUND.

On motion of Coun. SULLIVAN, the Council took up, under unfinished business, No. 3 on the calendar, viz.:

3. 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.

On April 1, 1929, the foregoing order was read once and passed, yeas 16, nays 2.

The order was given its second and final reading and passage, yeas 15, nays—Coun. Dowling, Parkman—2.

## SIDEWALKS IN WARD 10.

Coun. DEVENEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Wyman street, from Centre street to Chestnut avenue, 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 3 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 Arcola street, from Day street, both sides, 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.

Severally passed under suspension of the rule.

## INFORMATION AS TO AUTOMATIC TIME SIGNALS.

Coun. PARKMAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to furnish the Council with the following information:

1. What streets so far as plans have been made are to be equipped with automatic time signals?

2. In what order are such streets to be so equipped under this plan?

3. At what date do they expect to complete the installation of such traffic signals on the several streets on which such installations are to be made.

4. The estimated cost of such installation.

Passed under suspension of the rule.

## SIDEWALKS ON WARD 18 STREETS.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Lincoln street, from Central avenue to River 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 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 Clifford street, from Milton to Readville Trotting Park (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.

Severally passed under suspension of the rule.

## SIDEWALKS, WARD 19.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Sheldon street, from Prospect avenue to Ashland street (both sides), 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.

Ordered, That the Commissioner of Public Works make a sidewalk along Prospect ave-

nue, from Brown avenue to Sycamore street (both sides), 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.

Severally passed under suspension of the rule.

## SIDEWALK ASSESSMENTS.

The Commissioner of Public Works submitted schedules, with accompanying orders, covering assessments, showing sidewalk schedules to be made, as follows:

Street	Ward	Half Cost.
Clayton street.....	15	\$1,568 23
Riverdale street.....	22	2,090 57
Harvard street.....	14	609 44
Middleton street.....	14	880 40
Summer street.....	7	1,641 76
Richmond street.....	20	165 31
Jerome street.....	13	27 38

Said orders severally passed under suspension of the rule.

## REPAVING OF CEYLON STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Ceylon street, Ward 13, from Bird street to Quincy street.

Passed under suspension of the rule.

## REPAVING OF WARD 19 STREETS.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Bourne street, Ward 19.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Sheldon street, Ward 19.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Prospect avenue, Ward 19.

Severally passed under suspension of the rule.

## KINDERGARTEN IN LOWELL MASON SCHOOL DISTRICT.

Coun. MURPHY offered the following:

Ordered, That the Boston School Committee be requested, through his Honor the Mayor, to arrange for the establishment of a kindergarten in the Lowell Mason School District.

Passed under suspension of the rule.

## CONDITIONS ALONG BEACH FROM GARDNER WAY.

Coun. MAHONEY offered the following:  
Ordered, That the Park Department be requested, through his Honor the Mayor, to remedy the unsightly conditions now existing along the beach from Gardner way to Castle Island.

Passed under suspension of the rule.

## LOAN FOR NEW POLICE BOAT.

Coun. MOTLEY, for the Committee on Finance, submitted a report on the message of Mayor and order (referred March 4) to provide by loan \$250,000 for new police boat—that



the same ought not to pass, without prejudice, and recommending passage of the accompanying order:

Ordered, That the sum of \$200,000 be, and hereby is, appropriated, to be expended under the direction of the Police Commissioner, for new police boat, 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.

The report was accepted; the order submitted by the Mayor was rejected, without prejudice, and the question came on the passage of the above order, submitted by the committee.

Coun. MOTLEY—Mr. President, your Committee on Finance has rejected this loan order for \$250,000 and in its place desires to initiate a new order for \$200,000. Your committee listened to both Police Commissioner Wilson and Division Engineer John E. Carty of the Public Works Department. It appeared that the division engineer in giving the estimate that caused his Honor the Mayor to send a loan order for \$250,000 to this body believed that it was the desire of the Police Department to have a steel boat. However, the Police Commissioner informed your committee that he desired nothing but a wooden boat because that type was the only kind which would meet the needs of his department. For this reason your Committee on Finance cut the loan order \$50,000. The present police boat, the "Guardian," has been in commission since 1886, and it is the opinion of those who have some knowledge of boats that this boat has seen better days. It is a question as to whether it will be able to pass the United States steamboat inspection. To repair this boat would cost almost one hundred thousand dollars, so your Committee on Finance believes that instead of repairing the "Guardian" it would be better to accede to the request of his Honor the Mayor and allow the Police Commissioner to build a new police boat, the expense, however, to be \$200,000.

Coun. McMAHON—Mr. President, it is all very nice for the Police Commissioner to want to spend \$250,000 or \$200,000 for a steel police boat. Probably the harbor is getting so bad that we need steel police boats! But I wonder if those fellows up there consider that the men working for them also need a paltry sum added to their wages, and whether it would not be better if the City of Boston raised the pay of a number of deserving men in that department. It is all very well to come in here and tell us about the need of a new police boat. They don't want the wooden one,—it might not pass inspection by the government. I think the least they could do would be to find out from the government whether it would pass inspection or not. I don't see why it is so necessary that they should junk the boat they have and get a new steel boat for Boston Harbor, when we consider the conditions in the outlying districts, in my own district especially, when they come in here and tell us they are going to have 150 more men and end up with 125 men, and when there is one particular group not getting

enough money, which they are leaving underpaid. Of course, while they have plenty of underpaid men in the department for whom they cannot furnish money for an increase, there is no difficulty in giving certain men a \$500 raise, and leaving the patrolmen out of the raise. I say, before we start passing any orders for \$250,000 or \$200,000 for a boat for the Police Department, it would be better for us to see what can be done in the matter of raising the pay for the ordinary patrolman, and also of a number of the new men they are supposed to get. I think the action of the Finance Committee in arbitrarily knocking the amount down \$50,000 is very good. Still, at the same time, I think that the boat we have will surely do service for at least another couple of years, and that they could now take care of the other end of the department, in which I am very much interested, providing money for a much needed raise for the men.

Coun. PARKMAN—Mr. President, the councilor who has just taken his seat is, I believe, under a misapprehension as to at least one part of the committee's report. The boat the Police Commissioner contemplates building is a wooden, not a steel, boat. The original figure on which the order for \$250,000 was submitted was based on an estimate for a steel boat. The committee found out at the hearing on the matter that the boat which it was contemplated to build was a wooden boat, and that the price accordingly would be very much less. As to the continuance of the "Guardian" in the service, it seems that each year during the past few years the Steamboat Inspection Service has made it increasingly difficult to pass the boiler examination and keep the boat in service, and during the past year the Steamboat Inspection Service practically served warning that the boilers could not pass the test after another year's service. To install new boilers would mean ripping out the entire deck of the boat, including fittings, deckhouse, etc., and then installing the new boilers, and that would cost something like \$70,000. As was well said at the hearing, once you start ripping out a boat and opening her up, after she is more than forty years old, you run into all kinds of unexpected conditions of decay; so \$70,000 undoubtedly would not be the limit of the cost of putting in new boilers. And when you got them in you would have a boat over forty years old, that had seen her best days by a long shot. It therefore seemed good economy to the Police Commissioner—and the committee agreed—not to attempt to repair the "Guardian" at such an excessive cost, but to appropriate the necessary money for a new boat. The committee accordingly rejected the order for \$250,000, and recommended the passage of an order for \$200,000, which it believes will be adequate to supply the boat that the Police Commissioner requires for the service of the department.

The order submitted by the committee was passed, yeas 16, nays 0.

Adjourned at 3.18 p. m., on motion of Coun. PARKMAN, to meet on Monday, April 22, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, April 22, 1929.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Dowd, Gallagher, Keene, McMahon, Parkman, Ward, Wilson.

President DONOVAN called Coun. Ruby to the chair.

## PETITIONS REFERRED.

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

## Claims.

Boston Fruit Company, for compensation for damage to truck caused by an alleged defect in Washington street.

Marion Brennan, for compensation for injuries caused by an alleged defect at 727 Atlantic avenue.

H. B. Church Truck Service Company, for compensation for damage to truck by city truck.

Lithuanian Furniture Company, for compensation for damage to truck by city wagon.

Madeime Maher, for compensation for injuries caused by an alleged defect at 180 Providence street.

James Manoli, for compensation for damage to property at 35 Norman street, caused by ashmen.

Theresa Mirabito, for compensation for injuries caused by an alleged defect at 8 Nassau street.

John T. Nolan, for compensation for damage to clothing caused while putting out fire.

Pamela F. Overy, for compensation for loss of ring at City Hospital.

Fred A. Page, for compensation for loss of traveling bag at City Hospital.

Samuel Rothenberg, for compensation for damage to property at 1143 Blue Hill avenue, caused by blocked sewers.

Standard Oil Company of New York, for compensation for damage to gasolene pump caused by city car.

George V. Wattendorf, for refund on garage license.

## Executive.

Petition of Lulu Philbrook for children to appear at Jordan Hall, May 22.

## STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings to be held on petitions for storage and sale of gasolene, viz.:

April 29.

Harold M. Bean, 1311-1317 Dorchester avenue, Ward 15, 1,500 gallons.

Standard Oil Company of New York, 270 Columbus avenue, Ward 5, 4,000 gallons.

Rose Steinberg, 118 Ruggles street, Ward 9, 1,000 gallons.

Universal Oil Company, 1358 Columbus avenue, Ward 11, 5,000 gallons.

May 6.

Boston Yacht Club, 1793-1805 Columbia road, Ward 7, 1,000 gallons.

Clarence H. Gilmore, 387-387½ Main street, Ward 2, 1,000 gallons.

James F. Morse & Co., 66 Norfolk avenue, Ward 8, 500 gallons.

Referred to the Executive Committee.

## SIDEWALK ASSESSMENTS.

Communications were received from the Commissioner of Public Works with accompanying orders assessing costs for construction of sidewalks, viz.:

Street.	Ward.	Half Cost.
Cambridge street.....	21-22	\$1,363.92
Hopedale street.....	22	3,813.36
Seattle street.....	22	1,325.41
Windom street.....	22	1,483.35

The orders were severally passed under suspension of the rule.

## CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Chairman RUBY called up, under unfinished business, No. 2 on the calendar, viz.:

2. Action on appointments submitted by the Mayor April 15, 1929, of minor officers paid by fees for the term of one year beginning May 1, 1929, as contained in City Document No. 53.

The question came on confirmation. Committee, Coun. Sullivan and Fish. Whole number of ballots 12, yeas 12, and the appointments were confirmed.

## RECESS.

The Council voted, on motion of Coun. BUSH, at 2.28 p. m., to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber at 2.39 p. m. and were called to order by Coun. RUBY.

## EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition (referred today) of Lulu Philbrook for children under fifteen years of age to appear at Jordan Hall, May 22,—that permit be granted.

Report accepted; said permit granted under 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 the City of Boston for the month of April, 1929.

Report accepted; said order passed under suspension of the rule.

## ENLARGEMENT OF EAST BOSTON COURTHOUSE.

Coun. DONOVAN offered the following: Ordered, That the sum of one hundred and fifty thousand dollars be, and hereby is, appropriated, to be expended under the direction of the Superintendent of Public Buildings, for the enlargement of the East Boston Courthouse, 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.

## SIDEWALK ON LEYDEN STREET.

Coun. DONOVAN offered the following: Ordered, That the Commissioner of Public Works make a sidewalk along Leyden street, No. 60, to Breed 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.

#### REPAVING OF HUNTINGTON AVENUE.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Huntington avenue, on both sides of the reservation, from Copley square to West Newton street, Ward 4.

Passed under suspension of the rule.

#### REPAVING OF BOWEN STREET.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Bowen street, South Boston, from Dorchester street to C street.

Passed under suspension of the rule.

#### SIDEWALK ON OLD COLONY AVENUE.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Old Colony avenue, north side, from Dorchester avenue, between B and C streets, 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.

#### SIDEWALK, EAST FOURTH STREET.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along East Fourth street, 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.

#### SIDEWALK ON DEACONESS ROAD.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 65 Deaconess road, Ward 4, 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 at 2.43 p. m., on motion of Coun. FISH to meet on Monday, April 29, 1929, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, April 29, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Keene.

VETO OF LEASE TO EDWARD M. CUNNINGHAM CAMP.

The following was received:

City of Boston,  
Office of the Mayor, April 20, 1929.  
To the City Council.

Gentlemen,—I return herewith, without my approval, and without prejudice, order for the leasing to Edward M. Cunningham Camp, Spanish War Veterans, of the quarters in the Old Town Hall, Brighton, for the reason that I am not yet assured that the Francis Washburn Post, No. 92, G. A. R., is prepared to relinquish the said quarters, which are now under lease with them.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

VETO OF CONSTRUCTION OF BLEACHERS, McCONNELL PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, April 24, 1929.  
To the City Council.

Gentlemen,—I return, without my approval, your order in the sum of \$30,000 for the construction of concrete bleachers on McConnell Playground, Savin Hill.

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.

RELEASE ON 83 DEDHAM STREET.

The following was received:

City of Boston,  
Office of the Mayor, April 18, 1929.  
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 Bessie Moodie, owner, or those claiming title under her to the premises situate on Dedham street, Boston proper, being numbered 83 in the numbering of said Dedham street, a release in form satisfactory to the Law Department of the following restrictions which are contained in a deed given by the City of Boston to Augustus Lothrop, dated January 23, 1877, and recorded with Suffolk Registry of Deeds, Lib. 1361, page 139:

"The front line of the building which may be erected on the said lot shall be placed on a line parallel with the said Dedham and Canton streets.

The building which may be erected on the said lot shall be of a width of not less than twenty (20) feet.

No dwelling house or other building except the necessary outbuildings shall be erected or placed on the rear of said lot.

No building which may be erected on 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.

"No cellar basement room or other apartment in said building shall be sunk more than three feet below the present coping of the dry dock in Charlestown, such level to be determined from time to time by the city engineer or some other officer duly appointed for that purpose by the City Council."

Mrs. Moodie, the present owner of the premises, desires to develop her property. These restrictions were imposed about fifty-two years ago and the present owner is of the opinion that the said restrictions are no longer serviceable or necessary for the development of said property.

Mr. Warren F. Freeman has been requested to make an investigation of the premises with reference to the said restrictions and his report on the matter, dated February 18, 1929, states that the conditions have changed in the neighborhood in the past fifty years, so that at the present time it is a commercial or business location and not a residential property and that in his opinion the regular building law requirements as imposed by the City of Boston are ample protection for the neighborhood, in which opinion the Law Department concurs.

Yours respectfully,  
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 Bessie Moodie, owner, or those claiming title under her to the premises situate on Dedham street, Boston proper, being numbered 83 in the numbering of said Dedham street, release in form satisfactory to the Law Department of the following restrictions which are contained in a deed given by the City of Boston to Augustus Lothrop, dated January 23, 1877, and recorded with Suffolk Registry of Deeds, Lib. 1361, page 139:

"The front line of the building which may be erected on the said lot shall be placed on a line parallel with the said Dedham and Canton streets.

The building which may be erected on the said lot shall be of a width of not less than twenty (20) feet.

No dwelling house or other building except the necessary out buildings shall be erected or placed on the rear of said lot.

No building which may be erected on 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.

No cellar basement room or other apartment in said building shall be sunk more than three feet below the present coping of the Dry Dock in Charlestown, such level to be determined from time to time by the City Engineer or some other officer duly appointed for that purpose by the City Council."

Referred to the Committee on Public Lands.

BOSTON TRAFFIC COMMISSION.

The following was received:

City of Boston,  
Office of the Mayor, April 27, 1929.  
To the City Council.

Gentlemen,—I transmit herewith for your approval an attested copy of chapter 263 of the Acts of 1929, establishing the Boston Traffic Commission and defining its powers and duties.

In my Fourth Annual Address, delivered to you on Monday, January 7, 1929, I pointed out to you some of the difficulties which are being experienced in regulating street traffic in the City of Boston. I stated to you that I proposed to introduce a bill which would establish a traffic commission for the City of Boston to consist of a commissioner, who shall be the executive and administrative head of the commission, and four associate commissioners.

I filed a bill with the Legislature which embodied the recommendations I had previously

made to you. The bill which was enacted and signed by the Governor is substantially identical with the bill which I submitted.

Under the provisions of this act the Traffic Commission shall have sole authority to regulate street traffic on all streets and parkways in the City of Boston, shall erect and maintain all traffic signal devices, signs and markings, and shall have general authority over all matters which relate directly to street traffic control. It is my opinion that a centralized authority, such as the Boston Traffic Commission, will serve to reduce motor vehicle accidents and relieve traffic congestion.

I recommend the acceptance of this act by your honorable body.

Very truly yours,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That chapter 263 of the Acts of 1929, entitled "An Act Establishing the Boston Traffic Commission and Defining its Powers and Duties" be, and the same is hereby, accepted.

Referred to the Executive Committee.

#### APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,  
Office of the Mayor, April 27, 1929.  
To the City Council.

Gentlemen,—Subject to confirmation by your honorable body I herewith appoint the following persons as weighers for the period ending April 30, 1930:

Of Coal: Morris L. Tobman, Boston Coal and Wood Company, 141-151 Cummings street, Boston; James E. Campbell, 113 Fernwood avenue, Revere, with New England Fuel and Transportation Company, 250 Stuart street, Boston; John F. Baker, 26 Bachelder street, Roxbury, with Stimpert Fuel Supply Company, 101 Tremont street, Boston; Patey DeCandia, with Liberty Ice Company, 1000 Massachusetts avenue, Roxbury.

Of Goods: Daniel MacKay, 47 Newcastle road, Brighton; James Dyer, 47 Worcester street, Boston—with Davis & Hough, Inc., 88 Broad street, Boston; Max Weitzman, with M. Weitzman, 61 and 63 Hampden street, Roxbury; Patrick J. Devlin, 552 Mt. Hope street, Attleboro; Nicholas A. Ranaghan, 59 Hudson street, Somerville; Edward H. McLaughlin, 217 Endicott avenue, Beachmont; Eugene C. Marsh, 1 Penryth street, Roxbury—all with New York, New Haven & Hartford Railroad Company, Midland Division, Boston office of superintendent.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Severally laid over a week under the law.

#### PETITIONS REFERRED.

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

##### Claims.

John E. Ambach, for compensation for damage to automobile by fire apparatus.

Louis Arkin, for compensation for reconstruction of sidewalk at 471 Commonwealth avenue.

Harold C. Bean, for compensation for damage to car caused by an alleged defect in Centre street.

Margaret M. Corcoran, for compensation for damage to property at 56 Mansfield street, Allston, during construction of sidewalk.

A. E. Diamond, for refund on building permit.

Concetta Donnaruma, for compensation for damage to automobile by city truck.

Carmen Fratto, for refund on building permit.

Edward J. Gilman, for compensation for damage to automobile caused by an alleged defect in Bickford street, Roxbury.

Sarah Gretskey, for compensation for damage to property at 1143-1147 Blue Hill avenue, caused by defective water pipes.

Russell Hamilton, for compensation for damage to automobile caused by an alleged defect in Morton street.

Ann Hernon, for compensation for injuries caused by an alleged defect in Curtis Hall, Jamaica Plain.

Raffaele Iannaco, for compensation for damage to clothing on East Boston Ferry.

Signey E. LeBow, for compensation for injuries caused by fire apparatus.

Nicholas Lembesis, for refund on refuse tickets.

Gertrude F. Mahoney, for compensation for damage to automobile by ash team.

Francis L. McGuinness, for compensation for clothing stolen from City Hospital.

Anastos Nakos, for compensation for injuries caused by city truck.

William Reynolds, for compensation for loss of articles at City Hospital.

Roman Catholic Archbishop of Boston, for compensation for damage to property at 178 Harrison avenue, caused by cesspool.

Abraham Shuman, for compensation for damage to automobile caused by an alleged defect in Huntington avenue.

Suffolk Motor Sales, for refund on used car license.

Sundays' Candies, for refund on refuse tickets.

Ruth L. Torgan, for compensation for damage to automobile by fire apparatus.

W. G. Williams, for compensation for damage to car caused by an alleged defect at 140 Dudley avenue.

##### Executive.

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

Mildred C. Sacco, J. H. Barnes School Hall, April 26.

June Moody Fox, Jordan Hall, May 9.

Mary Gertrude Murphy, Gate of Heaven Hall, May 24.

Mrs. W. S. Butler, Mechanics Building, May 4.

Mary Campbell, Jordan Hall, May 15.

Jennie May Trainor, Jordan Hall, June 5.

Theresa Doyle, Howard Temple Hall, May 20.

#### PROBATION OFFICERS, JUVENILE COURT.

A communication was received from Frederick P. Cabot, Justice of the Juvenile Court, determining the salaries of probation officers of said court.

Referred to the Committee on County Accounts.

#### PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds to the amount of \$9,667.11, for piece work and A-3, from March 18 to April 20, regular employees April 16 to April 30, inclusive, was received and approved.

#### APPROVAL OF APPOINTMENT OF KARL ADAMS.

Notice was received of approval by the Civil Service Commissioners of appointment of Karl Adams of 36 Beacon street as City Hospital trustee.

Placed on file.

## RAILROAD POLICE OFFICER.

Notice was received from the New York Central Railroad Company that they had ceased to require the services of George N. Cloutier as railroad police officer.

Placed on file.

## STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearing to be held on petition for storage and sale of gasolene, viz.:

Lucy Giordano, 752 Bennington street, Ward 1, 2,000 gallons (additional).

Referred to the Executive Committee.

## CIRCUS LICENSE FEE.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to advise the City Council the reason for establishing the amusement license fee for Ringling Brothers and Barnum & Bailey's Circus this year at two hundred and fifty dollars for nine days, in view of the fact that last year the license fee for a six-day period was one thousand dollars,

Coun. DOWD—Mr. President, I present that order so that the citizens of Boston and members of the Council may be advised of any particular reason why Ringling Brothers and Barnum & Bailey can come into Boston for a series of nine days and receive their license for a fee of \$250, despite the fact that last year the fee established was \$1,000. I presume the argument for establishing the fee of \$1,000 would be that the circus was held outside, despite the fact that it was on a public playground. I contend that the police arrangements for the present circus for the City of Boston for a nine-day period will be at least \$675, and I am particularly anxious to find out how the Mayor of Boston arrives at the figure he does, before he gives a license to these people to come to the City of Boston. I am firmly convinced that we should be at least protected, in so far as the city's finances are concerned. Every one of us realizes only too well that the cost of police protection for the nine days in the Boston Garden will be \$675. I say that advisedly, after conferring with police officials in charge. May I also call the attention of the members to the fact that has been more than realized in the last six months, that in the matter of licenses Boston again is the sucker town for outsiders. What do we find? There are 17,500 seats in the Boston Garden. They advertise very largely in the Boston newspapers tickets at 75 cents and \$1, but on looking into it we find that there are 1,500 tickets that sell at 75 cents, 2,500 at \$1; and the balance are sold at \$1.50, \$2 or \$2.50; so that there are 13,500 seats that the public have to pay \$1.50 to \$2.50 for to see the circus. What was the fact against that in other years? Last year, and every other year the top price has been \$1. I contend that the Mayor of Boston, who issues the license, should protect the public from the money gougers who come from outside Boston, and I say that the people are getting no protection when they bring the kiddies into the Boston Garden and have to pay \$2.50 in order to get a fairly decent seat.

The order was passed under suspension of the rule.

## RELEASES OF RESTRICTIONS.

President DONOVAN 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 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.

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.

On April 8, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

Coun. DOWD—Mr. President, having been absent at the last meeting, before I vote on this order, which I believe proposes the removal of restrictions from property at 550 Tremont street, I desire to know something about it. The matter of removing the restrictions, to my mind, may be rather peculiar when we look at the assessed valuation of the property on Tremont street. I believe this Council should go very, very slowly before voting upon a matter of this kind, and before I vote upon it I would like to have the chairman of the committee advise me just what it is and what they intend to do at 550 Tremont street.

President DONOVAN—In absence of chairman, the Chair would ask any member of the committee to give the desired information.

Coun. WILSON—Mr. President, with reference to the proposed removal of restrictions on this property at Tremont street, as I remember it, this was to carry a title which had previously been passed by an attorney now connected with the City of Boston. I was requested by the gentleman who filed the petition with the City Council—I believe it was last December—at a meeting of the Public Lands Committee to bring this out before the Council, as it merely proposed to release restrictions in order to clear up a title. He made that request, I believe, some time in March or April, the matter then having been before the Council for three or four months. As I understand it, the matter is purely one of routine, as it was explained to me at the time. If there is a restriction—and apparently there is—it now apparently only applies to this one piece of land along that whole stretch of Tremont street; as I understand, the restrictions, if I am correctly informed, as they apply to all adjacent buildings, having been removed. This is merely to put this particular piece of property in line with the other pieces of property on the street. But if there is any question as to the motive behind the particular order, if there is any question as to the owner of the property asking for something to which he is not entitled, as far as I am concerned I have no objection to the owner coming in and telling the Council what he is going to build on the land, if it is now vacant, or what he is going to tear down, if it is occupied. Very frankly, I don't know where 550 Tremont street is.

The order was laid on the table, on motion of Coun. DOWD.

## RELEASE OF EASEMENT IN BRIGHTON.

President DONOVAN called up, under unfinished business, No. 3 on the calendar, viz.:

3. Ordered, That his Honor the Mayor be, and he hereby is, authorized, in the name and

behalf of the City of Boston, to execute an instrument of release in form satisfactory to the Law Department of a part of the easement taken for sewerage purposes in private land off Lake street situate in that part of Boston called Brighton. The part of said easement to be released is bounded and described as follows:

Beginning at a point distant forty and 95-100 feet from Lake street, as shown on the plan hereinafter mentioned; thence running southwesterly, two hundred eighteen and 7-100 feet; thence northeasterly twenty-two and 70-100 feet; thence northeasterly again one hundred eighty-six and 11-100 feet; thence easterly thirteen and 38-100 feet to the point of beginning, containing 1,617 square feet of land, more or less.

The easement herein referred to was taken by an order of the Board of Street Commissioners, approved by the Mayor May 4, 1920, and is shown on a plan marked "City of Boston, Plan No. 378, Sewerage Works, Lake Street, Brighton, April 20, 1920, F. O. Whitney, Chief Engineer, Street Laying-Out Department." Said plan is recorded with Suffolk Registry of Deeds, Book 4218, page 364.

On April 8, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

Coun. WILSON—Mr. President, without any disrespect to the Chair, who has called this order from the table, I would suggest also that this matter be laid over, in order that there may be no unmerited suggestion or comment in regard to different action being possibly taken on each of these two orders.

On motion of Coun. WILSON, the order was laid on the table.

#### RECESS.

On motion of Coun. DEVENEY, the Council voted, at 2.21 p. m., 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 DONOVAN at 2.53 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petitions (referred today) for leave for children under fifteen years of age to appear at places of public amusement, viz.:

City Budget Total 1929.....	\$33,658,383 46	
City Budget Total 1928.....	31,591,844 37	
Increase .....		\$2,066,539 09
County Budget Total 1929.....	\$3,675,519 90	
County Budget Total 1928.....	3,580,613 56	
Increase .....		94,906 34
Debt Requirements 1929.....	\$7,737,847 82	
Debt Requirements 1928.....	7,444,208 79	
Increase .....		293,639 03
Total Budget Increase.....		\$2,455,084 46
Less:		
Ways and Means 1929.....	\$9,315,378 39	
Ways and Means 1928.....	8,066,724 79	
Increase .....		1,248,653 60
Net Budget Increase.....		\$1,206,430 86

The recommendations contained in the accompanying orders and schedules are in agreement with those submitted by the Mayor. It should not be presumed from this fact that the committee failed to make an intelligent and intensive review of the Mayor's recommendations. Nine days were devoted to public hearings at which department heads appeared and were required to substantiate the allowances for their respective departments. A large number of councilors not members of the committee attended these

Mildred C. Sacco, J. H. Barnes School Hall, April 26; June Moody Fox, Jordan Hall, May 9; Mary Gertrude Murphy, Gate of Heaven Hall, May 24; Mrs. W. S. Butler, Mechanics Building, May 4; Mary Campbell, Jordan Hall, May 15; Jennie May Trainor, Jordan Hall, June 5; Theresa Doyle, Howard Temple Hall, May 20,—that leave be granted.

Report accepted; said permits granted on usual conditions.

2. Report on message of Mayor and order (referred today) that chapter 263 of the Acts of 1929, entitled "An Act Establishing the Boston Traffic Commission," etc., be and the same is hereby accepted,—that the same ought to pass.

Report accepted; said order passed.

#### THE ANNUAL BUDGET.

Coun. GALLAGHER, for the Committee on Appropriations, submitted the following:

The Committee on Appropriations, to which were referred, on March 11, March 25, and April 1, respectively, the budget recommendations of the Mayor for the County of Suffolk, City of Boston, and the Printing Department, respectfully submits in consolidated form its appropriation recommendations for the financial year 1929. The consolidated recommendations total \$47,585,589.36 subdivided as follows:

City Maintenance and Debt Requirements .....	\$41,396,231 28
County Maintenance and Debt Requirements .....	3,675,519 90
Revenue Departments.....	2,513,838 18
	<u>\$47,585,589 36</u>

Eliminating from the above total the appropriations for revenue departments and applying against city and county appropriations the estimated income for the current year and the surplus cash in the treasury at the beginning of the year leaves a net amount of \$35,756,372.79 which the committee recommends be raised by taxation on the polls and estates in the City of Boston. This recommendation, if approved by the Council, will represent an increase of \$1,206,430.86 over similar recommendations adopted by the Council in 1928. The detail of this increase is as follows:

public hearings and entered into the general discussions. Four executive sessions were held by the committee at which the stenographic records of the public hearings were reviewed and discussed. The recommendations of the Finance Commission were also considered by the committee. All meetings of the committee were fully attended and a lively and sympathetic interest in departmental affairs was evinced by each individual member.

From the beginning of the committee's work it was evident that three factors would make



any material revision in the budget recommendations of the Mayor exceedingly difficult. These three obstacles were as follows:

1. The late date of submission.
2. Charter limitations on Council's powers.
3. Highly segregated form in which recommendations were submitted.

Under the City Charter the Council should receive the budget recommendations of the Mayor on or before January 30. This year the recommendations were received practically two months after this date. This delay in submission was unavoidable since the Legislature had not enacted the bill fixing the tax limit for the year. A budget submitted when approximately one fourth of the year has elapsed more nearly mirrors the actual needs of the city than if it was submitted during the first thirty days of the fiscal year. In other words, the late date of submission tends to minimize the possibility of the Council making further reductions in the allowance recommended.

Under the provisions of the City Charter, the Council may reduce or reject any budget item recommended by the Mayor but is precluded from increasing any allowance or initiating an appropriation. When the charter was formulated the Council's power to reduce or reject was of considerable importance, since at that time the Council received the budget "on time" and was the first agency to scrutinize the Mayor's recommendations. Today, however, the late submission of the budget, coupled with the amount of outside scrutiny which the recommendations receive prior to their submission to the Council, affords the legislative body of the city little, if any, opportunity to exercise this power. In passing it should be noted that prior to the submission of the Mayor's recommendations to the Council they have been scrutinized, either in whole or in part, by the Finance Commission, Chamber of Commerce, Real Estate Exchange, Good Government Association, and the Committee on Municipal Finance of the Legislature.

The budget recommendations of the Mayor of Boston are submitted in what is probably the highest form of segregation to be found in any large municipality in this country. Appropriations ranging in amount from \$2 to \$1,000,000 are recommended by the Mayor under approximately 3,500 individual items. Such a high degree of segregation necessarily means that the allowances under the individual items must closely approximate the exact departmental needs and requirements. When appropriations are recommended in such fine detail it is extremely difficult to justify further reductions. If the Mayor's recommendations were prepared under fewer items the individual allowances recommended would naturally be larger in amount and the Council would be afforded greater latitude in the making of reductions than it now possesses. There is reason to believe that this proposal could be worked out without interfering in any way with the present financial procedure of the city. The same high degree of segregation which now prevails could be maintained in the preparation of departmental estimates and in the control over expenditures after appropriations are made. The practical effect of this proposal would be a reduction in the total of each year's budget below that which it is now possible to achieve.

The members of the committee have received many inquiries and requests in connection with the salary schedules contained in the budget. Unfortunately, the committee could not act constructively in this matter because the fixing of employees' compensation is specifically delegated under section 12, chapter 3, of the Revised Ordinances to department heads and the Mayor. The committee feels, however, that the salaries of a number of positions in the budget are out of line and its members intend, at the earliest possible moment, to personally recommend to the Mayor that the compensation of such positions be equitably readjusted. While the committee would have preferred to delay submission

of its report until after such a conference had been held, nevertheless, it feels that the financial condition of the city precludes any further delay. Information received from the City Auditor and the Budget Commissioner indicates that the Public Welfare and Soldiers' Relief Departments have already reached the limit of expenditures which they are authorized to make prior to the passage of the budget and that many of the smaller departments are so close to this limit that suspension of the pay rolls due this week will be necessary in the event the budget is not passed today. Believing that no immediate benefit will follow from further delay in the passage of the budget, and knowing that several city departments and many city and county employees will be greatly embarrassed, the committee recommends immediate consideration of this report.

In closing, I cannot commend too highly the fine spirit with which my colleagues have attended to their duties. For their faithful attendance, generous help and wise counsel, I am deeply grateful, and I also desire to express thanks to the Budget Commissioner for the aid and assistance he has rendered the committee in its deliberations and in the preparation and compilation of this report. On behalf of the committee, I recommend passage of the accompanying orders and schedules.

For the committee,  
EDWARD M. GALLAGHER, Chairman.

AMOUNTS ALLOWED FOR 1929.

Art Department.....	\$1,215 00
Assessing Department.....	321,937 17
Auditing Department.....	80,309 87
Boston Retirement Board.....	23,677 26
Budget Department.....	12,227 66
Building Department.....	237,408 38
Board of Appeal.....	10,629 33
Board of Examiners.....	5 13 33
City Clerk Department.....	51,913 22
City Council.....	63,450 00
City Council Proceedings.....	12,250 00
City Documents.....	42,000 00
City Planning Board.....	30,201 77
Collecting Department.....	176,634 72
Election Department.....	212,956 23
Finance Commission.....	50,000 00
Fire Department.....	4,605,611 50
Wire Division.....	109,791 32
Health Department.....	1,011,320 42
Hospital Department.....	2,558,162 11
Sanatorium Division.....	422,953 42
Institutions Department:	
Central Office.....	53,140 28
Child Welfare Division.....	223,894 71
Long Island Hospital.....	673,460 78
Steamer "George A. Hibbard" and Launch "James J. Minot".....	40,717 64
Rainsford Island, care of.....	1,800 00
Law Department.....	96,321 28
Library Department.....	1,171,544 00
Licensing Board.....	33,908 00
Market Department.....	17,245 63
Mayor, Office Expenses.....	86,533 78
Public Celebrations.....	65,000 00
Park Department.....	1,633,930 57
Cemetery Division.....	173,615 01
Police Department.....	5,922,742 45
Public Buildings Department.....	610,743 71
Public Welfare Department:	
Central Office.....	2,368,259 06
Temporary Home.....	12,350 00
Wayfarer's Lodge.....	20,571 88
Public Works Department:	
Central Office.....	90,856 73
Bridge Service.....	472,630 19
Ferry Service.....	564,238 20
Lighting Service.....	1,614,428 00
Paving Service.....	1,938,343 28
Sanitary Service.....	3,199,828 79
Sewer Service.....	722,185 68
Registry Department.....	54,861 36
Reserve Fund.....	425,000 00
Sinking Funds Department.....	3,300 00
Soldiers' Relief Department.....	339,960 55
Statistics Department.....	15,546 63
Street Laying-Out Department.....	237,328 42
Supply Department.....	51,162 70

Treasury Department.....	66,889 97
Weights and Measures Department.....	49,285 67
Bridges, Repairs, etc.....	100,000 00
Ferry Improvements, etc.....	20,000 00
Granolithic Sidewalks.....	75,000 00
Reconstructing and Repairing Streets by Contract.....	750,000 00
Reconstructing and Repairing Parkways by Contract.....	71,747 00
Street Signs.....	20,000 00
Valuation Survey.....	25,000 00

\$33,658,383 46

City Debt Requirements..... \$7,737,847 82

Suffolk County Courthouse (Custodian) .....	\$180,154 07
Suffolk County Courthouse (County Buildings) .....	78,160 00
County Buildings.....	114,262 94
Jail .....	244,387 75
Supreme Judicial Court.....	61,882 08
Superior Court, Civil Session (General Expenses).....	569,597 00
Superior Court, Civil Session (Clerk's Office).....	164,802 56
Superior Court, Criminal Session...	473,300 03
Probate Court.....	24,709 00
Municipal Court.....	416,481 00
Municipal Court, Charlestown District .....	33,394 78
East Boston District Court.....	31,301 05
Municipal Court, South Boston District .....	26,817 05
Municipal Court, Dorchester District .....	28,645 60
Municipal Court, Roxbury District.....	80,004 30
Municipal Court, West Roxbury District .....	32,399 25

Municipal Court, Brighton District.....	18,203 60
Boston Juvenile Court.....	28,314 76
District Court of Chelsea.....	33,182 87
Registry of Deeds.....	189,847 15
Index Commissioners.....	24,748 00
Insanity Cases.....	34,115 00
Land Court.....	7,175 00
Medical Examiner Service, Northern Division.....	26,576 66
Medical Examiner Service, Southern Division.....	16,276 66
Associate Medical Examiner Service, Northern Division.....	2,035 00
Associate Medical Examiner Service, Southern Division.....	1,900 00
Miscellaneous Expenses:	
Auditing Department.....	955 00
Collecting Department.....	1,304 16
Sheriff .....	3,200 00
Treasury Department.....	5,540 00
Granite Avenue Bridge.....	7,206 70
Social Law Library.....	1,000 00
Penal Institutions Department:	
Office Expenses.....	35,588 98
House of Correction.....	463,914 58
Steamer "Michael J. Perkins".....	73,473 50

\$3,534,856 08

County Debt Requirements..... \$140 663 82

Printing Department..... \$465,867 53

City Record, Publication of..... \$29,060 00

Public Works Department, Water Service .....

\$1,690,711 23

Collecting Department, Water Division .....

59,774 42

Water Service, Debt Requirements .....

268,425 00

\$2,018,910 65

RECAPITULATION OF AMOUNTS ALLOWED FOR 1929.

From taxes:			
For city purposes within the tax limit.....	\$33,658,383 46		
City debt requirements.....	7,737,847 82		
City total.....		\$41,396,231 28	
For County of Suffolk purposes.....	\$3,534,856 08		
County debt requirements.....	140,663 82		
City and county total.....		\$45,071,751 18	
From revenue:			
Printing Department.....	\$465,867 53		
City Record, Publication of.....	29,060 00		
Public Works Department, Water Service.....	1,690,711 23		
Collecting Department, Water Division.....	59,744 42		
Water Service, Debt Requirements.....	268,425 00		
Grand total.....		\$2,513,838 18	
Grand total.....		<u>\$47,585,589 36</u>	

APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1929.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1929, 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 48S 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, 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, 1929, and taxes to the amount of \$35,756,372.79, 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 1929, be due and payable on the fifteenth day of September, 1929; that interest shall be charged on all taxes remaining unpaid after the second day of October, 1929, 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, 1929, 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.

The question came on accepting the report of the committee and passing the appropriation orders.

Coun. DEVENEY—Mr. President, I want to say that I believe the budget as presented here today shows an intention on the part of the administration, on the part of the Mayor particularly, to rob, loot and plunder the city treasury. The budget this year is two and a half millions above what it was last year. Certain pets around the Hall have got their raises, but men in the employ of the city whose wages I asked to have raised some weeks ago have been absolutely disregarded, the cleaners are not in for any raise, and the committee on appropriations, I understand, have for the past week been looking for Mayor Nichols and cannot find him. The chairman of the committee wants us here to vote today for this budget, but there are certain increases that should be made to cleaners and to city laborers, and if this budget is passed as it is before us today they will not get any increases. I think this matter should lie on the table for a week, to find out also about one item alone that calls for \$200,000, for apparatus for the Fire Department. It seems to me that that amount could be decreased, in order to take care of some of the laborers working for the City Hospital, getting \$16 a week. We have before the Committee on Ordinances, an ordinance calling for a thousand dollar raise for nine city department heads. That is coming in today, and I will have something to say about it. I think these things should be considered before we jam this budget through today, containing, as it does, certain items for the Public Works and other departments greatly in excess of the amounts of last year, giving the Mayor and those having to do with the administration an opportunity to get what they can during the last year, as they always do during the last year of an administration. I ask that this be laid on the table until we find out what is going to be done with the cleaners and the ordinary laborers.

The motion to lay appropriation orders on the table was declared lost.

Coun. DEVENEY asked for a roll call.

The Clerk called the roll, and the motion to lay on the table was lost, yeas 1, nays 18:

Yeas—Coun. Devaney—1.

Nays—Coun. Bush, Donovan, Dowd, Dowling, Fish, Fitzgerald, Gallagher, Green, Lynch, Mahoney, McMahon Murphy Murray Parkman, Ruby, Sullivan, Wilson—18.

Coun. DOWD—Mr. President, as a member of the committee I rise not to defend his Honor the Mayor, because in my service here I have never taken the floor to defend the Mayor on any bill that has been before this body; but I resent very much the remarks of Councilor Devaney as a member of the com-

mittee, that the budget as presented today will tend to aid the Mayor to rob and loot the City of Boston. No committee that has ever functioned in City Hall during the last three years has worked harder or more faithfully on any budget matter than your present Appropriations Committee has. When we consider the fact that the watchdog of the City Treasurer, the so-called Finance Commission, recommended a reduction of only \$290,000, and that 70 per cent of that recommended cut was through the abolishing of positions and the cutting down of salaries, we can realize how closely the whole thing was figured. I don't believe any member of this Council desires to see one man lose his job or to see one salary abolished or discontinued. I agree thoroughly with Councilor Devaney in his remarks about the city laborers, I agree with him in his remark about the fire apparatus. I have already had something to say about that and about the action taken by the Fire Commissioner. You cannot show me one section of the charter that will allow the Mayor of Boston or the Fire Commissioner to spend without competitive bidding the sum of \$200,000 in whatever way they see fit. I think that is a violation of the City Charter. I agree with the councilor that the cleaners should have more money; I have stood here and fought for the policemen and the men of the Fire Department. They are absolutely underpaid, as I showed in this Council last month by telegrams received from other sections of the country. But we must consider the importance of passing the budget. If it is held up, what will be the effect? Take the Public Welfare Department, as one department,—for the first time in the history of the city the City Treasurer has been paying the amounts required for that department out of an emergency fund. I don't think the City Council wants the newspapers of Boston to say that the Council is holding up the budget and that the poor cannot be provided for. The same thing applies to the Soldiers' Relief Department—if the budget is not passed, no aid will be received by the soldiers and sailors or their dependent families. When the gentleman speaks about raises for department heads, I agree with him that the first ones to be taken care of should be the laboring men and women of the City of Boston. But our powers are very limited. We cannot increase the budget. All we can do is decrease, cut down. Councilor Murphy and myself have been insisting for the last two weeks on having overtures made to the Mayor, through our chairman and through the President, to see if there might not be a conference with the Mayor, looking to an increase for the scrubwomen, for instance, as well as other increases for the laboring force. An increase for the scrubwomen would cost only \$7,500. But we have not been able to meet the Mayor. Just think of it,—here is an appropriation of over forty million dollars, and the Mayor thinks so little of the appropriation committee that he even refuses to meet us. But that is his fault and mistake, and I don't believe we should be held responsible for it. We have done everything we possibly can for the laboring man. We have asked his Honor the Mayor time and time again to increase their pay. The same thing applies to the cleaners and to the Fire and Police Departments, to many men and women in the employ of the City of Boston who are underpaid. But he sees fit to ignore any order we pass and to ignore the committee as a whole. We met today with the faint hope of seeing the Mayor, and, if possible, to ask if a transfer of funds could be made in July and August to take care of those people in the employ of the city who are underpaid. But it is very evident that we can do nothing along that line. Now, we have the budget before us for consideration. If we do not pass the budget today there is a chance—and the auditor tells us it is a fact—that the Overseers of Public Welfare will be without funds for the next week. I don't think we want to have that condition prevail as a result of the action of this body. For that reason, and for that reason alone, I shall vote for the budget. But I do not think his Honor the

Mayor should ignore the Committee on Appropriations at the present time as he has done and as he is doing. We have tried to have a conference with the Mayor. The chairman of the committee has endeavored to bring it about. Their reference to our records last week will show you that we held meetings with only one purpose in mind, to talk with the Mayor in regard to the budget. But he places the buck fairly and squarely on our shoulders. He says to you, gentlemen, "Pass it or leave it," and if we don't pass it the city laborers in every department within a week or two will be without funds. I hope and trust, therefore, much as I dislike the turn things have taken on the budget, that it will be passed today as presented by the Committee on Appropriations.

Coun. BUSH—Mr. President, I do not rise at this time to offer any criticism in reference to the budget so far as the Committee on Appropriations is concerned or so far as any individual member of the committee is concerned. As a member of this body who has served in the past on the Committee on Appropriations, I am very well acquainted with the difficulties to be encountered by the committee in attempting to pare the budget. The committee is necessarily limited, both in knowledge and in time, when it comes to the question of being able to properly pare items from the budget. The fact remains, however, that in the auditor's report the members of the Council will find that transfers have taken place from one department to another, to the extent of a million dollars, approximately. Some of these transfers are interdepartmental transfers, and a good many of them transfers within the same department. But the fact that there are such transfers shows that there is a certain excess in the budget which permits of those transfers and that some of the items in the budget are overvalued. I am firmly convinced that it is possible to pare the budget to a certain extent; the exact amount I am unable to say. I do not blame the committee for being unable to find those items, because I know as a former member of the Committee on Appropriations that we were unable at one time, or found it extremely difficult, to locate items from which amounts could be pared. Unfortunately the charter does not permit the Council to employ expert assistance in order to obtain information from which they might be able to decrease items in the budget, and until such a time as the charter permits the Council to obtain such expert assistance, I think all reviewing of the budget by any Council committee is a waste of time.

Coun. McMAHON—Mr. President, I have listened to the report of the chairman of the Committee on Appropriations on the budget today. I sat in on that committee and listened to recommendations made by the committee, and I was of that opinion that the committee were going to sit in with his Honor the Mayor and find out what could be done for the different underpaid workers of the city. I was under the impression, Mr. President, that they would surely have a sitting with the Mayor and that the other councilors would then be given some idea of the Mayor's intentions in the matter of raising the pay of the laborers, the policemen and firemen, the cleaners, and the different ones who have been left out of this present budget. It is very nice to hear one member of the committee get up here and say that we have no power to raise; but we have the power to cut, and one particular item has been brought to our attention, amounting to \$200,000 for apparatus for the Fire Department, one-third of which at least could probably be eliminated, so that the amount could be used for much needed raises of underpaid employees. But I see no recommendation from this committee of any cut. They have the power to recommend cuts to this body, but I fail to see in the report of the chairman of the Appropriations Committee any such recommendation. We have been given the same old chestnuts, that the Public Welfare Department and the Soldiers' and Sailors' Re-

lief Department haven't any money, although the members of the Council know that they never yet have been in want for money. It is easy enough for us at half an hour's notice to pass an appropriation which will cover the Public Welfare Department and also the Soldiers' and Sailors' Relief Department; so it is amusing to sit here and listen to the members of this committee telling about the need for aid. I say that there are a lot of recommendations the committee could at least have suggested. If the Mayor cannot be reached, it is amazing to me, very funny indeed, and especially so that his Honor the Mayor should be out of town with a \$47,000,000 budget on the docket, so that he could not sit in with the committee. But the same Mayor can take time to blow into the city on a Saturday and come out with a beautiful speech in regard to the Boston City Hospital investigation, and with a story of what he recommends in the matter, stating that the investigation was unfair and unfortunate. I don't think it was very unfair when we consider the needs of the city or of its citizens, although the Mayor may have considered it unfair to him. Everybody in this Council knows that it was the first and only investigation of the Boston City Hospital that was on the level, which did not end up with a whitewash. I would like at this time to put this into the record, Mr. President, that if there was any part of that investigation that was unfair and unfortunate to his Honor the Mayor, or to anybody else connected with the city, I would like to have him show this committee what it was. It is all right to come in here and report a \$47,000,000 budget and give us the same old bunk, that if we don't pass it today the poor of the city will go hungry. As one of the councilors who is very much in the Welfare Department, and who has a lot of business down there, I have no fear that the people will not get their money, and I have no fear that those looking to the Soldiers' Relief Department will not get their money. If we are going to pass the budget, let us pass it. But let us put the thing right on this floor. No recommendations have been made for a cut. I have sat in and listened, heard the question asked of the department heads in regard to raises and otherwise, and the statements that the committee was going to sit in with his Honor the Mayor and see what could be done. But I don't know now any more than I did when the hearings on the budget started. As one member of the Council I believe in voting for the budget, but I don't like to be told that it is on account of people looking to the Public Welfare Department going hungry and to the soldiers and sailors going hungry, and that for that reason we must pass the budget.

Coun. PARKMAN—Mr. President, it is true that the Council can only reduce or reject items in any budget that comes before it, under the terms of the City Charter, and that in the nature of things the Council has to rely on its Committee on Appropriations in its investigation. All of us who have had any experience with it know that it is a highly complicated document, involving over 3,300—I think the chairman says that it now involves 3,500—separate, segregated items; and to go into each item in detail takes a long time and a very thorough investigation. But it does seem as though something in the nature of a miracle must have happened in the case of this budget. The tax limit requested by his Honor the Mayor was \$12.75 on a thousand, and on page 14 of the appropriation orders you will find that on the average valuation of \$1,909,255,200, \$12.75 brings in \$24,343,005.07. With the various estimated incomes and additional amounts subject to appropriation, from income departments, the budget total is increased to some \$33,000,000. And yet, in spite of the fact that that tax rate comes out with seven cents, the committee on appropriations here has not even been able to find the seven cents which it would be its duty to cut out, if there were an excessive appropriation. It does seem

rather extraordinary. And yet the Council has to rely on its Committee on Appropriations, for the reason that it is a committee which is supposed to go into the matter in detail, and it cannot be expected that other councilors, with their other duties, could attend all the meetings of the Committee on Appropriations and have as wide a latitude in the questioning of department heads as is the case with the members of the Committee on Appropriations. I have had very small opportunity to go into the budget items myself, and am not able to offer any substantial cuts for that reason, and therefore I shall not offer any. But a very short examination disclosed that on the fuel items, for example, the computations on fuel for the city departments were made on the basis of 1928 fuel contract prices. In the case of oil, the price this year is 4 cents a gallon instead of 4.1 cents, as it was last year. There was then a price of 63-4 cents, instead of 6 cents, as today, for the heavy oil. In the case of coal, the price last year was \$5.58 a short ton, and this year it is \$4.42 a short ton. Applying those figures, the City Hospital, for example, burns an estimated quantity of 3,300,000 gallons of oil, which, multiplied by one-tenth of a cent, would result in a saving this year of \$3,100. Now, those savings are small in themselves, but in their aggregate they amount to a great deal; and I think it is disappointing that the Committee on Appropriations was not able to take them out. Furthermore, in the intervening period Legislature and the date it was submitted to the Committee on Municipal Finance at the Legislature and the date it was submitted to the City Council in itemized form, there was a change over from various items to other items of more than \$308,000. That shows in itself that there is slack and that there is leeway in various departments, which could be found. For example, on the snow removal, as the message of the Mayor points out, up to February the city had spent something like \$70,000 on snow, and estimated only about that amount in the report to the Legislature. While the hearings were going on we had the very heavy February snowstorm, and the city spent, on outside contractors \$150,000 and more, and that money had to be found from other departments in the city, and was found along with another \$100,000 or \$158,000 for different requirements which occurred to the Mayor in the intervening time between the time it was submitted to the Committee on Municipal Finance and the time it was submitted to the Council. That course of procedure, Mr. President, shows the futility of establishing a tax limit by the Legislature, and I think notice of that feature was taken in the report of the chairman of the committee. The Legislature theoretically established its tax limit on the expenditures presented to it, and yet more than \$300,000 of those expenditures was over by the time the report reached the City Council. I would like also to call attention to the remarks of the chairman in regard to over-segregation, because it seems to me that that is an important criticism of the present form of budget, and I hope that action can be taken to reduce so as to make it easier for the committee to find possible chances to make cuts than it is at the present time. With the items reduced to very small amounts, it seems almost impossible for any Committee on Appropriations to make cuts, because the cuts would seem infinitesimal; whereas if the budget the committee submitted had 700 items instead of 3,300 items, with the itemization retained for the purposes of information, it would be possible for the Council to take the aggregate amount allowed in the various groupings under the budget and make substantial cuts,—where at the present time, as I say, it is an impossible job. But the things which I was able to locate are not large, and, not having been through the budget in detail, not having gone through the computations, which must necessarily be involved, not having questioned department heads—a thing which is necessary in order to bring out the

full information in regard to the way the budget was compiled—I am not going to offer any suggested cut, but shall vote for the committee report as it has been presented.

Coun. WARD—Mr. President, for the past three years I have voted on this budget, and I have taken one stand on it. I have tried to live within my own prerogative; I have tried to live within my own limited powers here, having in mind what my vote amounted to as a member of the body. My vote amounts to what the vote of every other member amounts to. We have no power to increase a single item in the budget. The only power we have is to make a cut, a decrease. Three years ago when my friend here from the Back Bay (Coun. Parkman) was chairman of the Committee on Appropriations, quite an extensive cut was made by the committee. Items were chopped off, and then the bill as submitted by the Mayor was substituted for the report of the Committee on Appropriations. That went to show that the members of the body were not in favor of cutting down the budget or cutting any of the items out of it. I do not believe there is a member of the body who would not favor giving an increase to certain classes of city employees or to personal friends in whom they are interested, but we have to realize that the Council has no power to vote to make increases. The only action we can take this afternoon is to either accept the budget submitted by the Committee on Appropriations or make a cut in it, and I would not personally vote to make a cut of five cents in that budget. I would not favor doing so. My purpose in rising is to ask a few questions of the chairman of the Committee on Appropriations. I would ask him if there was a conference between the Mayor, the chairman of the Appropriations Committee and the Police Commissioner relative to increasing the salaries of the Bureau of Criminal Investigation? But I find here a provision in the budget of the Police Department that the salaries of the police captains be increased \$500. I have no objection to that. They are entitled to it. But I think employees in other departments of the city are also entitled to it, and that there are other divisions of the Police Department where some of the officials do as much work as the police captains, which should also be recognized. But I wonder, as I say, whether there has been a conference between the Mayor and the Police Commissioner relative to an increase in salaries of inspectors or officials in the Bureau of Criminal Investigation? Men who are carrying on work of the same importance as that the police captains are carrying on, should, I believe, be recognized. So I would like to ask if the chairman of the Committee on Appropriations knows whether there has been any conference between the Mayor and the Police Commissioner with reference to increases for members of the Bureau of Criminal Investigation?

Coun. GALLAGHER—Mr. President, I will say that I know of no interview between the Mayor and the Police Commissioner, but under the charter they have evidently discussed the matter together. They are required to do that before any increase is made. As regards the inspectors referred to, I know of no interview that the inspectors or their representatives had with the Mayor.

President DONOVAN—With the permission of the body I might say that I personally interviewed the Mayor and asked him to make certain increases in his budget, and I told him, for instance, in regard to the Police Department, that increases by the government in the army were followed by corresponding increases in the navy. There is the same correspondence there that there is between the Police and the Fire Departments. But the Mayor informed me that there was no available money. I believe the Budget Commissioner will bear me out in that. But he granted increases to the extent of \$2,300,000 more than any of his predecessors had done. I further asked him to interview the Committee on Appropriations; that I, as President of the Council, had the feeling that that

should be done, and evidently the Committee on Appropriations felt the same way and the Mayor told me that he was going to talk with the Committee on Appropriations. But evidently he has not done so. That is all the information I can furnish the Council.

Coun. WARD—Mr. President, the reason I take an interest in this particular matter I have referred to is that I believe the people of Boston are entitled to adequate police protection, and I think the Bureau of Criminal Investigation is probably as fine a bureau as there is in the country. It is, therefore, distasteful to the citizens of Boston, and distasteful to me as a public official, to listen to an assault made on the members of the Police Department by the Police Commissioner, when he comes out with a statement in the newspapers that the police force of Boston are nothing but a gang of unemployed. I don't think it is encouraging to the police force of Boston to give the character of service they might give if the commissioner was in harmony with them. I certainly think he should work along in cooperation with his own department. I was interested, because I understood from the newspapers that a conference had been arranged between the Police Commissioner, the Mayor, and the chairman of the Committee on Appropriations in reference to the matter. I would now like to ask, through the Chair, if the Budget Commissioner could enlighten me on that matter?

President DONOVAN—The Budget Commissioner cannot.

Coun. GREEN—Mr. President, I rise to a point of information. I would like to ask the chairman of the Committee on Appropriations or the Budget Commissioner, whether, in the event of the budget going through this afternoon, the Police Commissioner will concur in that part of the budget pertaining to the Police Department?

President DONOVAN—Does the chairman of the committee care to answer?

Coun. GALLAGHER—It is the prerogative of the Police Commissioner to answer that question, Mr. President.

Coun. GREEN—Mr. President, there has been a current rumor that he will not concur, and I thought probably the chairman of the Committee on Appropriations or the Budget Commissioner could give me that information, whether he intends to concur or not.

Coun. SULLIVAN—Mr. President, in a committee meeting that we had about a week ago the Police Commissioner appeared on another matter pertaining to the budget, and in the course of questioning the Police Commissioner as to what his attitude was, what his feeling was in regard to the other officers of the Police Department not getting raises, he stated before that committee that he thought, as long as the captains were to get a raise, the other officers should have gone up in proportion to the raises the captains received; and I think the statement he made at that time showed clearly the Police Commissioner was heartily in favor of increasing other officers in the Police Department, as long as the captains were to receive an increase. I want to go on record here as being in favor of the police captains getting the raise, but I believe also that the others—lieutenants, deputies and so on—should be treated in a corresponding way.

Coun. WILSON—Mr. President, if I may inject myself into the argument for a moment, I appreciate what has been said, particularly the reference by Councilor Parkman to the fact that necessarily we must depend on the Appropriations Committee when they make their report. I agree that that is a fact. This committee of seven was appointed. They held long hearings, and I am not one of the members of the Council who believe that the committee should, when it has been sitting day after day working over the budget, when it comes in with a report, take a lot of abuse. Most of us could not attend all the committee meetings. We did drop in at one hearing or another, and we did get some idea of what

was going on in the Committee on Appropriations. Of course, it is easy enough after a committee has completed its work to come in and comment on that work. It is well, however, to remember that the committee did try and was unable to get in touch with the Mayor of Boston in regard to many details that they wanted to take up with him. I understand that efforts were made, many efforts, by the committee to have this mutual conference. I am not particularly impressed by the argument that this must pass today or some one in some department will starve to death. This does not seem to be particularly logical. Of course we all know that there would be a 90 per cent vote here on any part of the budget that was considered necessary to pass, if any department or departments were suffering and unless their appropriations were passed there would be hardship upon the employees. It would be a very easy matter in such a case to segregate certain departments and act upon them at an hour's or half an hour's notice, calling a special meeting if necessary. So there is no fear of anybody starving to death because of the holding up of the budget. The fact is, however, that the budget gets to us late, and it might be well if next year the thing might be expedited, perhaps through some different method, so that the budget would get to the City Council with some degree of promptness at the beginning of the year. It occurs to me that much trouble and difficulty at least for the Council would be saved if the chairman of the Committee on Appropriations, for instance, or perhaps the members of our Appropriations Committee, should sit in on the "go," if I may use the expression, with the Mayor and Budget Commissioner, so that we should not each year be placed in this unenviable position, the Mayor and the Budget Commissioner having been all over the figures and we knowing nothing about them. We do not have even a rough idea of the figures or of the details, and if there could be something in the way of a conference many hours and days of effort might be spared. It seems to me, if the budget could be placed in the hands of the City Council with reasonable promptness at the start of the year, we would be in the position of having one of our representatives, at least, perhaps with the aid of an expert paid by the city, in touch with the situation, by reason of watching the procedure of the budget right through from the very start.

Coun. MURPHY—Mr. President and gentlemen of the Council, in view of the fact that the annual budget has been studied and scrutinized by his Honor the Mayor, Budget Commissioner, Committee on Finance of the Legislature, Finance Commission, Good Government Association, Chamber of Commerce and Real Estate Exchange, and every possible reduction in items made before its reference to the City Council, I am in favor of its adoption by this body as submitted. Before voting for the passage of the budget, however, I want to be recorded as in favor of increases for the scrubwomen, laborers, mechanics, clerks, and police and firemen. Unfortunately, under section 3 of the Amended City Charter, the City Council may reduce or reject any item in the budget, but are powerless in the matter of increasing any item or the total of the budget. Inasmuch as the Council has no power to increase the budget, and while I realize that the scrubwomen and clerks employed by the city are underpaid, that the laborers and mechanics are receiving lower wages than are paid by outside concerns, and that the salaries of police and firemen are far below the scale paid by other large cities throughout the country, I feel that it would result in great hardship to a number of these employees to delay the passage of the budget at this time, as I understand that several departments of the city have already spent the one-third of their last year's appropriation allowed by law and, unless the budget is passed today, they will have no money with which to pay their help.

We have had, Mr. President, many confer-

ences with the department heads of the city. Questions have been asked as to the possible reduction of many items in the budget, and the answers from the department heads was in the negative, that they would be unable to run their department in an efficient way if any further cuts were made. I might say in passing to my brother from Dorchester, that his suggestion is all right, for the chairman of the Committee on Appropriations to sit in, but he can only do that one year, because he would have to take his chances the next year as to whether he was going to be re-elected or not. But we have done everything that in my opinion was possible to hold conference with his Honor the Mayor on the question of increases of the salaries now received by city employees. We have unfortunately been unable to have such a meeting, for which I made a motion while serving on the Committee on Appropriations. What the reasons are, I don't know. I am not one who accuses anybody of ducking anything. However, I know that we were unable to hold a conference with the Mayor, for which purpose I held the budget committee up for several days, or over a week. Of course, there are some outstanding things that I would like to do as a member of this committee. I see one of the most glaring examples of inefficiency in police captains receiving an increase of \$500 a year, while others are overlooked. I do not begrudge those gentlemen receiving the increase, but I say that the deputy superintendents should also receive corresponding recognition, as well as others. When certain ones are recognized and others not that does not tend towards efficiency. I say that in the Public Works Department the division engineers, men who have been trained for their positions, should receive recognition. There, again, I do not begrudge increases that others are receiving, but I do say that lack of recognition in other deserving cases does not work for efficiency. I say the fact that men of the type of Bowes, Carty and other division engineers are not recognized, do not receive increases, is wrong, because in my opinion there are no men conducting the business of the city in any department who are more efficient than the two gentlemen I have named. I could take the afternoon and discuss various people in the city employ who should be recognized. But what is the use? The charter deprives me and every other member of this body of the right that members of such an organization should have, to pass upon the question of increases for deserving employees, and decreases if we see fit. However, we have to live up to the charter, and the only thing I can say in closing is that I am not in favor of cutting the budget when department heads state—and I believe they are honest; I have no right to believe that they are dishonest—that they will then be unable to conduct their business in an efficient way. Until such time as some councilor, who perhaps may know more about the budget than I do, can show me where we can make a cut in a department without injuring necessary improvements and cutting down the necessary employment of people of this city who are receiving their livelihood from the city, I am not going to vote for a reduction, and I hope the Council will pass the budget as submitted by his Honor the Mayor.

The appropriation orders were passed as reported by the committee, yeas 20, nays 1:

Yeas—Coun. Arnold, Donovan, Bush, Dowd, Dowling, Fish, Fitzgerald, Gallagher, Green, Lynch, Mahoney, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Ward, Wilson—20.

Nays—Coun. Deveney—1.

#### APPROPRIATION FOR NEW POLICE BOAT.

President DONOVAN called up, under unfinished business, No. 4 on the calendar, viz.:  
Ordered, That the sum of \$200,000 be, and

hereby is, appropriated to be expended under the direction of the Police Commissioner for new police boat, 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 April 15, 1929, the foregoing order was read once and passed, yeas 16, nays 0.

The order was given its second and final reading and passage, yeas 20, nays 0.

#### REPORT OF COMMITTEE ON CONSTABLES.

Coun. RUBY, for the Committee on Constables, to which was referred on April 8, 1929, annual list of constables as contained in Document 51, submitted report, recommending that names contained in said document be confirmed, with the following exceptions:

Henry P. Burns, Francis E. Kelly, Barnet Levenbaum, Salvatore Maffei, Robert E. Scott, John F. Welch, Jacob Isgur.

The order was accepted, and the question came on confirmation of the names submitted as constables of the City of Boston, with the approval of the committee. Committee, Coun. Gallagher and Green. Whole number of ballots, 20; yeas 20, nays 1, and the appointments were confirmed.

#### SALARY OF ASSISTANT CITY CLERK.

Coun. GREEN, for the Committee on Ordinances, submitted the following:

1. Report on ordinance (referred March 25) establishing salary of Assistant City Clerk at not more than \$4,500—that same ought to pass.

Report accepted; said ordinance passed.

2. Report on message of Mayor and four ordinances (referred March 25) establishing salaries of city officers (Street Commissioners, Penal Institutions Commissioner, chairman of Statistics Trustees, Election Commissioners)—that same ought to pass.

3. Report on message of Mayor and ordinance (referred April 1) establishing salary of Superintendent of Public Buildings at \$5,500—that same ought to pass.

Coun. DEVENEY—Mr. President, in sending these ordinances to the Council for our approval the Mayor is deliberately attempting to rob the taxpayers of this city. He knows better than anybody in this town that these increases are not justified. He knows that, with the possible exception of Pat O'Connor, Johnny Englert and Phil Chapman, there is not one man among these covered by the ordinances who does a day's work for the City of Boston. Take the case of Election Commissioner Mulvey. To understand why he is getting an increase of \$1,000, we must go back to a few months ago, when he ran for clerk against the present clerk, John Campbell. You will remember that at that time he won by 700 or 800 votes. Shortly after a recount was made, and to the amazement of the entire county he lost by thirty-four votes. No squawk was made by him, but a few weeks later they jumped him into the Election Commissioner's office, and today it remains one of the unsolved mysteries of this town how he ever got by the Civil Service Commission. He is very seldom down there. If you go in there during the day you don't see him or Seiberlich or Mrs. Gevalt. The only one you can see, and get information from, is Pat O'Connor who is on the job the entire day. Mr. Mulvey is one of the pets that I referred to a short time ago when I was talking about how the Mayor was ducking the committee on the budget. Mrs. Gevalt is a fine woman, but, to my way of thinking, she is getting paid \$2,500 too much. In the case of Seiberlich, even though the war is over, they want to give him another thousand dollars. And for what? A few days ago Mayor Nichols gave a coming-out party at the Elks to Jimmy Mulvey as a prospective candidate for Mayor.

They know that Curley gets most of his votes in Wards 9, 10 and 11, Jimmy Mulvey's Senatorial District, and I just want to ask you to imagine what Big Jim is going to do to Little Jim if he ever pops out again? Then, take Chapman. Chapman is on the job. Englert is on the job. Practically all of them are on the job, with the exceptions that I have made. They are out here in the lobby spreading the story, "Vote for a raise for Jimmy, poor Jimmy!" Ten or twelve years ago out in my district they ran Jimmy Mulvey for the House of Representatives. He got somewhere around 200 or 300 votes, and lost it. The next time he hopped out they spread the story about poor Jimmy, and poor Jimmy came back and was elected to the House of Representatives, and then it was poor Jimmy for the Election office downstairs, and now they are trying to "Poor Jimmy" him into a thousand-dollar raise. Jimmy Mulvey is a very wealthy young fellow. He has had a steady job for ten or twelve years, has been at the public trough during that entire time, while up at the City Hospital, friends of mine, ex-soldiers, with crippled arms and legs, are getting \$16 a week and probably working two months in the entire year. Does Mayor Nichols, from the corner office downstairs, think of getting them a raise? No. But he must take care of Jimmy, and Seiberlich and the rest of them. I think it is about time we put a stop up here to these brazen burglaries on the treasury. We ought to show some sympathy for the poor fellows in the City Hospital, for the laborers, cleaners, clerks and others in the city employ instead of always thinking of these so-called leaders and big shots.

Coun. MOTLEY—Mr. President, I stand here not only as a member of the Committee on Ordinances, which has reported these ordinances, but I also stand here as a councillor from Ward 11, the district from which Election Commissioner James J. Mulvey comes. It is true that some twelve or fourteen years ago he first became a candidate for Representative—not from the district of the gentleman who has just spoken, but from my district. It is true that at that time he received some 212 votes. It is not true that the following year the cry went up about "Poor Jimmy" because the following year he was again defeated. The third time he ran he won, and from that time on for four years he served his ward as a representative, and then became a candidate for the Senate. He again won, and for two years he served his people as a senator and came up for re-election and was re-elected by the greatest plurality ever given to any candidate in any senatorial district in Suffolk County. For the third time he ran, and he was unopposed, giving you the true situation in Roxbury, the real situation, showing what the people thought of Jimmy Mulvey. For six years he served in the Senate and became the Democratic minority leader up there, the highest position for anybody who goes to Beacon Hill. He then became a candidate for clerk of court. "Poor Jimmy" from Roxbury had the nerve and audacity to buck the organized county ring of this county. With a few loyal supporters from Roxbury, myself included, we toured this county and we won. It was the greatest surprise in the history of this town for a good many years. Then, after two weeks, he was counted out of the picture. Of course he didn't crab; of course he didn't cry. It is not in his make-up to cry or crab. He did not cry or crab the first two years when he was defeated for the House. He just kept plugging and he made the grade, and I predict today that he will make the grade, because he will be the next clerk of the Superior Criminal Court. Now, my friends, I don't want to get into any personal argument with the gentleman on my left. He is interested in Pat O'Connor. I wonder if he is so interested in Pat O'Connor because he is in the office of Charles O'Connor, a brother of Pat O'Connor? Members of this Council, I do not ask, and Mr. Mulvey has

not asked, any man in this Council to vote for this proposition. When the matter came before the Committee on Ordinances some time ago and the gentleman from Hyde Park came in there and asked us to continue to put it over for a week or ten days, I never demurred. Why not? Because I felt if I said anything it would be taken as coming from Mulvey. Mulvey had nothing to say about it. He didn't even know it was coming, he didn't even know that he was in for a \$1,000 increase until he saw it in the Boston papers. He got his job from the Mayor of Boston himself, nobody speaking in his behalf, and it took this town by surprise when Mayor Nichols appointed him Election Commissioner. The Mayor himself told me it was the most popular appointment he ever made, and I think every member of this body thoroughly agrees with that statement.

Coun. DEVENEY—Mr. President, I would just like to answer the question put to me by Councillor Motley. I will simply say that Charles O'Connor is not in my office, nor am I in his.

President DONOVAN—The question is on accepting the report of the Committee on Ordinances.

Coun. DEVENEY—Mr. President, I am going to ask that these matters be acted upon separately. I make that motion.

Coun. Devaney's motion, that the matters be acted upon separately, was carried.

The report concerning increase in salary of the Penal Institutions Commissioner was accepted, and the ordinance was passed.

The report concerning the salary of the chairman of the Statistics Trustees was accepted, and the ordinance was passed.

The report concerning the salary of the Election Commissioners was accepted and the question came on the passage of the ordinance.

Coun. WARD—Mr. President, I ask unanimous consent to make a statement. I was out of the Council Chamber at the time, Mr. President, but I understand that an unwarranted attack was made on one of the Election Commissioners. If I had been here I would have risen to the defence of that man. I succeeded in the Senate the man who has since demonstrated his capability of filling the job of Election Commissioner and I feel that that appointment made by his Honor the Mayor was made by him in one of his wise moments. He certainly made a splendid appointment when he appointed a man of the character and caliber of Jimmy Mulvey Election Commissioner; and I want to go on record as in favor of this increase in salary. He is a man who always stands out in our minds in Roxbury as our Senator, and I am heartily in favor of an increase of his salary as Election Commissioner.

Coun. BUSH—Mr. President, I rise to a point of information. Haven't the Election Commissioners' salaries been increased in the last year or two, from \$5,000 to \$6,000 for the chairman and from \$4,000 to \$5,000 for the other members of the commission?

President DONOVAN—The Chair would ask the Committee on Ordinances in regard to that.

Coun. GREEN—For the information of the councillor who has just taken his seat, Mr. President, I will say that in 1914 the salary of the chairman was increased to \$4,500 and the salaries of his colleagues, associates, were increased from \$3,000 to \$4,000. In March, 1923, the salary of the chairman was increased from \$4,500 to \$6,000 and of the other commissioners from \$4,000 to \$5,000.

The question came on the adoption of the ordinance.

Coun. MOTLEY—Mr. President, I rise to a point of information.

President DONOVAN—State your point of information, councillor.

Coun. MOTLEY—I desire to know, Mr. President, if we can take a vote on each of the Election Commissioners.

President DONOVAN—No. The Chair will rule that you cannot. They must be considered jointly.



The ordinance increasing the salaries of the Election Commissioners was adopted.

The report concerning increasing the salaries of the Street Commissioners was accepted, and the ordinance was adopted.

The report concerning an increase of the salary of the Superintendent of Public Buildings was accepted, and the ordinance was adopted.

#### FINANCE COMMITTEE REPORTS.

Coun. MOTLEY, for the Committee on Finance, submitted the following:

1. Report on order (referred April 15) that \$60,000 be expended for purchase of land in Fourth Section of East Boston for playground—that same ought to pass.

2. Report on order (referred April 15) that the sum of \$15,000 be expended for erection of bleachers on Wellington Street Playground, Eagle Hill Playground, John H. L. Noyes Playground—that same ought to pass.

3. Report on order (referred February 11) that \$500,000 be expended for construction of Municipal Building in Ward 16—that same ought to pass.

4. Report on order (referred March 11) that \$30,000 be expended under direction of Park Commissioners for placing in proper condition Smith's Field Playground, Ward 18—that same ought to pass.

5. Report on order (referred April 8) that \$150,000 be expended under direction of Commissioner of Public Works for construction of a tunnel under railroad tracks at Forest Hills—that same ought to pass.

The reports were accepted, and the question came on the passage of the orders.

Coun. WILSON—Mr. President, do I understand that a playground order is included? Has the Special Committee on Playgrounds appointed by the Mayor made some report?

President DONOVAN—The Chair understands that there has been no such approval. It is merely a question of our passing these orders.

Coun. FITZGERALD—Mr. President, I would merely like to ask a question, for information, in regard to that toll-gate bridge tunnel. I did not quite get that.

Coun. MOTLEY—That order was introduced by the councilor of Ward 19 at the instance of some ten thousand men and women of that section who will be served by this project. I believe it is desired to replace the present toll-gate bridge by a tunnel connecting Hyde Park avenue and Washington street, an up-to-date tunnel that will be of some service to the men, women and children of that community. Your committee on Finance hopes that this order will pass.

Coun. FITZGERALD—When that order was read, Mr. President, I thought it referred to the proposition at the North Ferry, and, the chairman not making an explanation at the time of filing the orders, I simply asked for information. If I had realized that it referred to another part of the city I would not have raised the question.

Coun. MURRAY—Mr. President, that matter is something that has been advocated by the clergy of all denominations in that part of the city for years. The adults and the children who go to the library, for example, have to go for half a mile or more around to Roslindale square, or by way of Curtis Hall, in order to get their books. So, in case of fire, there is at present trouble in getting the apparatus through that thickly populated Forest Hills square section, at times entailing a delay of four or five minutes. So I think, if the Mayor sees fit to put that tunnel through, it will be a great thing for protection. The plans were drawn by a competent engineer who, I am sorry to say, has just passed away, John Monaghan, whom every one loved. It has been figured that this tunnel can be put through for \$150,000, and it will be a great accommodation to the people of the district in going to the library, to the churches and to other places in the district, and will also be a great help in handling

the fire situation, making for greater speed of the apparatus, which, as I say, is now greatly delayed. It is a matter that has been advocated for years. Some of the people going to church Sunday in Roslindale have to go a mile or a mile and a half around, out of their way, and there is also a good deal of delay to the children in going to the Francis Parkman School. I hope the order will pass.

Coun. MURPHY—Mr. President, speaking of the \$150,000 proposed to substitute a tunnel for the toll-gate bridge so as to make a connection between Washington street and Hyde Park avenue, I want to say that I am absolutely in accord with that, because at the present time that bridge is not fit for children or others who wish to travel over it at night and also presents difficulties in the daytime. It is one of the most necessary improvements for that section of Boston. In regard to the proposed \$30,000 for Smith Field Playground in Hyde Park, for some time we have been struggling to have that made level so that the water will not come in and make it impossible for the home teams to play games. I have introduced orders at different times requesting his Honor the Mayor to do something for the people of Hyde Park in the way of playgrounds and otherwise, and I hope that he will give this matter his serious consideration, that it will not meet with a veto, and that the playground will be made a good place to play on.

President DONOVAN—Unless there is objection, the Clerk will call the roll on the different orders jointly.

The reports were accepted, and the several orders were passed on one vote, yeas 18, nays 1:

Yeas—Coun. Arnold, Deveney, Donovan, Dowd, Fish, Fitzgerald, Gallagher, Green, Lynch, Mahoney, McMahon, Motley, Murphy, Murray, Ruby, Sullivan, Ward, Wilson—18.

Nays—Coun. Parkman—1.

#### REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. MOTLEY for the Committee on Public Lands, submitted the following:

1. Report on petition of Alfred J. L. Ford *et al.* for release on condition in deed of land at 753 East Broadway—recommending passage of following order:

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 the trustees of the Columbus Associates a release in form satisfactory to the Law Department of the following restriction, contained in a deed given by the City of Boston to Freeborn Adams, Jr., dated January 27, 1858, and recorded with Suffolk Registry of Deeds, Book 730, page 264: "The building located on this lot shall be less than twenty feet in width and placed on a line six feet back from the street, also the basement to be set up four feet from said grade of street."

The restriction herein referred to affects the premises owned by the trustees of the Columbus Associates, situate at 753 East Broadway, in that part of Boston called South Boston.

The report was accepted, and the question came on the passage of the order.

Coun. MOTLEY—Mr. President, this is the proposed release of a condition in a deed of land at 753 East Broadway. This property was sold off with restrictions in 1857 by the city, along with other property on East Broadway. During the past few years the restrictions have been lifted on those pieces of property on account of the change in that section which is fast becoming a business section.

Coun. WILSON—Mr. President, as I understand it, very briefly, the present order is similar to one we talked about earlier in the session. It is merely to clear up a title. I understand that this is only the first reading of the order. The same reason that influenced me to vote for the order on the

calendar which proposed to remove restrictions, earlier in the session, together with nineteen other members of the Council, shall now vote in favor of this.

The report was accepted and the order was passed, yeas 20, nays 0.

2. Report on message of Mayor and order (referred February 18) that City of Boston execute a lease to the Major P. J. Grady Camp, No. 3, Department of Massachusetts, U. S. W. V., of second floor of premises known as Old Armory Building, corner of Maverick and Bremen streets, East Boston, said lease to run for five years at \$1 per annum—that said order ought to pass.

Coun. RUBY—Mr. President, is that the one with reference to East Boston?

President DONOVAN—Yes.

Coun. RUBY—Has there been approval of that by the bodies that now oppose it?

President DONOVAN—The Chair would state that he is in receipt of a communication from Wilfred A. Wetherbee, Assistant Adjutant General of the G. A. R., and Wethered Nelson, stating that they have conformed to the request of the Committee on Public Lands.

Report accepted; said order passed.

#### REPAVING OF WINTHROP 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 Winthrop street, Ward 8.

Passed under suspension of the rule.

#### ACCEPTANCE OF WEST HAVEN 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 West Haven street, Ward 9.

Passed under suspension of the rule.

#### ACCEPTANCE OF LUBEC STREET.

Coun. DONOVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Lubec street, from Maverick street to the Cottage Street Playground, Ward 1, as a public highway.

Passed under suspension of the rule.

#### ACCEPTANCE OF WARD 19 STREETS.

Coun. MURRAY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Hawthorne street, from Sycamore street to end, Ward 19, as a public highway.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Fifth road, from Washington to Florence streets, Ward 19, as a public highway.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out St. Peter street, from Paul Gore to Boylston streets, Ward 19, as a public highway.

Severally passed under suspension of the rule.

#### SIDEWALK ON HAWTHORNE STREET.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Hawthorne street, from Sycamore to Florence streets, 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 ON WESTMINSTER STREET.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Westminster street, from Providence street to Huntington 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.

#### 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 with smooth paving Rexford street, Dorchester, Ward 18.

Passed under suspension of the rule.

#### REPAVING OF BABSON 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 Babson street, Dorchester, Ward 18.

Coun. MURPHY—In passing, Mr. President, I will simply say that one of the streets I have asked to have repaved is a street leading to the Tileston School. The street is in very bad condition. Rexford street, leading to the church on Blue Hill avenue, is in the same condition. I hope his Honor the Mayor will get in touch with the Public Works Department and see if he cannot get some relief on those streets.

The order was passed under suspension of the rule.

#### INFORMATION FROM SCHOOLHOUSE COMMISSION.

Coun. WILSON offered the following:

Ordered, That the Schoolhouse Commission, through his Honor the Mayor, be, and said commission hereby is, respectfully requested to advise the City Council forthwith:

1. Is any provision that "citizen labor must be employed if available" included in contracts let out by the Schoolhouse Commission of the City of Boston for schoolhouse construction?

2. What are the names and addresses of all individuals or firms now holding contracts from the Schoolhouse Commission for schoolhouse construction and covering work on what schoolhouses?

3. On each job now in process what number of employees are employed by each contractor on the job and how many of such employees on each job are aliens.

Coun. WILSON—This order, Mr. President, which I intend to press until a reply is made, is a companion order to the one I introduced in March, which was passed unanimously by the City Council, and which I also intend to press until an answer is given. That order of March read as follows:

"Ordered, That the Public Works Department, through his Honor the Mayor, advise the City Council forthwith:

1. Is the customary provision that 'citizen labor must be employed, if available' still included in contracts let out for the City of Boston for sewer and street construction?

2. What are the names and addresses of all individuals or firms now holding contracts

from the City of Boston for sewer or street work, and covering work on what streets?

3. On each job now in process, what number of laborers are employed by each contractor, and how many of such laborers on each job are aliens?"

Mr. President, I made that recommendation back in March, over a month ago, and also have now requested a list of the individuals or firms holding street contracts for the City of Boston, asking as to each job that is being done, the number of laborers employed by each contractor, and how many laborers on each job are aliens. I now introduce this companion order in regard to schoolhouses being constructed by the Schoolhouse Department. So far as Boston employing its own citizens is concerned, I understand that the city of Cambridge at the present time is firing citizens of the City of Boston because of the clause in their contract that those employed shall be American citizens and, so far as possible, residents of the city, and I think that practically every large city in the country is giving preference on school, street and other work to its own citizens. I made that particular reference to the situation in Cambridge, because my attention has been called to the fact that men from Brighton, such as carpenters, plumbers and other help, are being laid off because they are citizens of another municipality. So I say that, so far as possible, where we are building our schoolhouses and doing work on our streets, we should employ citizens of our own city. I am even more interested in the order of March concerning the preference that should be given to citizen labor on street work throughout the City of Boston. It was called to my attention last week that a contractor named DiStefano, now doing work on Ashland street, if I am correctly informed, is paying his labor 40 cents an hour. As I have said before, and I repeat today, with a contract provision of the Boston contract, this year as last year, that citizen labor be given preference and that the laborers be given 65 cents an hour, it is an imposition to continue to allow these men to be low bidders, to get contracts through low bids, and then, instead of paying their labor on the supposed basis of 65 cents an hour, in order to make a profit, get a bunch of people who cannot speak English to work for 40 cents an hour. And so I give notice here, Mr. President, that starting next Monday, and every Monday in the City Council for the balance of the year, no matter how many it may make tired, I am going to insist on a reply to my request in the March order. I am going to start next Monday afternoon and am going to repeat the request every Monday afternoon until I get the reply to which the body is entitled.

Coun. RUBY—Mr. President, I am in hearty accord with the gentleman from Ward 17. I have had a number of requests come to me relative to the situation that the councilor has just referred to. I understand that the contractor just mentioned has been doing work on that basis on Ashland street, and I understand also that he has been carrying along a contract in East Boston, on which he was hiring alien help at 25 and 30 cents an hour less than the prevailing rate of wage which was understood when he accepted the contract. The time has come, I believe, Mr. President, when the members of the City Council must once and for all take a stand against every contractor in Boston who holds a contract with the city and employs laborers, that they pay the rate of wages which they engage to pay under their contract, and that they also employ American citizens, and preferably citizens of Boston. With the number of thousands unemployed, whom we have in the city today, we must, if we are to sustain our right to hold public office, insist that these contractors give the work to those who are entitled to the work. Citizens of this country, and preferably citizens of Boston, are entitled to prior consideration in employment by these contractors, who are now not simply getting the legitimate profit arising out of their bidding for the contract, but are get-

ting this difference in the amount which contractors are expected to pay to laborers and the amount they actually pay to the laborers working for them. It has been called to my attention that these foreign contractors—I use the expression advisedly—are able to underbid American contractors who intend to carry out the obligations of the contract with the city. They are safe in underbidding those contractors, because they never intend to employ laborers at the prevailing rate of 60 or 65 cents an hour. They go into the thing with their own relatives, and the bosses themselves go on the job, and in that way they are getting a double profit, to which, in my opinion, they are not entitled. I am glad that the gentleman from Ward 17 (Coun. Wilson) is going to lead the agitation for employment of citizens of this city. I am sure that in that he will have the support of every member of the Council. We know the trouble we had a year ago in our city in connection with the contract for the removal of garbage and ashes. They are not only doing the same thing now, but they are getting mediocre labor, so that the citizens of Dorchester, as I happen to know, are not getting the service to which they are entitled. I hope the order will pass and that we will get action in the future.

Coun. SULLIVAN—Mr. President, I think the order offered by Councilor Wilson is a very good ordinance, and he will have my hearty support in trying to have the provision in regard to the price paid to laborers in some of these contracts carried out. I want to go on record as in favor of having these contractors employ American labor, and, if possible, voters of the City of Boston, on contracts they received from the City of Boston.

Coun. MURPHY—Mr. President, gazing around the Chamber, I am surprised, when an important question of this kind arises, that a little more interest is not shown and that more of the members are not present in the body. The contractor to whom the councilor from Ward 17 has referred is performing work on Ashland street in my ward. My attention has been called to the fact that he is paying 40 cents an hour to laborers, and I immediately got in touch with the Commissioner of Public Works, realizing that you have to wait for six months to get an answer to the Council otherwise. He told me that he will call the contractor in and make an investigation as to whether he is paying the prevailing rate of wages or not. Now, Mr. President, that is the nigger in the woodpile, as far as wages for these laborers are concerned,—the prevailing rate. What is the prevailing rate? The only prevailing rate that can justify itself in Boston or in America is the rate that has been secured by the American Federation of Labor through its organizations in every section of the land, and the contracts, as drawn up today, provide that 65 cents an hour is the prevailing rate. But the fact is that these men are coming into Boston, I understand, taking over work that men of my race used to take care of pretty well, contract work, and these other men are employing aliens in order to cut down the wages of American citizens. Let me say, Mr. President, that I came from a land across the sea and have become a citizen of the United States; yes, and I have become convinced that that is the only route to go, because, in addition to receiving the American wages by organized labor, I have been elected to this body, absolutely on my record as a man advocating the rights of the people. Now, if his Honor the Mayor, the commissioner, or the contractors, no matter who they are, who are responsible for starvation wages in Boston, are countenancing anything of this sort, let us know it, and let us not alone get an answer but let us bring the matter before the Council and let the answer be conveyed to the people of Boston.

Coun. McMAHON—Mr. President, it is quite amusing how members can disappear from the Chamber so quickly. It was only a short two or three weeks back that we had a particular loan order, in fact, two of them, that came in here and they were passed immediately.

I, as one member, took exception to passing them at once. About the same question was raised at that time that has been raised here in regard to this matter in the last few months, in regard to men working under contract for the City of Boston at starvation wages. It is not a new matter. It has been going on, to my knowledge, for the last three years that I have been a member of the Council. It is not only this particular contract relating to Ashland street. It is happening every day in our district, in practically all the contracts that are let. They do not propose to pay 65 cents, even if the contract does specify 65 cents an hour. The men who get those contracts, Mr. President, would not work for 40 cents an hour. They are the biggest yellers in the town. They do more screeching than any body of men in town, when things do not go their way. They are the men who are getting these contracts and who are evading the provisions of the contracts. If you cut them down a thousand dollars on anything, as we have had occasion to see within a few short weeks, you will raise a howl; no matter what little picayune cut may be made, they will raise a noise about it. And still they are always looking to pick up their \$100 to \$500 on extras on every contract, with no exception. Now, there is no reason why the Council should be continually subjected to this sort of thing, because of the paying of starvation wages to men who work on city contracts. It is time that we of the Council had the heads of departments and the contractors before us. A year or two ago they were sent for. Taking the head of one particular department which has a lot to do with this alien help, and he will cooperate with any one to see that the men get their proper pay. But he cannot do it unless the thing originates at the Mayor's office. So there is no use of our sending for department heads, deputies, or anybody else unless the Mayor himself will see to it that this thing is corrected. It could be got at, and could be straightened out,—the Law Department executing the American Federation of Labor contracts that are put in black and white, giving 65 cents an hour to them, and then the contractors being made to live up to them. But don't let us have to hear about this at every other meeting, that the contractors do not pay the proper price to the laborers. I have got men in mind today who will not only work for 40 cents an hour, but will take anything an hour, as long as they can get at least \$15 a week. They will take anything. It is pitiful to see not only foreign-born men, but citizens, American-born, young men and old men, born right here in Boston and who have never lived outside the City of Boston, who cannot get work today on a job for the City of Boston. Why? Because they hire aliens on those jobs for 40 cents an hour. And let me tell you that I have men in my district who would work for 25 cents an hour so that their kiddies will not be hungry on a Sunday. It is high time that the members of this Council, instead of six or seven of them absenting themselves from the Chamber on an issue of this kind, should keep their seats warm, when a subject like this, so important in their districts, is up for consideration. I certainly hope that the councilor from Dorchester, Councilor Wilson, will insist on the position he has taken; will get up here at every meeting and demand an answer to his inquiry, and if I can help him in any way I shall be glad to do so.

The order was passed under suspension of the rule.

#### LOAN BUDGET FOR 1929.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be, and he hereby is, respectfully requested forthwith to furnish the City Council a definite loan budget for the year 1929 in accordance with the recommendation to that effect made in the Report on Municipal Finances and Policies in the City of Boston submitted to his Honor the Mayor by the Boston Real Estate Exchange and the Boston Chamber of Commerce in April, 1928.

Coun. WILSON—Very briefly, Mr. President, this is a request on his Honor the Mayor of the City of Boston, to submit to the City Council an actual loan order budget, just as he now submits to us a budget for appropriations. A year ago I put in an order calling upon his Honor the Mayor to submit a loan budget for this year, in accordance with the recommendations that had been made in the report of the Committee on Municipal Finance and by various experts connected with the Boston Real Estate Exchange, the Boston Chamber of Commerce, and other business bodies. In that way, a loan budget could be considered in just the same manner as an appropriation budget for the year, having all the major things set forth, as they are set forth in the six or eight pages of this pamphlet dealing with appropriations. It would seem as though consideration of ordinary financial business methods would force the Mayor of the City of Boston to submit to the City Council such a document each year,—not merely a budget of appropriations, but also the loan order budget. Of course, I can appreciate the reasons that might prompt the Mayor of a city not to wish to give out a loan order budget, from the point of view of the average member of the Council, who hopes and intends, so far as possible, to get improvements for his particular ward. Of course, the only way in which the twenty-two members of this Council can ever get anywhere is to know on the "go" or at the start just how much money is being asked for in loan orders; in just what district improvements are needed and are being proposed and made; and then, when a street widening or other order comes in, for a million dollars for street, and another million dollars for sewers, and perhaps another \$500,000 covering tailings from some old street widening jobs, which it might be proposed to expend on a playground in some favorite councilor's ward, and another playground in some other friendly councilor's ward, we would know on the "go" just how the thing started, and just what it meant. That would certainly be of great importance to the members of the Council, and I think would be a good thing for the city generally. I accordingly press the adoption of this order at this time, so that the members of the Council—not only those who sit on the throne each week, but those who spend their time on the fourth floor—may know how many million dollars are to be spent under loan orders during 1929, as well as the amounts that are being spent under mere appropriations.

The order was passed under suspension of the rule.

Adjourned, on motion of Coun. MURRAY, at 4.45 p. m., to meet on Monday, May 6, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, May 6, 1929.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Parkman and Ward.

Coun. DOWD in the chair.

## JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, the Mayor absent, viz.:

Twenty-eight traverse jurors, Superior Civil Court, First Session, April Sitting, to appear June 3, 1929:

Edward J. Cronin, Ward 1; Jefferson D. Gardiner, Ward 1; Philip J. Molloy, Ward 1; Michael J. Moran, Ward 1; James A. Roach, Ward 1; John J. Fee, Ward 2; Andrew E. Anderson, Ward 3; Albert W. Lang, Ward 4; George R. Moon, Ward 5; Michael J. Conroy, Ward 6; John A. Greene, Ward 7; John J. Connors, Ward 8; John I. Flynn, Ward 8; Archibald McKenzie, Ward 10; Francis J. Mulloy, Ward 10; Clement I. Loughman, Ward 11; David P. Carey, Ward 12; Arthur B. Gordon, Ward 13; Louis Bardfish, Ward 14; William H. Kelly, Ward 13; Henry J. Bresee, Ward 14; Meyer Goldstein, Ward 14; John J. Coffey, Ward 15; Michael W. Costello, Ward 15; Rodger E. McGrath, Ward 15; William Fulton, Ward 19; Denis O'Keefe, Ward 22; Charles L. Titus, Ward 22.

Twenty-five traverse jurors, Superior Civil Court, Second Session, April Sitting, to appear June 3, 1929:

Philip S. Segal, Ward 1; John H. Callahan, Ward 3; Arthur W. Shepard, Ward 4; Charles Reiser, Ward 4; John P. Cronin, Ward 7; Frank R. Dupree, Ward 9; George C. Morton, Ward 12; Edward I. Stringe, Ward 12; Daniel B. Cullinan, Ward 13; William Donaldson, Ward 13; Arthur Radcliffe, Ward 13; Peter J. McCormick, Ward 14; William H. Coggin, Ward 15; James M. Flynn, Ward 15; John R. Grindley, Ward 15; John T. Griffith, Ward 16; James J. Murrin, Ward 16; Arthur G. McKenna, Ward 18; Frederick G. Pommer, Ward 18; Edward L. Fitzgerald, Ward 19; Frederick C. Rice, Ward 19; Eugene F. Lehner, Ward 20; Norman W. Porter, Ward 20; William J. Cullen, Ward 21; Fred E. Ringer, Ward 22.

Twenty-five traverse jurors, Superior Civil Court, Third Session, April Sitting, to appear June 3, 1929:

William K. McDonald, Ward 1; Frank L. Sharpe, Ward 2; Leonard P. Balch, Ward 3; Giovanni Arata, Ward 3; Daniel E. Burns, Ward 3; Frank J. Connaughton, Ward 4; Henry F. Goodrich, Ward 4; James F. Clarke, Ward 5; Henry G. Halladay, Ward 5; Nat. Swendeman, Ward 10; Walter J. Grant, Ward 10; Edward J. Crawford, Ward 12; Herbert V. Mitchell, Ward 12; Arthur D. Hutchinson, Ward 13; James J. Flynn, Ward 14; John W. O'Brien, Ward 15; John C. Peters, Ward 15; Archibald McInnis, Ward 16; James O. Blake, Ward 17; Louis Gilman, Ward 18; Homer Kiessling, Ward 18; Thomas H. Finigan, Ward 19; William Bensley, Ward 21; Eli Goldberg, Ward 21; Edward J. Ripley, Ward 21.

Twenty-nine traverse jurors, Superior Civil Court, Fourth Session, April Sitting, to appear June 3, 1929:

John M. Hudson, Ward 1; John Shanahan, Ward 2; William James Cotter, Ward 4; Wil-

liam A. Gibson, Ward 4; George Reuschel, Ward 4; Arthur M. Wall, Ward 5; Nathaniel T. Worthen, Ward 5; Eugene A. Coupal, Ward 6; Michael Barry, Ward 7; William G. Gross, Ward 7; Harry J. Sennott, Ward 9; William C. Pirie, Ward 11; Clarence O. Bickford, Ward 13; George E. Curley, Ward 13; Joseph P. Dumas, Ward 14; Solomon Jacobs, Ward 14; Samuel Richmond, Ward 14; Joseph M. Irwin, Ward 15; William T. May, Ward 17; William R. Wall, Ward 17; James M. Conley, Ward 18; Ernest L. Ross, Ward 18; Edward H. Imberger, Ward 19; Augustus M. Anderson, Ward 20; Isaac Fonseca, Ward 21; Andrew P. Callahan, Ward 22; John J. Corbett, Ward 22; Denis Hayes, Ward 22; Frank Shea, Ward 22.

Twenty-five traverse jurors, Superior Civil Court, Fifth Session, April Sitting, to appear June 3, 1929:

Edward P. Gunning, Ward 3; Patrick J. Sweeney, Ward 3; Walter J. Grosvenor, Ward 4; Daniel C. Dilworth, Ward 5; Lewis B. Gardner, Leo W. Pickert, Ward 5; Charles A. Stacy, Ward 5; Charles W. Tuttle, Jr., Ward 6; Archibald P. Tobin, Ward 7; George Adamson, Ward 11; John J. Trager, Ward 12; Joseph R. Barkan, Ward 14; Hugh P. Lydon, Ward 14; Adolph Pitnof, Ward 16; John F. Courtney, Ward 17; Roger P. Cushing, Ward 17; Alexander H. Lugton, Ward 18; James R. Pearce, Ward 18; Charles F. Clews, Ward 19; James C. Wagner, Ward 19; Charles J. Cassidy, Ward 20; William J. Fisher, Ward 20; Joseph A. Hertig, Ward 20; Stephen C. Mitchell, Ward 20; Lawrence S. Smith, Ward 20.

Twenty-seven traverse jurors, Superior Civil Court, Sixth Session, April Sitting, to appear June 3, 1929:

Albert T. Rogers, Ward 1; Thomas M. Stickley, Ward 4; Edward O. Mahoney, Ward 5; George F. Radway, Ward 5; Charles H. Clark, Ward 6; Charles B. McLaughlin, Ward 10; Harry W. Bassett, Ward 11; James Cantwell, Ward 11; Martin J. Finn, Ward 11; Ronald J. Gillis, Ward 13; Arthur F. Jewett, Ward 13; George H. Wissen, Ward 13; William J. Cullinan, Ward 14; William J. Weiler, Ward 14; John Rodger Bradley, Ward 16; John F. Hurley, Ward 16; Anton G. Johnson, Ward 16; Frederick J. Kellaway, Ward 16; John J. Buckley, Ward 17; William A. Burmeister, Ward 17; Alexander Macdonald, Ward 17; Michael H. Mowles, Ward 17; James P. Driscoll, Ward 18; Edwin J. McGowan, Ward 18; Herbert E. Watts, Ward 20; Walter V. Jones, Ward 21; Fred T. Paul, Ward 21.

Twenty-six traverse jurors, Superior Civil Court, Seventh Session, April Sitting, to appear June 3, 1929:

George Repucci, Ward 1; George E. Robinson, Ward 2; Andrew Swenson, Ward 3; Edwin H. Clauss, Ward 6; Fred W. Tibbetts, Ward 6; George E. Campbell, Ward 8; James Quinn, Ward 9; Peter J. Hartnett, Ward 10; Joseph A. Mackenzie, Ward 10; Joseph D. McLaughlin, Ward 10; Daniel Pierce, Ward 10; Frank G. Egan, Ward 12; Horace H. Hamilton, Ward 13; Patrick J. Kelly, Ward 13; George Atchison, Ward 14; Carl E. Freedman, Ward 14; Edgar A. Horwood, Ward 17; Joseph H. Krupp, Ward 17; Harry C. Greenwood, Ward 18; James H. Henderson, Ward 18; John P. Iverson, Ward 18; James Murphy, Ward 19; Albert W. Stoller, Ward 20; Samuel F. Wise, Ward 20; Francis A. McLaughlin, Ward 22; Timothy Regan, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, Eighth Session, April Sitting, to appear June 3, 1929:

Walter A. Bacigalupo, Ward 1; James S. Dick, Ward 4; George H. Whitley, Ward 7; James J. Reilly, Ward 8; Frederick S. Scott, Ward 8; John L. Walsh, Ward 8; Orman B. Hamlett, Ward 9; Harry A. McFarland, Ward 9; Thomas J. Kelly, Ward 11; George H. Lambert, Ward 11; Frederick A. Meagher, Ward 11; George W. Nowell, Ward 11; John

L. Post, Ward 11; Henry Rump, Jr., Ward 11; Frank M. Williams, Ward 12; George Melhado, Ward 14; Isador B. Cowan, Ward 15; Francis H. McGrath, Ward 16; Herman M. Comerford, Ward 17; John J. McNamara, Ward 17; Philip G. Carlson, Ward 18; Fred T. Wilson, Ward 18; Louis A. Hoeschle, Ward 19; Joseph A. Klueber, Ward 19; John McLaughlin, Ward 19; Hedley V. Howlett, Ward 20; August A. Peterson, Ward 20; James H. Davidson, Ward 22; Richard B. Oram, Ward 22.

Twenty-three traverse jurors, Superior Criminal Court, First Session, to appear June 3, 1929:

Herbert C. Cahill, Ward 1; Samuel Keiffer, Ward 1; Walter H. Keene, Ward 1; John J. Annodo, Ward 2; Peter D. Owens, Ward 2; William G. Bryant, Ward 3; Ira O. Mathews, Ward 4; Patrick Price, Ward 7; Edward Bellis, Ward 12; Emil Erlandson, Ward 12; Albert M. Williams, Ward 12; Edward J. Heough, Ward 13; Charles E. McCarthy, Ward 13; Andrew J. Widdup, Ward 13; Frederick H. Horneman, Ward 14; Peter V. Pascarelli, Ward 14; Thomas Delaney, Ward 15; Ralph S. Clarke, Ward 17; Henry B. Buck, Ward 18; Herbert A. Hayward, Ward 18; Henry J. Lefevre, Ward 19; Henry L. F. Naber, Ward 20; Isaac J. Vail, Ward 20.

Thirty-two traverse jurors, Superior Criminal Court, Fourth Session, to appear June 3, 1929:

Frank Ray, Ward 3; Joseph P. Gormley, Ward 4; Frank H. Mansell, Ward 4; James L. Willard, Ward 5; John Mahoney, Ward 6; Harold H. Hill, Ward 7; Patrick J. O'Brien, Ward 8; Timothy O'Connor, Ward 8; Morris Sturmlauf, Ward 8; Francis E. Boyle, Ward 10; John J. May, Ward 10; Joseph P. McEneaney, Ward 10; Green B. Walker, Ward 10; Herbert J. Stone, Ward 12; Asa E. Coleman, Ward 13; Edmond Downey, Ward 13; Edward J. Harrington, Ward 13; John T. Wight, Ward 14; James Joseph Barry, Ward 15; Charles McCarthy, Ward 16; Leon R. Hartford, Ward 17; John Mulcahy, Ward 17; Thomas S. Larkin, Ward 18; George H. Manley, Ward 18; Francis J. Obert, Jr., Ward 18; Archibald C. Scrivens, Ward 18; Alfred H. Young, Ward 18; John Adamson, Ward 19; Clemens B. Heukamp, Ward 20; Robert E. L. Chapman, Ward 21; Frank Goodman, Ward 21; Joseph S. Bocchino, Ward 22.

#### APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the Mayor submitted the following appointments for the term ending April 30, 1930:

Weighers of Coal: Arthur L. Hayden, 22 Sargent avenue, Somerville, with E. S. Morse & Co., 199 Medford street, Charlestown.

Weighers of Goods: Rose F. Muchkin, with International Glue Company, East Boston.

Constables: Samuel Welling, 162 Seaver street, Ward 12; James H. McInerney, 7 Alleghany street, Ward 10; Irving T. Mankin, 84 Waumbeck street, Ward 12; Charles Henry Grace, 114 Baldwin street, Ward 2; Irving Honigsberg, 42 Winston road, Ward 14; James I. Mede, 116 Bremen street, Ward 1; William Joseph Johnson, 11 Devens street, Ward 2; John H. Brady, 465 Massachusetts avenue, Ward 9.

Severally laid over a week under the law.

#### CUMMINS HIGHWAY.

The following was received:

City of Boston,  
Office of the Mayor, May 6, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works,

in reply to your order of April 8, 1929, relative to the completion of the construction of Cummins Highway.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, April 26, 1929.  
To the Honorable the Mayor.

I return order of the City Council relative to the Cummins Highway, and report that, weather permitting, construction will be well under way by the first of next week. The contractor is ready to resume work, and the Boston Elevated Railway has put in the necessary crossovers, so that one area formerly occupied by the track will now be available for the filling to be brought in and graded by the contractor.

Yours very truly,  
JAMES H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### FOOT PASSAGE ACROSS NEPONSET RIVER.

The following was received:

City of Boston,  
Office of the Mayor, May 6, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of April 8, 1929, relative to the construction of a foot passage across the Neponset river incident to the present construction of a bridge across the Neponset river to the new Milton Station of the Rapid Transit extension.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Transit Department, April 22, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—We return herewith order of the City Council relative to the construction of a foot passage across the Neponset river to the new Milton Station.

The trustees of the Elevated have advised us that for the present there is no necessity of constructing a foot passage at this point, but the work has been so designated that a foot passage may be constructed at some future date without interfering with the operation of service.

Yours respectfully,  
CITY OF BOSTON TRANSIT DEPARTMENT,  
by T. F. SULLIVAN, Chairman.  
Placed on file.

#### INFORMATION IN RE TRAFFIC SIGNALS.

The following was received:

City of Boston,  
Office of the Mayor, May 6, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Street Commissioners in reply to your order of April 15, 1929, relative to information regarding traffic signals, etc.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Board of Street Commissioners,  
April 25, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Answering the order of the City Council of April 15, relative to furnishing certain information for streets which are to be equipped with automatic time signals.

This order was referred to the Traffic Division of this department, which furnishes the following information:

Unit No. 1 calls for installation in the following streets; Washington street, from

Broadway to Haymarket square, inclusive; Tremont street, from Broadway to Scollay square, inclusive; Cambridge street, from Scollay square to Staniford street, inclusive; Boylston street, from Tremont street to Arlington street, inclusive; Summer street, from Washington street to Arch street, inclusive; the intersection of Beacon and Park streets and the intersection of Broadway and Shawmut avenue.

Traffic signals will be installed on all of the above streets at the same time.

The Traffic Division estimates that the installation will be completed on or about August 1, 1929.

The estimated cost of this installation is \$125,000.

Respectfully,  
FOR THE BOARD OF STREET COMMISSIONERS,  
THOMAS J. HURLEY,  
Chairman.

Placed on file.

#### REMOVAL OF TREE.

The following was received:

City of Boston,  
Office of the Mayor, May 6, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Commission relative to removing tree in front of 57 Westminster street, Ward 18.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, April 20, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of April 15, with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to remove tree in front of 57 Westminster street.

In reply I desire to say that under the Special Acts of 1915, the Park Commission cannot remove live trees from city streets. The tree in question is a maple and in good condition.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.  
Placed on file.

#### REPORT OF EMPLOYMENT DEPARTMENT.

The following was received:

City of Boston,  
Office of the Mayor, May 6, 1929.  
To the City Council.

Gentlemen,—I submit herewith report of the Employment Department as to registrations and placements for period from April 22 to April 27, inclusive.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

May 1, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—Pursuant to the City Council orders inclosed please find the number of registered applicants placed directly through this Bureau for the period from April 22 to April 27, inclusive:

Registered, 102; placed, 83.

STEPHEN C. SULLIVAN,  
Assistant Secretary.  
Placed on file.

#### BRANCH LIBRARY, WARD 22.

The following was received:

City of Boston,  
Office of the Mayor, May 6, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Boston Public Library

relative to establishing a branch library and reading room in the vicinity of Market street and Western avenue, Ward 22.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Library Department, April 12, 1929.  
Mrs. I. Hibbard, Chief Clerk,  
Office of the Mayor.

My dear Mrs. Hibbard,—At a meeting of the Board of Trustees held last week I was directed to express the regret of the Board that, owing to lack of appropriations, it would be impossible to establish branch libraries as suggested in the City Council orders of March 11, namely, to establish a branch library in the vicinity of Market street and Western avenue, Ward 22, and in the vicinity of Barry's Corner, Ward 22.

I was also directed to state that the Board of Trustees will make a comprehensive survey regarding the need of additional branch libraries throughout the city and will endeavor to secure appropriations in order that a plan covering a period of a number of years may be put under way.

Very truly yours,  
CHARLES BELDEN, Director.  
Placed on file.

#### JUNIOR HIGH SCHOOL, CHARLESTOWN.

The following was received:

City of Boston,  
Office of the Mayor, May 6, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Schoolhouse Department, in reply to your order of March 4, 1929, relative to the commencing of work on the proposed new Junior High School in the Charlestown district.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Schoolhouse Department, April 30, 1929.  
Mrs. I. Hibbard, Chief Clerk,  
Mayor's Office.

My dear Mrs. Hibbard,—In reply to your memorandum with attached order of the City Council regarding the proposed new junior high school in the Charlestown district, I would say that we cannot tell you when the work will be started on this building as the School Committee has as yet made no appropriation for this project, except an appropriation for land.

The Street Commissioners have been notified to take the site but have been held up at the request of the School Committee.

Very truly yours,  
F. E. SLATTERY, Chairman.  
Placed on file.

#### UNDERPASS, CAUSEWAY STREET.

The following was received:

City of Boston,  
Office of the Mayor, May 6, 1929.  
To the City Council.

Gentlemen,—Under the provisions of chapter 18 of the Resolves of 1929, the Transit Department of the city is directed to make an investigation relative to the advisability and feasibility of constructing an underpass under Causeway street, near the North Station. For this investigation the department is authorized to expend a sum not in excess of \$500. I am submitting herewith a copy of the resolve together with an order providing for the necessary appropriation. I respectfully recommend adoption of this order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That in accordance with chapter 18 of the Resolves of 1929, a sum not in excess of \$500 be, and hereby is, appropriated, to be expended by the Transit Department,

for an investigation relative to the construction of an underpass under Causeway street, near the North Station, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

#### PETITIONS REFERRED.

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

##### Claims.

Abraham Brav, for compensation for damage to automobile by city team.

E. S. Bremen, for compensation for damage to automobile by city truck.

Holcombe J. Brown, for compensation for damage to automobile by city truck.

Arthur D. Cooper, for compensation for injuries caused by an alleged defect in Columbia road.

Elizabeth T. Lane, for compensation for injuries caused by an alleged defect at 24 Oak avenue, Dorchester.

Marie M. Lavery, for compensation for injuries caused by an alleged defect in Manthorne road.

New England Bakery Company, for compensation for damage to wagon caused by an alleged defect in Fulton street, Neponset.

Mary G. Norton, for compensation for injuries caused by an alleged defect in Prince street.

Eugene Rosenthal, for compensation for damage to automobile by city truck.

Israel Rosenberg, for compensation for damage to property at 56 Talbot avenue, caused by flooding Franklin Field for skating.

Sirianni Brothers, for refund on sidewalk license.

Paul A. Stancato, for refund on sidewalk license.

Standard Oil Company of New York, for compensation for damage to gasolene pump by city car.

Washington Cleansing Company, for refund on refuse tickets.

##### Executive.

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

Orin P. Gallagher, Mechanics Hall, May 22.

Cecile A. Mara, Jordan Hall, May 25.

Sibyl H. Balch, Symphony Hall, May 8.

##### Committee on Jitney Licenses.

Petition of Boston Elevated Railway for license to operate motor vehicles between junction of Northampton street and Southampton street (Sheridan square) and Savin Hill Station, over Sheridan square, Southampton street, Massachusetts avenue, Edward Everett square, Columbia road, Dorchester avenue and Savin Hill avenue.

#### RESIGNATION OF CONSTABLE.

Notice was received from the Mayor of resignation of Barnett Levenbaum as constable in accordance with his request of April 29, 1929. Placed on file.

#### ACTING COMMISSIONER OF BOSTON TRAFFIC COMMISSION.

Notice was received from the Mayor of appointment of William P. Long, Park Commissioner, as Acting Commissioner of the Boston Traffic Commission.

Placed on file.

#### APPOINTMENTS BY THE MAYOR.

Notice was received of the following appointments by the Mayor, viz.:

Frank Seiberlich, 11 Roanoke avenue, Jamaica Plain, Board of Election Commissioners.

William A. Fisher, 70 Fenway, Commissioner of Boston Traffic Commission.

Louis E. Kirstein, 506 Commonwealth avenue, member of Board of Trustees, Boston Public Library.

John H. Gilbody, 60 State street, member of Board of Zoning Adjustment.

Philip A. Chapman, 47 Sudan street, Dorchester, Penal Institutions Commissioner. Placed on file.

#### APPROVAL OF APPOINTMENT.

Notice was received of approval of appointment of Clifford N. Cann, 265 Savin Hill avenue, as a member of the Board of Zoning Adjustment.

Placed on file.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings to be held on Monday, May 20, on petitions for storage and sale of gasolene, viz.:

Harry T. Galvin, 2075 Dorchester avenue, Ward 17, 2,000 gallons.

Alexander Maniates, 210 Harvard avenue, Ward 21, 2,500 gallons.

Margaret E. Craddick, 36 Warren street, Ward 2, 1,000 gallons.

Referred to the Executive Committee.

#### MINORS' LICENSES.

President DONOVAN presented the petitions of forty-nine newboys and eighteen vendors for minors' licenses. Approved under the usual conditions.

#### CONSTABLES' BONDS.

The bonds of the following-named constables, having been duly approved by the City Treasurer, were received, and approved, viz.:

Joseph L. Bennett, Aleck Berg, Carl Berger Berg, Jacob Bergson, George A. Borofski, Charles B. Broad, George W. Brooker, Sherman H. Calderwood, James A. Canton, Matthew W. Chait, William K. Coburn, Dwight Cummings, William Davis, George G. Drew, Louis Ebb, Paul R. Gast, Henry J. Gilmore, Arthur Glass, Louis Goldberg, John S. Grady, Sears H. Grant, Salvatore Grassa, George W. Green, Harry Greenbaum, William C. Gregory, Charles F. Hale, St. Clair E. Hale, John D. Hayes, John H. Howard, William A. Iannone, Walter Isidor, Charles H. Jackson, Max Jacobs, Harry Kahn, Moses F. Kalish, Clarence H. Knowlton, Mark H. Krafurs, Joseph LaBagnara, Martin J. Leggett, Philip E. Lieberman, Walter M. Lougee, Antonio Longarini, Leslie P. Mann, Isie Martin, John Milgroom, Michael W. Ober, Phillip S. Phillips, Leonard M. Pike, Robert Reid, Edward A. Reynolds, Abraham Rosenberg, Frank Shaw, Sidney J. Sheinfeld, Leon Small, John Sualich, Benjamin J. Tackeff, David Tobey, Joseph Todisco, John J. Walsh, Joseph M. Weinberg, Richard W. Whipple, Max Wortsman.

#### RELEASES OF EASEMENTS.

On motion of Coun. WILSON the Council voted to take from the table No. 9, and on motion of Coun. DOWLING No. 10, viz.:

9. 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.

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.

On April 8, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

10. Ordered, That his Honor the Mayor be, and he hereby is, authorized, in the name and behalf of the City of Boston, to execute an instrument of release in form satisfactory to the Law Department of a part of the easement taken for sewerage purposes in private land off Lake Street situate in that part of Boston called Brighton. The part of said easement to be released is bounded and described as follows:

Beginning at a point distant forty and 95-100 feet from Lake street, as shown on the plan hereinafter mentioned; thence running southwesterly, two hundred eighteen and 7-100 feet; thence northeasterly twenty-two and 70-100 feet; thence northeasterly again one hundred eighty-six and 11-100 feet; thence easterly thirteen and 38-100 feet to the point of beginning, containing 1,617 square feet of land, more or less.

The easement herein referred to was taken by an order of the Board of Street Commissioners, approved by the Mayor May 4, 1920, and is shown on a plan marked "City of Boston, Plan No. 378, Sewerage Works, Lake Street, Brighton, April 20, 1920, F. O. Whitney, Chief Engineer, Street Laying-Out Department." Said plan is recorded with Suffolk Registry of Deeds, Book 4218, page 364.

On April 8, 1929, the foregoing order was read once and passed, yeas 19, nays 1.

Both orders were given their second and final reading and passage, yeas 15, nays 0.

#### UNDERGROUND WIRES.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to provide for the laying underground of all wires of the Edison Electric Illuminating Company and the New England Telephone and Telegraph Company, on so-called "393" streets.

Passed under suspension of the rule.

#### ANNUITY TO WIDOW OF PATRICK J. MAHAN.

Coun. FISH offered the following:

Ordered, That an annuity of six hundred dollars be allowed and paid to the widow of Patrick J. Mahan, 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.

#### APPROVAL BY COUNCIL OF LEGISLATIVE ACTS AFFECTING BOSTON TAXPAYERS.

Coun. WILSON offered the following:

Ordered, That the City Council Legislative

Committee be, and said committee hereby is, authorized and instructed to place the Boston City Council on record as against any bill pending before the Legislature directly affecting the taxpayers of the City of Boston which does not include a specific clause requiring the acceptance of any such act by the people of the City of Boston or by the City Council of the City of Boston.

The order was read a second time, and the question came on its passage.

Coun. WILSON—Mr. President, I would say with reference to that particular order that the purpose of introducing it at this time is largely because of the newspaper articles with reference to the so-called tunnel bill at the State House during the past week. Any of the councilors who were present will remember that when various bills here were introduced looking to legislative action, it was represented to the members of the Council that, when all was said and done, all that they really did was to pass a permissive vote that these matters could be introduced into the Legislature. We had some rather spirited debate on the question, and I particularly remember back on January 21, 1929, stating that I was very much against voting in favor of the presentation to the Legislature of any bill if the action by the Council inferentially put us on record in advance as in favor of the bill later on; and yet only last week in the matter of the so-called tunnel bill, I read an article in one of the papers to the effect that the Governor might as well sign the bill because the City Council had twice put itself on record unanimately by a vote for a tunnel bill, and substantially the bill as it then stood; and it was pointed out that no official remonstrance had come from the city on account of lack of a clause to submit it to the Council for acceptance. Now, Mr. President, that situation continues year after year, and it seems to me that we can now well give to the Legislative Committee of this City Council something definite to do. Among other things, it seems to me that we should have interest enough to follow up any act presented in the Legislature which means the expenditure of millions of dollars of the people's money, and put ourselves on record against it if the act does not include a specific provision that it shall be returned to the City of Boston for acceptance either by the people, through referendum, or by vote of the City Council. Just because this Council last year voted in favor of a tunnel bill that his Honor the Mayor did not want, and vetoed, is no reason why we should necessarily favor the bill that has been introduced this year, because the bill that the Mayor introduced is nothing like the bill we favored. Therefore, our previous action should not be held against us, and the Governor should not be asked to sign that bill under the representation that we are already on record as in favor of it. So that is my purpose in introducing this order at this time. It seems to me that we should not favor any act that may be introduced into and that may pass the Legislature which involves the expenditure of the money of the people of Boston, that does not have in it a clause that the act shall come back for acceptance either of the people of the City of Boston, who are going to spend the money, or their representatives in this City Council.

Coun. DONOVAN—Mr. President, I heartily concur with the remarks of my colleague from Dorchester. This is certainly a slap at home rule in Boston. I believe that the City Council should receive consideration in a matter of this sort at this time, even although they voted in favor of the tunnel to East Boston. I wrote to the Governor several weeks ago in regard to another matter in which I thought the question of home rule was involved, and I heartily concur today in and indorse the views of our colleague from Dorchester.

Coun. McMAHON—Mr. President, I think the order introduced here by the councilor from Dorchester is very timely. The way action is

being taken at the State House shows us that we should be a little bit more careful in regard to the bills that must get our O. K. before they are presented to the Legislature. On this East Boston tunnel bill a particular representative has had a lot to say. He is supposed to be the fellow who put the bill through. He knew our stand on the tunnel bill last year and this year. They tried to put it over, Mr. President, in such a way that the Council would have nothing to say about it. Mr. President, hereafter if representatives of the people of the City of Boston in this Council are not to be considered on bills affecting the city that may be acted upon by the Legislature, I would suggest that it would be a good thing for us to see that no bills which require our O. K. get it until they have our careful consideration, and unless we are to have some assurance that either we as a City Council or the people of Boston have an opportunity to accept them before they go into effect.

Coun. WILSON—Mr. President, I might add one other suggestion—that it seems most illogical and peculiar that his Honor the Mayor should veto the tunnel bill that the City Council passed unanimously in the last days of the session, on the ground that it deprived Boston of home rule, and that then this year's bill should have his indorsement and the Governor should be asked to affix his signature, without any provision for its coming back for referendum by the people or for acceptance by the City Council of Boston. That is very curious, in view of the fact that the earlier bill was vetoed on the distinct ground and for the distinct reason that it was depriving Boston of home rule.

The order was passed under suspension of the rule.

#### EMPLOYMENT OF CITIZEN LABOR.

Coun. WILSON offered the following:

Ordered, That a Special Committee of five be appointed forthwith by the President to take appropriate action with reference to insistence by contractors with any contract provisions that "citizen labor must be employed if available"; also with reference to continued employment of aliens on city work or employment of nonresidents while competent citizen laborers resident in Boston are available; and

Further Ordered, That the said committee hold such hearings, make such investigation and report to the City Council such recommendations as said committee may deem advisable.

Coun. WILSON—Mr. President, for the benefit of the great majority of the Council who were in such a hurry to leave last week that we hardly had a quorum here at quarter of four, I would say that this order is supplementing the order that I offered last week with reference to the present situation. I will not go into the matter in great detail, simply stating that, although there is a provision in every city contract that citizen labor shall be employed, I think 75 per cent of the contractors who are on the "in," as they say, are entirely disregarding it and are not paying labor the 65 cents an hour which is contemplated under the contracts, but much less than that, and there is apparently no strenuous effort to enforce the carrying out of the provisions of the contracts that citizens shall be employed, if available, and that proper wages shall be paid. Back on the 25th day of March I introduced an order in the City Council requesting that the Public Works Department, through his Honor the Mayor, advise the City Council forthwith, as follows:

"1. Is the customary provision that 'citizen labor must be employed, if available' still included in contracts let out by the City of Boston for sewer and street construction?

"2. What are the names and addresses of all individuals or firms now holding contracts from the City of Boston for sewer or street work, and covering work on what street?

"3. On each job now in process, what num-

ber of laborers are employed by each contractor, and how many of such laborers on each job are aliens?"

That was introduced back on the 25th day of March, and we are still awaiting a reply. On that same day I introduced a companion order requesting the Municipal Employment Bureau, through his Honor the Mayor, to advise the City Council forthwith of the number of unemployed men now registered with the Employment Bureau as eligible for and desiring work as laborers. I introduced that order because there are so many citizens of Boston apparently still out of work. We received an answer on the 8th of April that the total registration of laborers in the Municipal Employment Bureau as of April 8 was 2,880 citizens of Boston waiting to do laborer's work. Last week I introduced a similar order seeking advice from the Schoolhouse Commission as to whether in the contracts they let out for schoolhouse construction in the City of Boston there is a provision that citizen labor must be employed if available in order to find out whether they are giving priority in carpenter, plumbing and other work, to citizens of Boston, thereby following the procedure of the city of Cambridge, which refuses to allow Boston men to work on schoolhouse or other work in that city, where Cambridge men might be employed—and following out the proper idea, that where Cambridge pays the bill, if Cambridge men are available, they should have the first chance. And so we should take what Cambridge and other places do home to Boston, and give Boston men the first chance. I think this is a matter that should be thoroughly followed up as far as the Public Works and other departments are concerned. As I have not obtained the information that I set out to obtain back on March 25, I now ask that a committee of five be appointed to do the work for themselves; that we have the Public Works Commissioner before us, that we find the names and addresses of individuals or firms holding contracts, and, if possible, that we have the contractors come in here. Let us find out how many contractors with the City of Boston are making low bids and paying low wages, instead of the supposed 65 cents an hour for labor, and how many are employing aliens instead of citizens at starvation wages. If we cannot get the courtesy, Mr. President, of a reply to this information that we desire in any other way, let us get it through a committee, as provided for in this order.

The order was passed under suspension of the rule and later in the session, Chairman DOWD announced as the committee appointed by President DONOVAN under the order, Coun. Wilson, Dowd, McMahon, Murphy, and Mahoney.

#### ANNUITY TO WIDOW OF THOMAS J. FLYNN.

Coun. DONOVAN offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of Thomas J. Flynn, 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.

#### LEAVE OF ABSENCE FOR WORLD WAR VETERANS.

Coun. BUSH offered the following:

Ordered, That the heads of departments be authorized to allow all employees of the City of Boston and County of Suffolk who served in the Twenty-Sixth Division of the United States Army during the period of the World War, and who desire to attend the dedication of the YD Memorial Church at Belleau Wood, France, a leave of absence without loss of

pay from September 23, 1929, to October 23, 1929, for the purpose of attending this dedication.

Coun. BUSH—Mr. President, several cities and towns surrounding the City of Boston have already taken some action in regard to this matter. I am told that the Board of Aldermen of the city of Somerville have already passed an order allowing policemen, firemen and others who fought with the Twenty-Sixth Division the privilege of going to the dedication of the YD Memorial Church in Belleau Wood, next fall.

The order was passed under suspension of the rule.

#### TRAFFIC ISLANDS, CAMBRIDGE STREET.

Coun. FITZGERALD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to place traffic islands in Cambridge street, Ward 3, at the following locations:

Intersection of Cambridge street, Anderson street and North Anderson street.

Intersection of Cambridge street, Blossom street and Garden street.

Intersection of Cambridge street, Staniford street and Temple street.

Intersection of Cambridge street and West Cedar street.

Passed under suspension of the rule.

#### RELIEF STATION, FOREST HILLS.

Coun. MURRAY offered the following:

Ordered, That the City Hospital Trustees be requested, through his Honor the Mayor, to provide for a relief station at Forest Hills similar to the one at East Boston.

Coun. MURRAY—Mr. President, I might say in introducing the order that a relief station such as is proposed, in the neighborhood of Forest Hills Station, will not alone serve that vicinity, but will take care of five or six wards,—for example, Wards 10, 11, 14, 17, 18, 19 and 20. It will take care of a population of approximately 220,000 people, or about 30 per cent of the people of Boston. The people of Charlestown are already taken care of at Haymarket Square Relief Station, and the people of East Boston have a relief station. People around the South End and other sections within comparatively easy reach of the City Hospital can be taken care of there. But if anybody is hurt in the outlying districts—in Jamaica Plain, in Dorchester, in Mattapan, in West Roxbury, any of the outlying sections of the city in that direction, it takes a long time to get them to the City Hospital or to these relief stations already existing. By the time a person who was badly hurt could be brought into the heart of the City of Boston, it might well be too late; a little child might have its life sapped away. So I believe there should be a relief hospital in the vicinity of Forest Hills for the people not only of that section but for the people of Dorchester, Mattapan, West Roxbury and other outlying sections. Anybody injured could be taken to such a hospital much faster than it would be possible to get them into the City of Boston. The people of Hyde Park could use it, the people of West Roxbury could use it. You could readily see that if anybody was injured in West Roxbury they would have to be carried eight or nine miles before they could get any treatment in the City of Boston. I hope the order will pass.

The order was passed under suspension of the rule.

#### SIREN AT FOREST HILLS.

Coun. MURRAY offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to provide for the installation of a siren at Forest

Hills to warn vehicular and pedestrian traffic of the approach of fire apparatus.

Passed under suspension of the rule.

#### ANNUITY TO WIDOW OF CLARENCE E. WEISS.

Coun. MURRAY offered the following:

Ordered, That an annuity of six hundred dollars be allowed and paid to the widow of Clarence E. Weiss, 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 the Fire Department, Pensions and Annuities.

Referred to Executive Committee.

#### PROPOSED ACCEPTANCE OF BAKER AVENUE.

Coun. McMAHON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Baker avenue, Ward 15, as a public highway.

Passed under suspension of the rule.

#### DESIGNATION OF PEDESTRIAN LANES.

Coun. McMAHON offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to lay white traffic lines to designate pedestrian lanes at the junction of Adams street and Dorchester avenue, Ward 15.

Passed under suspension of the rule.

#### RESTRICTIONS ON PARK FRONTAGES.

Coun. MAHONEY, for Coun. Lynch, offered the following:

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.

#### CLEANING OF STREETS, WARD 6.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to assign a sufficient number of trucks and men to South Boston to properly clean the streets and remedy the unsatisfactory conditions now existing in Ward 6.

Passed under suspension of the rule.

#### PROPOSED ACCEPTANCE OF EDITH 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 Edith street, Ward 18, from 854 Metropolitan avenue to Beacon street, as a public highway.

Passed under suspension of the rule.

PROPOSED ACCEPTANCE OF ASTORIA 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 Astoria street, Ward 18, as a public highway.

Passed under suspension of the rule.

RECESS.

The Council voted, at 2.47 p. m., on motion of Coun. WILSON, 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. DOWD at 3.15 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. DOWLING, 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.:

Orin F. Gallagher, Mechanics Hall, May 22; Cecile A. Mara, Jordan Hall, May 25; Sibyl H. Balch, Symphony Hall, May 3,—that leave be granted under usual conditions.

Report accepted; permits granted under usual conditions.

2. Report on message of Mayor and order (referred today) that in accordance with chapter 18 of the Resolves of 1929 a sum not in excess of \$500 be, and hereby is, appropriated, to be expended by the Transit Department for an investigation relative to the construction of an underpass under Causeway street, near the North Station, said sum to be charged to the Reserve Fund,—that same ought to pass.

The report was accepted and the question came on the passage of the order. The roll was called, with the following result:

Yeas—Coun. Arnold, Deveney, Donovan, Dowd, Fish, Gallagher, Green, Keene, Motley, Murphy, Murray, Ruby, Sullivan, Wilson—14.

Nays—Coun. Bush, McMahon—2.

The order was rejected, fifteen votes being necessary for passage. On motion of Coun. KEENE the rejection was reconsidered and the order was assigned to the next meeting.

REPORT OF COMMITTEE ON FINANCE.

Coun. MOTLEY, for the Committee on Finance, submitted reports as follows:

1. Report on message of Mayor and order (referred March 25) appropriating \$300,000 for construction of Health Department building in Back Bay Fens—that same ought not to pass, without prejudice.

The report was accepted and the question came on the passage of the order.

Coun. DEVENEY—Mr. President, as a member of the Finance Committee, before which this order was heard a few days ago, I wish to voice my opposition to it at this time, for the reason that some of the most eminent medical men in this city opposed it, and also because it shows a breach by Mayor Nichols of an agreement that was made. This property was bought some years ago by the City of Boston, at a time when Mayor Curley was in office. At that time an agreement was made with the Forsyth Infirmary by which it was substantially understood that that property was to be kept clear and that there were never any buildings to be put on it. We have now here an order under which it is proposed to put up a \$300,000 building for the Health Department. Doctor Mahoney came before the committee and said he had notified the trustees of the Forsyth Infirmary in regard to the building that it was proposed to put up, and that they did not at that time voice any objections. But on the day that the matter came before us Dr. Albert W. Stearns, Dean

of the Tufts Dental School, Mr. George P. Davis, representing the Boston Museum of Fine Arts, Dr. Timothy Leary, an eminent physician, and one of the trustees of the Forsyth Infirmary, and Mr. Chester B. Humphrey, vice president of the Old Colony Trust Company, and a trustee of the Forsyth Infirmary, appeared and opposed it. Mr. Humphrey, as a trustee of the Forsyth Infirmary, says that the trust at the present time amounts to some \$5,000,000. I think it would be disgraceful to break an agreement that was made with one of the finest philanthropies that this city has ever seen, due to the benefaction of Mr. Forsyth.

Chairman DOWD—I might state to the members of the Council that if this order is rejected the Clerk is in receipt of a new order from his Honor the Mayor in regard to this situation.

Coun. ARNOLD—Mr. President, I am very much in disagreement with the Committee on Finance, for the first time, I think, since I have been a member of the body. The last speaker has gone a little bit into ancient history, but I believe I also can go back into ancient history in regard to the Forsyth Infirmary, as the bill dealing with this institution was introduced into the Legislature in 1910, when I was a member, and when I personally requested the House of Representatives to grant the charter under suspension of the rules. You men who have been in the Legislature know that that is a procedure that is very, very seldom granted. If my memory is correct, Mr. Curley was not mayor in 1910. Mr. Fitzgerald was mayor in 1910, and if there was any agreement made at that time with the city government of Boston, the members of the Legislature were not made acquainted with the fact. I do not minimize—as my action at that time would indicate—the work which the Forsyth Dental Infirmary has done, is doing, and will continue to do. It is one of the finest buildings in the City of Boston, one of the finest buildings of its kind in the whole country. But why the trustees of the Forsyth Dental Infirmary should object to the erection of this proposed administration building of the Health Department on ground which is not in any sense contiguous to the dental infirmary, is something that I cannot understand or conceive. Why these eminent gentlemen, for whom I have the greatest respect and regard, should oppose the erection of the administration building of the Health Department of the City of Boston on such land as is proposed to use is also beyond any reason to my mind. It has been considered all right to encroach upon the Fenway for a central fire station for the Fire Department. It has also been considered in order to erect a gymnasium or a playground center in the Fenway. But when it comes to an administration building for the Department of Health of the City of Boston, there seems to be all of a sudden a lot of opposition, for which I sincerely cannot see any reason. If there is one thing above another that is necessary for the Health Department it is accessibility, and I maintain that this particular location is the most accessible location in the whole City of Boston. What are the uses for which this building is intended? It is to be a clearing house for medical information, supplementing the State Board of Health, which is in the state capital building. Today medical men wish a place to which they can readily submit their tissues, smears and other things from which ready diagnoses may be quickly made,—and they must be quickly made in order to be effective. There are many times when doctors cannot avail themselves of the privilege and opportunity which is given by the medical department of the Board of Health in its present location, because of its inaccessibility. I submit that if we are going to have an efficient Health Department, it must be properly located and equipped, and I don't believe any member of this Council, Mr. President, thinks for a moment that the present location and equipment are proper or efficient. To be efficient, it must be, in my opinion, isolated from other

departments of the city. The isolation of the proposed site is, in my opinion, very much in its favor, and is such a location that it cannot be at any time encroached upon as the city enlarges. I will close these brief remarks setting forth my reasons for the position I take on this matter, Mr. President, with the hope that the Council will not recede from its present position of favoring the proposed location of the administration building of the Board of Health in this city.

Coun. WILSON—Mr. President, not being a member of the Committee on Finance I naturally have listened with a great deal of interest to both sides of the argument advanced. At one meeting of the Committee on Finance the argument that such a building is needed was made with great effectiveness by Doctor Mahoney, being so well put that it seemed to me he was correct in what he requested. On the other hand, we have the Committee on Finance bringing in a report that the order ought not to pass, without prejudice, which would seem to leave not even the members of the committee not committed on the matter. The majority of the committee brings in a report "Ought not to pass, without prejudice," but without the members of the committee giving us very good reasons either way. This leaves the membership of the Council, I assume,—certainly it leaves me—in a—

Coun. BUSH—Quandary?

Coun. WILSON—Yes, in a quandary, as my brother from Roxbury suggests, although I had been so much impressed by the argument by Doctor Mahoney that I was prepared to vote for the order. We are now informed by the chairman, however, that if the order is defeated, the Mayor has ready another proposed loan order to file with the Council. That being so, and we having no more information than we have heard from the Committee on Finance, which has by a substantial majority reported back "Ought not to pass," I don't see that we really have much leeway in the matter.

Coun. FITZGERALD—Mr. President, I propose to vote in favor of the proposition, but I believe some of the arguments advanced against such action at this time are fitting and proper. My suggestion would be that this building should be put down near the fire house on North Grove street. Adjoining that fire house is some Board of Health property now owned by the Board of Health of the City of Boston, and in control of the Board of Health. Next door to that there is one of the greatest institutions we can boast in Massachusetts or in this country, the Massachusetts General Hospital. That will mean that the city will not be buying any land at all; it will be a matter of using land we now own on North Grove street which adjoins the Massachusetts General Hospital, and it will be within a few minutes distance of City Hall. If they can see their way clear to build on it there, I think it would be an ideal situation. An addition to the courthouse is about to be built, and there is a chance for a great civic center about Bowdoin, Hancock and Allston streets. It would be handy to the State Board of Health, and there will be an opportunity to carry out in this city such plans as they have carried out in New York, where they have got rid of a whole lot of dilapidated property, not now paying, practically, and which can probably be bought for a reasonable sum. However, even leaving that out, they can well afford to go to North Grove street, because the land will not have to be bought by the city, and they will be located right close to the Massachusetts General Hospital, which will be a good thing for their purposes. The jail also is close by, and the city yards are close by, and nobody else will be interfered with. But I would like to see such a building close to the center of the city, close to City Hall, and in my judgment it should be built there.

Coun. BUSH—Mr. President, I have listened to the arguments advanced pro and con with reference to the proposed Health Department build-

ing, and I was present at the Finance Committee meeting when the chairman of the Board of Health requested that this order be passed, giving his reasons for such action. There may be very good reasons for having larger quarters with more accommodations for the Board of Health, but I am not yet fully convinced that the need for such larger quarters exists to such an extent as to require an entire new building to house them. At the present time, they occupy a large part of the floor on which they are now located in the City Hall Annex, and they do not seem to be at all crowded. They seem to have plenty of facilities to accomplish their purposes. The only question as to lack of facilities is with reference to the keeping of certain animals for experimental purposes, and the city, with an expenditure of some \$25,000 or \$50,000,—I believe not more than \$25,000 would be necessary,—could place such facilities on the roof of the present City Hall Annex. The main objection, to my mind, to erecting a separate building for the Health Department in the Fenway is the objection to segregating the city departments. It seems to me that that interferes a great deal with the coordination of the city departments, having them spread out over the city. Wherever possible, I believe they should be consolidated under one roof, or in one building, rather than having them segregated over a large area.

Coun. ARNOLD—Will the gentleman yield for a question, Mr. Chairman?

Coun. BUSH—I will, Mr. President.

Coun. ARNOLD—I would like to ask the councilor, with what departments does the Health Department coordinate, or if he would also have the hospital under the same roof with other departments?

Coun. BUSH—Mr. President, as I understand it, the Health Department has inspectors—garbage inspectors, milk inspectors, inspectors dealing with different things—and the relationship of the department with a great many other departments of the city is very close. The idea of having this department a considerable distance away from the center of activities of the city departments is one which seems to me bad in principle. I fail to see that the gentleman's question has any bearing whatever upon the matter, when he refers to the City Hospital. Of course, a hospital is a particular and special form of activity, requiring separate treatment. But the activities of that department are in themselves coordinated. While they cannot all be under one roof, they are practically on one piece of ground, so that they can work together. They are in that way consolidated on one set of grounds, and I doubt very much whether it would be advisable, for instance, to have the out-patient department in one part of the city and the rest of the hospital in another part of the city. I am not, as I say, convinced that it would be for the best interests of the city to have this building so far away from City Hall itself, although I don't say that I would oppose it entirely on that ground. I am ready to maintain an open mind whenever the question is decided, but I think it ought to have a little more consideration.

The order failed of passage (fifteen votes being required for passage), yeas 12, nays 6.

Yeas—Coun. Arnold, Fish, Fitzgerald, Gallagher, Green, Keene, Lynch, Mahoney, Murphy, Murray, Ruby, Sullivan—12.

Nays—Coun. Bush, Deveney, Donovan, Dowd, Motley, Wilson—6.

#### HEALTH BUILDING ON FENWAY.

The following was received:

City of Boston,  
Office of the Mayor, May 6, 1929.  
To the City Council.

Gentlemen,—I hereby resubmit to you a new order for the construction of a Health Building on the Fenway, together with a copy of the letter relating to the same subject matter submitted on March 25, 1929.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That under the provisions of chapter 104 of the Acts of 1929 the sum of \$300,000 be, and the same is hereby, appropriated to be expended under the direction of the Health Commissioner, for the erection and establishment of a Health Department building within the limits of the Back Bay Fens 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.

City of Boston,

Health Department, March 22, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I respectfully request that you submit to the Boston City Council the necessary bill or order that will provide for the erection of the proposed new public health building in the Fenway, at an estimated cost of \$300,000. The necessity for this building has already been outlined to you in a letter of November 30, explaining the result of study made by a committee appointed by your Honor, composed of the Building Commissioner, the Park Commissioner and the Health Commissioner. I inclose a copy of this letter.

Yours respectfully,  
F. X. MAHONEY, M. D.,  
Health Commissioner.

Referred to the Committee on Finance.

#### FINANCE REPORTS CONTINUED.

Coun. MOTLEY, for the Committee on Finance, also submitted the following:

2. Report on order (referred April 22) appropriating \$150,000 for enlargement of East Boston Court House—that same ought to pass.  
Report accepted; said order passed, yeas 18, nays 0.

3. Report on order (referred March 4) appropriating \$225,000 for purchase of land for second public golf course in City of Boston—that same ought to pass.

Report accepted, said order passed, yeas 15, nays 3:  
Yeas—Coun. Arnold, Deveney, Donovan,

Dowd, Fish, Gallagher, Green, Keene, Lynch, Mahoney, McMahan, Motley, Murphy, Murray, Wilson—15.

Nays—Coun. Bush, Ruby, Sullivan—3.

#### CONFIRMATION OF APPOINTMENTS.

The Chair called up No. 8 on the calendar, viz.:

8. Action on appointments submitted by the Mayor April 29, 1929, of Morris L. Tubman, James E. Campbell, John F. Baker and Patsy DeCandia, to be Weighers of Coal; Daniel MacKay, James Dyer, Max Wertzman, Patrick J. Devlin, Nicholas A. Ranaghan, Edward H. McLaughlin and Eugene C. Marsh, to be Weighers of Goods.

The question came on confirmation. Committee, Coun. Lynch and Deveney. Whole number of ballots 13, yeas 13, and the appointments were confirmed.

#### SPECIAL COMMITTEE ON CONSTABLES.

Coun. RUBY, for the Special Committee on Constables, submitted partial report on list of names submitted by the Mayor for appointment as constables, City Document 51, recommending confirmation of the following: Henry P. Burns, Jacob Isgur, Robert E. Scott.

The report was accepted, and the question came on confirmation of the three names recommended. Committee, Coun. Lynch and Wilson. Whole number of ballots 13; yeas 12, nays 1, and the names were confirmed.

#### CONFIRMATION OF JOHN F. WELCH.

On motion of Coun. DEVENEY, the Council took up, under unfinished business, the appointment of John F. Welch to be a constable. The question came on confirmation. Committee, Coun. Deveney and Sullivan. Whole number of ballots 11, yeas 10, nays 1, and the appointment was confirmed.

Adjourned, on motion of Coun. WILSON, at 3.43 p. m., to meet on Monday, May 13, 1929, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, May 13, 1929

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

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the Mayor submitted appointments for term ending April 30, 1930, as follows:

Constables: Russell T. Mann, 22 Cornell street, Ward 15; William Henry Flynn, 147 Magnolia street, Ward 13; Michael Joseph Shields, 30 Bellflower street, Ward 7; Joseph Harold Faucy, 99 Union park, Ward 8.

Weigher of Goods: Morris T. Weitzman, 34 Athelwold street, Dorchester, for Max Weitzman, 61 and 63 Hampden street, Roxbury.

Severally laid over a week under the law.

## SALE OF PIGS.

The following was received:

City of Boston,

Office of the Mayor, May 13, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Penal Commissioner relative to the sale of pigs, and respectfully recommend the passage of the accompanying order.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Penal Institutions Department, May 7, 1929.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I respectfully ask your permission to sell pigs now at the House of Correction, Deer Island, at an approximate value of \$2,200.

Yours respectfully,

PHILIP A. CHAPMAN,  
Penal Institutions Commissioner.

Ordered, That the Penal Commissioner be, and hereby is, authorized to sell, after public advertisement, pigs valued at approximately \$2,200.

Referred to the Executive Committee.

## EAST BOSTON TUNNEL ACT.

The following was received:

City of Boston,

Office of the Mayor, May 13, 1929.

To the City Council.

Gentlemen,—Under the provisions of chapter 297 of the Acts of 1929, the City Council is required to register its acceptance of the act on or before July 1 of the current year. In order that the city may proceed under the authority of the said act, I submit herewith the customary acceptance order and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That chapter 297 of the Acts of 1929, entitled "An Act to Provide for the Construction of a Vehicular Tunnel between Boston Proper and East Boston," be, and the same is hereby, accepted.

Referred to the Executive Committee.

## LONG ISLAND HOSPITAL ACT.

The following was received:

City of Boston,

Office of the Mayor, May 13, 1929.

To the City Council.

Gentlemen,—By recent enactment of chapter

219 of the Acts of 1929, legislative authority to legalize the practise of treating the employees of the Institutions Department and emergency cases in Boston Harbor at the Long Island Hospital has been granted, subject to acceptance of the act by the City Council. As this legislation is vital to a proper conduct of the institution I recommend the passage of the accompanying order.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That chapter 219 of the Acts of 1929, entitled "An Act Relative to the Treatment of Certain Patients at the Long Island Hospital in the City of Boston," be, and the same is hereby, accepted.

Referred to Executive Committee.

## CENTRE AND ST. ANN STREETS.

The following was received:

City of Boston,

Office of the Mayor, May 13, 1929.

To the City Council.

Gentlemen,—Chapter 248 of the Acts of 1929, providing for the reconstruction of parts of Centre and St. Ann streets, must be accepted by the City Council during the current year. I accordingly submit the customary acceptance order and respectfully recommend its adoption by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That chapter 248 of the Acts of 1929, entitled "An Act Relative to the Reconstruction of Parts of Centre and St. Ann Streets in the City of Boston," be, and the same is hereby, accepted.

Referred to the Executive Committee.

## REPORT OF EMPLOYMENT BUREAU.

The following was received:

City of Boston,

Office of the Mayor, May 13, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Employment Bureau relative to the number of registrations and people placed during the period from April 29 to May 5, inclusive.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Employment Bureau, May 6, 1929.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Mr. Mayor,—Pursuant to the City Council orders, herewith please find the number of registered applicants placed directly through this Bureau for the period from April 29 to May 5, inclusive.

Registered, 113; placed, 69.

Very truly yours,

STEPHEN C. SULLIVAN,  
Assistant Secretary.

Placed on file.

## LOAN FOR LIBRARY FOUNDATIONS.

The following was received:

City of Boston,

Office of the Mayor, May 13, 1929.

To the City Council.

Gentlemen,—My attention has been directed by the Board of Trustees of the Boston Public Library to a serious condition existing in the piles under the front wall of the Central Library Building at Copley square. In the accompanying communication the trustees point out the necessity of remedying this condition without delay. The Building Commissioner, who has investigated the matter at my request, concurs in this view. I accordingly submit a loan appropriation for \$100,000 and respectfully recommend its adoption by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Library Department, May 13, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—In view of the occurrence of rotted ends on some of the piles supporting the piers of the platform in front of the Boston Public Library, it was thought wise to investigate the condition of the piles under the front wall of the building itself. Several pits which were dug for this purpose showed that there exists a considerable number of piles along the Dartmouth street front the tops of which show more or less rotteness. The greatest number of these damaged piles occurs at or near the corner of Blagden and Dartmouth streets, and the extent to which the mischief at that point has gone makes it a menace which calls for emergency measures.

In the opinion of the Building Commissioner, and Messrs. Worcester & Co. (the engineers for the trustees), the latter should be empowered to make a contract on a cost plus basis at once to cure the condition of instability threatened by the rotting piles. It is impossible for the most experienced expert to estimate the amount of money required before this work is finished. We are advised that it is inadvisable to dig further exploratory pits at present; exploration should proceed as the work goes on. The new underpinning should be carried on from the Blagden street corner, and the weakened piles cut off and recapped as they are found. It is the feeling, however, of all who have looked into this situation that at least \$100,000 should be appropriated to deal with the situation as we know it exists today.

In view of the above, the trustees have determined that an emergency exists, and urge that authority be granted to do the necessary work at once.

Very respectfully,  
FOR THE BOARD OF TRUSTEES,  
GORDON ABBOTT,  
Vice President.

Ordered, That the sum of \$100,000 be, and the same hereby is, appropriated, to be expended under the direction of the Board of Trustees of the Boston Public Library, for Central Library Building, Foundation Improvements, etc., 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 to said amount.

Referred to the Committee on Finance.

#### ASSISTANT ELECTION COMMISSIONERS.

The following was received:

City of Boston,  
Office of the Mayor, May 13, 1929.  
To the City Council.  
Gentlemen—I submit herewith an order providing for the acceptance of chapter 137 of the Acts of 1929, and recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That chapter 137 of the Acts of 1929, entitled "An Act Subjecting the Offices of Assistants in the Election Department of the City of Boston to the Civil Service Laws," be, and the same is hereby, accepted.

Referred to the Executive Committee.

#### SALARIES OF TRANSIT COMMISSIONERS.

The following was received:

City of Boston,  
Office of the Mayor, May 13, 1929.  
To the City Council.

Gentlemen,—Under the provisions of chapter 297 of the Acts of 1929, the Transit Department of the city will have charge of the laying out and construction of a vehicular tunnel between Boston proper and East Boston. The act further provides that an amount not exceeding \$16,000,000 may be expended on this project. In view of the importance of this work and the amount of money involved, I deem it proper and equitable to increase the salaries of the Transit Commissioners.

I submit herewith an ordinance to this effect and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston.  
In the Year Nineteen Hundred and Twenty-nine.  
An Ordinance Concerning the Salaries of the Transit Commissioners.

Be it ordained by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the chairman of the transit commissioners by striking out the words "seventy-five hundred" and inserting in place thereof the words "nine thousand," and in the same clause establishing the salaries of the two other commissioners by striking out the words "five thousand" and inserting in place thereof the words "seventy-five hundred."

Referred to the Committee on Ordinances.

#### SALARY OF TRAFFIC COMMISSIONER.

The following was received:

City of Boston,  
Office of the Mayor, May 13, 1929.  
To the City Council.

Gentlemen,—Under the provisions of chapter 263 of the Acts of 1929 the Boston Traffic Commission is to be administered by one paid commissioner and four unpaid associate commissioners. The act further provides that the salary of the commissioner shall be fixed by the Mayor and City Council. In view of the salaries received by the associate commissioners in their respective positions, I deem it just and proper to fix the salary of the Traffic Commissioner at \$7,500 per annum. I submit herewith an ordinance providing for this figure and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

In the Year Nineteen Hundred and Twenty-nine.  
An Ordinance Concerning the Salary of the Traffic Commissioner.

Be it ordained by the City Council of Boston, as follows:

Section 1, Chapter three of the Revised Ordinances of 1925 is hereby amended in section five by inserting after the clause establishing the salary of the superintendent of supplies the following:

"The traffic commissioner, seventy-five hundred dollars."

Section 2. The ordinance shall take effect beginning with the date of the qualification of the traffic commissioner appointed under the provisions of chapter 263 of the Acts of 1929.

Referred to the Committee on Ordinances.

#### TRANSFERS FOR TRAFFIC COMMISSION.

The following was received:

City of Boston,  
Office of the Mayor, May 13, 1929.  
To the City Council.

Gentlemen,—With the acceptance by your honorable body of the act establishing the Boston Traffic Commission it becomes necessary to officially transfer to this department certain employees of the Police and Street Laying-Out Departments now engaged in traffic work. I submit herewith two transfer orders providing for the necessary personnel adjustments and respectfully 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 be, and hereby is, authorized to transfer:

From the appropriation for Street Laying-Out Department, A-1, Permanent Employees, Engineer, Traffic, 1 (0) at \$3,600 a year, \$2,258.65; Engineer, Assistant Traffic, 1 (0) at \$2,600 a year, \$235.52, to the appropriation for Boston Traffic Commission, A-1, Permanent Employees, Engineer, Traffic, 1 at \$4,000 a year, \$2,494.17.



From the appropriation for A-1, Permanent Employees, Engineer, Assistant Traffic, 1 (0) at \$2,600 a year, \$1,695.44, to the appropriation for Engineer, Assistant Traffic, 1 at \$2,800 a year, \$1,695.44.

From the appropriation for A-1, Permanent Employees, Engineers, Junior, 7 (6) at \$2,200 to \$2,500 a year, \$1,400, to the appropriation for Engineer, Junior, 1 at \$2,600 a year, \$1,400.

From the appropriation for A-1, Permanent Employees, Draughtsmen, 2 (1) at \$1,800 a year, \$1,060.26; Engineer, Assistant Traffic, 1 (0) at \$2,600 a year, \$69.04, to the appropriation for Transitman, 1 at \$1,800 a year, \$1,129.30.

From the appropriation for A-1, Permanent Employees, Stenographer, 1 (0) at \$1,600 a year, \$1,003.93; Stenographer, 1 (0) at \$1,200 a year, \$706.66, to the appropriation for Stenographers, 6 at \$1,600 a year, \$1,710.59.

From the appropriation for A-1, Permanent Employees, Investigators, 6 (0) at \$1,500-\$1,600 a year, \$5,650.50, to the appropriation for Investigators, 10 at \$1,500-\$1,600 a year, \$5,650.50.

From the appropriation for A-1, Permanent Employees, Painter, 1 (0) at \$6 a day, \$1,176, to the appropriation for Painters, 10 at \$1,900 a year, \$1,176.

From the appropriation for A-1, Permanent Employees, Laborers, 8 (7) at \$1,500-\$1,600 a year, \$999.86; Signal Maintenance Men, 2 (0) at \$6.50 a day, \$1,094.13, to the appropriation for Laborers, etc., 4 at \$1,600 a year, \$2,093.99.

From the appropriation for A-1, Permanent Employees, Signal Maintenance Men, 2 (0) at \$6.50 a day, \$991.87, to the appropriation for Signal Maintenance Man, 1 at \$2,000 a year, \$991.87.

From the appropriation for A-2, Temporary Employees, \$3,587.04, to the appropriation for A-2, Temporary Employees, \$3,587.04.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Police Department, A-1, Permanent Employees, Painters, 6 (0) at \$1,877.21 a year, \$7,084.59, to the appropriation for Boston Traffic Commission, A-1, Permanent Employees, Painters, 10 at \$1,900 a year, \$7,084.59.

From the appropriation for A-1, Permanent Employees, Linemen, 5 (4) at \$2,000 a year, \$1,254.72, to the appropriation for Lineman, 1 at \$2,000 a year, \$1,254.72.

Referred to the Executive Committee.

#### PETITIONS REFERRED.

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

##### Claims.

B. L. Barnes, for compensation for damage to automobile caused by falling branch of tree.

Joseph Bramanty, for refund on victualler's license.

Joseph Burnett Company, for refund on refuse tickets.

Chestnut Construction Company, Inc., for refund on building permits.

John C. Curti, for compensation for damage to property at 135 Leyden street, caused by backing up of sewage.

Andrew Daggett, for compensation for loss of clothing at City Hospital.

Biagio DeCristofaro, for refund on billiard license.

James E. Doughty, for refund on refuse tickets.

Michael Giarusso, for compensation for injuries caused by an alleged defect in Haverhill street.

C. Owen Greene, for compensation for damage to automobile caused by an alleged defect at 15 Bickerstaff street.

Hyde Park Auto Service, for refund on used car license.

Keith-Albee St. James Theatre, for compensation for damage to fire escape by city wagon.

Anne Kelley, for compensation for injuries caused by an alleged defect in Winter street.

Gertrude V. Murphy, for compensation for injuries caused by an alleged defect at 46 Draper street.

Mrs. Mary Pedranti, for compensation for damage to property at 82 Shirley street, caused by ash truck.

Jago Roma, for compensation for damage to cart by city car.

Myer Rosenthal, for compensation for damage to property at 112 Howland street, caused by ashmen.

Fred P. Scribner, for compensation for damage to automobile caused by an alleged defect in River street, Hyde Park.

Luigi P. Verde, for compensation for damage to car caused by an alleged defect at 643 Adams street.

Edward M. Milward, for compensation for injuries caused by ferryboat.

Annie M. Shea, for compensation for damage to property at 28 Monument avenue, caused by falling tree.

##### Executive.

Petition of Edna Stertz for children under fifteen years of age to appear at Jordan Hall, May 21, 1929.

##### Committee on Jitney Licenses.

Petition of Boston Elevated Railway to operate motor vehicles between Somerville-Boston line at Main street and Sullivan Square Terminal, over Main street (Boston section of a route between Union square, Somerville, and Sullivan square, Charlestown).

Petition of Frank Woodley for license to operate motor vehicles from Breed square and return over Bennington street to Revere line.

#### SALE OF UNCLAIMED BAGGAGE.

A communication was received from the Boston & Maine Railroad requesting authority to sell unclaimed baggage at public auction some time during latter part of July, 1929.

Referred to Committee on Unclaimed Baggage.

#### REPORT OF FINANCE COMMISSION ON EXCHANGE STREET.

The following was received:

Boston, May 9, 1929.  
To His Excellency the Governor and to the General Court of Massachusetts.

Gentlemen,—The Finance Commission is authorized under section 18 of chapter 486 of the Acts of 1909 "to investigate any and all matters relating to appropriations, loans, expenditures, accounts and methods of administration affecting the city of Boston . . . and to report thereon to . . . the Governor or the General Court." Acting under this authority the Finance Commission has conducted an investigation of the purchase and taking by the City of Boston of two-fifths of the lot at 40-44 State street at a price of \$1,750,000. The assessed value of the entire lot was \$1,485,000. The lot is located at the corner of Exchange street. The purchase was for the purpose of beginning the widening of that street.

The entire lot contains 11,158 square feet. For many years, an old building, ill-adapted for modern banking, had been occupied, and for several years owned, by a banking firm—Lee, Higginson & Co. Meanwhile, the First National Bank of this city had become possessed of three large and almost contiguous bank buildings, viz., the building which it now occupies, its earlier quarters at the corner of Federal and Franklin streets and the building previously owned by the International Trust Company. A sale of the second of these parcels had in 1925 become obviously desirable. It was also desirable for Lee, Higginson & Co. to find more suitable quarters than their old building at the corner of State and Exchange streets.

On May 22, 1925, an agreement was reached between the First National Bank and Lee, Higginson & Co., whereby the Federal-Franklin street property was transferred to the latter, while the State-Exchange street property was transferred to Herbert F. Winslow, the nominee of the First National Bank, it being agreed that any profits from a sale above, or any losses from a sale below, a base price of \$1,200,000 for the State-Exchange street property, were to be divided equally between Lee, Higginson & Co. and the First National Bank.

The rentals from the buildings at State and Exchange streets fell far short of paying even the taxes, the yearly deficit being as follows:

1925.....	\$23,751 10
1926.....	68,323 50
1927.....	16,391 17
1928.....	175,606 15
Total.....	<u>\$284,071 92</u>

On January 16, 1926, just after Mr. Nichols had become Mayor, a resident of Newton, Alwin E. Hodson, petitioned the Legislature to authorize the City of Boston to borrow, outside the debt limit, the money to widen Exchange street. Three days later an agreement was entered into between Winslow and G. Augustus Holzman, representing himself, Abram Lipp, Joseph Paul and Samuel L. Lowe, by which these four secured either a contract or an option to buy the property at the corner of Exchange and State streets for \$1,550,000. It is extraordinary that all the parties to this agreement claim that they have been unable to find a copy of it. The purchasers deposited \$35,000 to bind the contract and forfeited this sum after the Legislature, on May 10, 1926, failed to pass the Hodson bill.

Two incidents seem noteworthy in connection with this bill while it was before the Legislature. Representative Adlow favored the proposition; and Representative Henry L. Shattuck, on the floor of the House, made the following remarks, as reported by the *Boston Globe*:

"I looked up the petitioner and found he was a resident of Newton Centre and interested in a taxi company in Boston. The only attorney recorded for this bill is counsel for the petitioner.

"But the gentleman who is really active is one who telephones to members from State street. It is under cover that all the pushing is done and he is pushing this bill. I refer to Charles H. Innes. But there is a straw name on the petition. This widening is desired for undisclosed purposes. (See *Boston Daily Globe*, May 5, 1926.)

Lipp, Paul, Lowe and Holzman had had previous experience in takings by the city for street widenings, and Winslow had had previous experience in selling to them property which the city subsequently took, Lipp and his associates having received a gross profit of approximately \$111,692 from their dealings with the city in the widening of Faneuil Hall square and Dock square.

On January 28, 1927, an unsuccessful attempt was made to introduce in the Legislature a bill for the widening of Exchange street. On February 10, 1927, Winslow filed with the Building Department plans for a fourteen-story office building on the premises and, although these plans were approved by the Building Department on February 25, 1927, and Winslow paid the architects \$18,000 and the city for the permit \$1,000, the permit was never taken out and no attempt has ever been made to proceed with the erection of the building.

On January 15, 1928, Mayor Nichols himself petitioned the Legislature for authority to borrow, outside the debt limit, the money needed to widen Exchange street. A short time thereafter (February 21, 1928), Winslow again agreed to sell the entire property to the same four buyers, but their identity was concealed by use of a "straw," Elizabeth C. Hyland, a clerk in Lipp's office. The price was now \$1,620,000. They deposited \$25,000 to bind the transaction; title was to pass May 28, 1928. The Legislature defeated the bill; the deposit was forfeited; Winslow brought no suit to enforce the sale.

Beginning August 30, 1928, the dates and the rapidity with which events moved are most significant. A third agreement was then made (August 30), between Winslow and the same four buyers for the sale of the entire parcel for an increased price, viz., \$1,625,000. Title to the property was to pass to the four buyers on November 1, but the contract contained not only a provision for extension to January 31, 1929, by payment of an additional \$10,000 on November 1, but also a provision that Winslow could proceed with the tearing down of the buildings and that the four buyers would pay not more than \$25,000 for the demolition.

On September 5, 1928, Winslow filed an application in the Building Department to tear down the buildings.

On the same day the chairman of the Street Commissioners, Mr. Hurley, had a private conference with the Mayor on the filing of the permit and on the following day, September 6, after another private conference with him, Hurley returned to his office and wrote the Mayor a letter which closed with these words:

"We beg you, therefore, to take this last opportunity to provide the city with a remedy for the congestion which has become more and more acute for the last twenty-five years."

On September 8 Miss Hyland released Winslow from his third agreement, forfeiting the \$10,000 deposited only nine days before.

On September 10 the Mayor formally recommended to the City Council a loan order, within the debt limit, of \$1,100,000 (\$700,000 additional was to be charged to a balance in the Highway Loan passed annually for street improvements).

On September 12, two days after the Mayor's message was received by the City Council, Winslow made a contract for tearing down the buildings.

On September 20, 1928, Winslow was invited to confer with the Finance Commission. He was asked:

Q. Have you given any option to anybody on this property? A. No, sir.

Q. Do you still own it? A. Absolutely, and no one can say they have options or any conversations or any other thing so far as that property goes.

These answers were untrue and misleading. Winslow had given an option on the property in 1926; he had entered into two contracts for sale in 1928, one of which had lapsed and the other had been forfeited; there had been many conversations regarding the property; and the real owner was the First National Bank, as the commission subsequently discovered.

On September 28 the Finance Commission advised the Mayor and City Council that the project of widening Exchange street needed careful consideration and that the element of cost was the most important part of it. Three things are now noteworthy: (1) the Mayor ignored this advice; (2) Mr. Hurley, chairman of the Street Commissioners, told the Committee on Finance of the City Council that he favored the widening, no matter what the cost; (3) Commissioner O'Callaghan of the Street Commissioners, who also appeared before the City Council committee in the early part of October, showed intimate knowledge of Winslow's answers as given to the Finance Commission at the private hearing of September 20.

On October 5 Winslow entered into a fourth agreement with Miss Hyland to sell the property at a further increase in price, viz., \$1,640,600, but this time, according to the testimony, she represented only Lipp and Paul. The sum of \$5,000 was paid to bind the contract. In this agreement nothing was said about the cost of demolishing the old buildings, although the third agreement had had a special clause covering the cost and payment thereof. But, as in each of the former cases, the increase in the price indicated allowance for carrying charges; title now was to pass on December 31, or one month earlier than the extended time in the third agreement.

On October 22 the Committee on Finance of the City Council reported that the loan order ought not to pass, without prejudice, but the Council itself laid the order on the table by a vote of 13 to 7, and then upon October 29 passed it, only Councilmen Parkman and Bush voting against it. After this favorable vote of the Council, \$5,000 more was paid on November 1 to Winslow under the fourth agreement.

On November 18 a reporter of the *Boston Globe* published in his paper an article calling attention to the fact that, in view of a message from the Mayor to the City Council, asking passage for a loan within the debt limit to make up \$1,800,000 for the widening, the Finance Commission had asked the Boston Real Estate Exchange for "a fair appraisal of the parcel." The reporter had gathered information that, though the title to the land stood in the name of Winslow, "the First National Bank, of which a close friend of the Mayor, Ex-Governor Channing H. Cox, is vice

president," was interested. He pointed out that though the city "was taking much less than half" the parcel, it was apparently intending to pay \$1,800,000 for this portion. And he reminded his readers of this ominous fact:

"The Exchange performed a similar service for the 'Fin Com' two years ago, when the 'Nichols' administration stood almost committed to pay its own realty adviser, Warren G. Freeman, the sum of \$400,000 for land in Bowdoin square selected as site for a new central fire house there. The Real Estate Exchange's special appraisal committee judged \$400,000 to be an extravagant figure for this old Revere House site parcel and Mr. Nichols, tacitly accepting the committee's advice, marked down his appropriation order for this purpose to \$300,000."

The day after this article appeared, the Mayor called for the reporter who had written the above article and in his presence telephoned to the city editor, Mr. George M. Dimond, of his paper, and, referring to the above article, demanded that the reporter be transferred from City Hall.

The facts thus established are: The Mayor knew by November 19, if not earlier, that the Finance Commission had asked the Boston Real Estate Exchange for an opinion on the value of the property; the Mayor resented giving the public the facts. Furthermore, the Street Commissioners were informed on November 27, 1928, by William J. Keville that a Committee of the Real Estate Exchange was making an appraisal for the Finance Commission. Thus, before the end of November, the Mayor and the Street Commissioners knew that the Finance Commission had asked the Boston Real Estate Exchange for the appraisal, but neither the Mayor nor the Street Commissioners availed themselves of the opportunity to receive information on a fair valuation for the property.

On November 28 the Street Commissioners held a public hearing on the widening of Exchange street. No one appeared for or against it. The hearing was a mere formality, for the commissioners had already determined on the widening. Opposition would have been useless.

In order to determine the amount to be paid for the proposed land-taking by the city, there was available for the Mayor and Street Commissioners the Assessing Department's valuation of \$1,485,000 for the whole lot. This official valuation was ignored by both the Mayor and the Street Commissioners. There were also available many real estate experts on whose appraisals the city could safely rely. No such expert was engaged by the city. Six other men, Warren F. Freeman, Frederic L. McGowan, Richard F. Andrews, W. Franklin Burnham, James D. Henderson and D. Bradley Rich, a needless number, were selected as appraisers. Their professional experience, with two exceptions, had been mostly in suburban and rural property. In the last three years five of these men had received from the city \$59,376 for services in other matters. Freeman, the city's real estate expert, has received from the city in commissions during the Nichols administration the sum of \$40,917, exclusive of fees for rent collections. He has profited in several instances by having land that he himself owned or was interested in taken by the city. Andrews has likewise benefited in at least two instances by takings which the city has made of land which he himself owned. Henderson has testified in many land damage cases against the city which have resulted in large awards to persons whose property has been taken. Burnham and Rich have had no large experience in sales of downtown property and are known as rural operators and auctioneers. McGowan has been on friendly terms with Cronin, Winslow's broker in this transaction, and also with Winslow himself.

For their services in this transaction the appraisers charged \$11,161.96, or an average of over \$1,860 each. The higher their appraisals the higher became their fees. None of these men in the opinion of the commission should have been selected for this job and it is inexplicable on any legitimate basis why six, and these particular six, should have been chosen by the city to appraise the damages in this case. The six appraisers, with their total estimated value of the entire property and their estimates of damages to be paid by the city, are as follows:

APPRAISER.	Total Estimated Value of Entire Property.	Estimates of Damages to be Paid by City for Two-fifths of Lot.
Freeman.....	\$2,231,600	\$1,758,050
McGowan.....	2,231,600	1,785,080
Andrews.....	2,231,600	1,832,000
Burnham.....	2,510,550	1,816,256
Henderson.....	2,275,000	1,802,000
Rich.....	2,287,390	1,817,960

It is to be noted in connection with this table that Freeman, McGowan and Andrews all gave, to an exact dollar, the same total value of the property. The action of the appraisers leads inevitably to the conclusion that there was a prearrangement between them as to the amount they were to award as damages.

The six appraisers valued the property taken at an average price of about \$205 a foot, a high valuation—but hardly high enough to cause a great scandal. Their ballooning of the price to be paid by the city is caused by their preposterous figures as to the damages done to the remainder of the land by the taking. The appraisals of damages to the remaining land are as follows:

APPRAISERS.	Damage to Remainder of Lot.
Freeman.....	\$858,450
McGowan.....	885,480
Andrews.....	932,400
Rich.....	895,870
Burnham.....	804,206
Henderson.....	* 885,640

\* Calculations made up on his report.

The truth is that the lot thus alleged to have been damaged becomes a corner lot on two broad streets, an improvement for which betterments would ordinarily be charged, but in this instance were not charged. The damages were appraised on inaccurate facts. Freeman had given three of the appraisers, Hurley the other two, a plan purporting to show the restrictions on this remaining lot; Freeman had made the following point in a letter to the Street Commissioners: "The center portion of the lot on account of the restricted area where only a one-story building can be built, leaving a small unrestricted strip on Exchange street, 13.26 feet deep, on the State street end . . . makes that portion of the lot almost useless for anything but a one-story building." This information was accepted by the other appraisers as a basis for their appraisals. Freeman's statement is disproved by the plans of Winslow, on file at the Building Department, and by a subsequent examination made by the Law Department on request of the Finance Commission. The restrictions on the parcel, called at the public hearings of the commission "a cancer," had disappeared as soon as the old building was demolished. This area is 10 feet deep and the unrestricted strip which Freeman called 13.26 feet deep is really 25.01 feet deep.

The most elementary knowledge of the principles of appraisals should have required the Mayor, the Street Commissioners and the appraisers to find out from the city's Law Department what the restrictions really were before assessing damages.

Freeman made his report on December 1; the other five (one submitted by Burnham not signed until December 13) on December 4.

On December 4 the Street Commissioners purported to make a taking of two-fifths of the lot for \$1,750,000. It seems incredible that the Street Commissioners could form a judgment as to the damages to be paid on the very day that the five reports from the appraisers were received, unless Hurley and O'Callaghan had predetermined the amount of damages to be awarded. The chairman

of the Board testified publicly that he had his own rule to guide him in making the award; that he arrived at the damages to be awarded by taking the sum total of the experts' figures of the damages and dividing them by six, and offered Winslow a flat sum \$1,750,000. His statements show his disregard for the law, though his department has the tremendous power of eminent domain. When he was before the City Council at the time the loan was being considered, he said that he did not care how much the widening would cost and at the public hearing of the Finance Commission, in answer to a question whether he cared anything about the rule of law governing land-taking by eminent domain, replied "Not much."

On December 7, 1928, two of the Street Commissioners, Hurley and O'Callaghan, met Winslow at their office in City Hall and asked him if he would accept \$1,750,000 for the taking of 4,498 feet of his property. The third commissioner, Harding, was not invited to this conference. Winslow knew that the \$1,750,000 which the Street Commissioners were offering him was almost exactly the amount for which he was selling the whole lot to Lipp and Paul and that the city would thus be financing the purchase by Lipp and Paul. Yet, according to his own testimony, he sat with the commissioners for three-quarters of an hour, without disclosing his agreement with Lipp and Paul. There was no negotiating, but Winslow informed the commissioners that he would take their offer under consideration. What he actually did was to get an assent from Lipp and Paul to let the city have 40 per cent of the lot at an unconscionable price. Events then moved with even greater rapidity as follows:

On December 19, in a letter dated December 11 and prepared by Winslow's attorney, Lipp and Paul directed Winslow to accept the award. On this same day, Winslow's attorney brought to the Street Commissioners' office a letter that Winslow would accept the award of \$1,750,000.

On December 20 Mayor Nichols, the day after Winslow's acceptance, signed the order for the taking and for the award of \$1,750,000 to Winslow.

On December 21, after the Mayor approved the taking and award, the Street Commissioners notified the Commissioner of Public Works that the Mayor had approved the widening of the street. On that very day (December 21) the Commissioner of Public Works notified the Street Commissioners that he had made an entry on the street for the purpose of construction. It is necessary to make this entry before the money can be paid. Again, on that same day, the Street Commissioners notified Winslow of the award of \$1,750,000. Again, on that same day, Francis Harrington, a special examiner of the Law Department, presented a deed of the property to Winslow's attorney for signature.

On the next day, Saturday, December 22, Harrington notified the Street Commissioners to make out the draft of \$1,750,000 for Winslow. Harrington had then accepted without a certificate of title an abstract of the title of the property made by a firm of lawyers to the year 1905, and used a part-time employee of the Law Department to "run" the title from 1905 on. The assignment of a special examiner, instead of the regular conveyancers of the Law Department, to this case is significant. On that same day, Cliff Rogers Clapp, acting for Winslow, accepted the award of \$1,750,000. Later that same day, at 2.10 p. m., though City Hall closes at noon on Saturday, Clapp acting for Winslow, the latter being ill, received the money. The title examination was not completed until after the \$1,750,000 of the city's money had been paid. The discharge of the mortgage of \$1,080,000 on the property was not put on record until December 24. The haste with which this transaction was jammed through indicates a desire to get the money before some obstacle intervened. The money received, stagnation followed. For over four months the city has done practically nothing to the property.

The two big banking institutions had secured the \$1,200,000 which they had called the base price for the property; plus repayment of losses of operation covering a period of four years, amounting to \$284,071.92; plus \$18,000 for architects' fees; plus \$21,625 for tearing down the old buildings; plus \$16,800 brokerage fee; plus other expenses amounting to \$38,583.81; and still had left a profit to them of \$223,071.78. They had a contract with Winslow for about \$33,557 for his services, but voluntarily increased his compensa-

tion to about \$74,327. When asked by the Finance Commission why he was paid this extra sum, Winslow replied, "I do not know." In addition, Lipp and Paul secured for less than \$15,000 property which, according to the testimony, is worth more than half a million dollars.

Russell S. Codman, a manager of mercantile and financial buildings near State street, testified that the entire lot was worth at the maximum only \$150 a foot.

J. Murray Howe, a large downtown realty operator, testified that the whole lot was not worth more than \$1,200,000.

Henry L. Shattuck, a man of large experience in downtown property, made an investigation of the price to be paid by the city for this taking and came to the conclusion that the city was paying \$500,000 too much.

George L. DeBlois, recognized as a pre-eminent realty expert in the State street section, and with large holdings there, testified that the city paid \$700,000 too much.

The Finance Commission calls attention to the fact that some method should be devised to destroy the power of real estate dealers who pose as experts and use the prestige of real estate exchanges in which they have membership to appraise at excessive values for the benefit of speculators in cases where the City of Boston is obliged to take land under its right of eminent domain. The juries are often blamed for giving excessive damages and in many instances have undoubtedly done so, but these juries are generally misled by the values given them by these so-called real estate experts, who are conscienceless when the City of Boston is paying the bills.

The commission believes that the First National Bank and Lee, Higginson & Co. would never have agreed on a basic price of \$1,200,000 for the entire parcel of 11,158 square feet if they had not been advised by competent advisers that this was the market value of the property. The payment of \$40,770 by the First National Bank and Lee, Higginson & Co. to Winslow above his contract reveals satisfaction at the unconscionable price paid by the city. When the beneficiaries contend that the additional compensation was due to the long time required to dispose of the property, they admit the difficulty of disposing of it in the open market.

The commission heard with amazement the testimony of the president and chairman of the Board of Directors of the First National Bank that Herbert F. Winslow, without any vote of the Board of Directors of the bank, was authorized to start operations to build a two-million-dollar building on the land owned by the bank. It was the most shallow subterfuge for these officers to state that Winslow was going to build on his own account, in view of the evidence brought out that it was the bank which paid the architect for the plans.

The Mayor, defeated by the Legislature in his efforts to put the transaction through, determined finally to accomplish it himself. It is inconceivable on any theory, except that of collusion, that both the Mayor and the Street Commissioners should have ignored the valuation of the city's own Assessing Department, that they should not have called for the information on the value of the property which they knew that the Finance Commission was to obtain from the Real Estate Exchange; that six real estate men, none of them, in the judgment of the commission, competent for the job, should have been engaged to appraise these damages; that all should have been given misinformation in regard to the restrictions on the property; that all should have appraised the property far above its real value, three of them at identically the same amount; and that the transaction should have been rushed through when there was no legitimate reason for haste.

The testimony heard before the commission disclosed the most flagrant case of waste of the taxpayers' money by public officials brought to its attention since the commission was created. In the judgment of the commission fraud permeated this whole transaction. It is manifest in the price paid by the city. It is manifest in the haste with which one move followed another. It is manifest in the urgency with which the chairman of the Street Commissioners begged the Mayor for authority to widen Exchange street immediately after conferring with him. It is manifest in the employment of six subservient appraisers, instead of getting competent expert advice or consulting the city's own Assessing Department. It

is manifest in the misleading information given by Freeman and Hurley to the five appraisers. It is manifest in the uniformity of the high appraisals. It is manifest in the inordinate appraisals of the damage done the remaining lot. It is manifest in the precipitancy with which the city's Law Department authorized the payment of the \$1,750,000 before the title to the property had been fully examined. It is manifest in the fact that the Mayor, instead of stopping the deal, took to task a reporter for warning the public of what was to happen. It is manifest in the Mayor's use for this single doubtful undertaking of practically all the money available for street improvements for the year. It is manifest in the payment to Winslow of the extra \$40,770 by the First National Bank and Lee, Higginson & Co. It is manifest in Winslow's untruthful and misleading answers when invited before the Finance Commission on September 20. It is manifest in the failure of Winslow in the December 7 conference with the Street Commissioners to disclose that he had already contracted to sell the entire property. It is manifest in the fact that Lipp *et al.* had no plans for developing the lot at the various times when they paid substantial sums to secure the property. It is manifest in the payment of \$1,750,000 by the city over two hours after the door of City Hall was closed on Saturday December 22.

The Law Department of the city is in practice the representative of the Mayor. It does not act adversely to the Mayor's wishes. In this investigation city employees and even the six realty appraisers called before the commission had a representative of the Law Department of the City of Boston assigned as their counsel and adviser. The Mayor, who should have been the first person in the city to welcome any facts showing fraud on the taxpayers, when called before the commission adopted an attitude antagonistic to the commission and its investigation.

The statute creating the commission gives it broad powers of investigation, but no power to institute proceedings in court on behalf of the city to recover for the city money wrongfully expended even when fraud exists. This limitation of power is not always fully appreciated by the public.

It would be useless to call upon the Mayor and city Law Department to institute action on behalf of the city in this case.

The Finance Commission, therefore, in accordance with section 18, chapter 486, of the Acts of 1909, submits this report to your Excellency and to the General Court for such action or legislation as will enable the taxpayers of Boston to obtain redress.

Respectfully submitted,  
THE FINANCE COMMISSION,  
by JOHN C. L. DOWLING,  
Chairman.

Placed on file.

#### PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of Registry of Deeds, to the amount of \$4,351.01, for the period from May 1 to May 15, inclusive, was received and approved.

#### APPOINTMENTS BY THE MAYOR.

Notice was received of the following appointments by the Mayor:

Horace B. Mann, 11 Wheatland avenue, Dorchester, assessor.

Mrs. Eva W. White, 395 Charles street, Overseer of Public Welfare.

Oliver C. Elliot, 17 Davis street, Overseer of Public Welfare.

Edward H. Willey, 701 Broadway, South Boston, Overseer of Public Welfare.

Tilton S. Bell, 7 Webster road, Milton, Overseer of Public Welfare.

Abraham E. Pinansky, 6 Chiswick road, Brighton, member of Sinking Funds Department.

Eliot Wadsworth, 180 Marlborough street, member of Sinking Funds Department.

Frederic H. Fay, 227 Savin Hill avenue, Dorchester, member of City Planning Board.

Robert Dysart, 86 Bay State road, trustee of Statistics Department.

Severally placed on file.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners that hearings on petitions for storage and sale of gasolene would be heard May 27 on the following:

James P. Gallagher, 1891 Columbus avenue, Ward 11, 2,000 gallons.

John P. Riley, 35 Hallett street, etc., Ward 16, 4,000 gallons.

Roxbury Battery Company, 180 Dudley street, Ward 8, 1,000 gallons.

Scott Brothers, Inc., 1 and 3 Emery road, Ward 22, 1,000 gallons.

Referred to the Executive Committee.

#### SECRETARY OF BOARD OF APPEAL.

Notice was received from the Board of Appeal of selection of John D. Marks as secretary for ensuing year.

Placed on file.

#### BOND OF INDEMNITY.

A communication was received from the Metropolitan District Commission inclosing bond of indemnity to City of Boston from A. G. Tomasello & Son, Inc., under contract No. 69 with commission for furnishing and laying steel water pipes.

Placed on file.

#### ORGANIZATION OF HOSPITAL TRUSTEES.

Notice was received from the Board of Trustees of Boston City Hospital of organization by reelection of Joseph P. Manning as president and Henry S. Rowen as secretary.

Placed on file.

#### CONSTABLES' BONDS.

Bonds, duly approved by the City Treasurer, were received, of the following-named constables:

John J. Bavis, David Belson, Francis E. Brown, Warren A. Brown, Louis Budd, Henry P. Burns, Thomas C. Carr, James S. Duval, Thomas Fee, Maurice J. Glick, Edmund C. Grady, Joseph Granara, Samuel Goldmeier, John F. Halligan, Abraham M. Hecht, Walter H. Holland, Jacob Isgur, James Kaplan, William H. Kenney, Thomas H. King, Elmer S. Nyman, Daniel W. O'Brien, James E. O'Brien, Francis J. O'Loughlin, James A. Quinn, Bartholomew F. Roach, Robert E. Scott, Samuel Shain, Henry D. Stetson, Jerome Suvall, Henry J. D. Small, Jeremiah A. Twomey, Aber Uckerman, Roman J. Vasil, John A. Wragg, Joseph Weiner, John F. Welch, Max Zimmerman, Approved by the Council.

#### RECESS.

On motion of Coun. BUSH the Council voted, at 2.21 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 DONOVAN at 2.57 p. m.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President DONOVAN called up unfinished business No. 3 on the calendar, viz.:

3. Action on appointments submitted by the Mayor May 6, 1929, of Arthur L. Hayden and Rose F. Muchkin, to be Weighers of Coal, and Rose F. Muchkin, to be a Weigher of Goods.

The question came on confirmation. Committee, Coun. Green and Gallagher. Whole number of ballots 16; yeas 16, and the appointments were confirmed.

Coun. RUBY, for the Special Committee on Constables, called up, under No. 1 on the calendar, under unfinished business, the name of Francis E. Kelley, appointed constable by the Mayor April 8, 1929.

Coun. WARD—And I would like to ask the chairman of the Committee on Constables a ques-

tion, if I may, Mr. President. Is there any objection to calling up also the name of John H. Brady, on No. 2 on the calendar?

Coun. RUBY—I have no objection, Mr. President.

Coun. MOTLEY—And I would also ask, Mr. President, that the name of James H. McInerney, in No. 2 on the calendar, be taken up and acted upon.

Coun. RUBY—I have no objection, Mr. President.

The question came on confirmation of the appointments by the Mayor as constables of Francis E. Kelley (appointed April 8, 1929), John H. Brady (appointed May 6, 1929) and James H. McInerney (appointed May 6, 1929). Committee, Coun. Dowling and Mahoney. Whole number of ballots 17, yeas 17, and the appointments were severally confirmed.

Later in the session Coun. GREEN called up, under unfinished business, from No. 2 on the calendar, the appointment by the Mayor of Charles H. Grace (appointed May 6, 1929) to be a constable. The question came on confirmation. Committee, Coun. Green and Gallagher. Whole number of ballots 13, yeas 13, and the appointment was confirmed.

Later in the session, on motion of Coun. RUBY, it was voted that action be taken on the appointment by the Mayor, under date of May 6, 1929, of James I. Mede (in No. 2 on the calendar).

The question came on confirmation. Committee, Coun. Fitzgerald and Gallagher. Whole number of ballots 12, yeas 11, nays 1, and the appointment was confirmed.

#### RESTRICTION RELEASE AND LOAN ORDERS PASSED.

President DONOVAN—Unless the Chair hears objection, in order to expedite matters he will call up under unfinished business Nos. 4, 5, 6, 7, 8, 9 and assignment, No. 10, on the calendar.

Coun. BUSH—Mr. President, I object to No. 10 being included.

President DONOVAN—No. 10 is excluded. If there is no objection, we will take up under unfinished business Nos. 4 to 9 on the calendar.

The orders referred to were as follows:

4. 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 the trustees of the Columbus Associates a release in form satisfactory to the Law Department of the following restriction, contained in a deed given by the City of Boston to Freeborn Adams, Jr., dated January 27, 1858, and recorded with Suffolk Registry of Deeds, Book 730, page 264: "The building located on this lot shall be less than twenty feet in width and placed on a line six feet back from the street, also the basement to be set up four feet from said grade of street."

The restriction herein referred to affects the premises owned by the trustees of the Columbus Associates, situate at 753 East Broadway, in that part of Boston called South Boston.

On April 29, 1929, the foregoing order was read once and passed, yeas 20, nays 0.

5. Ordered, That the sum of one hundred and fifty thousand dollars be, and hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, 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, 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 April 29, 1929, the foregoing order was read once and passed, yeas 18, nays 1.

6. Ordered, That the sum of thirty thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Board of Park Commissioners for the placing in proper condition for the use of the citizens the Smith's Field Playground, Ward 18, 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.

On April 29, 1929, the foregoing order was read once and passed, yeas 18, nays 1.

Ordered, That the sum of \$15,000 be, and hereby

is, appropriated, to be expended under the direction of the Park Commission, for the erection of bleachers as follows:

\$5,000, Wellington Street Playground;

\$5,000, Eagle Hill Playground;

\$5,000, John H. L. Noyes Playground;

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 April 29, 1929, the foregoing order was read once and passed, yeas 18, nays 1.

8. Ordered, That the sum of \$60,000 be, and hereby is, appropriated, to be expended under the direction of the Park Commission, for the purchase of land in what is known as the Fourth Section area of East Boston, and the grading, construction, etc., thereof as a playground, 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 April 29, 1929, the foregoing order was read once and passed, yeas 18, nays 1.

9. Ordered, That the sum of five hundred thousand dollars 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.

On April 29, 1929, the foregoing order was read once and passed, yeas 18, nays 1.

The orders were severally given their second and final reading and passage, yeas 17, nays—Coun. Dowling—1.

#### EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition (referred today) of Edna Stertz for children under fifteen years of age to appear at Jordan Hall, May 21, 1929—recommending that permit be granted.

Report accepted; permit granted on usual conditions.

2. Report on order (referred May 6) that an annuity of \$600 be allowed and paid to the widow of Thomas J. Flynn, late member of the Fire Department, who died from injuries received in the performance of his duties—that same ought to pass.

Report accepted; said order passed.

3. Report on order (referred today) that chapter 219 of the Acts of 1929, entitled "An Act Relative to the Treatment of Certain Patients at the Long Island Hospital of the City of Boston," be, and the same is hereby, accepted—that the same ought to pass.

Report accepted; said order passed.

4. Report on order (referred today) that the Penal Institutions Commissioner be, and hereby is, authorized to sell, after public advertisement, pigs valued at approximately \$2,200—that the same ought to pass.

Report accepted; said order passed.

5. Report on message of Mayor and orders (referred today) recommending transfers from the Street Laying-Out Department and from the Police Department to the Boston Traffic Commission—that both orders ought to pass.

Report accepted; said orders passed; yeas 16, nays 0.

#### ADDITIONAL COURT OFFICER FOR CHELSEA COURT.

Coun. FITZGERALD, for the Committee on County Accounts, submitted a report under the order (referred April 15) that chapter 208 of the Acts of 1929, entitled "An Act Authorizing the Appointment of an Additional Court Officer for the District Court of Chelsea," be, and the same hereby is, accepted—that the same ought to pass.

Report accepted; said order passed.

#### HOSPITAL PLANS LOAN.

Coun. MOTLEY, for the Committee on Finance, submitted a report on the message and order

(referred April 1) for a loan of \$180,000 for hospital buildings, plans, etc.—that the order ought to pass.

The report was accepted and the question came on the passage of the order.

Coun. DEVENEY—Mr. President, as a member of the Committee on Finance, let me say that I regard this order as one of the most brazen steals of money perpetrated by this administration. It asks \$180,000 to be turned over to the hospital trustees, they, in turn, to turn it over to a clique of architects, who will, in turn, turn over some part of this \$180,000 to those who are behind the present administration. This money is to be spent in the drawing of plans for the erection of \$3,000,000 of buildings at the City Hospital. I have been told by the committee that this work cannot possibly take place until next year, so I cannot see any reason at this time why this Council should vote \$180,000 for the making of plans, when the buildings cannot be erected certainly for one year. The only idea of sending the order up here is that the Mayor may get in on the \$180,000 before the next administration.

Coun. WILSON—Mr. President, I would like to ask a few questions. May I ask what report the Finance Committee made the first time that this order was referred to them?

Coun. MOTLEY—The first time this order was referred was to executive session of this body.

Coun. WILSON—Hasn't the Finance Committee had a loan order for \$180,000 prior to this one?

Coun. MOTLEY—I still maintain, Mr. President, that when the order first came in here it was referred to executive session, and was reported out on the floor here and was killed.

Coun. WILSON—Mr. President, I don't want to delay the proceedings here, but may I again ask, is this the first time that the \$180,000 loan order for architects' fees for the hospital building has been to the Finance Committee this year?

Coun. MOTLEY—It is, sir.

President DONOVAN—It is the first time. I might say that prior to this time it was referred to Executive Committee and the report of the Executive Committee was "Ought not to Pass." I don't recall the exact vote.

Coun. WILSON—Mr. President, I ask what additional information the Committee on Finance has in regard to that \$180,000 order to provide for architects' fees, since the Executive Committee of the City Council reported "Ought not to Pass"?

President DONOVAN—Does Coun. Motley, the chairman of the Committee on Finance, care to answer?

Coun. MOTLEY—There isn't anything additional.

Coun. WILSON—Mr. President, I simply make the point because I am under the impression that I voted against this loan order the first time it was in here, due to the fact that I had been informed by officials of the Boston City Hospital that under no circumstances could the first \$3,000,000 for construction be completed before some time next Thanksgiving or next Christmas; that being so I naturally voted against \$180,000 for architects' fees for the second \$3,000,000 of construction work, which, on the testimony of the City Hospital officials themselves, cannot possibly be begun until the first or perhaps the second year of the next administration. Under those circumstances, I do not personally care to change my vote from the vote I cast, in common with the majority of the City Council, the last time this loan order was before us.

Coun. McMAHON—Mr. President, this loan order, this \$180,000, when it first came in, did go to executive, where it had no advocates at the time. The rest of the loan order passed, but the \$180,000 did not. So there was no real hullabaloo over its being defeated. I think there was no particular interest shown by the hospital trustees themselves. They seemed to have no particular interest in the matter at the time. We are now told that it is very important to pass the \$180,000 loan order. But the only thing the Finance Committee now seems to be taking for granted is based, apparently, on what was said by his Honor the Mayor, on April 1 of this year, when he sent the order right back, after it had been defeated in this body. He then said, quoting his message of February 4 previously sent to us:

"In the light of experience, I feel that the trustees' recommendation is a proper one and I accordingly submit herewith a loan order provid-

ing for the appropriation of \$180,000 to be expended for architects' fees. I respectfully recommend the adoption of this order by your honorable body."

And he then went on, in his communication of April 1, as follows:

"The order accompanying this communication failed of passage. I hardly need remind you of the pressing need of additional facilities at the City Hospital. Plans for construction work, the need for which is obvious, should be in process now so that there may be no delay in adapting the facilities of the hospital to demands which are constantly increasing for the service it provides. I can conceive of no more grave neglect of official duty than failure on the part of the city to make necessary provision for the relief of its sick. There can be no doubt that delay, if allowed to continue, would subject the city to severe and merited criticism. For this reason I again present an appropriation order, in the sum of \$180,000, to be expended by the trustees of the Boston City Hospital for hospital buildings and plans."

Now, Mr. President and gentlemen of the Council, I cannot see that we have a lot of information on this matter which requires that we should act upon it immediately. The trustees don't say that they have to have it. Those gentlemen who have had a lot of experience with the hospital do not themselves seem particularly interested in the immediate passage of this \$180,000 order. They do not care which architect gets it. And still today a majority of the Finance Committee come in here with this loan order for \$180,000, for which they cannot give us a really good explanation, cannot show us why it should pass after it has once been defeated. Mr. President, I hope that this order for \$180,000, which will not be used for at least three to four years, will not be passed. They have not yet completed their first \$3,000,000 project. The matter was in the Mayor's office since last August until up to about a month ago, and then suddenly there was a great cry that this had to be taken out of the committee. I can't see that there has been any interest taken in it by the trustees, but when the order came to the body and they rejected it there was a hullabaloo as to why the \$180,000 for architects' fees was not passed. This \$180,000 is not a necessity of the hospital, as has been attempted to be shown here. It is just a case of which architect will get it. It does not, to my mind, make any difference what architect. But I think that the incoming administration is entitled at least to carry out a part of the program in the future, something that the hospital does not need for the present, and I see no reason why this body should pass it.

Coun. BUSH—Mr. President, I want to call the attention of the Council to the fact that the Mayor's communication is somewhat misleading and is hardly in accordance with the strict truth. The fact of the matter is that this \$180,000 is not for hospital plans alone, but 6 per cent of the amount to be expended is proposed to include the supervision of construction as well. It is perfectly obvious that if these buildings are not going to be built for a period of years there will be no supervision necessary for a long time to come. Certainly, where there is no construction for a considerable period of time, there can be no supervision. The plans themselves play but a very small part, have a very small proportion in the cost. A sum far below \$180,000 would be needed simply for the hospital plans, in order to obtain a coordination of the facilities of the hospital. The Mayor speaks of what may result, the grave result that may follow from not passing this order. Nothing can result that will mean any harm to the citizens of Boston or to the hospital from failure to pass this order, Mr. President. There is still a great deal of construction pending under the previous loans that we have passed, construction that has not been completed, and it will be impossible for them to even start this proposed work for a long period of time. But the reason for the desire to pass this order immediately is obvious and one that I do not care to go into. The fact is that there is no necessity whatever for passing the order at this time, so far as the welfare of the hospital is concerned. The motive behind the attempt to pass the order immediately is an entirely selfish one.

Coun. SULLIVAN—Mr. President, as one of the councilors who voted against this \$180,000 order when it was last presented to this Council, I will say that I voted "No" on it because under the provision of the charter it would require only one

reading, and I did not believe in voting for a loan that would have only one reading. Let me say also, Mr. President, that I have talked with the trustees of the hospital, and, while they have not given any real reason for passing the loan, they say that it is necessary, in order to help complete the work that is before them, to carry out their building program. I will say, however, that we have as much information on the order before us at present as we have on a great many loans that come before us under similar circumstances, and I desire to go on record here at this time as saying that I am going to vote for the loan.

Coun. MOTLEY—Mr. President, in answer to some of the serious charges made here this afternoon by the previous speakers, I simply desire to say that they are entirely uncalled for. This is a loan order for \$180,000 to pay for the architects' fees for the proposed \$3,000,000 program at the City Hospital. The Legislature of five years ago, in May of 1924, authorized the City of Boston to borrow \$2,000,000 outside and \$1,000,000 inside the debt limit for the hospital building program. In 1928 the Legislature again authorized the City of Boston to borrow \$1,500,000 outside the debt limit and \$1,500,000 inside the debt limit to carry on the future building program of the Boston City Hospital. On June 25, 1923, the then Mayor of Boston, James M. Curley, sent a loan order of \$180,000 to the Council, which was referred to the Executive Committee. That loan order was reported out the same afternoon and given its first reading by a vote of 9 to 0. On July 30 it was given its second reading, with a vote of 8 to 0. At that time the people on Beacon Hill had not authorized the city to borrow any money outside of the debt limit, but Mayor Curley, in his message to the Council said, "It is essential that a courageous building program to meet the present needs and to anticipate future requirements be made." Now, if Mayor Curley and the Boston City Council in 1923, a year before the Legislature authorized Boston to borrow outside of its debt limit, thought it was necessary for the city to raise a loan of \$180,000, I don't see why it is not just as necessary today for the present administration under Mayor Nichols to ask for \$180,000. A new kitchen and a laundry building, new quarters for the mechanical trades, changes and additions for the South Building and a new surgical operating and administration building that will provide service and accommodation for admission and discharge of all patients entering or leaving the hospital, are contemplated in the future. The first \$3,000,000 appropriation was carried forward to completion without delay because of the fact that at all times those in charge at the hospital were in a position to instruct the architects to proceed with preliminary studies of the various structures from a year to two years in advance of actual construction. I think that the hospital authorities should have every available means at their disposal so that they can carry on in a constructive manner, having in mind the future of the Boston City Hospital, so that the citizens of Boston may have a hospital that will be second to none in this country and that they in their sickness will have what they justly deserve, the very best.

Coun. DOWD—Mr. President, I have listened with great interest to the remarks of the chairman of the Finance Committee and I speak here today as one of the dissenters on that committee for the reason that in the meetings of that committee there was not a single bit of information given showing why the members of that committee or the members of this Council should change their vote of three months ago, when they rejected this same loan order. The chairman has gone into the history of the City Hospital program and has mentioned the name of Ex-Mayor Curley, and I believe it was Mayor Curley who started the building program for the City Hospital. I believe it was Mayor Curley who went to the Legislature in 1923. But at that time, when he sent to the City Council his loan order of \$180,000, conditions were not as they now are in the present City Council. His administration had two and one half years to run. Now we find, within six or seven months of the close of the present administration, that we are asked to appropriate and hand over this money to certain architects. I disagree with the gentlemen who say that the architects have not been selected, because as a matter of fact the architects have been selected. That was admitted in the budget hearings, when the question was asked of Mr. Manning. I believe also

it is a well-known fact that architects receive six per cent. It is also a well-known fact that a certain portion of the six per cent goes to those really interested in the project. The chairman has mentioned the fact that certain buildings are yet to be erected under the first loan, because of the fact that the first \$3,000,000 program, authorized some time ago, has not yet been completed. And still now, within six or seven months of the completion of his term of office, the Mayor of Boston asks this Council to hand over to certain architects the sum of \$180,000. I say to the members of this Council that if we had additional information whereby we might know just how that money is to be expended, and under whom, we might vote for the order. But we heard the councilor from Dorchester state that he had talked with the trustees and that they could not give really definite information. I cannot, Mr. President, vote for this \$180,000 at this time. I say it is about time that the Council called a halt on the passage of such loan orders in the closing hours of an administration. If there is one man in the City of Boston who is entitled to consideration in the carrying out of the City Hospital program, it is Ex-Mayor Curley, because he is the man who originally made out the program in his administration. I would not be one who in the closing hours of an administration would add more burdens to the next administration. The next Mayor of Boston is going to have some very difficult problems to meet. He will have the question of the East Boston tunnel to deal with, if we should accept the act, and he will have other problems confronting him. I say that the next Mayor will have a very difficult time to keep the taxes down where they should be, in view of the burdens that are going to be foisted on him by the outgoing administration. I hope that the members of the Council will see just what is behind this move, in attempting to pass this \$180,000 order, representing 6 per cent of \$3,000,000. If there is to be a building erected within a year or a year and a half, and they want to come in now and ask for \$40,000, \$50,000, or whatever it may be for such a building, very well; but why should we give them money for a complete program that will not be carried out for the next four or five years?

Coun. MURRAY—Mr. President, as one member of the Committee on Finance, I voted "Ought to Pass" on this order. But let me ask the councilor who has just taken his seat, after his braggadocio and brash way of speaking, why he did not ask the trustees of the City Hospital what they were going to do with the \$180,000? The trustees were all there, an unpaid board, whose only care is the welfare of the people of our city, men who are doing everything in their power for the poor and the sick of the city, and they were ready to answer questions. They told him then and there that they were trying to make a study of the situation, trying to hospitalize the buildings and coordinate the buildings of the City Hospital, and I wonder why the gentleman who has just taken his seat did not then ask questions. He did not ask his questions that afternoon, when they were present, and when they stated that the reason why they wished additional finances was because they wanted to start their program as quickly as possible.

Coun. RUBY—Mr. President, I cannot follow the logic of the councilor who says that it is improper for us to pass at this time an order that may have in mind contemplated expenditures. To me it makes no difference and in my opinion it should make no difference whatever with the members of this body when the expenditure under a certain definite program is to be accomplished, if we have a situation that renders action in anticipation of the carrying out of the program necessary. And it is frequently necessary in these matters to pass such orders before the actual construction is carried out. Plans must be made and the coordination of different parts of a plan must be worked out, Mr. President, at times long before the actual construction is under way. That is not only so with this matter, but it is so with other matters. The tunnel bill, if we are to accept it, must be accepted by us, according to the terms of the bill, on or before July 1. So that of necessity we are forced to take a stand one way or the other upon that matter, as we are on other matters that come before the body. In the order now before us it is not simply a question of architects' fee, in the expenditure of this \$180,000, but it is a question of planning for the



carrying out of a contemplated program which has been authorized by the present Legislature. There is, of course, great credit due to any Mayor of Boston who inaugurates a project of this kind, as well as to one who continues a building program such as is being followed in this case. This is a thing that has been carried out by the past Mayor of Boston as well as by the present Mayor of Boston and it should be our concern, if we are interested in hospital work in Boston, to see that the incoming Mayor will have an opportunity to carry on the wonderful work that has been done by the present Mayor, as well as continuing the work of the past Mayor of Boston,—and always taking into consideration, of course, the wishes of the present hospital trustees. They are planning a program, with the assistance of the Legislature and the Mayor and City Council, looking to the hospitalization of the hospital buildings of Boston, something that will not only be a monument to our city, but will furnish a group of buildings that will take care of every possible need of the city. I cannot for the life of me see any difficulty in my voting for this money for architects' fees in 1929 and voting for it if it came before us in 1927. The question is, Do we need the \$3,000,000 for the hospital buildings contemplated, and among which will involve the expenditure of this \$180,000? That is the only thing that bothers me, and I am convinced that we do need to have this program carried on consecutively. I feel that there should not be a misunderstanding with reference to the vote of the Council upon this matter, arising from the fact that when the order came before us at a previous meeting we voted against it, because there were many members of the Council who at that time voted against this measure only because it simply required a first reading and would then be enacted into law because of the expiration of the sixty-day requirement without an opportunity to vote on a second reading. For that reason many councilors voted against the proposition at that time. But I don't think there is a member of this body who is opposed to a continuation of hospitalization work in Boston. This \$180,000, as I understand it, is for architects' fees in connection with a group of buildings that is planned, not a single individual building. Hospitalization of buildings does not mean the erection of single, individual buildings, but the carrying out of groups of buildings under a plan, as I understand it, and it is necessary for the architect to figure on a group of buildings, the erection of which will, of course, take some years, and not planned beforehand there may perhaps be no appropriation to carry them out. And I think it has been well suggested by the explanation of the chairman of the committee that the original \$3,000,000 was an amount appropriated and spent under this administration, and that the architects' fees were appropriated and spent under the last administration. Of course, it is obvious that if we vote this \$180,000 for the architects' fees, that will be the continuous carrying on of the hospitalization plant. If we do not vote this \$180,000 this year, it is obvious that the building program for hospital work in Boston must wait, must be delayed a year, because of our inaction, and we will simply be hampering the next Mayor of Boston in continuance of this wonderful work that has already been carried on in the hospital building program. We ought not to be a stumbling block in the carrying out of that program. So I think we ought to vote this money regardless of when the buildings are to be built and, as a matter of fact, as I understand it, the very gentlemen who it is contemplated will get the work of planning these buildings are men who have specialized in hospital buildings for the last twenty years and who have done work for previous administrations. We ought not to be led to believe that there is a pet architect firm that is getting this work. It is not so. The group of architects who have done this work under past administrations are the ones who it is contemplated will do the work in the future. So I cannot for the life of me see why, because this is the closing year of a mayorality administration, we must bring to a close the continuous program of hospitalization work in Boston. Suppose we are appropriating money that will not be spent until after 1929 has closed. It is necessary to continue the work of the city, even though the administration may of necessity change, and it is illogical, in my opinion, for any members to take the view that because this is the closing year of the present administration, money

that is necessary to continue a program that is being carried out should not be appropriated, but that it should be appropriated and spent by the incoming Mayor. The incoming Mayor, of course, will continue the hospital building program, the same as the present Mayor is carrying it on. This thing should not be misunderstood. This \$180,000 is not immediately paid to the architects. They do not get the full amount of this money at this time but there is a continuous building program in contemplation, the erection proceeding from time to time and the planning being done as a unit. As I understand it, in regard to an architect's fees, when the plans are made a certain amount is paid when the building is put up, a certain amount of money is paid, and this \$180,000 will stretch over a period of three or four years, until all the buildings in that particular program are erected. So it cannot be said that this will be paid over in one amount, and paid over immediately. Certainly there have been unfair statements made here in the last two or three weeks in reference to these orders presented to us meaning a looting of our city treasury. I think such statements are unfair, because our province is to appropriate this money, and when we vote it we become part and parcel of the whole action; and I don't think councilors ought to say, because we are called upon to vote on a measure of this sort, because they may not personally favor the particular order, that the motives behind it are not all right. Of course we vote on matters that come before us with the best information that we have at hand, and that is as far as we want to go.

Coun. BUSH—Mr. President, the previous speaker has made a very able oratorical defence of the order, but he has not entirely stuck to the facts and he has glossed over the main outstanding fact that this \$180,000 is to cover the supervision of construction as well as the hospital plant. The gentleman has referred to the fact that this money will not all be paid over at one time. I would like to know how he knows that fact? What assurance has he got of that? And I have several more questions that perhaps he can answer at the same time. What assurance has he got in regard to what is going to happen under this order, and what is the necessity for passing the whole \$180,000 at the present time, if there is no intention to expend it at the present time?

Coun. RUBY—Mr. President, if I may be permitted to answer my colleague, I might say that Mr. Joseph P. Manning, the chairman of the Board of Trustees, who serves without salary, is the one who made the statement before the Committee on Finance that the \$180,000 will be spent in the manner which I have explained. In regard to the second question, I will answer in this way, that I have received information in regard to this general matter through the trustees, not in private conference but at meetings of committees here at which I have been privileged to sit in,—that when appropriations are made for a group plan, such as is being provided for in this \$3,000,000, they generally appropriate the entire amount for architect's fees, so that there will not be a division of the thing, but that the architect may plan a complete set of buildings as a unit. That is really a precaution for the city, and a proper precaution as far as the whole plan is concerned, because if a second architect should step in and change the plans it might of necessity cost the City of Boston many, many more thousands of dollars, and might upset the whole thing which had been contemplated as a unit.

Coun. SULLIVAN—Mr. President, in answer to my colleague from Ward 8, I would say that the President was kind enough to appoint a special committee, and I think if the councilor from Ward 8 was onto his job—

Coun. DOWD—Mr. President, I rise to a point of order that the gentleman is not talking to anything pertaining to the question before us.

President DONOVAN—The Chair will rule the point of order well taken.

Coun. SULLIVAN—Mr. President, if we had had a meeting of that committee we probably would have had some more information in regard to this architects' fee of \$180,000, and that also would probably have had some bearing on the difficulty of getting passes to go to the City Hospital.

Coun. DOWD—Mr. President, I rise now and ask for recognition to talk to the question before the body. I simply want to say to the members of the Council, who may have been misled by statements of the councilor from Dorchester—

Councilor Ruby, if I may mention his name—that, regardless of the statements of Mr. Manning before the committee, which has been referred to, as a matter of fact, while the \$180,000 has been pending before the Finance Committee, there has not been a single individual called before the committee to tell us why we should appropriate the \$180,000. I don't know what committee the councilor was referring to, when he said he had been sitting in and had obtained certain information, but I assure you that during the time when this loan order has been under consideration he never has appeared before the Committee on Finance.

Coun. McMAHON—Mr. President, I would like to give to the councilors who are backing up his Honor the Mayor, and these unpaid trustees of the Boston City Hospital, just a little information that I don't think they have. I would ask the councilors who favor this \$180,000 if they know that this \$750,000 loan order that we passed on February 4 was lying in the Mayor's office since last August? And I would like to let them know that the trustees wrote not alone one letter but four or five letters requesting that this loan order be presented to the Council; and I wonder if other members of the Council had been questioned as I have been questioned in regard to what happened to our \$750,000 loan order.

Coun. MOTLEY—Mr. President, I desire to ask the councilor a question. Does the question that the councilor is asking have anything to do with the \$180,000 order which is before us this afternoon?

Coun. McMAHON—Mr. President, if the chairman of the Finance Committee, who comes in here with a report in favor of this order, asks me a question about the \$180,000 order, and whether it has anything to do with the \$750,000 order, I just want to inform the councilor that that \$180,000 was separated from the other loan order at one time, and inform him that if some of the members would go to the trustees they would get information direct, and not in the roundabout way they have received it. As one of the councilors I have been asked a good many questions about the \$750,000 loan order, and there has been no mention about the \$180,000 loan order concerning architects' fees. I have yet to be asked any reason why this order has not been passed. As one member of the Council, I am very much interested in the hospital, and if anything good is to result from any order we may pass, I shall gladly help. But in the case of this particular order, we have a report that it ought to pass from the committee when the gentlemen on the committee don't know what they are talking about in asking us to pass the loan order.

Coun. DOWLING—Mr. President, in view of the atmospheric pressure that has developed on this matter, from which no information has resulted, I move the previous question.

The main question was ordered, and the Clerk called the roll on the passage of the order, with the following result:

Yeas—Coun. Arnold, Donovan, Fish, Fitzgerald, Gallagher, Green, Mahoney, Motley, Murray, Parkman, Ruby, Sullivan—12.

Nays—Coun. Bush, Deveney, Dowd, Dowling, McMahon, Ward, Wilson—7.

[There was a pause before the announcement of the vote.]

Coun. DOWD—Mr. President, I move you, sir, that the vote be announced.

The necessary two-thirds vote not having been received in favor of the order, it was declared rejected.

#### 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 month of May, 1929.

Report accepted; said order passed.

#### AUTOMATIC TRAFFIC SIGNAL SYSTEM.

Coun. MOTLEY 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 Traffic Commission 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 the Committee on Finance.

#### PAYMENT TO MOTHER OF FRANCIS P. O'FLAHERTY.

Coun. GREEN offered the following orders:

Ordered, That chapter 300 of the Acts of 1929, entitled "An Act Authorizing the City of Boston to Pay a Sum of Money to the Mother of Francis P. O'Flaherty, a Minor," be, and the same hereby is, accepted.

Ordered, That under the provisions of chapter 300 of the Acts of 1929 the sum of one thousand dollars be allowed and paid to Mary E. O'Flaherty, mother of Francis P. O'Flaherty, a minor, for injuries caused by shots fired by a police officer of said city while attempting to apprehend an alleged automobile thief, said payment to be in full discharge of all obligations on the part of said city on account of said injuries; said sum to be charged to the Reserve Fund.

Severally referred to the Executive Committee.

#### PAYMENT TO MOTHER OF JOSEPH P. COWAN.

Coun. GREEN offered the following:

Ordered, That chapter 301 of the Acts of 1929, entitled "An Act Authorizing the City of Boston to Pay a Sum of Money to the Mother of Joseph P. Cowan, a Minor," be, and the same hereby is, accepted.

Ordered, That under the provisions of chapter 301 of the Acts of 1929 the sum of five hundred dollars be allowed and paid to Margaret E. Cowan, mother of Joseph P. Cowan, a minor, for injuries caused by shots fired by a police officer of said city while attempting to apprehend an alleged automobile thief, said payment to be in full discharge of all obligations on the part of said city on account of said injuries; said sum to be charged to the Reserve Fund.

Severally referred to the Executive Committee.

#### TRAFFIC LINES, SOUTHERN ARTERY.

Coun. FISH offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to mark by white lines pedestrian lanes at the intersection of the Southern Artery, Adams street and Granite avenue, Ward 16.

Passed under suspension of the rule.

#### FIRE SIGNAL, NEPONSET AVENUE.

Coun. FISH offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to install a siren, as a warning to traffic of the approach of fire apparatus, at the intersection of Minot street and Neponset avenue, Ward 16.

Passed under suspension of the rule.

#### REIMBURSEMENT OF CITY HOSPITAL EMPLOYEES.

Coun. SULLIVAN offered the following:

Ordered, That the City Hospital Trustees be requested, through his Honor the Mayor, to reimburse ward porters, orderlies and other employees for meals which they do not receive while on their vacations.

Passed under suspension of the rule.

#### SALARIES OF CITY COUNCIL OFFICERS.

Coun. GALLAGHER 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 June, 1929:

Second Assistant Clerk of Committees, three thousand dollars.

Second Assistant City Messenger, two thousand seven hundred fifty dollars.

The order was declared passed under suspension of the rule.

[After passage, the order was read at request of Coun. Wilson.]

Coun. WILSON—Mr. Chairman, I move a reconsideration of the vote taken.

President DONOVAN put the motion on reconsideration, and stated that the Chair was in doubt, and ordered a rising vote to solve the doubt.

Coun. WILSON—Mr. President, I might say that my purpose in moving reconsideration at that time—

President DONOVAN—The gentleman is out of order. The question is on solving the doubt.

Coun. WILSON—Mr. President, I ask unanimous consent to explain my motion.

[There was no objection expressed to Coun. Wilson's explanation.]

Coun. WILSON—Mr. President, my purpose in making the motion to reconsider is due to the fact that last year one or two orders were put in with reference to the salaries of the official family of the City Council, and I personally believe, without even knowing what officers are covered by this particular order or just what their official positions are, that the question of raising the salaries of all the official family should be taken up at the same time. As I say, I do not know the names of the two men referred to in this particular order, but it seems to me that the whole question of increases for the official families here should be taken up at once.

The motion to reconsider was declared carried by a rising vote, and the order was referred to the Executive Committee.

#### LIST OF BAIL COMMISSIONERS.

Coun. WARD offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to have posted in the station house of the various police divisions a list of all bail commissioners.

Passed under suspension of the rule.

#### RADIO BROADCASTS OF BASEBALL GAMES.

Coun. MOTLEY, for Coun. Mahoney, offered the following:

Ordered, That his Honor the Mayor be requested to take up with the management of the Boston Braves baseball team the question of restoring the radio broadcasts of baseball games at Boston on Saturdays and Sundays, for the benefit of those who are prevented by sickness from attending.

Coun. MAHONEY moved a suspension of the rule for the passage of the order, and the motion to suspend the rule was declared carried.

Coun. WARD—Mr. President, I doubt the vote on that. I don't believe an order of that sort should come into this Council, because there is nothing that the Mayor or the City Council can do in regard to it.

President DONOVAN—If the councilor raises that question as a point of order the Chair will be obliged to rule the order out of order.

Coun. WARD—Mr. President, I make that point of order.

The order was ruled out of order by the President.

#### LOCKER BUILDING, WARD 6.

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, with shower baths, on the property now owned by the city at the corner of Broadway and C street, Ward 6.

Passed under suspension of the rule.

#### REPAVING OF SUMMER STREET.

Coun. MAHONEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Summer street, from Dorchester avenue to East Fourth street, South Boston, with granite blocks and cement grout joints.

Passed under suspension of the rule.

#### REPAVING OF WARD 18 STREETS.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Cummins Highway, from Mattapan square to Richmond street, Ward 18.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Canterbury street, Ward 18.

Severally 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 assign a very early date for a hearing on the proposed widening of Beech street, from Washington street to Poplar street, Ward 18.

Passed under suspension of the rule.

#### SIDEWALK ON FAIRMOUNT AVENUE.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along both sides of Davison street, from Fairmount avenue to Arlington 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.

Adjourned at 3.54 p. m., on motion of Coun. DOWLING, to meet on Monday, May 20, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, May 20, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Keene, Mahoney and Ward.

President DONOVAN, after calling to order, called Coun. Ruby to the chair.

Coun. RUBY presiding.

## APPOINTMENTS BY THE MAYOR.

The Mayor submitted, subject to confirmation by the Council, appointments for the terms ending April 30, 1930, as follows:

Weighers of Goods: Maurice G. Alperin, for Eastern Smelting and Refining Company, 107 and 109 West Brookline street, Boston; E. P. MacCannell and B. McEleney, with Grey Gull Records, Inc., 16 Macallen street, Boston.

Constables: Louis Yacker, 12 Theodore street, Dorchester; Samuel Susan, 54 Lexington street, East Boston.

Severally laid over a week under the law.

## RELIEF STATION AT FOREST HILLS.

The following was received:

City of Boston,

Office of the Mayor, May 20, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the City Hospital Trustees in reply to your order of May 6, 1929, relative to a relief station at Forest Hills similar to the one at East Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Hospital Department, May 10, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—At a meeting of the Board of Trustees held today the order of the City Council "That the City Hospital Trustees be requested, through his Honor the Mayor, to provide for a relief station at Forest Hills similar to the one at East Boston" was presented, and the trustees requested me to state that they have the establishment of such a relief station under consideration.

Yours respectfully,  
JOSEPH P. MANNING,  
President, Board of Trustees.

Placed on file.

## TRANSFERS FOR TRAFFIC COMMISSION.

The following was received:

City of Boston,

Office of the Mayor, May 20, 1929.

To the City Council.

Gentlemen,—In order to complete the organization of the Boston Traffic Commission it becomes necessary to transfer the sum of \$45,677.53 from the Reserve Fund to supplement transfers already authorized from the Police and Street Laying-Out Departments. With this transfer the commission will have available for its activities during the balance of the year appropriations totaling \$96,273.15.

This total is segregated under twenty-four budget items and is divided by groups as follows:

Personal service.....	\$48,460 74
Contractual service.....	16,997 50
Equipment .....	19,550 00
Supplies .....	2,600 00
Materials .....	8,654 91
	<u>\$96,263 15</u>

I respectfully recommend adoption of the accompanying order.

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, \$45,677.53, to the appropriation for Boston Traffic Commission, A-1, Permanent Employees, Commissioner, 1 at \$7,500 a year, \$4,500; Designing Draughtsman, 1 at \$2,100 a year, \$1,236.87; Stenographers, 6 at \$1,600 a year, \$2,374.50; Traffic Investigators, 10 at \$1,500-\$1,600 a year, \$3,774.14; Painters, 10 at \$1,900 a year, \$3,175.49; Laborers, 4 at \$1,600 a year, \$2,732.69; Switchboard Operator, 1 at \$1,600 a year, \$398.84; B-1, Printing and Binding, \$1,600; B-3, Advertising and Posting, \$500; B-4, Transportation of Persons, \$500; B-12, Bond and Insurance Premiums, \$10; B-13, Communication, \$600; B-14, Motor Vehicle Repairs and Care, \$600; B-23, Expert, \$1,000; B-37, Photographic and Blueprinting, \$200; B-39, General Plant, \$5,000; C-4, Motor Vehicle, \$5,200; C-7, Furniture and Fittings, \$2,000; C-9, Office, \$375; C-13, Tools and Instruments, \$400; D-1, Office, \$1,000; D-11, Motor Vehicle, \$1,000; E-13, General Plant, \$7,500.

City of Boston,

Office of the Mayor, May 20, 1929.

To the City Council.

Gentlemen,—I submit herewith two orders providing for the transfer of available appropriations relating to traffic regulation from the Police and Street Laying-Out Departments to the new Traffic Commission. These orders supplement the transfers made last week in personnel items and represent the balances remaining in appropriations included in the original budgets of the first two departments for traffic purposes. I respectfully 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 be, and hereby is, authorized to transfer:

From the appropriation for Police Department, B-5, Cartage and Freight, \$100, to the appropriation for Boston Traffic Commission, B-5, Cartage and Freight, \$100.

From the appropriation for Police Department, B-8, Light, Heat and Power, \$500, to the appropriation for Boston Traffic Commission, B-8, Light, Heat and Power, \$3,500.

From the appropriation for Police Department, B-10, Rent, Taxes and Water, \$87.50, to the appropriation for Boston Traffic Commission, B-35, Fees, Service of Venires, etc., \$12.50; B-8, Laundry, Cleaning, Toilet, \$75.

From the appropriation for Police Department, C-17, General Plant, \$11,000, to the appropriation for Boston Traffic Commission, C-17, General Plant, \$11,000.

From the appropriation for Police Department, D-16, General Plant, \$300, to the appropriation for Boston Traffic Commission, E-10, Electrical, \$300.

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 Street Laying-Out Department, B-8, Light, Heat and Power,

\$1,800, to the appropriation for Boston Traffic Commission, B-8, Light, Heat and Power, \$1,800.

From the appropriation for Street Laying-Out Department, B-14, Motor Vehicle Repairs and Care, \$100, to the appropriation for Boston Traffic Commission, B-14, Motor Vehicle Repairs and Care, \$100.

From the appropriation for Street Laying-Out Department, B-28, Expert, \$1,400, to the appropriation for Boston Traffic Commission, B-28, Expert, \$1,400.

From the appropriation for Street Laying-Out Department, B-37, Photographic and Blueprinting, \$75, to the appropriation for Boston Traffic Commission, B-37, Photographic and Blueprinting, \$75.

From the appropriation for Street Laying-Out Department, C-9, Office, \$575, to the appropriation for Boston Traffic Commission, C-9, Office, \$575.

From the appropriation for Street Laying-Out Department, D-1, Office, \$300, to the appropriation for Boston Traffic Commission, D-1, Office, \$300.

From the appropriation for Street Laying-Out Department, D-11, Motor Vehicle, \$225, to the appropriation for Boston Traffic Commission, D-11, Motor Vehicle, \$225.

From the appropriation for Street Laying-Out Department, E-10, Electrical, \$100, to the appropriation for Boston Traffic Commission, E-10, Electrical, \$100.

From the appropriation for Street Laying-Out Department, E-13, General Plant, \$754.91, to the appropriation for Boston Traffic Commission, E-13, General Plant, \$754.91.

Severally referred to the Executive Committee.

#### DEPARTMENT TRANSFERS.

The following was received:

City of Boston,  
Office of the Mayor, May 20, 1929.

To the City Council.

Gentlemen,—Under date of April 29, 1929, ordinances affecting the salaries of officials in five departments were passed by your honorable body. No provision was made in the annual budget for these increases for the reason that at the time the budget was submitted to the Council the effective date of the ordinances in question was uncertain. In order that the budget may be in conformity with existing ordinances, I submit herewith five transfer orders providing for the transfer of available funds to the budget appropriations of the departments affected. 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 be, and hereby is, authorized to make the following transfer in the appropriations for Penal Institutions Department:

From the appropriation for A-1, Permanent Employees, Commissioner, Deputy, 1 at \$3,500 a year, \$671.28, to the appropriation for A-1, Permanent Employees, Commissioner, 1 at \$5,000 (\$6,000) a year, \$671.28.

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, \$335.48, to the appropriation for Statistics Department, A-1, Permanent Employees, Chairman, 1 at \$3,500 (\$4,000) a year, \$335.48.

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, \$1,999.99, to the appropriation for Street Laying-Out Department, A-1, Permanent Employees, Commissioner, 1 at \$6,000 (\$7,000) a year, \$666.67; Commissioners, 2 at \$5,000 (\$6,000) a year, \$1,333.32.

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, \$666.67, to the appropriation for Public Buildings Department, A-1, Permanent Employees, Superintendent, 1 at \$4,500 (\$5,500) a year, \$666.67.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Reserve Fund, \$2,670.63, to the appropriation for Election Department, A-1, Permanent Employees, Chairman, 1 at \$6,000 (\$7,000) a year, \$666.67; Commissioners, 3 at \$5,000 (\$6,000) a year, \$2,003.96.

Referred to the Executive Committee.

#### LOAN FOR AIRPORT IMPROVEMENTS.

The following was received:

City of Boston,  
Office of the Mayor, May 20, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Commission setting forth the needs of that department for immediate improvements and for additional facilities for the airport.

In accordance therewith I herewith transmit a loan order in the sum of \$200,000 for Airport Improvements.

I respectfully recommend adoption of the accompanying order by your honorable body.  
Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of two hundred thousand dollars be, and hereby is, appropriated, to be expended under the direction of the Board of Park Commissioners for Airport, Improvements, 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 Executive Committee.

#### PETITIONS REFERRED.

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

Claims.

Alles & Fisher Company, Inc., for compensation for damage to property at 549 Shawmut avenue caused by backing up of sewage.

Herbert B. Banks, for compensation for damage to automobile caused by an alleged defect at 126 Beech street.

Mary Camerlingo, for compensation for injuries caused by fire ladder.

Arthur D. Cassel, for compensation for damage to property at corner of Causeway and Beverly streets, caused by bursting of water main.

Antonio Ciliberto, for compensation for injuries caused by an alleged defect in trade shop in high school on White street, East Boston.

Nellie Goren, for compensation for injuries caused by an alleged defect in Cabot Street Bath House.

Moses Hagopian, for compensation for damage to property at 789 Adams street, caused by falling branch of tree.

Catherine A. Hanson, for compensation for injuries caused by an alleged defect in East Boston High School.

Anna Keating, for compensation for injuries caused by an alleged defect in walk of City Hospital.

Bridget Leonard, for compensation for injuries caused by an alleged defect at 735 Huntington avenue.

Rosiner Brothers, for compensation for damage to property at 777 Washington street, caused by fire truck.

Arthur F. Swan, for compensation for damage to automobile caused by an alleged defect in Woodrow avenue.

Rocco Spano, for compensation for damage to property at 8 Maple street, Hyde Park, caused by falling tree.

#### Executive.

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

Amelia Burnham, Jordan Hall, May 20.  
 Esther M. Andrews, Filene's May 28.  
 Margaret M. Delano, Brighthelmstone Hall, May 23.  
 Herman Sulzen, Steinert Hall, June 7.  
 Emma G. Tunnecliff, Copley-Plaza ballroom, May '22.  
 Irene E. Hogan, Bloomfield Hall, May 31.

#### SALARIES OF PROBATION OFFICER, CHELSEA COURT.

A communication was received from the justice of the District Court of Chelsea stating appointment of additional officer for court, Peter A. Kiernan, at salary of \$1,800 per annum.

Referred to the Committee on County Accounts.

#### PETITION FOR USE OF LAND FOR SUNDAY SPORTS.

Petition was received from George W. Lowell, 108 Brooks street, Brighton, for license to use land located on North Harvard street, bounded by Stadium road, William F. Smith Playground and land of Lillian U. Woods for Sunday sports.

Referred to the Executive Committee.

#### SIDEWALK ASSESSMENTS.

Notice was received from the Commissioner of Public Works with orders covering assessments against property owners for proportionate part of cost of constructing sidewalks in front of their estates, viz.:

	Half Cost.
Haskell street, Ward 22.....	\$2,058.82
Allston street, Ward 21.....	\$1,434.99
Elmira street, Ward 22.....	\$3,647.14
Willowood street, Ward 14.....	\$1,516.64
Freepport street, Wards 15 and 16.....	\$2,968.65

Said orders severally passed under suspension of the rule.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings to be held on petitions for storage and sale of gasolene on Monday, June 3:

John P. Dixon, 291 Old Colony avenue, Ward 7, 100 gallons.  
 Heirs of Cyrus C. Mayberry, 953 Old Colony Parkway, Ward 16, 1,500 gallons.  
 James P. Nash, 38 and 40 Dana avenue, Ward 18, 1,000 gallons.  
 Sarah Price, 127 Bennington street, Ward 1, 2,000 gallons.  
 Seavey's Garage, 632 Blue Hill avenue, Ward 14, 1,000 gallons.

Referred to the Executive Committee.

#### 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 H. Brady, Thomas F. Brett, Joseph P. Cutter, Peter C. Foy, Harris Friedberg, Bronis Kontrim, Abraham

Krinsky, Frank Macchia, Bernard H. Magee, James I. Mede, Patrick J. Monahan, Edward Ober, Samuel Semiansky, George C. Souther, Francis J. Tobin, Karl H. West, Maurice Zeeman.

#### 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 May, 1929.

The report was accepted and the order passed.

#### REPORT OF COMMITTEE ON FINANCE.

Coun. MOTLEY, for the Committee on Finance, submitted the following:

1. Report on message of Mayor and order (referred April 8) appropriating \$500,000 for making of highways—that the order ought not to pass.

Report accepted; said order rejected.

#### APPROPRIATIONS FOR HIGHWAYS.

Coun. MOTLEY offered the following:

Ordered, That the sum of three hundred fifty thousand dollars 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 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.

#### OPPOSITION TO EXECUTIVE SESSIONS OF COMMITTEES.

Coun. DOWD offered the following:

Resolved, That the Boston City Council go on record as being opposed to all executive sessions of any committee of the Council.

Coun. DOWD—Mr. President, my motive in introducing that order at this time is to prevent, if possible—

Coun. MOTLEY—Mr. President, I rise to a point of order, that the order does not come within the scope of the Council.

Chairman RUBY—The Chair will have to rule the point of order not well taken.

Coun. DOWD—Mr. President, I am very happy to see that the chairman of the Finance Committee is trying to continue his high-handed steam-roller tactics with regard to the Finance Committee. My motive in introducing the order is to prevent a recurrence of what happened in the Council meeting last Friday. Two unusual things happened at that time. The most unusual one was, for the first time in years, the appearance of his Honor the Mayor before the Committee on Finance on a little loan order for \$500,000, despite the fact that we could not find him when we were trying to discuss the possibility of passing the budget, involving some \$47,000,000. I have sat on the Committee on Finance in this Council for three years, Mr. President, and for the first time, last Friday, I saw an executive session of that committee at which even Council members, who would be expected to vote upon the matters that were being discussed in the committee, were excluded from the meeting. I, as a member of the committee, resented very much the action that was taken, because I have always in mind the fact that I am elected by the taxpayers and citizens of my district, and I know that they very much resent any committee or any group of men resorting to any such high-handed steam-roller tactics, to force through action on any measure, when the public do not know just what the reason for that action may be. I have been accused in

the committee of being "high-hat" and if such conditions are to continue to prevail, I will continue to be "high-hat" while I am a member of this Council. As an individual member, Mr. President, I will never sit in an executive session where the question of spending half a million dollars of the people's money is under consideration, without having at least a chance to show the public what is being done and what are the reasons for it. I refused today to sit in the committee meeting, for the reason that it was executive, a meeting where the people of Boston knew nothing of what was going on. I say to you, Mr. President, and to the members of the Council that they owe a duty to the people who sent them here and that their duty is to discuss public affairs open and not behind closed doors. If there was ever a time in the history of the Council when public affairs should be aired, and thoroughly ventilated, it is a time like the present, when this Exchange-street matter is before us and when we have received the report we have from the Finance Commission, who have made an investigation and have turned the matter over to the Attorney-General and to the District Attorney, Mr. Foley. And yet this Committee on Finance, consisting of seven members, desires to hold closed hearings on the matter. I resent it, and while I am a member of the Committee on Finance, if they insist on holding private or executive meetings, I certainly will deem it my duty to retire from the committee.

Coun. PARKMAN—Mr. President, I do not feel like letting the remarks of the councilor who has just taken his seat go without some comment. I appreciate the necessity for his taking the stand he has here today, in view of the stand which he took on Friday last, when he was deprived of the opportunity to obtain publicity in the session of the committee by reason of the fact that the committee went into executive session. I resent, however, the assertion that I am a party to any steam-roller tactics. I have served here for three years or more in this body and I don't think any councilor in this Chamber has a right to say that I have ever participated in any steam-roller tactics. That accusation is entirely unjustified, and, as I made the motion in committee to go into executive session, I wish to take this opportunity to explain our situation. As the gentleman has said, the Committee on Finance has held a closed hearing. That is not the case. The committee did no such thing. The hearings by the committee on the Exchange-street widening have been given the widest publicity. They have been wide open to everybody who wanted to appear, and anybody who had any remote connection with the Exchange-street widening was invited by the chairman of the Committee on Finance to appear before the committee to give his views. At no time was any witness ever excluded from the committee hearing, and at no time when a witness appeared before the committee was the press excluded, or any member of the Council excluded from the committee hearings. The action of the committee in going into executive session is nothing out of the way, nothing unusual. It is the familiar, ordinary parliamentary procedure in every legislative body of which I have any knowledge, and without question can be said to be the ordinary parliamentary procedure of every legislative body in the world. The committee, as soon as the hearing of witnesses is over, simply goes into session to discuss freely and fully all the issues before it in order to determine the action it is to take. There is nothing in the proceeding that favors in the slightest degree of star chamber proceedings or secret sessions. The sessions have been wide open, as I have said before, to press and to the members of the Council, and to anybody who wished to be heard on the matter. I resent the remarks of the councilor who has just taken his seat.

Coun. SULLIVAN—Mr. President, being a member of that committee, and having been present last Friday, I heartily indorse the po-

sition taken by the councilor from Ward 5 (Coun. Parkman). He has always been able enough, intelligent enough and fearless enough to take his own part, and I could quote the name of more than one member of this Council who has extolled his ability, his fearlessness and his courage to go through. As far as steam-roller methods being practised, at last Friday's session of the committee, I deny that any such methods were adopted. The hearing given by the Finance Committee in regard to Exchange street was wide open to all, reporters and anybody else who wanted to appear there, and after we had heard the whys and wherefores as to what should be done, we went into executive meeting, and I heartily indorse, Mr. President, the action taken by the committee.

The order was referred to the Committee on Rules.

Coun. MOTLEY—Mr. President.

Chairman RUBY—On what question does the gentleman desire to speak?

Coun. MOTLEY—On the question that is before us.

Chairman RUBY—There is no question now before us. The order has been referred to the Committee on Rules. If there is no objection, however, Councilor Motley has the floor.

Coun. MOTLEY—Mr. President, I was somewhat surprised to see the order introduced by Councilor Dowd here this afternoon and was greatly surprised to hear his remarks, because, if I remember rightly, as chairman of the Committee on Finance, when I opened up the hearing the gentleman insisted that the order should go through. I insisted that certain people who have criticized our actions in the past should be invited there, and I believe that the councilor from Roxbury at that time objected to that procedure. I say that we did well; I think the Committee on Finance carried on in a worthy manner. In spite of this talk about high-handed steam-roller methods, the Mayor appeared before that committee and the chairman of the Finance Commission appeared before the committee, the chairman of the Boston Real Estate Exchange appeared before the committee, and numerous others; and after they came there and after they were heard, carrying out our high-handed methods, we voted to refuse to entertain the order for \$500,000 and reported back "Ought not to pass." That shows, Mr. President, that the Committee on Finance is taking orders from nobody.

Coun. DOWD—Mr. President, if I may, I would like to say just a word in reply to the councilor from Roxbury (Coun. Motley) when he makes the statement that when at the opening hearing he wanted it wide open I objected. He did not tell you why. I objected to the Good Government Association being there, and I felt that I should. I did not object to the Finance Commission being there, but I did object to any individual being there who had no right to be there. I do certainly desire to compliment the chairman of the Finance Committee upon being able to have his Honor Mayor Nichols appear before the committee. That certainly was a very, very splendid thing to do, because it is the first time the Mayor has appeared in the three years that I have been here. I still contend, however, in spite of what the Committee on Finance say this afternoon, that when they went into executive session they excluded Councilor Bush, Councilor Ruby and Councilor Wilson. They were not allowed to remain in that room, although they are extremely to vote here upon the matter. I say that it is the first time that this sort of thing has been done here of recent years. I defy any member of the committee to show me an occasion one time in the three and one half years I have been here, when members of this Council were prevented from attending committee meetings of any committee.

Coun. MOTLEY—Mr. President, may I ask if two years ago the chairman of the Appropriations Committee did not hold executive meetings, and if the gentleman from Roxbury did not sit in on them?



Coun. DOWD—Two years ago? I would like to ask who was chairman of the committee at that time?

Coun. MOTLEY—Three years ago.

Coun. DOWD—I was a member of the Committee on Appropriations at that time. Councilor Parkman was chairman, if I remember rightly, and every member of the Council was invited by letter to attend those hearings—and if I am not correct I would like to have the Clerk of the committee so inform me. But I believe when Henry Parkman was chairman of the committee every member of the Council was invited to come in and to sit in on the proceedings of the Appropriations Committee.

Coun. GREEN—Mr. President.

Chairman RUBY—The order has been referred to the Committee on Rules.

Coun. GREEN—Mr. President, I would like to have the President extend to me the same courtesy that he extended to the chairman of the committee.

Chairman RUBY—If there is no objection on the part of the Council, Councilor Green may proceed.

Coun. GREEN—Well, Mr. Chairman, I don't wish to make any statement.

Chairman RUBY—You may speak on the matter.

#### REPAVING OF HOMESTEAD STREET.

Coun. BUSH offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to repave Homestead street, between Humboldt avenue and Walnut avenue, Ward 12, with smooth paving.

Passed under suspension of the rule.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

On motion of Coun. FITZGERALD, the Council took up, under No. 3 on the calendar, under unfinished business, the appointment of William F. Flynn (submitted May 13, 1929) to be a Constable. The question came on confirmation. Committee, Coun. Gallagher and Green. Whole number of ballots 14, yeas 14, and the appointment was confirmed.

On motion of Coun. GREEN, the Council voted to take from No. 2 on the calendar, under unfinished business, the appointment of William J. Johnson (appointed by the Mayor May 6, 1929) to be a Constable.

On motion of Coun. SULLIVAN, the Council also voted to take up the appointment, under No. 3 on the calendar, under unfinished business, appointment of Russell P. Mann (submitted May 13, 1929) to be a Constable.

Chairman RUBY also called up, there being no objection, the appointment of Morris T. Weitzman, under unfinished business, No. 4 on the calendar (submitted May 13, 1929), to be a Weigher of Goods.

The question came on the confirmation of the appointments of William J. Johnson, Russell T. Mann and Morris T. Weitzman. Committee, Coun. Dowling and Fitzgerald. Whole number of ballots 14; yeas 14, and the appointments were confirmed. Later in the session Coun. LYNCH called up under unfinished business the appointment by the Mayor, on May 13, 1929, under No. 3 on the calendar, of Michael J. Shields to be a Constable.

The question came on confirmation. Committee, Coun. Fish and Fitzgerald. Whole number of ballots 14, yeas 14, and the appointment was confirmed.

#### ENLARGEMENT OF EAST BOSTON COURTHOUSE.

On motion of Coun. DONOVAN, the Council took up under unfinished business No. 5 on the calendar, viz.:

5. Ordered, That the sum of one hundred and fifty thousand dollars be, and hereby is, appropriated, to be expended under the direction of the Superintendent of Public Buildings, for the enlargement of the East Boston Courthouse, 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 May 6, 1929, the foregoing order was read once and passed, yeas, 18, nays 0.

The order was given its second and final reading and passage, yeas 17, nays 0.

#### ABANDONMENT OF OLD AUTOMOBILES.

Coun. SULLIVAN offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to take such steps as may be necessary to abate the nuisance and fire hazard caused by the abandonment of old automobiles in private streets, lanes and passageways.

Coun. SULLIVAN—Mr. President, my purpose in introducing this order is to try to have some means provided whereby these discarded and abandoned automobiles which we see in our parkways, alleyways and highways, and which are a disgrace to the city, may be removed. It is certainly an eyesore to see discarded Fords and cars of all descriptions in our alleyways and private ways, with no means being provided to take care of them. I certainly hope that his Honor the Mayor will order the Fire Commissioner to have his men in the different districts go to the people and find out who owns these abandoned cars and get them out of the sight of the people of Boston, so that our city will look more presentable to visitors.

Coun. McMAHON—Mr. President, I would like to have the Clerk read that order, please. [The Clerk read the order.]

Coun. McMAHON—Mr. President, I was not quite sure what that order was but I think last year we had some experience with an ordinance concerning junk shops, in this connection. It is all very well for the councilor to come in and present an order telling the Fire Commissioner what to do in this matter, through his Honor the Mayor. But I would like to know if the councilor realizes what a lot of people there are today who own automobiles which the gentleman may say should go to the junk heap, but which are automobiles that they use and which they keep in their private yards, backways and alleyways? I feel that the councilor who has just presented this order should consider the situation of a great many people who reside in the outlying districts, not the few individuals who can support garages and keep their cars in garages. That order may sound very nice, Mr. President, but when you give to any Fire Commissioner the authority given by an ordinance of this type you are giving him a little more power than should be given to him over the ordinary citizen of Boston who perhaps has not the price to keep his Ford in a garage or under a roof and who in the summer months will put it in a private way, or, as you say, in his alley. I hope, Mr. President, that when the Committee on Ordinances get this order they will "give it the air." I certainly think that a number of my constituents, who have automobiles that they use for themselves and their families and who keep them in some such way as this in the summer months, will continue to have a chance to keep their autos in this way during that time, instead of having to pay \$10 or \$12 a month to keep them in a garage. I think when these garage men come in with orders like that, we should be wise enough to realize what they mean, that they are looking for our constituents' money and not having the regard for the beautiful looks of the City of Boston.

Coun. SULLIVAN—Mr. President, in an-

swer to my brother from Ward 15, let me say that that is not an order pertaining to automobiles parked in private ways. It simply relates to discarded automobiles with the wheels off, that sort of thing, cars that are "busted" down and wrecked, stuff for junk. This does not refer to registered automobiles or to cars that are in active use. It is not to hit them. And I am not introducing this order in the interest of any garage. I am introducing the order for the benefit of many districts in this city—his district, my district and other districts. I have in mind the looks of the different districts. This does not refer to automobiles in active use in any way, shape or manner.

The rule was suspended and the order was declared rejected.

Coun. SULLIVAN doubted the vote and asked for a rising vote.

The Council stood divided, and the order was passed.

#### ACCEPTANCE OF ORLEANS STREET.

Coun. DONOVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Orleans street, from Maverick street to Porter street, Ward 1, as a public highway.

Passed under suspension of the rule.

#### AMENDMENT OF COUNCIL RULES.

Coun. ARNOLD, for the Committee on Rules, recommended passage of the following order:

Ordered, That the rules of the City Council be amended by the following addition: Rule 34. No person, except members of the Boston City Council, shall be admitted at any time to committee room 48-A, nor to the Council locker room.

Coun. DOWLING—Mr. President, I understand the intention of the order, but it seems to me if it were carried out literally, the way it reads, it would exclude persons coming before committee to testify.

Chairman RUBY—And also the officials.

Coun. DOWLING—I think the order ought to be referred back to the Committee on Rules, Mr. Chairman.

Chairman RUBY—If there is no objection, the Chair will refer the order to the Executive Committee.

The order was referred to the Executive Committee.

#### VIADUCT FOR VEHICULAR TRAFFIC.

Coun. GREEN offered the following:

Ordered, That the City Planning Board be requested, through his Honor the Mayor, to submit a report to the City Council as to the advisability and feasibility of constructing a viaduct for vehicular traffic from Rutherford avenue to Lechmere square.

Passed under suspension of the rule.

#### SIDEWALK ON FOREST HILLS STREET.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Forest Hills street, west side, between Williams street and Arborway, 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 suspension of the rule.

#### PAVING OF LINCOLN 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 Lincoln street, Ward 18.

Passed under suspension of the rule.

#### AMBULANCE FOR STATION 18.

Coun. MURPHY offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to assign one of the new White trucks, with special ambulance body, to Station 18, Hyde Park.

Passed under suspension of the rule.

#### PAVING OF STREETS IN WARD 14.

Chairman RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Glenway street, Ward 14.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving McLellan street, Ward 14.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Charlotte street, Ward 14.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Abbot street, Ward 14.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Wales street, Ward 14.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Vesta road, Ward 14.

Severally passed under suspension of the rule.

#### STREET LIGHTS ON JACOB STREET.

Chairman RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install additional street lights in Jacob street, Ward 14.

Passed under suspension of the rule.

#### RECESS.

The Council voted at 3 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 and were called to order at 4.47 p. m. by Coun. RUBY.

#### EXECUTIVE COMMITTEE REPORTS.

Chairman RUBY, for the Executive Committee, submitted the following:

1. Reports on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Amelia Burnham, Jordan Hall, May 20.

Esther M. Andrews, Filene's, May 28.

Margaret M. Delano, Brighelmstone Hall, May 23.

Herman Sulzen, Steinart Hall, June 7.

Emma G. Tunnecliff, Copley-Plaza ballroom, May 22.

Irene E. Hogan, Bloomfield Hall, May 31—that leave be granted.

Report accepted; said permits granted, under usual conditions.

2. Report on order (referred May 13) that chapter 300 of the Acts of 1929, entitled "An act authorizing the City of Boston to pay a sum of money to the mother of Francis P. O'Flaherty, a minor," be, and the same is, hereby accepted—that the same ought to pass.

Report accepted; said order passed.

3. Report on order (referred May 13) that the sum of \$1,000 be allowed and paid to Mary E. O'Flaherty, mother of Francis P. O'Flaherty, a minor, for injuries caused by shots fired by a police officer of Boston while attempting to apprehend an alleged automobile thief—that said order ought to pass.

Report accepted; said order passed.

4. Report on order (referred May 13) that chapter 301 of the Acts of 1929, entitled "An act authorizing the City of Boston to pay a sum of money to the mother of Joseph P. Cowan, a minor" be and the same hereby is accepted—that said order ought to pass.

Report accepted; said order passed.

5. Report on order (referred May 13) that the sum of \$500 be allowed and paid to Margaret E. Cowan, mother of Joseph P. Cowan, a minor, for injuries caused by shots fired by a police officer while attempting to apprehend an alleged automobile thief—that said order ought to pass.

Report accepted; said order passed.

6. Report on order (referred May 6) that an annuity of \$600 be allowed and paid to the widow of Clarence E. Weiss, late member of the Boston Fire Department, who died from injuries received in the performance of his duty—that said order ought to pass.

Report accepted; said order passed.

7. Report on message of Mayor and orders referred today, providing additional funds for salaries of officials in five departments—that same ought to pass.

8. Report on message of Mayor and orders (referred today) for transfers from Police Department and Street Laying-Out Department to Boston Traffic Commission—that the orders ought to pass.

The two reports were accepted, and the question came on the passage of the said transfer orders. The roll call was as follows:

Yeas—Coun. Arnold, Donovan, Dowling, Gallagher, Green, Lynch, McMahon, Motley, Murphy, Murray, Ruby, Sullivan, Wilson—13.

Nays—Coun. Bush—1.

Chairman RUBY—Less than fifteen votes having been cast for the orders, they are rejected.

On motion of Coun. ARNOLD, the Council voted to reconsider rejection of the orders and assign them to the next meeting.

9. Report on order submitted by the Committee on Rules (referred today) to the effect that no person except members of the City Council be admitted at any time to committee

room 48-A, nor to the Council locker room—that the order be passed in the following new draft:

Ordered, That the rule of the City Council be amended by changing the number of Rule 33 to Rule 34, and further by inserting as Rule 33 the following:

Rule 33. No person except members of the Boston City Council and regularly assigned City Hall reporters shall be admitted at any time to the committee room 48-A, the locker room or the President's room, except when invited on official business, or when present by invitation of and accompanied by a member of the Boston City Council.

The report was accepted, and the proposed rule in the new draft was adopted by a unanimous rising vote.

#### SALE OF CHARLESTOWN LAND.

Coun. MOTLEY, for the Committee on Public Lands, submitted a report on order (referred March 11) authorizing the Mayor to convey to the Tudor Company of Boston the city's right, title and interest in and to a portion of Charles River avenue in the Charlestown district—that the same ought to pass.

Report accepted; order assigned to the next meeting.

#### SIDEWALK ON ALBANO STREET.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Albano street, from Kittridge to Amherst streets, 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 ON KINGSDALE STREET.

Chairman RUBY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 22 Kingsdale 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.

Adjourned, at 4.53 p. m., on motion of Coun. WILSON, to meet on Monday, May 27, 1929, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, May 27, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Fitzgerald and Parkman.

## VLTO OF LEAVE OF ABSENCE.

The following was received:

City of Boston,

Office of the Mayor, May 20, 1929.

To the City Council.

Gentlemen,—I return herewith, without my approval, an order of your honorable body which authorizes the granting of leave of absence, without loss of pay, for thirty days, to employees of the City of Boston who served in the 26th Division of the World War, to attend the dedication at Belleau Wood, France.

For the reasons given in my letter of February 18, 1927, addressed to your honorable body, vetoing leave of absence, without loss of pay, for thirty days for veterans of the World War, I am unable to give my approval to the present order.

Sincerely yours,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

## VETO, MUNICIPAL BUILDING, WARD 16.

The following was received:

City of Boston,

Office of the Mayor, May 22, 1929.

To the City Council.

Gentlemen,—I return herewith, without my approval, order for \$500,000 for construction of Municipal Building in Ward 16.

I regret that the financial situation of the city is such that the construction of municipal buildings cannot be considered at this time.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

## VETO OF THREE PLAYGROUND LOANS.

The following was received:

City of Boston,

Office of the Mayor, May 21, 1929.

To the City Council.

Gentlemen,—I return herewith, without my approval, your orders of May 13 as follows:

For an appropriation of \$60,000 for the purchase of land in the Fourth Section area of East Boston for a playground.

For an appropriation of \$30,000 for placing in proper condition Smith's Field Playground, Ward 18.

For an appropriation of \$15,000 for bleachers as follows:

\$5,000 Wellington Street Playground.

\$5,000 Eagle Hill Playground.

\$5,000 John H. L. Noyes Playground.

Inasmuch as these orders deal 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.

## APPOINTMENT BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointment, for the term ending April 30, 1930, viz.:

Weigher of Coal and Measurer of Bark and Wood: John E. Clarke of 24 Homer circle, Medford, Mass., employed by B. W. Yuill Coal Company.

Laid over a week under the law.

## LOAN FOR HOSPITAL BUILDING PLANS.

The following was received:

City of Boston,

Office of the Mayor, May 27, 1929.

To the City Council.

Gentlemen,—I again transmit to you herewith an order, in the sum of \$180,000, representing the amount necessary to prepare plans for the much needed extensions to the Boston City Hospital.

I recommend your early and favorable consideration of this order.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$180,000 be, and the same hereby is, appropriated, to be expended by the trustees of the Boston City Hospital, for Hospital Buildings, Plans, etc., 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.

## COST OF LOCKER BUILDING, WARD 6.

The following was received:

City of Boston,

Office of the Mayor, May 24, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of May 13, 1929, relative to furnishing estimate of cost of constructing locker building, with showers, on property owned by the city at corner of Broadway and C street, Ward 6.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, May 21, 1929.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of May 17, with inclosure, order from the City Council, that the Park Department submit an estimate of the cost of constructing locker building with shower baths on property at corner of Broadway and C street.

In reply I desire to say that this property was purchased for the purpose of erecting a municipal gymnasium. It would not be advisable to erect a locker building on the area specified. The cost of erecting a building which should contain shower baths, etc., will be in the vicinity of \$300,000.

Very truly yours,

WILLIAM P. LONG, Chairman.

Placed on file.

## TRAFFIC LINES, SOUTHERN ARTERY.

The following was received:

City of Boston,

Office of the Mayor, May 27, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Boston Traffic Commission in reply to your order of May 13, 1929, relative to making, with white lines, pedestrian lanes at intersection of Southern Artery, Adams street and Granite avenue, Ward 16.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Boston Traffic Commission, May 24, 1929.  
His Honor Malcolm E. Nichols.

Dear Sir,—Referring to your request for the painting of white lines for pedestrian lanes at the intersection of the Southern Artery, Adams street and Granite avenue, Ward 16. The lines have been painted.

Respectfully yours,

WILLIAM A. FISHER.

Placed on file.

## TRAFFIC LINES, ADAMS STREET.

The following was received.

City of Boston,  
Office of the Mayor, May 27, 1929.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Boston Traffic Commission in reply to your order of May 6, 1929, relative to placing white traffic lines to designate pedestrian lanes at the junction of Adams street and Dorchester avenue Ward 15.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Boston Traffic Commission, May 24, 1929.  
His Honor Malcolm E. Nichols.  
Dear Sir,—Referring to your request for the painting of white traffic lines to designate pedestrian lanes at the junction of Adams street and Dorchester avenue, Ward 15. Part of the lines have been painted. The balance will be painted after the Paving Division has completed its repair work on the crosswalks at this intersection.

Respectfully yours,  
WILLIAM A. FISHER.

Placed on file.

## TRAFFIC ISLANDS ON CAMBRIDGE STREET.

The following was received:

City of Boston,  
Office of the Mayor, May 27, 1929.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Public Works Department in reply to your order of May 6, 1929, relative to traffic islands to be placed at certain locations on Cambridge street.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, May 21, 1929.  
To the Honorable the Mayor.  
I return order of the City Council, requesting that traffic islands be placed at the following locations on Cambridge street:

Intersection of Cambridge street, Anderson street and North Anderson street.

Intersection of Cambridge street, Blossom street and Garden street.

Intersection of Cambridge street, Staniford street and Temple street.

Intersection of Cambridge street and West Cedar street.

An estimate has been prepared which shows that the cost of this work will be approximately \$1,500.

The department forces will be directed to construct these islands as the opportunity presents itself.

Yours very truly,  
J. A. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

## POSTING OF LISTS OF BAIL COMMISSIONERS.

The following was received:

City of Boston,  
Office of the Mayor, May 24, 1929.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Police Commissioner in reply to your order of May 13, 1929, relative to posting list of all bail commissioners at the various police divisions.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Boston, May 18, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mayor Nichols,—With reference to order of the City Council passed May 13, 1929, that the Police Commissioner be requested, through his Honor the Mayor, to have posted in the station house of the various police divisions a list of all bail commissioners, I am sending you herewith, copy of superintendent's order which was promulgated to this department under date of December 7, 1928, regarding posting in the several station

houses lists of persons authorized to take bail in Suffolk County and professional bondsmen.

I am returning herewith, original order of the City Council, copy of which has been kept in this office for our files.

Yours respectfully,  
HERBERT A. WILSON,  
Police Commissioner.

Superintendent's Office, December 7, 1928.  
All divisions and units;  
Office of the Police Commissioner,  
December 6, 1928.

To the Superintendent.  
Sir,—I am forwarding herewith, list of persons authorized to take bail in Suffolk County and professional bondsmen, for distribution to the various divisions and units.

Under the rules and regulations of this department one copy is to be hung in a place accessible to the public and one copy kept at the desk.

Previous lists of bail commissioners and bondsmen shall be returned to the office of the superintendent.

HERBERT A. WILSON,  
Police Commissioner.

Two copies of the list are forwarded to each division and unit, and commanding officers will see that the instructions on the back are strictly complied with.

MICHAEL H. CROWLEY,  
Superintendent of Police.

Placed on file.

## POLICE AMBULANCE, STATION 18.

The following was received:

City of Boston,  
Office of the Mayor, May 24, 1929.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the Police Commissioner in reply to your order of May 20, 1929, relative to assignment of new White truck to Station 18, Hyde Park.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Boston, May 23, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mayor Nichols,—Your note of May 22, together with inclosure of order of the Boston City Council, passed May 20, 1929: "That the Police Commissioner be requested, through his Honor the Mayor, to assign one of the new White trucks, with special ambulance body, to Station 18, Hyde Park," has been received.

The three new patrol wagons included in the budget for this year were requested in order to replace patrol wagons in Stations 1, 2 and 9, which are in a very dilapidated condition, and have seen many years of service.

The patrol wagon at Station 18 has been in use only five years, and has been run only ten thousand miles. There has been no provision made in the budget for this year to supply a White truck with special ambulance body for this station. The patrol wagon now at Station 18 averages but forty calls yearly, has recently been overhauled, is in fairly good condition, and if appropriation is made I shall supply a new wagon for this station next year.

I am returning herewith the original order of the City Council, copy of which has been kept for the files of this office.

Yours respectfully,  
HERBERT A. WILSON,  
Police Commissioner.

Placed on file.

## PETITIONS REFERRED.

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

Claims.

Gertrude Bretney, for compensation for injuries caused by an alleged defect at 2 Minot street.

Mary E. Clark, for compensation for injuries caused by an alleged defect at 18 Whitten street.

Lillian C. Conley, for compensation for injuries caused by an alleged defect in Draper street, Dorchester.

George L. Dodd, for compensation for damage to property at 82 Chauncy street, caused by bursting of water pipe.

Philip Goldstein, for compensation for damage to automobile caused by defect in highway.

Samuel Goldstein, for compensation for damage to car by city car.

Lyna R. Harris, for compensation for injuries caused by an alleged defect in Governor Guild Memorial Steps.

Mary S. Jones, for compensation for damage to property caused by an alleged defect at 134 Foster street.

William Lee, for compensation for loss of business caused by construction work on North Harvard street.

Annibale Marciano, for compensation for damage to property at 75 Cottage street, East Boston, caused by defective sewerage system.

New York Mattress Company, for refund on refuse tickets.

William C. Norcross Company, for compensation for damage to wagon caused by an alleged defect in Fellows street.

Milton Prager, for compensation for damage to automobile caused by ash truck.

Mrs. Maria Ragusi, for compensation for damage to property at 49 Cottage street, East Boston, caused by defective sewerage system.

G. W. Rollins, Inc., for compensation for damage to truck by city truck.

Annie Rubotnick, for compensation for injuries caused by an alleged defect at 14 Norwell street, Dorchester.

Charles Russo, for compensation for injuries caused by being struck by ash barrel.

David Shapiro, for compensation for injuries caused by an alleged defect at 18 Whitten street.

Emily Widmann, for refund on refuse tickets.

#### Executive.

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

Mildred Sacco, East Boston High School, June 10.

Blanche Levison, Elizabeth Peabody House, June 14.

H. B. Simpson, Jordan Hall, June. 7.

Ruth M. McShane, Gate of Heaven Hall, June 6.

#### REGISTRY OF DEEDS PAY ROLL.

The pay roll of Registry of Deeds, to the amount of \$8,674.72, from April 22 to May 18, inclusive, piece work, and from May 16 to May 31, regular employees, was received and approved.

#### NOTICE OF HEARING.

Notice was received from the Department of Public Utilities of hearing to be given on May 28 at 10.30 a. m., on petition of New York, New Haven & Hartford Railroad, for alteration of bridge at Dartmouth street.

Placed on file.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Commissioners of hearing on Monday, June 10, on following petitions for storage and sale of gasolene, viz.:

Jane Armstrong *et al.*, 213 Park street, Ward 16, 2,000 gallons.

P. Bailey, 222-226 Brighton avenue, Ward 26, 4,000 gallons.

United Shoe Machinery Corporation, 3D Sleeper street, Ward 6, 12,000 gallons.

Referred to Executive Committee.

#### APPROVAL OF APPOINTMENTS.

Notice was received of approval by the Commissioners of Civil Service of the following appointments by the Mayor, viz.:

Eliot Wadsworth, 180 Marlborough street, Sinking Funds Commissioner.

Abraham E. Pinanski, 6 Chiswick road, Brighton, Sinking Funds Commissioner.

Robert J. Dysart, 86 Bay State road, Statistics Trustee.

Frederic H. Fay, 227 Savin Hill avenue, Dorchester, member City Planning Board.

Philip A. Chapman, 47 Sudan street, Dorchester, Penal Institutions Commissioner.

Louis E. Kirstein, 506 Commonwealth avenue, Library Trustee.

Mrs. Eva W. White, 395 Charles street, Overseer of Public Welfare.

Edward H. Willey, 701 Broadway, South Boston, Overseer of Public Welfare.

Tilton S. Bell, 7 Webster road, Milton, Overseer of Public Welfare.

Frank Seiberlich, 11 Roanoke avenue, Jamaica Plain, Election Commissioner.

Horace B. Mann, 11 Wheatland avenue, Dorchester, Assessor.

William A. Fisher, 70 Fenway, Traffic Commissioner.

Severally 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.:

George W. Bloomberg, Louis Cohen, William S. Cooper, Charles W. Duran, William H. Flynn, Samuel Goldkrand, William J. Johnson, David Kaplan, Anthony D. McMann, Michael M. Plepys, Michael J. Shields, Joseph M. Torr, Abraham I. Weiss.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President DONOVAN called up, under unfinished business, Nos. 1, 2, 3, 4 and 5 on the calendar, viz.:

1. Action on appointment submitted by the Mayor April 8, 1929, of Salvatore Maffei, to be a Constable.

2. Action on appointments submitted by the Mayor May 6, 1929, of the following-named persons to be Constables: Samuel Welling, Irving T. Mankin and Irving Honigsberg.

3. Action on appointments submitted by the Mayor May 13, 1929, of Joseph H. Faucy, to be a Constable.

4. Action on appointments submitted by the Mayor May 20, 1929, of Louis Yacker and Samuel Susan, to be Constables.

5. Action on appointments submitted by the Mayor May 20, 1929, of Maurice G. Alperin and E. P. MacCannell, to be Weighers of Goods.

There being no objection, the question of confirmation was taken together on all. Committee, Coun. Green and Gallagher. Whole number of votes, 15; yeas 15, and the appointments were confirmed.

#### TRANSFERS IN DEPARTMENTAL APPROPRIATIONS.

President DONOVAN called up assignment, viz.:

7. 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:

From the appropriation for A-1, Permanent Employees, Commissioner, Deputy, 1 at \$3,500 a year, \$671.28, to the appropriation for A-1, Permanent Employees, Commissioner, 1 at \$5,000 (\$6,000) a year, \$671.28.

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, \$335.48, to the appropriation for Statistics Department, A-1, Permanent Employees, Chairman, 1 at \$3,500 (\$4,000) a year, \$335.48.

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, \$1,999.99, to the appropriation for Street Laying-Out Department, A-1, Permanent Employees, Commissioner, 1 at \$6,000 (\$7,000) a year, \$666.67; Commissioners, 2 at \$5,000 (\$6,000) a year, \$1,333.32.

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, \$666.67, to the appropriation for Public Buildings Department, A-1, Permanent Employees, Superintendent, 1 at \$4,500 (\$5,500) a year, \$666.67.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Reserve Fund, \$2,670.63, to the appropriation for Election Department, A-1, Permanent Employees, Chairman, 1 at \$6,000 (\$7,000) a year, \$666.67; Commissioners, 3 at \$5,000 (\$6,000) a year \$2,003.96. The orders were passed, yeas 20, nays 0.

#### LAND CONVEYED TO TUDOR COMPANY.

President DONOVAN called up assignment, viz.:

8. Ordered, That his Honor the Mayor, in the name and behalf of the city be, and hereby is, authorized to convey to the Tudor Company of Boston, a corporation duly established by law, for the sum of six thousand five hundred ninety-three 50-100 dollars, by an instrument satisfactory in form to the Law Department, all the City of Boston's right, title and interest in and to a portion of Charles River avenue in the Charlestown district of said Boston, being the southerly part of said avenue, containing 12,837 square feet of land, more or less, and discontinued as a public street by a resolve and order of the Board of Street Commissioners, approved by the Mayor on January 26, 1929. The premises herein referred to are shown on a plan by William J. Sullivan, Chief Engineer, Street Laying-Out Department, dated July 27, 1925, on file with said Board of Street Commissioners.

The order was read once and passed, yeas 20, nays 0.

#### TRANSFERS FOR TRAFFIC COMMISSION.

President DONOVAN called up assignments, Nos. 9 and 10 on the calendar, viz.:

9. Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Police Department, B-5, Cartage and Freight, \$100, to the appropriation for Boston Traffic Commission, B-5, Cartage and Freight, \$100.

From the appropriation for Police Department, B-8, Light, Heat and Power, \$3,500, to the appropriation for Boston Traffic Commission, B-8, Light, Heat and Power, \$3,500.

From the appropriation for Police Department, B-10, Rent, Taxes and Water, \$87.50, to the appropriation for Boston Traffic Commission, B-35, Fees, Service of Venires, etc., \$12.50; B-8, Laundry, Cleaning, Toilet, \$75.

From the appropriation for Police Department, C-17, General Plant, \$11,000, to the appropriation for Boston Traffic Commission, C-17, General Plant, \$11,000.

From the appropriation for Police Department, D-16, General Plant, \$300, to the appropriation for Boston Traffic Commission, E-10, Electrical, \$300.

10. 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 Street Laying-Out Department, B-8, Light, Heat and Power, \$1,800, to the appropriation for Boston Traffic Commission, B-8, Light, Heat and Power, \$1,800.

From the appropriation for Street Laying-Out Department, B-14, Motor Vehicle Repairs and Care, \$100, to the appropriation for Boston Traffic Commission, B-14, Motor Vehicle Repairs and Care, \$100.

From the appropriation for Street Laying-Out Department, B-28, Expert, \$1,400, to the appropriation for Boston Traffic Commission, B-28, Expert, \$1,400.

From the appropriation for Street Laying-Out Department, B-37, Photographic and Blueprinting, \$75, to the appropriation for Boston Traffic Commission, B-37, Photographic and Blueprinting, \$75.

From the appropriation for Street Laying-Out Department, C-9, Office, \$575, to the appropriation for Boston Traffic Commission, C-9, Office, \$575.

From the appropriation for Street Laying-Out Department, D-1, Office, \$300, to the appropriation for Boston Traffic Commission, D-1, Office, \$300.

From the appropriation for Street Laying-Out Department, D-11, Motor Vehicle, \$225, to the appropriation for Boston Traffic Commission, D-11, Motor Vehicle, \$225.

From the appropriation for Street Laying-Out Department, E-10, Electrical, \$100, to the appropriation for Boston Traffic Commission, E-10, Electrical, \$100.

From the appropriation for Street Laying-Out Department, E-13, General Plant, \$754.91, to the appropriation for Boston Traffic Commission, E-13, General Plant, \$754.91.

The orders were passed, yeas 20, nays 0.

Coun. RUBY in the chair.

#### UNDERGROUNDING OF WIRES.

Coun. FISH offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to advise the City Council the total mileage of wires which have been placed underground during the past five years, and be it further

Ordered, That the Board of Street Commissioners and the Commissioner of Public Works be requested, through his Honor the Mayor, to refuse permits to any public service corporation for the erection of poles for the carrying of wires on any newly accepted street.

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to file a bill at the next session of the Legislature providing for increased annual mileage of wires required to be buried underground in the City of Boston.

Coun. FISH—Mr. President, these orders follow one introduced on May 6 last. The whole world knows what happened in my ward last week on Oakton avenue, where one of the greatest battles in the history of Dorchester was staged, between Mary Freeman Fitzpatrick, that great female general, and the Telephone Company. Last year, on behalf of the property owners on Oakton avenue, I placed an order before the Street Commissioners for the acceptance and laying out of said street. The city accepted and laid out that street, at a cost of approximately \$50,000, half the money to be paid by the property owners in the form of a betterment tax. The street is now under construction. Some three weeks ago a hearing was held before the Street Commissioners in regard to the erection of telephone poles on the street. I was recorded as opposed to the poles, Mr. President. Up to the present day the Telephone Company has not got the right to go in there and erect the poles, as the permit to do so has not been signed by the Street Commissioners. I understand, Mr. President, that these corporations are required to place underground the wire in four miles of streets each year. It does seem too bad, Mr. President, that the taxpayers should have their street destroyed by the erection of these poles, and I certainly hope that the Council will pass these orders.

The orders were separately passed under suspension of the rule.

#### PETITION FOR REMOVAL OF CHAIRMAN OF CIVIL SERVICE.

Coun. DOWD offered the following:

Whereas, The Boston City Council deploras the unnecessarily stringent regulations promulgated by the present chairman of the Civil Service Commission pertaining to the retention in service and the promotion of those already in the public service, and

Whereas, The enforcement of these unduly harsh regulations and other official acts of the present chairman of the Civil Service Commission present cumulative evidence of his unfitness for the office which he holds, be it therefore

Resolved, That the Boston City Council respectfully petitions his Excellency the Governor of the



Commonwealth of Massachusetts to remove from office the present chairman of the Civil Service Commission.

Coun. DOWD—Mr. President, about six months ago I introduced an order in reference to Mr. Goodwin, the chairman of the Civil Service Commission, which was referred to the Executive Committee and later amended. Mr. Goodwin, before coming here, we have been told, was in the civil service reform business in both New York and Washington, and evidently was driven out of both those cities because of the radical moves he made while officially connected with those cities, and upon coming here he immediately proceeded to attack the laboring man of the City of Boston. That is, because of misdemeanors and small offenses, committed anywhere from five to fifteen years ago, there are several hundred men in the City of Boston who have been deprived of even laboring positions through the arbitrary rulings of Mr. Goodwin. Never has a civil service commissioner been so severe or unbending. While the late Mr. Dana was in office we never saw anything of the sort of thing that has been put in force by Mr. Goodwin. I need hardly tell you, Mr. President, or the other members of the Council at the present time, that, directly or indirectly because of his action, one of the finest policemen in the City of Boston is dead, and four others are in the hospital with strained backs or hernia. That has been due directly or indirectly to the recent physical examinations laid down by Mr. Goodwin. I do not need to tell you how Mr. Harlow, one of the three commissioners, came out in a public statement and said he objected very much to the physical examination and voted that way, while the other two commissioners voted for it. I say that it is unfair to take a man who has been on the police force or in the Fire Department for twenty or twenty-five years, a man who may be reaching the age of fifty or fifty-five, and subject him to such a severe physical test as Mr. Goodwin has laid down. The City of Boston pays 58 per cent of the taxes of the State of Massachusetts, and is certainly entitled to some consideration at the hands of the Governor of this Commonwealth. I feel that we should follow the action of some of the smaller cities of the state, who recently requested the Governor to retire from office, for the good of the service, this same Mr. Goodwin. I know that members of the Council object very much to memorializing the Governor and the Legislature, but I say this is a matter that very vitally affects the City of Boston, which pays 58 per cent of the taxes of the state. I say that the many thousands of men and women in Boston who are affected by such rulings are entitled to consideration at the hands of the state. You will remember that awhile ago we waited on Mr. Goodwin, but what result did we get? There were some promises and about six weeks later the same tactics were put in operation again. I say that it is useless for the Legislature to probe the present situation. There is only one way to get at this matter, and that is to put into such an office a man who is humane, a man who will follow out the ideas that were really intended to be carried out in the civil service law. I hope the members of the Council will go on record in this matter today. If you simply place this on the table, you will be voting against the wishes of every man and woman employed in the City of Boston today. The people of this city do not wish to have Mr. Goodwin retained in his present position as chairman of the Civil Service Commission. Therefore, I don't want to have this order simply laid on the table. It is time for action, and so I say, accept the order or reject it.

Coun. BUSH—Mr. President, I heartily subscribe to the sentiments of the previous speaker with reference to the chairman of the Civil Service Commission. I have had some contact with him, myself, and have found him the most autocratic official in the City of Boston, and one who is most unfair and discourteous to the public.

Chairman RUBY—The order is referred to the Committee on Rules.

Coun. DOWD—Mr. President, if there is no objection, I will ask that the rule be suspended and that the order be passed.

Coun. WILSON—Mr. President, I move that it be sent to the Executive Committee.

Chairman RUBY—For the information of the Council, the Chair would state that there were in his opinion two alternatives, either to refer the

order to the Committee on Rules or to rule it out of order. Rather than rule it out of order, the Chair feeling that it ought not to be put into the waste basket in any such way, he thought it was better to refer it to the Committee on Rules for such action as that committee might desire to take.

Coun. DOWD—Mr. President, may I ask just why the order should be ruled out of order? I believe this embodies a request by the Boston City Council of the Governor of Massachusetts. If it is considered desirable that the request be made, through the Mayor of Boston, so far as I can see, this is an entirely legitimate resolution.

Chairman RUBY—In view of the fact that the Chair has not ruled the resolution out of order, no reasons need be given for such action. Because the Chair did not wish to rule the resolution out of order, he declared it referred to the Committee on Rules.

Coun. DOWD—Mr. President, I see no reason why it should be referred to the Committee on Rules. It is a direct request of the Boston City Council and, if there is no objection by the Chair I would like a suspension of the rule and the passage of the resolution.

Chairman RUBY—The question is on suspension of the rule.

Coun. McMAHON—Mr. President, this is a state matter. We have representatives elected to represent us at the State House from the same districts that elect councilors to this body. We also have senators. I believe when it comes to investigations, if they concern the state they should be made through the state representatives and senators, that they are able to do their own investigating. That when there is a matter concerning the City of Boston for investigation, we prefer to do our investigating right here. As a member of this body who partly agrees with the councilor from Roxbury, so far as his sentiments towards Civil Service Commissioner Goodwin are concerned, I feel that this is one of the resolutions that should be referred to our Executive Committee. If not, as the Chair says, rule it out of order.

The rule was declared suspended, and the question came on the passage of the resolution.

Coun. WILSON—Mr. President, with reference to the particular question now before us, while I hold no brief for Civil Service Commissioner Goodwin, I do not think we should set the example here of condemning a man without his being heard; and, if I heard this particular order correctly, it is not simply an order requesting the Governor of the Commonwealth to remove this man without a hearing, but it is preceded by whereas that such-and-such are true, which assumptions may or may not be correct. It certainly does not seem to me, Mr. President, as I say, that we should condemn the Civil Service Commissioner—for whom I hold no brief—or any other man, without his being heard, although I have some sympathy with Councilor Dowd's position. I accordingly move that the resolution lie on the table for a week.

Coun. DOWD—Mr. President, I rise to ask for a roll call of the motion to lay on the table.

Coun. Wilson's motion to lay the resolution on the table was lost, yeas 5, nays 13:

Yeas—Coun. Arnold, Dowling, McMahon, Murphy, Wilson—5.

Nays—Coun. Bush, Deveney, Donovan, Dowd, Fish, Gallagher, Green, Lynch, Mahoney, Motley, Murray, Ruby, Sullivan—13.

The question came on the passage of the resolution.

Coun. DOWLING—Mr. President, I rise to a point of order now, that the resolution is out of order.

Chairman RUBY—The Chair will rule the point of order not well taken.

Coun. DOWLING—Mr. President, I am much in sympathy with the sentiments that have been expressed by the author of the resolution, but I think it is a good time, when we are approaching, some of us, the end of four years' service, and some of us the end of two years' service—and most of us probably would like to come back here—for the Boston City Council to mind its own business, and its business at the present time is the transaction of the city's business. I think it is no part of the scope of our duty as members of the City Council of Boston to pass resolutions condemning without a hearing a state officer. We would regard any action by the Legislature directed against the head of a city department in exactly the same way, that the Legislature is entitled to regard such

action as it is here proposed that we should take. I think it is outside the province of the City Council to petition the Governor—because that is what it amounts to—to remove a state-appointed official. I know the contact that the Civil Service Commission has with city employees, and perhaps I am wholly in sympathy with the feeling expressed by the gentleman who has offered the resolution, but I hope under the circumstances that the resolution will not pass.

Coun. DONOVAN—Mr. President, while I believe, so far as the chairman of the Civil Service Commission is concerned, in the sentiment that has been expressed here in regard to him by other members of the body, I feel that, under the circumstances, it would be wise to incorporate in the resolution an amendment to the effect that the Council go on record as petitioning the Legislature to take some such action. I believe that would surmount all difficulties.

Chairman RUBY—The Chair made the reference of this resolution to the Committee on Rules because of the fact that it might be advisable to incorporate in it such amendments as might be desirable. It may well be that the Rules Committee could make such proper changes as are desirable to make this resolution a proper one to be passed by the Council. The Chair will direct the Clerk to read the resolution.

(The Clerk read the resolution.)

Coun. DOWD—Mr. President, I just want to answer the gentleman from Brighton in reference to minding our own business. I don't know how the gentleman from Brighton feels about it, but I would say that I am minding the business of the people who reside in my ward, the laboring men who have been discharged, who are not working today, because of misdemeanors and slight offenses committed years ago. I say that we members of the City Council, representing the people of this city, which pays 58 per cent of the entire tax of the State of Massachusetts, have a right to say something in a matter of this sort. Was there ever a time when the members of the Legislature considered the wishes of the Boston City Council in any respect whatever? I have only to refer to the East Boston Tunnel case, involving an expenditure of sixteen million dollars, the act to carry out which was passed by the Legislature without any provision for acceptance by the City Council. We were, so far as the Legislature was concerned, to have no say in the matter whatever. They did not even consider us. But when the bill went to Governor Allen, without any provision for acceptance by the City Council, he sent it back to them, with the requirement that it have attached to it a provision requiring acceptance of the Boston City Council. I don't want to have Mr. Goodwin appear, and I don't expect him to appear, before the Council, because I know, as everybody acquainted with him knows, what sort of arrogant gentleman he is. They say that he has been entirely unfair, and that he is demoralizing the morale of the Fire and Police Department. It is certainly unfair to ask men of fifty-five to take the same sort of physical test that a man of thirty years of age would take, and I certainly trust that any fair-minded man who has not done so, will read the report of the Medical Examiner in regard to Sergeant Montague's death, and also bearing in mind that four other policemen are confined in the hospital as a result of the recent physical examination.

Coun. McMAHON—Mr. President, I don't like to have the red flag waved in my face when these matters come in here, and to be told that unless I vote so and so it will be made a matter of record. I am tired of this "bunk," putting every man on a roll call. There is a member right here who is willing to go on a roll call, on this or any other matter. I don't like the attitude of the councilor coming in with resolutions of this kind, and saying that if we don't take such action as he asks us to have taken, simply because he wants to get publicity in the matter, he will put us on record. I have voted in the past as I felt that I should vote, when these orders and resolutions have been put in, and I will continue to do so. I have had as much experience with the civil service in the last three years as pretty nearly anybody here. I understand that they are now following a different theory on some of their decisions. I know that Mr. Goodwin has done that, not only in the past year, but within the last two weeks. I know that was so in the case of one man in whom I was

interested, who was thrown off the civil service list, through no fault of the man himself, and it seemed that Mr. Goodwin did not get the record right. I took the matter up before the full board, and my man was reinstated. I would say also that Senator Mulhern, from my district, has already put an order into the Legislature to investigate the civil service. So I don't see why it is necessary to push a resolution like this here today in this body, except that some of the men here are going to run for re-election, and they have to go on record. As I have stated before, as far as going on record on a matter of this sort, my position as far as the civil service, and Mr. Goodwin are concerned, is well known, and my own personal feeling in regard to the matter is the same as that of other members of this body. But, regardless of any personal feeling in the matter I shall vote on a resolution like this as I see fit. I will say, as I said before, that I don't see why the Boston City Council have a right to go up to the State House and tell a representative body in the House of Representatives or the Senate, or an elected official like the Governor, what he should do. I say that we should mind our own business. As far as the Governor is concerned, he saw that we got fair play on the East Boston Tunnel. The Governor was the one man who saw to it, and who said, that if the City Council was not given the power to accept the bill, he would have nothing to do with it. Although representatives up there did not take that position, the Governor saw to it that the City Council of Boston was recognized and that its acceptance of the East Boston Tunnel bill would be required. And the Governor's position was the same only last Saturday, when he signed the bill for a new Schoolhouse Commission for the City of Boston, and which goes to the people for their say. So I say when it comes to the Governor's office up there, we, as members of the City Council, have no cause for complaint. He has looked after our interest and we should now, so far as he is concerned, mind our own business. So, when a man comes into this body with a resolution like this and shakes the flag in our faces, says, "I will put you on a roll call," I say to him that neither he nor anybody else will intimidate me with any "bunk" order or resolution that he may put in this afternoon or at any other time. You ruled it out of order, Mr. Chairman, and, it having been ruled out of order by the chairman of the body, I don't see why it is not out of order, as I don't understand why any member of the Council here should be expected to vote for something that is out of order. I still trust that it will be referred to the Executive Committee, or "given the air."

Chairman RUBY—The Chair, in reply to the councilor, will say that the Council has voted to suspend the rule.

Coun. DOWLING—Mr. President, when I said I thought it was about time for the members of the Boston City Council to mind their own business, I had in mind the fact that there are at least forty representatives elected by the people of Boston in the House of Representatives and Senate, whose business it is to serve the people of this city in the State Legislature of Massachusetts. Emphasizing the point I first made, if I made any when I first got up, when we are told about cumulative evidence to the effect that the chairman of the Civil Service Commission is unfit for office, and that that fact arguing for his dismissal, I haven't any cumulative evidence of his unfitness for office, and I am unwilling to accept the bare statement of the gentleman who has offered the resolution. I sometimes question what he says. There is no reason I know of why I should accept his statement that there is plenty of evidence for the removal of Mr. Goodwin. I don't even know Mr. Goodwin, wouldn't know him if he came in here. Don't know that I have ever seen him. I have no particular interest in him, but I have an interest in the Council; I dislike very much to see it make itself more ridiculous than is absolutely necessary.

Coun. MURPHY—Mr. President, I believe this is something we have to be very careful about. In introducing an order which in part condemns any official, you are doing something which reflects on a man without giving the man an opportunity to defend himself. I don't believe there is any body of men in the City of Boston who have had more experience with unwarranted attack, where they have had no opportunity to defend themselves, than the Boston City Council. About everybody has tried to condemn the Boston

City Council without a hearing. So, as long as I am a member of any body, I am going to be opposed to putting a man on trial on paper and convicting him and dropping him from a position which he may hold, without giving him the hearing that every citizen is entitled to, in our courts or elsewhere. Let me say that I have had experience with the Civil Service Commissioner, and I don't believe that he has interpreted the rules and carried them out at all times in a proper spirit. I do not believe that the recent examination taken by members of the Police Department was in keeping with common sense or common decency. I do not believe it should be expected that a man taking an examination for lieutenant in the Police Department should be required to go out and demonstrate his physical strength and agility, the same as if he were taking part in a circus, because that is not his work. His work calls for experience as a police officer, with a general and good knowledge of police rules, answering the telephone to give information, and that sort of thing. So, when I speak as I do, it is not in the spirit of being opposed to condemning a man who does take this attitude, providing there is a trial that bears out the fact that he is not carrying out his work in the spirit in which a Civil Service Commissioner or anybody else should. I am, however, in favor of a square deal and I am not in favor of judging anybody adversely without giving them an opportunity to defend themselves. Therefore, I am not going to stand or sit here and be a party to the condemning of an individual without the facts being laid down in black and white or being borne out or proved. Of course we have cases that have to do with the civil service throughout the city, and we all know something about these matters. My own brother-in-law has been passed by on the civil service list on account of a misdemeanor. I should feel sore. I have had many friends in this city who have been passed by for slight misdemeanors. But how are we going to approach and rectify that condition? Are we going to do it by an autocratic vote of this body, condemning the man without a hearing? I say "No." If we want to petition our representatives and senators on the hill, those that come from the same ward that we do, with an idea to their taking the matter up as a state matter, I am absolutely in favor of that. I am in favor, in other words, of any common-sense action that will give a square deal to every man and woman in this city.

Coun. WILSON—Mr. President, as I stated when the argument first started on the matter, on the question of laying on the table, I hold no brief for the Civil Service Commission. As a matter of fact, one of the best friends I have in the world was one of the sergeants who failed the examination, who fell down on the strength test, although he is a man who could probably break any member of the City Council in two over his knees. I realize that the average sergeant who wishes to be promoted to a lieutenant in the Police Department is put in an unfair position in being required to pass some of these strength tests as now outlined, and I agree with the member of the Council who stated that the average officer of that sort is not required to perform the duties in which the same physical strength is required or would be required in the case of a patrolman; that he need be no stronger, for example, than the average hotel night clerk, because the average duty of a lieutenant to perform certain office requirements and to hold down the captain's chair nights. However that may be, I agree with much that Councilor Murphy and other members of the Council have said, and I strongly oppose suspension of the rule and passage of the order at this time, for three reasons—first, because I am against condemning any man without a hearing; second, because it is contrary to the custom of this Council to memorialize any body or any official whose business is presumably supposed to be well managed by them, or whose business is one with which we really have nothing to do; and, further, because I believe the resolutions offered by Coun. Dowd, directed to the Governor of the Commonwealth, may well have an effect opposite to that which is intended, that of prejudicing these sergeants, who certainly may need our assistance.

Coun. WARD—Mr. President, I feel the same as the councilor from Dorchester. I hold no brief for the Civil Service Commission. I am not interested in the rules that the Police Commissioner makes in regard to the examination of sergeants— and, after all, I believe that the rules and regula-

tions carried out in these examinations were initiated solely by the Police Commissioner, to be put into effect, and not by the Civil Service Commission. I am in the office of the Civil Service Commission probably every day in the week, and I sometimes feel that my requests there are refused every day of the week. I am not thinking so much of men seeking promotions as I am of some poor fellows who are out of work; and I know that the Civil Service Commissioner has made some pretty strict rules there; but in this matter, of examination of officers in the Police Department, I feel that the Civil Service Commissioner is simply carrying out the rules laid down for him. I do feel that we should have a man there as Civil Service Commissioner who has a little more of the milk of human kindness in his make-up, but I will say for him, so far as his actions at the present time are concerned, that he is sincere. I think, however, that this resolution is simply an empty shell. It will come out in the newspapers tomorrow that the councilor from Roxbury has attacked the Civil Service Commissioner, and people will say, "Hasn't he a lot of nerve to attack the Civil Service Commissioner?" I don't believe it is a matter of nerve, Mr. Chairman. I don't believe the Civil Service Commissioner has a friend in town. Pretty soon parents in the City of Boston will be saying to their children, "If you are not good, Johnny Dowd in the City Council will put in a resolution about you." He will simply be the bogey man. Of course, so far as this matter is concerned, the Legislature will laugh at it, the Governor will laugh at it, and everybody will have a little laugh. And what does the resolution amount to? Nothing at all. There isn't a man here in this assembly who does not believe deep down in his heart what I am expressing at this time. If there could be some better action taken, some concentrated action along the proper lines that would amount to something, I would be glad to join in. But I don't care to participate in an empty publicity stunt or scarehead in the morning newspapers such as is proposed here, because the resolution means nothing. I trust that we will reconsider our action to suspend the rule and will defeat these resolutions, which are full of nothings.

Coun. DOWD—Mr. President, let me say in answer to the gentleman, that I object to being misinterpreted and object to having what I have said misinterpreted. If I am to be interpreted, I at least desire to be interpreted correctly. In the first place, I believe all intelligent members of this Council realize that the civil service rules and laws are laid down by the Civil Service Commissioner himself. I am not interested in publicity stuff, as intimated by Councilor Ward, and I also assert that Police Commissioner Wilson is not laying down these rules for anyone in these examinations, and I think Councilor Ward knows it as well as I do. When he talks about empty resolutions and about headlines in the papers, the councilor from Roxbury should be the last one to talk that way, because if my memory serves me correctly, and I think it does, he has been one of the few publicity hounds in the Boston City Council. Now, I am not condemning anyone. They talk about evidence. I personally have all the evidence I desire, and every member of the Council who has called upon Mr. Goodwin knows likewise, that he is not a fit man for the position. Was Mr. Goodwin right when he discharged three weeks before Christmas, thirty-two laboring men receiving \$32 a week, men with large families? Was he right when he did that? I wonder how many members of the Boston City Council would uphold Mr. Goodwin in that attitude? Has he been right in looking over the applications of men for jobs as laborers, and going over records to find some small offense of which they might have been guilty in the last fifteen or twenty years? A lot of the constituents of the different members of this body have been hit in that way, through hunting up violations of old Blue Laws and one thing and another, picking little flaws, and exercising the power of his office to keep men off the civil service list through such methods. Everybody here knows what happened here some time ago, how we went up there on the hill and had a hearing in the Governor's office. And what did he get us? They say it is none of our business. I say it is my business. I am elected by the people of the City of Boston, who, in large part, pay the taxes of the state. The laboring men, policemen and firemen who are affected, are my constituents and your constituents and it is up to us, if we can do so,

to see that they get fair treatment at the hands of the Civil Service Commissioner. And I say they are not getting such treatment. I say it is time that the councilors should act. I say that we should go on record in this matter, that we should at least put on record the fact that the members of this Council unanimously believe that Mr. Goodwin should not ride roughshod over the laborers and other employees of the City of Boston. I say that he has gone far enough and that this sort of thing must come to a halt some time. I am asking the members of the Council to go on record not as indorsing Mr. Goodwin, but as asking that the Governor of the Commonwealth remove him from office. I am going to vote for these resolutions if the twenty-one other members vote against them, because I feel and know from my experience with Mr. Goodwin, that he is an arrogant gentleman who cares nothing about the man who has to labor, who cares nothing about anyone but Mr. Goodwin himself. I say again that Mr. Goodwin was driven out of the civil service in New York and Washington, because the so-called civil service reforms that he started, and that he has now come to Boston and is starting the same sort of thing here I, as a member of the City Council, can at least voice my protest against it.

Coun. MOTLEY moved the previous question; declared lost.

Coun. DONOVAN—Mr. President, I am heartily opposed to Mr. Goodwin. At the same time, I cannot find myself in accord with the resolutions introduced by Councilor Dowd. I believe the proper procedure would be to memorialize the Legislature to the effect that the Council is on record as opposed to Mr. Goodwin, believing that he is utilizing the civil service laws to the utter detriment of the City of Boston. There is a clause or by-law in the civil service laws, rather ambiguous, which nevertheless allows transfers if in the eyes of the commission they are deemed advisable. But I have yet to see the present chairman of the Civil Service Commission in favor of any transfer. He goes farther. When it comes to the question of appointment of a man under the civil service, in the City of Boston, he sends down what would be called a gum-shoe man in certain quarters, to ascertain the petty little things, which may result in disqualifying this or that man. That, Mr. Chairman, is a direct slap at home rule. When it comes to the question of the appointment of a probation officer, he lays down the rule that the man must be five feet seven. What, while I am heartily opposed to the present Civil Service Commissioner, I say the better form of procedure for us to take is to go on record as calling the attention of the Legislature to the fact that we are opposed to the retention of Mr. Goodwin in office.

Coun. BUSH—Mr. President, I have listened with a good deal of attention to the arguments pro and con in reference to this matter, and I am inclined to believe that there is a great deal of merit to both sides of the argument. I would however, like to call the attention of the members of the Council who are against the passage of the resolution, particularly when they say we have no business to interfere in a matter of this kind, to the fact that Mr. Goodwin is an appointive official, responsible to no one except the Governor of this Commonwealth, who appoints him. Yet he is peculiarly related in the conduct of his office with the citizenry of the Commonwealth as well as of the City of Boston. Perhaps the order is not framed quite properly; perhaps the order should not call for condemnation of the man without giving him an opportunity to be heard. But he must also remember this fact, that the Governor is an elective official, that the members of the City Council are elective officials, elected by the people of the local districts, and that they form a sort of crystallized opinion of the citizens of the district that they represent. It would be absurd to say that a member of the City Council would favor any particular order unless he felt that he was speaking with a voice that represented the major public opinion of his district. The purpose that a resolution of this kind would serve, if properly framed, would be in the nature of a protest to the Governor of the Commonwealth, who is an elective official, that an official appointed by grace of the Governor's power is not acting in conformance with what the people of the Commonwealth believe is the fair way to act in that particular office. That the Civil Service Commissioner is sincere in his efforts I have no doubt myself. But it is not simply a question of sincerity. A man

holding a public office, whether by grace of appointment or by grace of the people, owes it to the public to treat them with at least common ordinary courtesy; that he shall refrain from being autocratic or bureaucratic; that he shall carry out the laws of the Commonwealth with reference to his particular position to the best of his ability, but tempered with a savor of discretion and kindness. The present commissioner has shown on occasion after occasion that he has not tempered any of his decisions with either kindness or discretion, but adheres strictly to the letter of the law, not to the spirit of law, and some of the laws have been laid down by himself. As a matter of personal opinion, I believe that the chairman of the commission dominates the other two commissioners. He is on the job full time, while the others are only on part time, and because of that fact and because of his necessary greater familiarity with the job, the others defer to his wishes. A decision rendered by him alone is almost always upheld by the full board, largely because he dominates the full board; and an appeal to the full board generally fails, and accomplishes nothing. If this resolution is framed in such a way that it carries the crystallized opinion of the people to the Governor, setting forth the fact that the public is disgusted with the manner in which Mr. Goodwin is conducting his office, then I say it should be passed, because the Boston City Council is capable of conveying such an opinion and such a protest of the people, by virtue of their being representatives of the people. If the resolutions condemn the commissioner without a hearing, then it ought to be reframed. But I believe the Council ought to go on record as protesting against the manner in which that office is being conducted.

Coun. WARD—Mr. President, this resolution is simply a mandate to the Governor of the Commonwealth telling him that he does not know what is going on, telling him that he does not know what he is doing, with a request that he take the advice of somebody who knows more than he does and remove the Civil Service Commissioner. Now, I believe, with the councilor who has just taken his seat, if you are going on record, why not go on record openly and above board? Why not do it right? We probably all have our grievances against the Civil Service Commissioner, and would probably all have about the same thing to say about it. A number of members have been there and probably some do not go there. Now, if any of you, knowing the commissioner's weaknesses, have things in mind that should be brought to the Governor's attention, why not write a letter to the Governor of the Commonwealth, advising him in regard to the peculiarities of the present commissioner and signing your name to it? That is not taking a stand; that is simply bringing the matter to the attention of the Governor. If there are some things he does not know about, we are simply advising him, because of our knowledge in our local capacities in this city. But here we have a mandate, telling the Governor that he does not know what he is doing, setting forth certain things in these preambles, and then putting in a mandate at the end to the Governor to remove him. I don't think such a resolve can be effective or that it can do any good. In fact, every member of the Council knows that it is worthless, and that it is, repeating what I said before, just an empty shell, looking to a little publicity.

The resolutions were declared passed. Coun. McMAHON doubted the vote, and Coun. DOWD asked for a roll call on solving the doubt.

The resolutions were rejected upon roll call, yeas 7, nays 9.

Yeas—Coun. Bush, Deveney, Dowd, Lynch, Mahoney, Motley, Murray—7.

Nays—Coun. Arnold, Dowling, Gallagher, Green, Keene, McMahon, Murphy, Ruby, Wilson—9.

#### REPAVING OF INTERVALE 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 Intervale street, Ward 16, from Warren street to Blue Hill avenue.

Passed under suspension of the rule.

INFORMATION IN RE MORTON STREET IMPROVEMENT.

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 concerning the probability of early completion of the so-called Morton street improvement, and particularly to advise the Council the amount of money heretofore authorized for said improvement but not as yet expended.

Coun. WILSON—Mr. President, I was recently looking at the *City Record*—something I seldom do—and in last week's issue I saw something concerning a matter in which I have taken some pride in the last three or four years, Morton street improvement. I was interested in a financial statement to the effect that in the last three years \$183,900.09 has been spent on the Boston street improvement job, a loan order for which was authorized by the Legislature as long ago as 1924. I understand that there is still remaining over \$300,000 that has been authorized by the Legislature, and I am unable to understand why this job is not completed. I, therefore, offer this particular order at this time, supplementing orders I have offered during the last year or so, calling for activity in the matter of completing the Morton street extension, urging its completion because of the fact that houses have been demolished, streets have been cut through, and for the last year and a half this particular area on one of Boston's through streets, Washington street, has been left in a devastated, hopeless condition, without even lights in the nighttime.

The order was passed under suspension of the rule.

SALARIES OF EMPLOYEES OF SUFFOLK COUNTY.

Coun. MAHONEY 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, 1929:

Chief clerk . . . . .	\$2,500 per year.
Assistant clerk . . . . .	\$1,900 per year.
Commitment clerk . . . . .	\$2,100 per year.
First assistant matron . . . . .	\$1,200 per year.
Assistant matrons . . . . .	\$1,000 per year.
Electrician officer . . . . .	\$42 per week.
Engineer in charge . . . . .	\$55 per week.
Engineers . . . . .	\$45 per week.
Firemen . . . . .	\$40.50 per week.

Coun. MAHONEY—Mr. President, I might say in relation to this order I have just offered that the county budget, which was passed by the City Council this year, contains provisions for the salary increases enumerated in the order. Ordinarily the budget provisions would be sufficient to enable the employees concerned 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 the salaries connected with the County Jail it is necessary for the Council to take two distinct steps—first, to provide increases in the county budget, which has been done, and, second, the 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 RUBY—The Chair would say to the councilor that this order should take the same course as the others, which have been referred to the Executive Committee. The matter will, therefore, if there is no objection, be referred to the Executive Committee.

The order was referred to the Executive Committee.

GINSBURG SQUARE.

Coun. ARNOLD offered the following:

Ordered, That the space at the intersection of Massachusetts avenue and Haviland street, Ward 4; be named and known as Edward Everett Gins-

burg square, in honor and memory of the distinguished citizen of that name who recently passed away.

Referred to the Executive Committee.

ADAMS STREET AS THROUGH WAY.

Coun. FISH offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to designate Adams street, Ward 16, as a through way.

Passed under suspension of the rule.

RECESS.

The Council voted at 2.53 p. m., on motion of Coun. McMAHON, 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. RUBY at 4.24 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:

Mildred Sacco, East Boston High School, June 10.  
Blanche Levison, Elisabeth Peabody House, June 14.

H. B. Simpson, Jordan Hall, June 7.  
Ruth M. McShane, Gate of Heaven Hall, June 6,—recommending that leave be granted.

Report accepted; said permits granted on usual conditions.

2. Report on message of Mayor and order (referred May 13) that chapter 137 of the Acts of 1929, entitled "An Act subjecting the offices of assistants in the Election Department of the City of Boston to the Civil Service Laws" be, and the same is hereby, accepted—that the same ought to pass.

Report accepted; said order passed.  
3. Report on order (referred today) establishing salaries of officers and employees at the Suffolk County Jail as per a rated list appended to said orders—that the same ought to pass.

Report accepted; said order passed.  
4. Report on order (referred today) that the space at the intersection of Massachusetts avenue and Haviland street, Ward 4, be named and known as Edward Everett Ginsburg square, in honor and memory of the distinguished citizen of that name who recently passed away—that the same ought to pass.

Report accepted; said order passed.  
Later in the session Coun. ARNOLD was granted leave to have the following printed in the minutes:

IN MEMORIAM.

At a meeting of the Massachusetts Avenue Association held at Hotel Colonial, 199 Massachusetts avenue, Boston, on May 21, 1929, it was unanimously

Resolved, That the association express its sorrow in the untimely death of our beloved friend and coworker

EDWARD EVERETT GINSBURG

the original organizer of our association and our first president and chairman of our executive committee.

Of his time and energy he gave generously to the interests of this organization, and contributed liberally in order that the prestige and welfare of the association might be upheld.

Edward Everett Ginsburg was a gentleman of great ability, and a humanitarian whose generous impulses prompted unflinching relief, by sympathetic counsel and financial assistance, to those in need of help. The association deeply mourns the sad loss of our loyal and cherished friend; we miss his kindly smile and the clasp of his friendly hand, because he was always so sincere, ready and willing to give encouragement to all. He was an able lawyer, a wise counselor, and an exemplary citizen.

If he were here today, we know this would be his plea:

Let me bring a little grace  
To every dark and gloomy place;  
Let me rejoice that I can give  
Some splendor to the life I live:  
A little hope when I am tried,  
A little joy where I abide,  
A touch of friendship now and then  
To mark my comradeship with men.

It was Further Resolved, That this Resolution be transcribed upon the records of the association and an engrossed copy sent to his bereaved family as an expression of our respectful and heartfelt sympathy.

John J. Kelley.  
Samuel Samuels.  
Albert A. Sutherland.  
Fay W. Foss.  
Charles H. Welch.  
Joseph DiPesa.  
George L. Sleeper.  
J. Francis McMorrow.  
Edwin Webber.  
Charles Moulton.  
Ralph Green.  
William T. Cloney.

Myer Moskow.  
Joseph H. Brennan.  
Catherine Gannon.  
Dr. Seth F. Arnold.  
Katherine Krohn.  
Dr. Arthur E. Austin.  
Abraham Moskow.  
George Demeter.  
John H. Devlin.  
Louis McIntire.  
Sydney Dean.  
Jay I. Moskow.

#### FINANCE REPORTS.

Coun. MOTLEY, for the Committee on Finance, submitted the following:

1. Report on message of Mayor and order (referred May 20) for a loan of \$200,000 to be expended under the direction of the Board of Park Commissioners for Airport, Improvements,—that the same ought to pass.

Report accepted; said order passed, yeas 18, nays 0.

2. Report on order (referred May 13) for a loan of \$100,000 to be expended under the direction of the Traffic Commission for automatic traffic signal system—that the same ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. BUSH—Mr. President, I rise to a point of information. Is this supplemental to the \$125,000 order that the Council passed recently?

Chairman RUBY—So that there may be no misunderstanding, this is an order presented by the chairman of the Committee on Finance, and not by the Mayor.

Coun. McMAHON—This order would provide \$100,000 for new traffic towers. This body has spent or will spend plenty on traffic this year. This order has nothing to do with the Traffic Board, whatsoever. It is an order that was introduced by the councilor himself, who happens to be chairman of that committee, and who had rough sledding in the Finance Committee in getting it passed, and who now comes in here with this order providing \$100,000 for this purpose. A little later on he is going to introduce an order for \$350,000 and he is worrying about outside districts, about traffic signal towers in the outer limits of the city here. I say, give us money for streets and sidewalks. We can do very well for a while without towers, and when I say that, I have in my district two or three busy corners as there are in the suburbs. I hope that this order will be defeated.

Coun. BUSH—Mr. President, some time last year the City Council passed a loan for \$125,000 for a traffic signal system. At that time the Mayor urged the necessity of the immediate passage of the order, because he desired to have the traffic signal work carried out. We passed that order almost a year ago, and yet no effort has been made to construct a traffic signal system so far. No work has been started under that loan order at all. I see no necessity for now passing a loan order for \$100,000 for apparently the same purpose.

Coun. SULLIVAN—Mr. President, I will ask the Clerk if there is an amendment to that order, or is the order reported as it was originally presented?

Chairman RUBY—It is reported as originally presented.

Coun. SULLIVAN—Mr. Chairman, being a member of the Finance Committee, let me say it

was understood that an amendment was to be put on that order so that it would read, "To be expended in the suburban district" instead of downtown, and with that understanding I voted "ought to pass." But if the amendment is not on it I now make a motion that it be laid on the table for a period.

The motion to lay on the table was lost by a rising vote, 7 to 8.

Coun. WILSON—Mr. President, not being a member of this year's Finance Committee, I am somewhat in doubt on this particular loan order. I advised the chairman of the committee reporting an order for a certain amount, and I find members of the committee not knowing the form in which the order which they are reporting back to us for our action appears. I am surprised somewhat at the way in which this has been brought in here. I am not inherently against more traffic signals in the City of Boston, but I do think that the members of the Finance Committee in reporting the order back to us for our action, should at least give us some detail and should agree among themselves as to what is meant by the order. I am anxious to know whether this money is money that we are certainly all in record in favor of, to provide traffic signals on Tremont and Washington streets. We don't seem to know anything about the order. Frankly, I don't know, not being a member of the committee, and, so far as I can see, the members of the committee themselves apparently don't know what it is all about.

Coun. MOTLEY—Mr. President, I am going to move that the order be sent back to the committee, owing to the misunderstanding. I thought the Clerk had inserted the provision referred to by the councilor from Dorchester. So I move that the order be sent back to the Committee on Finance.

The order was recommitted to the Committee on Finance.

3. Report on order (referred May 20) for a loan of \$350,000 for highways, making of, under the provisions of chapter 393 of the Acts of 1906, etc.—that the same ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. WILSON—Mr. President, may I ask the chairman of the Finance Committee how carefully the committee has gone into this question with the Commissioner of Public Works and the Street Commissioners, or perhaps even with his Honor the Mayor, concerning the street program for the current year, particularly in the residential districts? I am on record as having voted for the Exchange street widening to the tune of \$1,100,000 due to the fact that a building was being demolished down there and the time had seemed to come when I considered that a most needed improvement in the City of Boston, connecting up with Congress street and Dock square, might be carried through. I voted for it, however, on the distinct assurance that it would have no effect directly or indirectly on the acceptance of new streets in the district that I represent. And so, before voting for this order, I naturally would like some assurance with regard to the carrying out of the work proposed on residential streets in the ward I represent, and in which I, perhaps selfishly enough, am interested.

Coun. MOTLEY—Mr. President, as we all know, the order which was sent up to us by his Honor the Mayor, for the extension of Exchange street, called for the appropriation of \$500,000, and that matter was considered by the Committee on Finance. After some extensive hearings in which we heard his Honor the Mayor, the chairman of the Finance Commission, the chairman of the Street Commissioners, the chairman of the Board of Assessors, one of the property owners, and a Boston real estate appraiser, we came to the conclusion that \$500,000 was too much for this body to be asked to expend on Exchange street, and so we cut the order down to \$350,000. I am given to understand that the Mayor of Boston intends to spend \$700,000 on the residential streets in this city, and that the balance of \$300,000 and this \$350,000 which we are appropriating under this order will be used to cut the present Exchange street through. So your committee felt that \$350,000 was enough to appropriate under this order, if his Honor the Mayor was going to spend \$300,000 out of his street loan of \$1,000,000 received earlier in the year.

Coun. WARD—Mr. President, I do not feel at this time that I am qualified to vote for this particular order and I do not feel, where there is so

much talk going around the town in regard to this Exchange street matter, that we can conscientiously come up here this afternoon and vote for the order. I don't say, however, that the \$350,000 is necessary; neither do I say that we should defeat the \$350,000 order. Therefore, I am going to request that this order be laid on the table.

The motion to lay the order on the table was declared lost. Coun. WARD doubted the vote and asked for a rising vote. The Council stood divided, and the motion to lay on the table was lost.

Coun. WARD—Mr. President, I further doubt the vote and ask for the yeas and nays.

Coun. BUSH—Mr. President, I rise to a point of information. Has the Finance Committee received any report from the Finance Commission with relation to the appraisal of the remaining pieces of land on Exchange street?

Chairman RUBY—I understand not. The Clerk will call the roll. The question is on laying the order on the table.

Coun. WARD's motion to lay the order on the table was defeated, yeas 4, nays 16:

Yeas—Coun. Deveney, Dowd, Ward, Wilson—4.  
Nays—Coun. Arnold, Bush, Donovan, Dowling, Fish, Gallagher, Green, Keene, Lynch, Mahoney, McMahon, Motley, Murphy, Murray, Ruby, Sullivan—16.

The question came on the passage of the order.

Coun. DEVENEY—Mr. President, as a member of the Finance Committee, I oppose the passage of this order today for the reason that we haven't obtained sufficient information regarding valuations down on that street upon which to vote intelligently. During our committee hearings we had Mr. Freeman, the city expert, come in before our committee and give us his opinion as to what these properties are worth at the present time. We have had no other real estate expert give us his opinion, and, as far as Warren Freeman is concerned, I have absolutely no confidence in him. I believe he is nothing more than the tool of Mayor Nichols, and that he was up here not to help us but to hoodwink us. Mayor Nichols came in last week, when I was not present, and tried to storm the committee into voting for this order that has been reported today. There is absolutely no evidence before us upon which we can vote intelligently on the measure. The only one who came in was Mr. Freeman. The only way in which we can pass intelligent judgment on the measure is upon the judgment of experts. The committee has no right to hire outside experts, and the only one upon whose judgment or knowledge we have so far been able to depend is the city expert who was sent up to us. Today the order comes before us. It is up to us to decide what we are going to do. Most of the members of the Council, I suppose, have been approached by the Mayor and asked to vote for it. He thinks it is a good order. Some of us don't think it is a good order. I think the thing to do is to lay the order on the table. The motion having been killed, there is only one other thing for us to do, so far as I am concerned, and that is to vote against it. The Finance Commission have been asked to send a report to us, and I understand that they intend to do so. They sent a letter to the chairman of the committee stating that they were going into the question. Up to today we have received nothing from them. I see no danger in a week's delay, because the Public Works Department is in there, and has started digging. I feel that we should wait and get a report from the Finance Commission, who, I think, are more acceptable to the committee and to the Council than Warren Freeman, who, in my opinion, will do absolutely anything that the Mayor asks him to do. He came in at the time of the first step that was taken on the widening and made statements that were absolutely untrue. I don't see why we should believe him today, when we consider that his statements are not backed up by any corroborative evidence. For that reason, I am going to vote against the order.

Coun. KEENE—Mr. President, I would say for the information of the Council that the original order that came in asked for a million dollars for street construction, and that the \$500,000 order which came to the Council later came in in the same manner, that there was nothing attached to it to indicate that the money was to be used solely for Exchange street. Now, there are certain members of the Council who are placed and

will be placed in an embarrassing position. I live in a ward where we have over 300 unaccepted streets, streets where at certain seasons of the year—for instance, in the springtime—neighbors have to help each other to get their automobiles out of the street, and where they have difficulty, because of the condition of the street, in getting their garbage and ash cans removed. Now, if we are to wait until such time as the Finance Commission or the Real Estate Exchange gets through quibbling back and forth on this matter, we are going to find various members of the Council in the fall without streets in their districts, that should be attended to, being attended to. The people of this city are demanding, also, that the balance of Exchange street be completed, and, as a matter of fact, the city has gone in there and is digging at the present time. Now, you will find that the Mayor will take out of the million dollars we have appropriated a sufficient amount of money to take care of that street, regardless of the action that the Council may take at this time, and then you will find in Dorchester, Brighton, West Roxbury and other sections, large numbers of streets unaccepted, while we are quibbling here and waiting until somebody suggests that this or that be done. Every moment, Mr. President, is valuable if we are going to have our streets in the suburban sections attended to. I hope, therefore, that the members of the Council will give due consideration to the fact that haste or delay in our action on this matter may mean that we will either get streets or not get them in our districts, because Exchange street, or the balance of it, will be put through. So I hope the members of the Council will pay due heed to the editorial comments in the papers, as well as to letters of citizens that appear in the Sunday editions, and pass this order.

Coun. McMAHON—Mr. President, we have heard the same story in regard to this \$350,000 loan order that has been given us on every loan order that has come from the Finance Committee. We are given to understand now by the gentleman that the money needed for the completion of Exchange street is going to be spent, regardless of whether we vote for it or not. Let me inform you, Mr. President and members of the Council, that there is going to be very little street work done in the suburbs of Boston. We are now getting almost to June 1, and there has been no work done. In other years the work has been away ahead, but this year it is far behind. The Public Works Commissioner has already started on Exchange street. We are now told that the fellow who does not vote for this order, and who needs new streets in the wards he represents, will not get them. He will not get them, Mr. President, regardless of whether he votes for this order or not. Let us be honest in this matter. The chairman, if honest, would tell us the same thing. Let me tell you that there is not a councilor who can come in here and say that he can get a street done in his local ward this year. Any man who says that knows he is telling a lie when he says it. He knows that Exchange street is going to be done regardless of what stories we hear. I tell you the papers have been filed in the last two months with the "robbery" of Exchange street. I was one of the members who voted for the first loan order for Exchange street, with the impression that that was all, and that it was then going to be finished. But that was not all, and we have recently seen this order for \$500,000 that has been put in by the Mayor. That did not get by. Now, they come in with an order for \$350,000. It does not look as though that was going to get by, and they now tell you, councilors, in the outlying wards, that you won't get a street unless you vote for this order. The men who tell you that know that you won't get a street regardless of whether you vote for the order or not. I say, if any man in the Council thinks that his streets are going to be laid out, and for that reason votes for this order, let him watch his step. Next fall he will be in a position where he will have to do a lot of explaining. I have thought so before. It may be all right for a man who lives in a district where there are no streets to be fixed to vote for this order. I come from a ward where there are very few streets to be laid out, but there are some that are badly needed. I pity the man in an outlying district, who will have plenty of people ringing his door bell in regard to the action he has taken, and calling his attention to the fact that nothing is being done for his district. And I say again that when any man comes in here and tells you that you will not get your streets

locally in your ward unless you vote for Exchange street, he knows when he gets out there and talks that way that you will not get money for your street, anyway. Exchange street is going to be done, whether I or anybody in the Council likes it, or whether or not we vote for the \$350,000. Regardless of that, Exchange street is going to be done, and we are simply seeing the same propaganda on Exchange street that we have seen on every loan order that has been sent to the City Council in the last three years. It has worked lovely on other streets, and it is now being tried on Exchange street. Pick up your papers and you will see editorials in this paper and that paper demanding action on Exchange street, and if you look at the same paper the next day, you will be apt to see that those favoring the widening of Exchange street are robbers. They can talk and carry out that propaganda as much as they please. You will read in the newspapers statements from these famous men telling the Mayor what he should do in regard to Exchange street, that it should be done, should be carried through. Of course, it should be done. As I stated before, I was one of the members who voted for Exchange street and I was "kidded" to my eyes, and I admit it. I was told that that would be the end of the thing. For years and years they have been trying to get it through. But whether we vote for this order or not it is going to be completed. Then, why wish it on the councilors? There is not a councilor here who would not like to come back to the job again. I haven't heard of any one of them who wants to retire. But if you don't look out you will have a lot to tell to the people in your ward when it comes to new streets that have not been carried through, and when, in spite of that fact, you have voted for the \$350,000. I trust that the same thing will happen to this order that happened to the \$500,000 loan order. Let the chairman of the Finance Committee come in here with a report after the committee has got a real report from the Finance Commission. But we are told that they can't even wait for a report from the Finance Commission of the City of Boston. Why the rush, Mr. President? There is no need of rushing this matter. The Mayor is going to do this, whether you pass the order or don't pass it. Then why do any worrying about it? I felt that the only thing to do was to lay it on the table. That motion was lost, and now the only thing to do seems to be to give it a good licking. Then let them come back, if they need the money, and show us that they really know what they are talking about. But let us take the proper time on this matter, let us get the information that we should have. Let us know something about it. And let the men who get up here and tell us about the necessity of passing this order tell us the truth,—which is that the action taken will be the direct opposite of what we are told it will be, so far as the suburban streets are concerned.

Coun. ARNOLD in the chair.

Coun. RUBY—Mr. President, some time ago when the Council was first asked to make an appropriation for the contemplated widening of Exchange street—and it is surprising how the memories of some of the members of the body fail them—I remember hearing several figures presented to us, both in committee and on floor of the Council, to the effect that the contemplated widening of Exchange street would be done within an outside figure of \$2,600,000. At the time when the original loan order was presented, we were asked to appropriate \$1,100,000 and then \$700,000 in addition to the \$1,100,000 was to be taken from the slack in reconstruction of streets for the last three years, making the total amount \$1,800,000. We were then told, prior to voting for the \$1,100,000, that it would cost \$800,000 more to finish the job of widening Exchange street, making in all \$2,600,000. Those figures are not new, and I cannot for the life of me understand why some of the councilors now lean backward when it comes to doing something that, in my opinion, many of us will have to answer for if we leave undone, with \$1,800,000 spent and the work not accomplished. If we fail to vote this money, the Mayor has made clear what he intends to do, and I admire him for it. I admire any man for coming before a body such as ours and telling us clearly that it is going to be necessary to finish a project of this kind, that has been started by him, by us and by the Board of Street Commis-

sioners. They have a million dollars with which to play, and isn't it to be expected that if this Exchange street job is not provided for otherwise, as long as it has to be completed, the suburban districts of Boston must of necessity suffer? I come from a district that needs street construction as much as any district represented in this body, and I would hate to see the Board of Street Commissioners stop work, as they have already done—and some of you may have had the same experience that I have had in the last two weeks, in regard to this matter of suburban streets. When I have asked for a hearing on the acceptance of the streets I have been told, "Nothing doing; we don't know yet whether we are going to have money for it. We are attempting to meet the conditions on Exchange street, which is going to be widened, and the job has to be completed." So we have to appropriate this money if we are going to save any part of the one million dollars for street construction work outside of Exchange street; and I think if we appropriate the \$350,000 provided for here, with the \$1,100,000 which we appropriated some time ago, together with the additional \$700,000 which they were able to use for Exchange street, we will still be well within the amount of money we were originally asked to appropriate. I say this with all the frankness that I possess, I was present at the last meeting of the Committee on Finance, when his Honor the Mayor presented himself there. I don't think any member of this body ought to take the attitude that the Mayor did not come in there and frankly take every possible responsibility for the job of widening Exchange street. He was not "ducking" the issue. He told you that the job was necessary, that he wanted to finish the job, that he took every bit of responsibility for the job. At the time when the Finance Committee was in session, we also had a visitation, at the invitation of the chairman of the Finance Committee, from another man, Mr. Lee of the Boston Real Estate Exchange. Although not a member of the committee, I was permitted to ask this question: "Mr. Lee, as president of the Boston Real Estate Exchange, are you willing to have the Real Estate Exchange give the City of Boston the benefit of your experience, by giving an appraisal of this land on Exchange street?" Mr. Lee replied that the Boston Real Estate Exchange at a meeting two years ago voted never to do any work for the City of Boston gratis. Now, are we to wait, without any money, for them to give us an appraisal? I say "No." As has been pointed out, through our own efforts we appropriated \$1,800,000 of the city's money, which has been spent already on Exchange street, the work upon which has not yet been completely accomplished. I was present two weeks ago last Friday when Mr. Dowling, chairman of the Finance Commission, was asked to give an appraisal so that we might have the information desired, and he agreed to do it. That was two weeks ago last Friday and we haven't got a copy of it, in spite of the fact that I have knowledge that they will not refute that they have investigated the part of the Exchange street widening six weeks ago. I think we have waited as long as we ought to be expected to wait for the Finance Commission's report. It was expected that we would have that, and the matter was laid over because we wanted to hear from the Finance Commission. Certainly the Finance Commission cannot hold us responsible now, after having waited as we have, and if we delay further, we are going to be held responsible for unnecessary delay in the Exchange street widening. I want to see this \$350,000 appropriated, because I have a number of streets in my own district that should be attended to, as have the councilors from Ward 20, Ward 18, Ward 17, Ward 16, and other outlying wards of the City of Boston, where people are coming to us pleading for immediate construction of the streets in our districts. Of course, if the necessary money is not here appropriated for the completion of Exchange street, the Mayor will be forced to take the bulk of that \$1,000,000 to carry it out, and then there will be no one that we can blame, if the million dollars, or a large part of it, has to be spent in that way. I think this whole improvement will be completed within the \$2,600,000 originally estimated, or within \$2,500,000, as we were told a year and a half ago. I would call your attention to this street across the way that was widened a short time ago, when everybody was so much aroused because the then Mayor took the thing in hand and finished the job.



How many of the people of Boston would like to see that street restored to its former narrowness? I might also call attention to other streets that have been widened—Cambridge street, Stuart street, where people connected with the widenings were very much opposed, but where people now would not want to see the former conditions restored. The same thing is going to happen here, Mr. President. My situation here today is the same as when I voted for the \$1,100,000. I believe in being honest and above board in these matters. I am not worrying about the Finance Commission, the Good Government Association, the Boston Real Estate Exchange or any other body that will not give us the information we need when we plead and ask for it. We have no right to hold up further the construction work, and I think every man in this body who voted for the first construction of Exchange street is in duty bound to vote for the completion of the job, by voting for the appropriation of the balance of the money today.

Coun. BUSH—Mr. President, when I appeared before the committee on municipal finance of the Legislature with a set of estimates that, in my opinion, the construction of the street could be carried through at a cost of around two million dollars, and when we were confronted with an estimate of \$3,250,000, I was sincere in my opposition to the bill, on the ground that the widening could be carried through, in my opinion, for an amount of something over \$2,000,000. To my mind that was a liberal estimate. Subsequently, the Mayor and Board of Street Commissioners estimated that the cost would be \$2,600,000. I am not a real estate expert; I do not pretend to be one. Perhaps the street of necessity must cost that amount. I do not believe personally that the improvement is justified at that extent. However, that is past and done with. I would be inclined to give a good deal more weight to the argument of the councilor from West Roxbury (Coun. Keene) with reference to the streets in the outlying district, were it not for the fact that the Mayor took \$800,000 from the million dollar loan order of last year, intended for the acceptance and laying out of suburban streets, for this purpose. However, the amount of \$1,750,000 has already been spent. All of the land necessary to be taken has not yet been taken. It is obvious that the street must be finished. It is obvious to everyone that the street cannot be left in its present condition, with one portion of the land taken and with the rest of it left as it is. The city having already committed itself to the action of the Mayor and the Street Commissioners to the taking of the land, the city must necessarily go through with the project and take the rest of it. Nevertheless the chairman of the Finance Commission appeared before the Finance Committee and promised to furnish the Finance Committee with an appraisal of the Boston Real Estate Exchange of the balance of the land to be taken. True, the Finance Commission has been rather dilatory in rendering that appraisal. They first promised it on the following Friday; subsequently, when they couldn't furnish it on that day, they recommended that for the present the order be defeated. I personally doubt whether the passing of a loan order for \$350,000 at the present time will be of any assistance to the gentlemen who are interested in suburban streets. There is no question that the Mayor will take the balance of the money necessary, even after the passage of this order, from the million dollar loan order for the suburban streets. In that event, he must necessarily take from \$450,000 to \$500,000 from that loan. Should the Finance Commission submit an appraisal from the Boston Real Estate Exchange with reference to the remaining land which would involve a larger sum, it would seem to me that this Council, having already committed itself to the project in the beginning, would rather pass an order which would be in keeping with the amount appraised than to pass an order for \$350,000 at the present time and then place the Mayor in a position where he would be compelled to take a very large sum of money from the loan which has been made for the acceptance and laying out of new streets in the suburban districts. I, therefore, am in favor of defeating the present order for \$350,000 and waiting a reasonable time until the Finance Commission may be able to furnish to the Finance Committee of this Council the appraisal of the Boston Real Estate Exchange. We can then draw up an order in accordance with that appraisal, so that the funds which have been voted by this

body for the acceptance and laying out of new streets in the suburban districts will not be depleted.

Coun. SULLIVAN—Mr. Chairman, being a member of the Committee on Finance, and sitting in at the hearings and arguments, listening to the chairman of the Finance Commission two weeks ago last Friday, I then figured that it was good policy to give additional leeway of a week to the Finance Commission, and through my efforts in the committee there was a report "ought not to pass" on the order for \$500,000, and a new order for \$350,000 was put in by the chairman of the Finance Committee. We have since then waited until today to find out if we could get any information from the Finance Commission. If I am rightly informed—I haven't it from any real authority—the chairman of the Finance Commission is on a vacation, which he well deserves, and if we have to wait for a report from the chairman of the Finance Commission I think it will delay the completion of Exchange street, which is a worthy and a needed improvement. The present condition is a disgrace to the City of Boston. I certainly hope the members of the Council will make a visit down there after passing this order and see the worthy job that they have done.

Coun. DOWD—Mr. President, I hardly believe there is a member of the Council who does not feel that Exchange street should be finished. I thoroughly disagree, however, with the councilor who says it is the duty of the twenty councilors who voted for the original order to now vote for the present order. I am interested in facts and figures, and, as a member of the Finance Committee, I cannot reconcile myself to voting for the balance of the street, having in mind the discrepancy between the amount of money originally asked and the amount being asked now. His Honor the Mayor of Boston says that we must all be governed to a certain extent by the real estate experts. Well, the Mayor of Boston spent thousands of dollars for real estate experts, who came before the Council on the \$1,100,000 loan order, and we took their word for it, thinking that they had advised us correctly. What happens now? When the Mayor appeared before the committee at its last executive meeting—if we can call it that—I asked the Mayor of Boston if he would allow the committee to have \$1,000 to spend for real estate expert to give to the committee an appraisal of the property involved. The Mayor refused, in a polite manner. Now, what do we find? Mr. Warren Freeman comes before the committee. He says that the city should give to the Krey estate 50 per cent above the assessed valuation. I say that is a mighty fine sum. He also says that 50 per cent above the assessed valuation should be given for the Whittier estate, and for the Barry estate, I think 25 per cent. Mr. Freeman says that Exchange street can be finished for \$592,000. Well, if Mr. Freeman says that, we took his word on the \$1,100,000 and certainly his word must be as good as the present time as it was then. But the Mayor of Boston who you would naturally think would back up Mr. Freeman's statement, because he is paying Mr. Freeman for valuable expert advice, advice which has been handed out to us, says that to take the remaining land will cost \$850,000, or \$258,000 more than the price set by Mr. Freeman. That is a huge discrepancy, Mr. President, and I brought that to the Mayor's attention in the committee meeting. "Well," he said, "we have got to discount to a certain extent the estimates of Mr. Freeman. We must allow the Street Commissioners something to play with." That reminds me of the remark of the councilor from Dorchester, that they have a million to play with. That is a mighty true statement, but he doesn't say how they will play with it. I say to you, Mr. President, if Mr. Freeman's statement is correct—and I assume it is,—Exchange street can be done for \$592,000 with an added charge of \$25,000 or \$30,000 for reconstruction of the street. So I say that at the present time this loan order is \$75,000 too large. This street can be done for something over \$600,000 and at the present time we are allowing \$700,000. I voted for the original \$1,100,000, because I believed at the time I was informed rightly. I am going to vote now for Exchange street, but I am not going to allow it to be railroaded through. Our request that it be laid on the table should at least have been granted. The chairman of the committee invited the Finance Commission before this committee. The chairman said, "Will you submit to the committee an estimate, an appraisal,

of the cost of the rest of the property on Exchange street?" and the chairman of the Finance Commission said, "Yes, I will do so." But we have not heard from the Finance Commission yet. I believe before we pass on the matter we should have some appraisal, outside of the appraisal of the real estate expert hired by the Mayor of Boston. I contend now that the prices submitted according to the vote of the real estate expert of the Street Commissioners are at least \$75,000 too high. I would like to vote for Exchange street, if the matter can be laid on the table until such time as we get such a report as we have been looking for from real estate men. At the proper time I shall be only too glad to vote for it, but at the present time I must absolutely refuse to allow myself to be coerced and railroaded into voting for Exchange street.

Coun. GREEN—Mr. President, I would like to ask the councilor who has just taken his seat where and how he secured this information, and from whom, in regard to the \$650,000. I have been unable to get the information, and I would like to know how the information was secured and how the figure was arrived at.

Coun. DOWD—Mr. President, it is very easy to explain that. Mr. Freeman says that we can complete the street for \$592,000. He is a real estate expert, and in making that estimate he is allowing 50 per cent more than the assessed valuation to both Whittier and Krey and 25 per cent more than the assessed valuation to Barry. But, despite that fact, they are proposing to raise \$650,000 or over for this purpose.

Coun. WILSON—Mr. President, my remarks will be brief. I don't care, so far as my vote upon this matter is concerned, whether Mr. Freeman, the real estate expert of the City of Boston, is right or not. It is interesting to note that the Mayor good-naturedly appeared, for the first time in the history of the Council before any committee of the City Council, in this matter and I personally would wish that he appeared oftener. I further don't wish it to be understood, on or off the record, that I am throwing the Exchange street order back on the Mayor, or that I am ducking a vote on the Exchange street order in any way. I voted for Exchange street last year because I considered that it was a necessary improvement. I am ducking no responsibility and am "passing the buck" to neither the Mayor nor any other executive. I voted for Exchange street a year ago on the assurance that such a vote would not affect the residential streets of the ward I now represent. I have no present assurance with reference to the street program in Ward 17 for the present year. Something has been said here by one of my colleagues about quibbling on this matter. I do not quibble on this loan order. I do not play with marked cards. I like to see the cards laid face up on the table. And when I have assurance that voting for this loan order will not affect streets in the ward I represent, when I see the cards laid on the table and know that the district I come from is going to get a square deal, I will vote for this particular order for the completion of Exchange street, which I admit is a necessary improvement. I am surprised at the Council refusing to lay the matter on the table for one week, until those of us who live in residential wards might receive some assurance from the Mayor in regard to the status of our streets during the present year. I might add, so far as the Finance Commission report is concerned, that would not govern my action one way or the other.

Coun. MOTLEY—Mr. President, in answer to some of the charges made here this afternoon I simply desire to say that I made every attempt to secure proper and sufficient information upon this order. Mr. Freeman came before our committee voluntarily, not at the request of his Honor the Mayor but at the request of the chairman of the Committee on Finance, and the Mayor himself came up here before our committee in the same way, and made no attempt to bulldoze the committee into supporting his order for \$500,000. We asked the Boston Real Estate Exchange to help us out, but they offered no aid. However, they will come to the aid of the Boston Finance Commission, because they are receiving a financial remuneration. However, I simply wish to say that anybody who has come before our committee has done so voluntarily. If certain members of the Council desire to wait until they hear from the Finance Commission, I am willing to move that the matter lie on the table for one week.

Chairman RUBY—The question is on the passage of the order.

Coun. MOTLEY—Mr. President, I move that the matter be put over for one week, assigned to the next meeting of the Council.

The motion was declared lost. Coun. MOTLEY doubted the vote, a rising vote was taken, and the order was assigned for one week, 8 to 5.

#### PROPOSED ANNUITY TO MRS. JOHN F. MONTAGUE.

Coun. McMAHON offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the city to pay an annuity to the widow of John F. Montague, late member of the Police Department.

Passed under suspension of the rule.

#### REPORTS ON ORDINANCES.

Coun. GREEN, for the Committee on Ordinances, submitted the following:

Report on ordinance (referred May 13) concerning the salary of the Traffic Commissioner—that same ought to pass.

Report on ordinance (referred May 13) concerning salaries of Transit Commissioners—that same ought to pass.

Report on ordinance (referred April 15) prohibiting the use of private ways for parking of vehicles—that same ought not to pass.

Before the Clerk had completed the reading of the above reports and ordinances, Coun. DOWLING said:

Mr. President, in view of the apparent lack of interest on the part of the members of the Council in these matters now before us, I move that the reports be assigned to the next meeting. I would like an intelligent discussion of some of the questions involved, a discussion which would mean something to me and something to the people. Therefore, I move that these matters be assigned to the next meeting, when we will probably have a quorum present willing to attend to business.

The several matters were assigned to the next meeting of the Council.

#### QUORUM QUESTIONED.

Coun. WILSON—Mr. President, I doubt the presence of a quorum.

The motion to assign the orders to the next meeting was declared carried.

Coun. WILSON—Mr. President, I raise the point that there is not a quorum present.

Chairman RUBY—The Chair rules that there is a quorum present.

Coun. WILSON—Mr. President, I ask for a show of hands.

Chairman RUBY—There are thirteen members present—Coun. Ward walking out and Coun. McMahon walking out. The Chair will rule that Coun. McMahon, being in the doorway, was present, so that the President could see him. For that reason, the Chair rules that there is a quorum present, there being thirteen members on the floor.

Coun. McMAHON—Mr. President, I take exceptions to the ruling that the Chair has just made, when he said that I was in the Council Chamber. I take exceptions to the ruling of the Chair.

Chairman RUBY—Is Councilor McMahon present in the Chamber now?

Coun. McMAHON—No. (Laughter.)

Chairman RUBY—The Chair will rule that a quorum is here.

#### REPAVING OF VOSE AVENUE.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Vose avenue, Ward 18.

Passed under suspension of the rule.

## SIDEWALK ON EVERETT STREET.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Everett street, from Hyde Park avenue 100 feet, northerly side, Nos. 35-39, 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.

## ROGER M. GRIFFIN SQUARE.

Coun. DEVENEY offered the following:

Ordered, That the space at the intersection of Perkins street and the Jamaica way, Ward 10, be named and known as Roger M. Griffin square, in honor and memory of the distinguished citizen of that name who died recently as a result of injuries received in the World War.

Referred to the Executive Committee.

Adjourned at 5.51 p. m., on motion of Coun. GREEN, to meet on Monday, June 3, 1929, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, June 3, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Bush, Green, McMahon, Parkman and Ward.

## JURORS DRAWN.

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

Twenty-two grand jurors, Superior Criminal Court, to appear July 1, 1929:

John W. Waugh, Ward 1; Anthony Cecchini, Ward 2; Anthony Poto, Ward 3; Millard A. Westover, Ward 4; Richard Connors, Ward 9; Carl A. Lundquist, Ward 9; Robert F. Sundine, Ward 9; Chester C. Chase, Ward 10; George W. Martin, Ward 10; John W. Webb, Ward 12; Morris H. Rogow, Ward 14; John James Fitzgerald, Ward 16; Angus J. McClellan, Ward 16; Augustus G. Nowlin, Ward 16; John L. Powers, Ward 16; Carl H. Schifferdecker, Ward 17; Clarence G. Herbert, Ward 18; Joseph B. Toy, Ward 18; Eric M. Prochnow, Ward 20; Bernard E. Rourke, Ward 20; Edmund B. Snow, Ward 22; Dennis M. White, Ward 22.

Twenty-nine traverse jurors, Superior Criminal Court, Second Session, to appear July 1, 1929:

John T. Earp, Ward 1; Amos Weston, Ward 4; Ralph K. Eldridge, Ward 5; Oscar J. Givner, Ward 6; John MacCallum, Ward 6; Charles H. Kaveney, Ward 8; Charles A. Duffy, Jr., Ward 10; Bernard S. Gannon, Ward 10; Albert Schaefer, Ward 10; Stephen J. Ellis, Ward 11; James A. Palmer, Ward 11; Patrick J. Sullivan, Ward 11; Frank H. Webber, Ward 11; Leo J. Milton, Ward 12; Howard W. Yost, Ward 12; Henry R. Norton, Ward 13; Nathan J. Belson, Ward 14; Louis Thaler, Ward 14; Abraham Weisgold, Ward 14; Chester B. Eames, Ward 16; Edwin Otis Brewer, Ward 17; LaForest L. Hall, Ward 18; Philip R. Sinclair, Ward 18; Amos H. Barnes, Ward 20; Archibald A. Johnston, Ward 20; Frederick W. Sessler, Ward 20; Walter V. Fletcher, Ward 22; Richard J. O'Donnell, Ward 22; Joseph F. McManus, Ward 22.

Thirty-four traverse jurors, Superior Civil Court, Sixth Session, July Sitting, to appear July 1, 1929:

Charles G. Jensen, Ward 1; James W. Mogan, Ward 1; James H. O'Donnell, Ward 1; Walter S. Abbott, Ward 3; Albert L. Siney, Ward 3; Malcolm MacRitchie, Ward 4; Louis J. Abramhoff, Ward 5; Joseph Bowen, Ward 5; Maurice M. Osborne, Ward 5; Samuel N. Rowland, Ward 5; Thomas J. Heffernan, Ward 6; Patrick McGowan, Ward 6; Augustus A. Fay, Ward 8; Herman F. Johnson, Ward 8; Fred W. Gannon, Ward 9; John Coffey, Ward 10; John F. Galvin, Ward 10; William H. Robinson, Ward 10; William T. McLaughlin, Ward 11; Max I. Newfield, Ward 12; Daniel Poster, Ward 12; Thomas F. Sullivan, Ward 13; Louis K. Happel, Ward 14; John J. Flynn, Ward 15; George P. Bent, Ward 18; William E. Margeson, Ward 18; Forbes Allan, Ward 19; John R. Anderson, Ward 20; Walter W. Cross, Ward 20; William H. Shumway, Ward 20; Harry W. Beedle, Ward 21; George J. Maitland, Ward 21; William C. Parker, Ward 21; Francis E. Hollum, Ward 22.

## VETO OF TOLL GATE TUNNEL.

The following was received:

City of Boston,  
Office of the Mayor, May 28, 1929.

To the City Council.

Gentlemen,—I return herewith, without my approval, your order for an appropriation of

\$150,000 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.

While the purpose of this order has a great deal of merit, it will appear from the report of the Commissioner of Public Works that the construction of a tunnel is not possible due to the difference in grade that is to be overcome at the Hyde Park avenue approach.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, May 28, 1929.

To the Honorable the Mayor

I return order of the City Council appropriating \$150,000 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.

Division Engineer Carty reports that neither a footway tunnel nor a teaming tunnel is feasible, due to the difference in grade that is to be overcome at the Hyde Park avenue approach.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments for the term ending April 30, 1930, viz.:

Constables: Meyer Goldstein, 72 Columbia road, Ward 14; Isaac Shulman, 594 Blue Hill avenue, Ward 14; Thomas J. Buckley, 491 Huntington avenue, Ward 4; Forster W. Dumaresq, 655 Columbia road, Ward 7; William James Baker, 72 Bower street, Ward 12.

Weigher of Goods: Frank J. Jacobs, 296 Park street, West Roxbury.

Severally laid over a week under the law.

## PETITIONS REFERRED.

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

Claims.

Salvatore Alabiso, for compensation for injuries caused by an alleged defect in Arch street.

Sarah Bass, for compensation for injuries caused by an alleged defect at 31 Cross street.

Mrs. Rose Bondanza, for compensation for injuries caused by an alleged defect at 18 North square.

Edward Bowden, for compensation for injuries caused by an alleged defect in Charlestown Bridge.

Gertrude Bretnay, for compensation for injuries caused by an alleged defect at 2 Minot street.

J. Frank Carroll, for compensation for damage to automobile caused by an alleged defect in Faneuil street.

Harold A. Cella, for compensation for damage to automobile caused by an alleged defect in Centre street, West Roxbury.

Jean Corsano, for compensation for injuries caused by an alleged defect in Maverick street.

Thomas Coyne, for compensation for damage to property at 79 Smith street, Roxbury, caused by ball thrown from Mission Hill Playground.

James A. Cronin, to be reimbursed for land taken for sewer purposes.

Gertrude L. Cummings, for compensation for injuries caused by an alleged defect at 1175 Boylston street.

Alice Duhart, for compensation for injuries caused by an alleged defect in Boston Common.

Timothy J. Husher, for compensation for damage to automobile caused by an alleged defect in Massachusetts avenue.

Majestic Hotel Company, for refund on refuse tickets.

Collin J. McMillan, for compensation for injuries caused by an alleged defect in Charlestown Bridge.

Edith McMillan, for compensation for injuries caused by an alleged defect in Charlestown Bridge.

Amos F. Perkins, for compensation for injuries caused by fall in elevator in Courthouse.

Bessie Pollack, for compensation for injuries caused by an alleged defect at 12 Waumbek street, Roxbury.

Isaac R. Sapiria, for compensation for injuries caused by an alleged defect in South Ferry.

Peter Shlageris, for refund on pool room license.

Katherine Tirrell, for refund on victualler's license.

Mary E. Walsh, for compensation for damage to property at 52 Cliff street, Roxbury, caused by ash trucks.

Carter Hide Company, Inc., for refund on unused refuse tickets.

#### Executive.

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

Emma G. Tunncliff, Copley-Plaza, June 10.

Mrs. Jeanetts Conway, Howard Temple, June 3.

Gertrude Dolan DePetro, Jordan Hall, June 4-6.

Rose Levine, Faelton Hall, May 31.

#### Jitney Committee.

Petition of Boston Elevated to operate jitneys between Maverick square and the Boston Airport.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings to be held June 18 on petitions for storage and sale of gasolene, as follows:

Patrick F. Murphy, 65 Egremont road, Ward 21, 1,500 gallons.

Quinn Feeley Company, 2 and 4 Washington street, Ward 14, 1,000 gallons.

Alexander Vismick, 682 Cummins Highway, Ward 18, 2,000 gallons.

Referred to the Executive Committee.

#### APPROVAL OF CONSTABLES' BONDS.

The bonds of the following-named constables, having been duly approved by the City Treasurer, were received and approved, viz.: Daniel B. Carmody, Samuel Goldsmith, William C. Griffin, William P. Maginnis, William P. Miles, Andrew W. Murphy and John A. O'Halloran.

#### MINORS' LICENSES.

President DONOVAN submitted applications for minors' licenses of twenty-six vendors, twenty-two newsboys and one bootblack.

Permits granted on usual conditions.

#### PAYMENT TO PARENTS OF MICHAEL J. DOWNEY.

Coun. SULLIVAN offered the following:

Ordered, That chapter 346 of the Acts of 1929, entitled "An Act Authorizing the County of Suffolk to Pay a Sum of Money to the Parents of Michael J. Downey" be, and the same hereby is, accepted.

Ordered, That under the provisions of chapter 346 of the Acts of 1929 the sum of five thousand dollars be allowed and paid to the father and mother of Michael J. Downey, on account of the death of said Downey from injuries received by falling into an elevator shaft in the Suffolk County Courthouse; said sum to be charged to the appropriation for Suffolk County Courthouse, County Buildings.

Severally referred to the Executive Committee.

#### SIDEWALK ON VALE STREET.

Coun. DEVENEY, for Coun. Motley, offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Vale street, from Marcella street to Thornton 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 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 HARRIS AVENUE.

Coun. MURRAY offered the following:  
Ordered, That the Commissioner of Public Works make a sidewalk along Harris avenue, from Centre street to Alveston 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.

#### NAMING OF ANGELO CHESTER SQUARE.

Coun. FITZGERALD offered the following:  
Ordered, That the space at the junction of Allen and Blossom streets, Ward 3, be named Angelo Chester square, in memory of said Chester, who died while in the service of his country during the World War, and that suitable signs be erected to designate the same.

Passed under suspension of the rule.

#### SIDEWALK ON WAYLAND STREET.

Coun. SULLIVAN offered the following:  
Ordered, That the Commissioner of Public Works make a sidewalk along 70 Wayland 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.

#### PROPOSED 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 as a public street Goodale road, Ward 14.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public street, Ormond street, Ward 14.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public street, Duke street, Ward 14.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public street, Byers road, Ward 14.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public street, Gilmer street, Ward 14.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public street, Outlook road, Ward 14.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public street, Hillsboro road, Ward 14.

Severally passed under suspension of the rule.

#### REPAVING OF HARVARD STREET.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving, Harvard street, from Blue Hill avenue to Cummins Highway.

Passed under suspension of the rule.

#### SIDEWALK ON PERKINS AVENUE.

Coun. MURPHY offered the following:  
Ordered, That the Commissioner of Public Works make a sidewalk along Perkins avenue,

from 9 to River 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.

ACCEPTANCE OF FREMONT PLACE.

Coun. MURPHY 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 Fremont place, Dorchester, Ward 18.

Passed under suspension of the rule.

RECESS.

The Council voted, on motion of Coun. RUBY, 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 DONOVAN at 3.30 p. m.

REPORT OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. FITZGERALD, for the Committee on County Accounts, submitted report, viz.:

1. Report on communication from Justice of Chelsea Court withdrawing request for increase of salary of John F. Sullivan, court officer, as additional court officer is to be added—no further action necessary.  
Report accepted.

2. Report on communication from Justice of District Court of Chelsea, establishing salary of additional officer for that court, recommending passage of following order, viz.:

Ordered, That the salary of the additional officer for the District Court of Chelsea, as determined by the Justice of said court, viz., Peter A. Kiernan, court officer, \$1,800 per annum, be, and the same is hereby, approved.

Report accepted; said order passed.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on order (referred today) that chapter 346 of the Acts of 1929, entitled "An Act Authorizing the County of Suffolk to Pay a Sum of Money to the Parents of Michael J. Downey" be, and the same is hereby, accepted,—that the same ought to pass.

Report accepted, said order passed.

2. Report on order (referred today) that under the provisions of chapter 346 of the Acts of 1929 the sum of \$5,000 be allowed and paid to the father and mother of Michael J. Downey on account of death of said Downey from injuries received by falling into an elevator shaft in the Suffolk County Courthouse,—that same ought to pass.

Report accepted; said order passed.

3. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Emma G. Tunnicliff, Copley-Plaza, June 10; Mrs. Jeanetta Conway, Howard Temple, June 3; Gertrude Dolan DePetro, Jordan Hall, June 4-6; Rose Levine, Falton Hall, May 31—that leave be granted under usual conditions.

Report accepted; leave granted under usual conditions.

4. Report on order (referred May 27) that the space at the intersection of Perkins street and the Jamaica way, Ward 10, be named and known as Roger M. Griffin square—that the same ought to pass.

Report accepted; said order passed.

Coun. KEENE in the chair.

PLAYGROUNDS IN WARD 16.

Coun. FISH offered the following:

Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to put calcium chloride on the following playgrounds in Ward 16:

- Dorchester Town Field.
- Ashmont Playground.
- Hemenway Playground.
- Garvey Playground.
- Dorchester Park.

Coun. FISH—Mr. President, the playgrounds that happen to be in my ward at the present time are coated with dust, and especially on a windy day the dust blows across the fields, making it difficult for those watching ball games to see the game. Therefore, I have introduced this order.

The order was passed under suspension of the rule.

IMPROVEMENT OF FALLON FIELD.

Coun. KEENE offered the following:

Ordered, That the sum of one hundred thousand dollars be, and the same is hereby, appropriated to be expended under the direction of the Park Commission, for the purchase and improvement of land adjoining Fallon Field as an addition to said field, 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.

ARC LIGHT, WARD 14.

Coun. RUBY 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 Bowdoin avenue and Bullard street, Ward 14.

Passed under suspension of the rule.

CONVENIENCE STATION IN FRANKLIN PARK.

Coun. RUBY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the construction of a convenience station in Franklin Park.

Coun. RUBY—Mr. President, in reference to that order I will simply say that I have had numerous requests from people who use Franklin Park as a recreation center, and I am informed by a representative of the Boston Elevated that from 75,000 to 100,000 people visited the park yesterday, as they do on every pleasant Sunday during the year. There is practically but one, or no facilities for the convenience of people out there on the park, along Blue Hill avenue. There is one place in the Refectory Building, but much of the time the place is closed, and people have to cross the street and use the garages and other places in the immediate vicinity for convenience stations. I hope the Park Commissioner will in his wisdom take money—which can be done, I understand—from the Parkman Fund for construction of a convenience station there. For that reason, I move that the order be passed under suspension of the rule.

The order was passed under suspension of the rule.

COULTER'S BEACH.

Coun. FISH offered the following:

Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to examine the waters of Coulter's Beach, Ward 16, for pollution and to report to the City Council the result of such examination.

Ordered, That the Park Department be requested, through his Honor the Mayor, to investigate the advisability of the purchase of land adjacent to Coulter's Beach, Ward 16, in order to enlarge this park property, and to submit a report in the premises to the City Council.

Coun. FISH—Mr. President, I might say that Coulter's Beach, in my ward, is altogether too small for the community it serves. There is a lot of vacant land adjoining that beach, and I hope the City of Boston will see its way clear to extend the beach and put it on a par with South Boston beach.

The orders were severally passed under suspension of the rule.

President DONOVAN in the chair.

#### GYMNASIUM AT WOOD ISLAND PARK.

President DONOVAN offered the following:

Ordered, That the sum of one hundred thousand dollars be, and the same is hereby, appropriated, to be expended, under the direction of the Park Commission, for the construction and equipment of an indoor gymnasium at Wood Island Park, East 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.

Referred to the Committee on Finance.

#### LEASE OF PREMISES TO EAST BOSTON POST.

President DONOVAN offered the following:

Ordered, That the Superintendent of Public Buildings be authorized, with the approval of his Honor the Mayor, to lease the first floor of the premises in the old Armory at Maverick and Bremen streets, East Boston, to the East Boston Post 608, Veterans of Foreign Wars, at a rental of one dollar per annum.

Passed under suspension of the rule.

#### WOOD ISLAND PARK BATHING BEACH.

President DONOVAN offered the following:

Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to examine the waters of the Wood Island Park bathing beach for pollution and to report to the City Council the result of such examination.

Passed under suspension of the rule.

#### SALARIES OF TRANSIT COMMISSIONERS.

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

6. Report of the Committee on Ordinances ought to pass, on the following:

An Ordinance Concerning the Salaries of the Transit Commissioners.

Be it ordained by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the chairman of the transit commissioners by striking out the words "seventy-five hundred" and inserting in place thereof the words "nine thousand," and in the same clause establishing the salaries of the two other commissioners by striking out the words "five thousand" and inserting in place thereof the words "seventy-five hundred."

The question came on accepting the report and passing the ordinance.

Coun. DOWD—Mr. President, before this order is passed, let me say that I assume that the Mayor sent the ordinance for increase of salary up here with the thought in mind that the construction of the East Boston tunnel would increase to a great extent the work of the Transit Commissioners. The East Boston tunnel act, however, has not yet been accepted by this Council, and until such time as it is accepted, I hardly feel that it is fair to the taxpayers of Boston to raise the salaries of two of the Boston Transit Commissioners \$2,500. I therefore move you, sir, that the matter lie on the table.

The report and ordinance were laid on the table.

#### SALARY OF TRAFFIC COMMISSIONER.

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

7. Report of the Committee on Ordinances ought to pass, on the following:

An Ordinance Concerning the Salary of the Traffic Commissioner.

Be it ordained by the City Council of Boston, as follows:

Section 1. Chapter three of the Revised Ordinances of 1925 is hereby amended in section five by inserting after the clause establishing the salary of the superintendent of supplies the following:

"The traffic commissioner, seventy-five hundred dollars."

Section 2. The ordinance shall take effect beginning with the date of the qualification of the traffic commissioner appointed under the provisions of chapter 263 of the Acts of 1929.

Report accepted; ordinance passed.

#### REPAVING OF WARD 10 STREETS.

Coun. DEVENEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Minden street, Ward 10.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Walden street, Ward 10.

Severally passed under suspension of the rule.

#### CONFIRMATION OF EXECUTIVE APPOINTMENT.

President DONOVAN called up under unfinished business No. 1 on the calendar, viz.:

1. Action on appointment submitted by the Mayor May 27, 1929, of John E. Clarke, to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Motley and Sullivan. Whole number of ballots 15, yeas 15, and the appointment was confirmed.

#### \$350,000 FOR HIGHWAYS.

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

3. Ordered, That the sum of three hundred fifty thousand dollars 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 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 and the President directed the Clerk to call the roll. Before the roll was called, Coun. DOWD said:

Mr. President, some of the members, including myself, last week objected to voting for this order because of the fact that we have not received information or an appraisal from any real estate expert aside from the city real estate expert, in regard to the value of the remaining property on Exchange street. The chairman of the Committee on Finance, I believe, was instructed by his committee to write to the Finance Commission and ask when the expected report might be received by us. He has received a letter from the commission stating that their appraisal of the property necessary to take to complete the Exchange street widening will be ready by next Monday. I see no great reason for hurrying the matter through today, for the reason that two weeks from today is the 17th of June, and we will next week, according to our custom, vote to adjourn for two weeks, over the 17th. That being so, there will be no time gained by giving the order its first passage today, because if it takes its first passage next Monday it can then take its second and final reading and passage at the meeting following that; and we will at our next meeting receive from the Finance Commission the information which we are expecting with regard to the



value of the land on Exchange street. I move, therefore, that this order lie on the table until our next meeting.

Coun. WILSON—Mr. President, my colleague from Roxbury has stated something with reference to those members who voted against this particular loan order last week, saying that their reason for so doing was that they had not received certain information from the Finance Commission. In order that the record may be correct, I wish to state that I voted against acting upon this additional loan order last week, but my action, as I stated at that time, had nothing to do with a possible report from the Finance Commission, who I feel, with all due regard for some members of that commission for whom I do have some regard, should have submitted the information that was promised to this body before now. In the second place, there has been no doubt in my mind and certainly should be no doubt in the minds of the Finance Commission, that the completion of the Exchange street job will take undoubtedly at least \$350,000. As I read this particular loan order, however, it does not necessarily apply to Exchange street, although obviously the greater part of the money will be used for that purpose. I stated last week, as one of the members of the Council coming from a residential ward, that I would appreciate having the matter laid over from last week—as was done after two hours' debate—because, living in one of the suburban wards, I wish to get some assurance from the Mayor of Boston before voting for the order—such assurance as was given us at the time of the introduction of the \$1,100,000 loan order—that the streets in the residential district would not suffer in any respect. Having received that assurance from the Mayor, I am today prepared to vote, as I said I would one week ago with that assurance, upon the loan order.

The motion to lay the order on the table was declared lost. Coun. DOWD doubted the vote and asked for the yeas and nays.

The motion to lay on the table was lost, yeas 7, nays 9:

Yeas—Coun. Arnold, Dowd, Dowling, Lynch, Mahoney, Motley, Murphy—7.

Nays—Coun. Deveney, Donovan, Fish, Gallagher, Keene, Murray, Ruby, Sullivan, Wilson—9.

The order was given its first reading and passage, yeas 15, nays 1:

Yeas—Coun. Arnold, Deveney, Donovan,

Dowling, Fish, Gallagher, Keene, Lynch, Mahoney, Motley, Murphy, Murray, Ruby, Sullivan, Wilson—15.

Nays—Coun. Dowd—1.

The order will take its second reading and passage in not less than fourteen days.

**\$100,000 FOR TRAFFIC SIGNAL SYSTEM.**

On motion of Coun. KEENE, the Council took up assignment, 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 Traffic Commission 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.

Coun. SULLIVAN—Mr. President, I think that was laid on the table on account of an amendment not being added to the original order. I don't know whether that has been done or not.

Coun. WILSON—Mr. President, I share some of Coun. Sullivan's doubt. As I remember the vote last week—and I am not opposed to automatic traffic signals—it was because there was some doubt in the minds of members of the committee as to what their report should be.

Coun. ARNOLD—Mr. President, as I understood, this was sent back to the committee upon motion of the chairman of the committee.

Coun. MOTLEY—Mr. President, a week ago I asked that this order be recommitted to the Committee on Finance. That was done, and it has not been reported out as yet, as far as I know.

**REPORTS OF COMMITTEE ON ORDINANCES.**

Coun. WILSON, for Coun. Green, chairman of the Committee on Ordinances, submitted a report on ordinance (referred May 6) concerning park frontages on Columbia road—that same ought to pass.

Report accepted; said ordinance passed.

Adjourned, on motion of Coun. RUBY, at 3.51 p. m., to meet on Monday, June 10, at 2 p. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Monday, June 10, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 3 p. m., President DONOVAN in the chair. Absent, Coun. Wilson.

## VETO OF EAST BOSTON COURTHOUSE APPROPRIATION.

The following was received:

City of Boston,

Office of the Mayor, June 3, 1929.

To the City Council.

Gentlemen,—I return herewith, without my approval, your order in the sum of \$150,000 for the enlargement of the East Boston Courthouse. In so doing, I do not pass upon the merits of this question, but am obliged, for the time being, on account of the demands upon the borrowing capacity of the city, to withhold my approval without prejudice.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

## WHARF AT RAINSFORD ISLAND.

The following was received:

City of Boston,

Office of the Mayor, June 10, 1929.

To the City Council.

Gentlemen,—I am in receipt of the attached communication in which funds are requested for the purpose of repairing and safeguarding the wharf at Rainsford Island. This wharf is used by the children who are taken to the island on the Randidge excursions and I am advised that the present condition of the wharf is such that unless immediate repairs are made it will be inadvisable to continue the excursions to the island. The Randidge excursions are scheduled to start on the first of next month, hence, in view of the short time available for the making of the necessary repairs, I earnestly recommend immediate consideration by your honorable body of the accompanying order.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Institutions Department, June 10, 1929.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Mr. Mayor,—On Thursday, June 6, in company with Commissioner Chapman and Mr. Riley, engineer in the Bridge and Ferry Division, I inspected the wharf at Rainsford Island with a view to estimating cost of such repairs as are necessary in order that same may be in safe condition for the use of the children who are taken to the island on the Randidge excursions.

It was estimated by Mr. Riley that needed repairs can be made for the sum of \$3,000, and you are hereby requested to transfer that sum from the Reserve Fund to the appropriation of this department for Care of Rainsford Island.

Respectfully yours,

WILLIAM S. KINNEY, Commissioner.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Reserve Fund, \$3,000, to the appropriation for Rainsford Island, Care of, \$3,000.

Referred to Executive Committee.

## IMPROVEMENT OF SAVIN HILL BAY.

The following was received:

City of Boston,

Office of the Mayor, June 10, 1929.

To the City Council.

Gentlemen,—The construction of the Old Colony Boulevard by the Commonwealth has created unsanitary conditions in and about Savin Hill bay. Under the provisions of chapter 239 of the Acts of 1929 the responsibility for remedying such conditions has been placed upon the city. In order that the city may commence work on this project, it is necessary that the act be accepted by the City Council. I accordingly submit an order to this effect and respectfully recommend its adoption by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That chapter 239 of the Acts of 1929, entitled "An Act Authorizing the City of Boston to Borrow Money for the Purpose of Constructing a Sewer or Sewers for Remedying Unsanitary Conditions in and about Savin Hill Bay," be, and the same is hereby, accepted.

Referred to the Executive Committee.

## LOAN FOR INSTITUTIONS BOAT.

The following was received:

City of Boston,

Office of the Mayor, June 10, 1929.

To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Institutions Commissioner in which he points out the necessity for the purchase of a steamer to supplant the steamer "George A. Hibbard." This latter boat has been in service for nineteen years and has not the freight and passenger carrying capacity to meet the requirements of the service. As pointed out in the commissioner's letter, it is now possible to purchase a boat for immediate delivery from the Eastern Steamship Company. Such a purchase will obviate the delay which would be necessary if a new boat was to be constructed. I submit herewith a loan order in the sum of \$75,000 for the purchase of this boat and respectfully recommend adoption of the order by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Institutions Department, June 10, 1929.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Mr. Mayor,—The boiler on the steamer "George A. Hibbard" has recently blown out on different occasions and injured several people and will need to be replaced. The condenser, also, through corrosion, is unfitted for further service.

This presents an emergency situation which can only be met by the purchase of another steamer. It would have been advisable to have constructed a new steamer for this service, but having in mind that it would take from one year to a year and a half before a new steamer could be built and delivered, the emergency situation does not permit of such a delay.

Superintendent Ryan of the Long Island Hospital and I have canvassed the Atlantic seaboard from New York to Maine and the most available boat is the steamer "Southport," owned and operated by the Eastern Steamship Company.

We examined this boat on May 15 in company with Rudolph J. Thanisch, engineer in the Bridge and Ferry Division, and Walter Wicks, chief engineer of the steamer "George A. Hibbard." The vessel is in excellent seaworthy condition and had new boilers installed two years ago, and therefore will be in need of no repairs or alterations before use in our service.

Under these circumstances I recommend that your Honor transmit to the honorable City Council a loan order, in the sum of \$75,000, for the purchase of the steamer "Southport" from the Eastern Steamship Company, at a price not to exceed \$75,000.

Respectfully yours,

WILLIAM S. KINNEY,  
Commissioner.

Ordered, That the sum of \$75,000 be, and hereby is, appropriated, to be expended under the direction of the Institutions Commissioner for Institutions Department, New Boat, 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.

#### PETITIONS REFERRED.

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

##### Claims.

Albert H. Abbe, for compensation for damage to automobile caused by an alleged defect in Mt. Hope Cemetery.

Martha F. Chase, for compensation for damage to automobile caused by city truck.

Dorothy Clafin, for compensation for injuries caused by an alleged defect in Dillaway School.

Agnes E. Daly, for compensation for damage to clothing caused by tar on street in South street.

Joseph H. Driscoll, for compensation for damage to property caused by ashmen.

Dora Eavzan, for compensation for injuries caused by an alleged defect at 42 Spring street.

Manuel Garcia, for compensation for damage to taxicab by city truck.

Ellen H. Gleason, for compensation for injuries caused by an alleged defect in Greenough avenue.

Herbert W. Goodwin, for compensation for damage to coat caused by waste paper box at corner of Boylston and Tremont streets.

Charles A. Jackson, for compensation for damage to property at 13 Revere street, Jamaica Plain, caused by water from street.

Anthony Jarasewicz, for refund on license for sale and storage of merchandise.

Thomas Kent, for compensation for loss of glasses at Deer Island.

Salvatore Maffei, for compensation for injuries caused by an alleged defect at Milk street.

John Naudzunas, for compensation for damage to property at 476 East Seventh street, caused by tree tearing hole in roof.

Noyes-Buick Sales Company, for refund on used car license.

William F. O'Brien, for compensation for damage to automobile caused by ball from Barry Playground.

Margaret Rigano, for compensation for damage to property at 15 Tileston street, caused by backing up of sewage.

Mr. and Mrs. S. Wasserman, for compensation for garbage can taken by ashmen.

C. J. Wharton, for compensation for damage to automobile caused by an alleged defect in Elmira street, Brighton.

Maria Vuilleumier, for compensation for injuries caused by city truck.

##### Committee on Jitney Licenses.

Petition of Eastern Massachusetts Street Railway Company for license to operate between Ashmont Station and Granite avenue.

##### Executive.

Petitions for children under fifteen years of age to appear at places of public amusement, viz.: Elizabeth McNamee, William Blackstone School Hall, June 14.

Lester P. Gould, Greenwood Community Hall, June 18.

Ellen F. Carney, St. Mary's Hall, June 24.

Alfred Brymer, Washington Irving Hall, June 21.

Rev. John J. Farrell, St. Paul's Hall, June 10.

#### REGISTRY OF DEEDS PAY ROLL.

The pay roll of Registry of Deeds for the period from June 1 to June 15, inclusive, to the amount of \$4,608.12, was received and approved.

#### APPROVAL OF APPOINTMENT OF OVERSEER OF PUBLIC WELFARE.

Notice was received of approval by the Commissioners of Civil Service of appointment of Oliver C. Elliott, 17 Davis street, as Overseer of Public Welfare.

Placed on file.

#### STORAGE AND SALE OF GASOLINE.

Notice was received from the Board of Street Commissioners of hearings to be held on petitions for storage and sale of gasoline, on June 24, viz.:

Boylston Street Land Company, 1315 and 1317 Boylston street, Ward 5, 3,000 gallons.

Brighton Avenue Garage, 201-207 Brighton avenue, Ward 21, 1,120 gallons.

Stanley Harlow, Inc., 317 Rutherford avenue, Ward 2, 4,500 gallons.

Westminster Parking Station, 421 Stuart street, Ward 4, 3,000 gallons.

Referred to the Executive Committee.

#### APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of George L. Gilbert, David Keller, Salvatore Maffei, James H. Waugh and Louis Yacker, having been duly approved by the City Treasurer, were received and approved.

#### SOLDIERS' AND SAILORS' 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 June, 1929.

Report accepted; said order passed under suspension of the rule.

#### APPOINTMENT OF SECOND ASSISTANT ASSESSOR.

Notice was received of appointment of May Canty of 11 Central street, West Roxbury, as second assistant assessor, effective June 4, 1929.

Placed on file.

#### RECESS.

The Council voted, on motion of Coun. FITZGERALD, at 2.16 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 DONOVAN at 3.37 p. m.

President DONOVAN called Coun. GALLAGHER to the chair.

#### 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.:

Lester P. Gould, Greenwood Community Hall, June 18.

Ellen F. Carney, St. Mary's Hall, June 24.

Alfred Brymer, Washington Irving Hall, June 21.

Rev. John J. Farrell, St. Paul's Hall, June 10.

Elizabeth McNamee, William Blackstone School Hall, June 14,—that leave be granted, under usual conditions.

Report accepted; leave granted, on usual conditions.

2. Report on message of Mayor and order (referred today) that chapter 239 of the Acts of 1929, entitled "An Act Authorizing the City of Boston to Borrow Money for the Purpose of Constructing a Sewer or Sewers for Remedying Unsanitary Conditions in and about Savin Hill Bay" be, and the same is hereby, accepted,—that the same ought to pass.

Report accepted; said order passed.

3. Report on message of Mayor and order (referred today) for transfer from the appropriation

for Reserve Fund to the appropriation for Rainsford Island, Care of, \$3,000,—that the same ought to pass.

Report accepted; said order passed, yeas 17, nays 0.

4. Report on message of Mayor and order (referred May 20) for transfer from the appropriation for Reserve Fund, \$45,677.53, to the Boston Traffic Commission—that the same ought to pass.

Report accepted; said order passed, yeas 17, nays 0.

FINANCE REPORTS.

Coun. MOTLEY, for the Committee on Finance, submitted the following:

1. Report on message of Mayor and order (referred May 13) for a loan of \$100,000 for Central Library Building, Foundation Improvements, etc.—that the same ought to pass.

Report accepted; said order read once and passed, yeas 17, nays 0.

PROBATION OFFICERS, CHELSEA COURT.

Coun. FITZGERALD, for the Committee on County Accounts, submitted a report on communication from the Justice, District Court of Chelsea, determining the salaries of probation officers of said court, recommending the passage of the following order:

Ordered, That the salaries of the probation officers of the District Court of Chelsea, as determined by the Justice of said court, be, and the same hereby are, approved as follows:

John J. Keough, probation officer, \$2,200 per annum, to take effect beginning with February 1, 1929.

Anna E. Guild, probation officer, \$1,500 per annum, to take effect on March 1, 1929.

Report accepted; order passed

SIDEWALK ON ROSEMARY STREET.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 6 and 8 Rosemary 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 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 SOUTH STREET.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 156A and 15S South 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 artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

LAND IN MT. HOPE CEMETERY FOR POLICE DEPARTMENT.

Coun. MURRAY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to set aside a lot of land in the Mt. Hope Cemetery to be used for the burial of deceased members of the Police Department.

Coun. MURRAY—Mr. Chairman, the reason why I have introduced this order requesting the Park Department, through his Honor the Mayor, to set aside a lot of land in Mt. Hope Cemetery for deceased police officers is that there may be the same situation so far as they are concerned in Mt. Hope Cemetery that there is in Forest Hills Cemetery with reference to firemen. I attended the memorial service yesterday to firemen who had passed away, and it was a glowing tribute to the

firefighters who have passed and gone. I think we should do something of the same sort for the police force of the City of Boston by setting aside a lot of land in Mt. Hope Cemetery for them, so that they may commemorate their dead one day in the year.

The order was passed under suspension of the rule.

PROPOSED ACCEPTANCE OF GRANFIELD 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 Granfield avenue, Ward 19, as a public highway.

Passed under suspension of the rule.

ANNUITY TO WIDOW OF FRANK H. LASKEY.

Coun. DONOVAN offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of Frank H. Laskey, 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.

NOTICE OF HEARING ON WEDNESDAY NEXT.

Coun. DONOVAN—Mr. President, I ask unanimous consent to make a statement. There will be a public hearing held in this Chamber on next Wednesday relative to accepting the acts for the laying out and construction of St. Ann and Centre streets. The Chair wishes to announce this publicly, and will serve notice on the Clerk to publish it in the newspapers.

ACCEPTANCE OF MT. HOOD ROAD.

Coun. DOWLING offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Mt. Hood road, Ward 21, as a public highway.

Passed under suspension of the rule.

REPAVING OF WARD 10 STREETS.

Coun. MOTLEY, for Coun. Deveney, offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Wyman street, from Centre street to Chestnut avenue, Ward 10.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Mozart street, from Centre to Lamartine street, Ward 10.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Chestnut avenue, from Centre street to Mozart street, Ward 10.

Severally passed under suspension of the rule.

CONDITIONS AT CHARLESTOWN HEIGHTS.

Coun. GREEN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to take immediate steps to remedy the deplorable conditions at present existing on Charlestown Heights, which are a menace to the lives and safety of the children of the district.

Passed under suspension of the rule.

## BY-PASS ROUTE, CITY SQUARE.

Coun. GREEN offered the following:

Ordered, That the City Planning Board be requested, through his Honor the Mayor, to consider the feasibility of a by-pass route around City square, from the vicinity of Adams street, at Chelsea street, to the Prison Point Bridge.

Passed under suspension of the rule.

## CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Chairman GALLAGHER called up, under unfinished business, Nos. 1 and 2 on the calendar:

1. Action on appointment submitted by the Mayor June 3, 1929, of Frank J. Jacobs to be a Weigher of Goods.

2. Action on appointments submitted by the Mayor June 3, 1929, of Meyer Goldstein, Isaac Shulman, Thomas J. Buckley, Forster W. Dumaresq and William J. Baker to be constables.

The question came on confirmation of the appointments. Committee, Coun. Fitzgerald and Dowling. Whole number of ballots 14, yeas 14, and the appointments were confirmed.

## LOAN FOR AIRPORT IMPROVEMENTS.

Chairman GALLAGHER called up, under unfinished business, No. 3 on the calendar, viz.:

3. Ordered, That the sum of two hundred thousand dollars be, and hereby is, appropriated, to be expended under the direction of the Board of Park Commissioners for Airport, Improvements, 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 May 27, 1929, the foregoing order was read once and passed, yeas 18, nays 0.

The order was given its second and final reading and passage, yeas 17, nays 0.

## CONVEYANCE TO TUDOR COMPANY.

Chairman GALLAGHER called up, under unfinished business, No. 4 on the calendar, viz.:

4. Ordered, That his Honor the Mayor, in the name and behalf of the city, be, and hereby is, authorized to convey to the Tudor Company of Boston, a corporation duly established by law, for the sum of six thousand five hundred ninety-three 50-100 dollars, by an instrument satisfactory in form to the Law Department, all the City of Boston's right, title and interest in and to a portion of Charles River avenue in the Charlestown district of said Boston, being the southerly part of said avenue, containing 12,837 square feet of land, more or less, and discontinued as a public street by a resolve and order of the Board of Street Commissioners, approved by the Mayor on January 26, 1929. The premises herein referred to are shown on a plan by William J. Sullivan, Chief Engineer, Street Laying-Out Department, dated July 27, 1925, on file with said Board of Street Commissioners.

On May 27, 1929, the foregoing order was read once and passed, yeas 20, nays 0.

Coun. FITZGERALD—Mr. Chairman, I would like to have the chairman of the Committee on Public Lands explain this.

Coun. MOTLEY—Mr. President, this is an order asking that the City of Boston convey the right, title and interest to land in Charlestown to the Tudor Company of Boston, which is a subsidiary of the Boston *Globe*. This is a parcel of property in Charlestown opposite the Charlestown Bridge. The Committee on Public Lands had a very extensive hearing on this proposition, and after hearing the proponents, with no opposition, the committee felt that it was its duty to report in favor of the passage of the order.

Coun. DOWLING—Mr. President, the chairman of the committee omitted to say how much the land is assessed for, or anything in particular about it.

Coun. FITZGERALD—Mr. President, if the chairman of the committee has no objection, I would like to have this matter postponed until the next meeting of the City Council.

The motion to assign the order to the next meeting of the Council was declared carried. Coun. RUBY doubted the vote and a rising vote was taken to solve the doubt. The Council stood divided, and the order was assigned to the next meeting, 9 to 4.

## THE NEXT MEETING.

On motion of Coun. KEENE, it was voted that when the Council adjourn it be to meet on Tuesday, June 18, at 2 p. m.

## ACCEPTANCE OF FREEMAN 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 Freeman street, Ward 18, as a public highway.

Passed under suspension of the rule.

## LAND FOR BURIAL OF WAR VETERANS.

Coun. MURPHY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to set aside a lot of land in the Fairview Cemetery, Hyde Park, to be used for the burial of deceased veterans of all wars.

Coun. MURPHY—Mr. President, I am very desirous that his Honor the Mayor and the Park Commission give serious consideration to this order calling for space to be set aside in the Fairview Cemetery in Hyde Park for the purpose of burying deceased veterans of the various wars. At the present time there is a lot in Mt. Hope Cemetery which is very far removed from the Hyde Park section for such purpose; and I assure you that it is the unanimous desire of all the veteran organizations of my district that his Honor the Mayor use his influence with the Park Commission to the end that Hyde Park shall be so recognized in the Fairview Cemetery.

The order was passed under suspension of the rule.

## PARKING IN PRIVATE WAYS.

On motion of Coun. DOWLING, the Council took up assignment No. 6 on the calendar, viz.:

6. Report of the Committee on Ordinances, ought not to pass, on the following:

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 the 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.

The question came on accepting the report and rejecting the ordinance.

Coun. DONOVAN—Mr. President, I move you, sir, that this ordinance be recommitted to the Committee on Ordinances.

Chairman GALLAGHER—The Chair will state that, unless the ordinance is acted on today, it goes into effect on the 15th.

Coun. BUSH—Mr. President, I believe we ought to act on it today.

Coun. MURPHY—Mr. President, as I understand from the reading of No. 6, it is an ordinance prohibiting use of private ways for parking vehicles. Does that mean in Ward 18 of this city, for instance, in my district, where we have 337 private

ways, that the people will be forced to go through quagmires which, in my opinion, could not be duplicated outside of the front line trenches in France, by reason of this ordinance? Are you going to deprive the people of the right to park their machines on private ways?

Chairman GALLAGHER—The Chair would state that the question is on rejection of the ordinance.

Coun. MURPHY—Mr. President, I certainly hope that the body will accept the report of the committee and reject the ordinance.

Coun. BUSH—Mr. President, I thoroughly agree with the councilor from Hyde Park that this ordinance ought to be rejected. I think it is fraught with a great deal of danger for the citizens

of this city to pass an ordinance of this kind. True enough, these private ways may sometimes be blocked by the parking of cars in them; but if this ordinance were passed no person would be permitted to park a car in a private way, even next to his own house, if he should live in an apartment house on such a private way.

Coun. GREEN—Mr. President, I would say for the committee that no one appeared for the proposition, and the committee, in their wisdom, therefore gave leave to withdraw.

Report accepted; ordinance rejected.

Adjourned, on motion of Coun. KEENE, at 3.57 p. m., to meet on Tuesday, June 18, 1929, at 2 p. m.





## CITY OF BOSTON.

## Proceedings of City Council.

Tuesday, June 18, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Arnold, Bush, Dowd, Mahoney and Murray.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the following appointments were received from the Mayor for the term ending April 30, 1930:

Weights of Coal: Lawrence H. Dunn, Station 8, 18 Preston road, West Roxbury, for Police Department; Carleton B. Perry, sergeant, Division 8 (Harbor Police); Daniel F. Lauten, 476 Atlantic avenue, Boston, for C. H. Sprague & Son Company, 10 Post Office square, Boston.

Constables: James Leland Combs, 778 Broadway, South Boston; Henry L. Murphy, 30 High street, Charlestown.

Severally laid over a week under the law.

## FIRE SIGNAL, NEPONSET AVENUE.

The following was received:

City of Boston,

Office of the Mayor, June 18, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Fire Department in reply to your order of May 13, 1929, relative to installing a siren as a warning to traffic of the approach of fire apparatus, at the intersection of Minot street and Neponset avenue, Ward 16.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Fire Department, June 3, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith a copy of an order from the City Council requesting that a siren be installed at the intersection of Minot street and Neponset avenue in order to warn traffic of the approach of fire apparatus. In reply thereto I would say that I have caused an investigation to be made of the location and find that a siren attached to a pole at Walnut street and the Parkway would prove to be a better location as more traffic passes that corner and the siren would serve as a warning at Neponset avenue and the Parkway as well.

I have ordered that a horn be installed at Walnut street and the Parkway.

Yours very truly,  
E. C. HULTMAN,  
Fire Commissioner.

Placed on file.

## APPROPRIATION FOR TRICENTENARY CELEBRATION.

The following was received:

City of Boston,

Office of the Mayor, June 18, 1929.

To the City Council.

Gentlemen,—Chapter 16 of the Acts of 1929 provides as follows:

"Every municipality which was settled or began its corporate existence in sixteen hundred and twenty-nine or sixteen hundred and thirty, and every other municipality including within its limits any territory which was a part of such first-mentioned municipality at the time of the settlement or beginning of corporate existence aforesaid, may make appropriations in nineteen hundred and twenty-nine and / or in nineteen hundred and thirty for the observance in nineteen hundred and twenty-nine or nineteen hundred and thirty of the three

hundredth anniversary of the settlement or beginning of corporate existence aforesaid. Any such municipality may employ a secretary and such other employees and perform such other acts as may be necessary to prepare for and carry out the observance of such anniversary.

In accordance with the provisions of this act, I submit an appropriation order providing for the raising by taxation of the sum of \$50,000. This appropriation will be used for the purpose of making all the necessary preliminary arrangements in connection with the celebration of the three hundredth anniversary of our city. I respectfully recommend adoption of this order by your honorable body.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$50,000 be, and hereby is, appropriated to be expended under the direction of the Mayor, for the employment of such employees and the performance of such acts as may be necessary to prepare for the three hundredth anniversary of the settlement of Boston, in accordance with chapter 16 of the Acts of 1929, and the amount so appropriated be raised by taxation on the polls and estates in the City of Boston.

Referred to the Executive Committee.

## PLAYGROUNDS IN WARD 16.

The following was received:

City of Boston,

Office of the Mayor, June 18, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of June 3, 1929, relative to putting calcium chloride on the following playgrounds in Ward 16:

Dorchester Town Field, Ashmont Playground, Hemenway Playground, Garvey Playground, Dorchester Park.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, June 12, 1929.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of June 11 with inclosure, order from the City Council that the Park Commissioners be requested, through his Honor the Mayor, to put calcium chloride on the following playgrounds:

Dorchester Town Field, Ashmont Playground, Hemenway Playground, Garvey Playground and Dorchester Park.

A contract has been awarded to the Solvay Sales Corporation Company, to place calcium chloride on Ashmont, Hemenway and Garvey Playgrounds; also on Gibson Field. The market of Dorchester Park will be looked into.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

## ADDITIONAL LAND, COULTER'S BEACH.

The following was received:

City of Boston,

Office of the Mayor, June 18, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of June 3, 1929, relative to the advisability of the purchase of land adjacent to Coulter's Beach, Ward 16.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, June 13, 1929.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I have your memorandum of June 10, with inclosure, order from the City Council that the Park Department be requested, through his Honor the Mayor, to investigate the advisability of the purchase of land adjacent to Coulter's Beach, Ward 16.

In reply I desire to say that until it has finally been decided how much land the Metropolitan District Commission intends to acquire at this point, it is inadvisable for the Park Department to

request an appropriation for the purpose of purchasing additional land at this point.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### CONVENIENCE STATION IN FRANKLIN PARK.

The following was received:

City of Boston,  
Office of the Mayor, June 18, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of June 3, 1929, relative to construction of a convenience station in Franklin Park.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, June 12, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of June 11, 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 convenience station in Franklin Park.

In reply I regret exceedingly to inform you that we have no funds available for the construction of a convenience station in Franklin Park.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### MILEAGE OF UNDERGROUND WIRES.

The following was received:

City of Boston,  
Office of the Mayor, June 18, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Fire Department in reply to your order of May 27, 1929, relative to the total mileage of wires which have been placed underground during the past five years.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Fire Department, June 12, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I am in receipt of an order from the City Council to your Honor, as follows:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to advise the City Council the total mileage of wires which have been placed underground during the past five years.

In City Council May 27, 1929. Passed.

Attest:

W. J. DOYLE, City Clerk.

In reply thereto I would say that wires in twenty miles of streets have been placed underground during the past five years. There was 2,022½ miles of wire in the twenty miles of streets referred to.

Yours very truly,  
E. C. HULTMAN,  
Fire Commissioner.

Placed on file.

#### REIMBURSEMENT OF CITY HOSPITAL EMPLOYEES.

The following was received:

City of Boston,  
Office of the Mayor, June 18, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Boston City Hospital in reply to your order of May 13, 1929, relative to reimbursing ward porters, orderlies, and other employees for meals which they do not receive while on their vacations.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Hospital Department, June 5, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—At a meeting of the Board of Trustees held on May 31 the inclosed order requesting the trustees to reimburse ward porters, orderlies and other employees for meals which they do not receive while on their vacations, was presented, and it was voted that this matter would be given due consideration.

Yours respectfully,  
JOHN J. DOWLING, M. D.,  
Superintendent.

Placed on file.

#### APPROPRIATION FOR SEWERAGE WORKS, SAVIN HILL BAY.

The following was received:

City of Boston,  
Office of the Mayor, June 18, 1929.  
To the City Council.

Gentlemen,—Under the provisions of chapter 239 of the Acts of 1929 the city is authorized to borrow a sum not in excess of \$450,000 for the purpose of remedying unsanitary conditions in and about Savin Hill bay. I am advised by the Commissioner of Public Works that in his opinion this work can be completed within the current year, and I accordingly submit a loan order providing for the appropriation of the entire amount authorized, together with an appropriation order providing for the raising by taxation of a sum equal to ten per cent of the amount authorized. This latter order is necessary in accordance with the terms of chapter 239. I recommend adoption of these orders by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, June 7, 1929.  
To the Honorable the Mayor.

In connection with the act of the Legislature authorizing the construction of the sewer outlet at Savin Hill Beach, I desire to state that the amount of money required will be \$450,000. The plans are now in progress and in all probability we will be able to advertise for bids in the latter part of this month, and I see no reason why the entire structure cannot be completed this year.

Yours very truly,  
J. A. SULLIVAN,  
Commissioner of Public Works.

Ordered, That under authority of chapter 239 of the Acts of 1929, the sum of \$450,000 be, and hereby is, appropriated to be expended by the Commissioner of Public Works for Savin Hill Bay, Sewerage Works, etc., 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 \$450,000 be, and hereby is, appropriated to be expended by the Commissioner of Public Works for Savin Hill Bay, Sewerage Works, etc., in accordance with chapter 239 of the Acts of 1929, and that the amount so appropriated be raised by taxation on the polls and estates in the City of Boston.

Referred to the Committee on Finance.

#### BEQUEST IN WILL OF GEORGE O. HOVEY.

The following was received:

City of Boston,  
Office of the Mayor, June 18, 1929.  
To the Honorable the City Council.

Gentlemen,—George O. Hovey of Gloucester by the terms of his will authorized his trustees to pay over a sum not exceeding forty thousand dollars to the City of Boston. Being informed that a payment under the provisions of this will may be made in the near future, I am sending, with my approval, the inclosed order for the consideration of your honorable body.

Respectfully submitted,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the bequest to the City of Boston contained in the will of George O. Hovey, late of Gloucester, County of Essex and Commonwealth of Massachusetts, whereby a certain sum of money for benevolent, charitable and humane uses and purposes and towards the support of any generally public charitable institutions in the City of Boston is bequeathed, be, and the same is hereby, accepted by the City of Boston, in accordance with its terms and conditions.

Referred to the Executive Committee.

**TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.**

The following was received:

City of Boston,  
Office of the Mayor, June 18, 1929.  
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 Public Welfare Department:

From the appropriation for A-1, Permanent Employees, Visitors, 22 (21) at \$1,600 to \$2,300 a year, \$550.74, to the appropriation for A-1, Permanent Employees, Clerk, 1 at \$1,000 a year, \$550.74.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Boston Retirement Board:

From the appropriation for B-4, Transportation of Persons, \$20; B-13, Communication, \$10; C-9, Office, \$26.34; D-1, Office, \$89.44, to the appropriation for A-2, Temporary, \$145.78.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is authorized to make the following transfer in the appropriations for Medical Examiner, Northern Division:

From the appropriation for C-12, Medical, Surgical, Laboratory, \$28, to the appropriation for C-7, Furniture and Fittings, \$28.

Severally referred to the Executive Committee.

**VETO OF LEASE TO EAST BOSTON POST, NO. 608.**

The following was received:

City of Boston,  
Office of the Mayor, June 18, 1929.  
To the City Council.

Gentlemen,—I return, without my approval, your order of June 3 relative to leasing the first floor of the premises in the Old Armory at Maverick and Bremen streets, East Boston, to the East Boston Post, No. 608, Veterans of Foreign Wars, for the reason that the law requires that established wardrooms shall be retained, and this is the only wardroom available in East Boston for that purpose.

I have, however, instructed the Superintendent of Public Buildings to make other satisfactory arrangements for the accommodation of the East Boston Post.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.  
Placed on file.

**VETO OF PROPOSED NAMING OF SQUARE.**

The following was received:

City of Boston,  
Office of the Mayor, June 10, 1929.  
To the City Council.

Gentlemen,—I return herewith, without my approval, your order relative to naming the space at the intersection of Massachusetts avenue and

Haviland street, Ward 4, in honor of Edward Everett Ginsburg, distinguished citizen of that name who recently passed away, as the suggestion has been made that further consideration should be given to the memory of the well-known citizen named therein.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.  
Placed on file.

**PETITIONS REFERRED.**

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

**Claims.**

L. M. Barnes, for refund on refuse tickets.  
Bridget Blake, for compensation for damage to automobile caused by city wagon.

Mary Campbell, for compensation for injuries caused by an alleged defect at 312 Stuart street.

P. Corcoran & Sons, Inc., for compensation for damage to property caused by a hole in street in front of 377 D street, South Boston.

Ruth M. Costello, for compensation for damage to automobile caused by an alleged defect at 465 Washington street.

Mrs. Cunningham, for compensation for injuries caused by an alleged defect in Summer street.

Victoria Duri, for refund on soft drinks license.

Mrs. Mary Dwyer, for compensation for injuries caused by an alleged defect in Mead street steps, Charlestown.

Daniel A. and Mary Gerson, for compensation for damage to car caused by an alleged defect in Meridian Street Bridge.

Florence E. Haas, for compensation for damage to automobile by fire apparatus.

Kakas Brothers, Inc., for compensation for damage to property at 72 Chauncy street, caused by bursting water pipe.

Gustav Loderstrom, for refund on victualler's license.

Catherine Maynes, for refund on refuse tickets.

Harry Mele, for compensation for injuries caused by an alleged defect at 109 Kingston street.

Patrick J. Ryan, to be reimbursed for expenses incurred in digging up lawn at 24 Priscilla road, Brighton.

Vincenzo Saraceno, for compensation for damage to property at 62 Hale street, Boston, caused by broken water pipe.

**RETIREMENT OF PROBATION OFFICER.**

A communication was received from Chief Justice Bolster stating that Edward J. Bromberg, probation officer, had been retired from active service and placed upon pension roll, retirement to become effective July 15, 1929.

Referred to the Executive Committee.

**APPROVAL OF 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, John H. Burke, Joseph H. Faucy, Francis E. Kelly, Russell T. Mann.

**STREET RAILWAY POLICE OFFICERS.**

Notice was received from the Boston Elevated Railway that they no longer required services of thirty men named in attached list as street railway police officers.

Notice was received of the appointment of five men as street railway police officers for the Boston Elevated Railway Company.

Severally 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 heard on July 1, viz.:

Edison Company, 843 Hyde Park avenue, Ward 18, 15,000 gallons.

Referred to the Executive Committee.

## NAMES ON JURY LIST.

Coun. DONOVAN 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. 64, 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 suspension of the rule.

## CLOSING OF REGISTRY OF DEEDS.

Coun. RUBY offered the following:

Ordered, That until otherwise ordered the office of the Registry of Deeds be closed on week days, except Saturdays, at four o'clock p. m. during the months of July and August.

Passed under suspension of the rule.

## COMMUNICATION FROM COUNCILOR DOWD.

The following was received:

Boston City Council,  
Council Chamber, June 14, 1929.  
Mr. Wilfred J. Doyle, City Clerk.

Dear Sir,—Owing to the fact that I will be away on Tuesday, June 18, when I presume the East Boston Tunnel bill will come up for acceptance in the Boston City Council, I take this opportunity to state publicly that if it were possible for me to be present, I would vote "yes" on the acceptance of this great public improvement.

Very truly yours,  
JOHN F. DOWD.

Placed on file.

## SIDEWALK ON TRAIN STREET.

Coun. FISH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 50 Train street, Ward 16, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 3 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.

## LIFE GUARDS AT BATHING BEACHES.

Coun. FISH offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to place additional life guards at each bathing beach under its jurisdiction, in order to provide adequate protection to the bathers who use these beaches.

Passed under suspension of the rule.

## ACCEPTANCE OF SHEPHERD AVENUE.

Coun. DEVENEY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Shepherd avenue, Ward 10, as a public highway.

Passed under suspension of the rule.

## SIDEWALK ON LEICESTER STREET.

Coun. GALLAGHER offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Leicester street, from Washington street to Arlington 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 ON DEAN STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Dean street, both sides, 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 EAST CANTON STREET.

Coun. MOTLEY, for Coun. Dowd, offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along East Canton street, south side, from 100 feet to 205 feet east of Harrison avenue, Ward 8, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## PLANS FOR TRICENTENARY CELEBRATION.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to advise the City Council, in response to order passed April 1, 1929, the detailed plans, if any, for the proper and appropriate celebration of the 1930 Tercentenary Celebration of the Founding of the Massachusetts Bay Colony in 1630.

Coun. WILSON—Mr. President, I don't want to press this inquiry on the director of Public Celebrations or the Mayor if they don't want the Council or the public of the City of Boston to know whether any plans are being made for this celebration, which apparently is engaging the interest of the rest of the country but is not engaging the interest of the city of whose beginning it is an anniversary. But an order was passed by this body as long ago as the first of April—which day I did not intend to be significant!—since which time we have received no advices, although next year is the year of the supposed anniversary exercises. Inasmuch as most of us expect that we will be back here next year and as this is the body which will appropriate money for the celebration, and in view of the fact that the Congressman from my district, who is interested in having an act passed by Congress that may have something to do with the celebration, is also waiting for some advice in the matter, I think in all courtesy we should receive information and know something about what plans, if any, are being made.

The order was passed under suspension of the rule.

## CLOSING OF PUBLIC SCHOOLS.

Coun. MURPHY offered the following:

Ordered, That the School Committee be requested, through his Honor the Mayor, to close down the public schools from June 15 to September 15 each year so as to allow the children an opportunity for outdoor recreation during the hot weather.

Passed under suspension of the rule.

## TUNNEL UNDER NEW YORK, NEW HAVEN AND HARTFORD RAILROAD TRACKS, WARD 18.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to construct a foot-passenger and vehicular tunnel under the railroad tracks of the New York, New Haven & Hartford Railroad at Randolph road, Ward 18; that as the said street from Rugby road to the railroad tracks has been constructed and is now known as Greenville road, it is understood that the other part of the street from across the tracks, known as Randolph road, running from the tracks to River street, is to be constructed and given a new name, any right of crossing the rail-

road would be denied the residents and the property owners on Greenville road would be left with a dead end street, to their detriment, and the inconvenience of neighboring residents.

Passed under suspension of the rule.

**ACCEPTANCE OF SHEPARD AVENUE,  
WARD 9.**

Coun. WARD 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 Shepard avenue, Ward 9.

Passed under suspension of the rule.

**CONVEYANCE TO THE TUDOR COMPANY.**

Coun. MOTLEY called up, under unfinished business, No. 2, on the calendar, viz.:

2. Ordered, That his Honor the Mayor, in the name and behalf of the city, be, and hereby is, authorized to convey to the Tudor Company of Boston, a corporation duly established by law, for the sum of six thousand five hundred ninety-three 50-100 dollars, by an instrument satisfactory in form to the Law Department, all the City of Boston's right, title and interest in and to a portion of Charles River avenue in the Charlestown district of said Boston, being the southerly part of said avenue, containing 12,837 square feet of land, more or less, and discontinued as a public street by a resolve and order of the Board of Street Commissioners, approved by the Mayor on January 26, 1929. The premises herein referred to are shown on a plan by William J. Sullivan, Chief Engineer, Street Laying-Out Department, dated July 27, 1925, on file with said Board of Street Commissioners.

On May 27, 1929, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second and final reading and passage, yeas 16, nays 0.

**SALARIES OF TRANSIT COMMISSIONERS.**

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

4. Report of the Committee on Ordinances, ought to pass, on the following:

An Ordinance Concerning the Salaries of the Transit Commissioners.

Be it ordained by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the chairman of the transit commissioners by striking out the words "nine thousand," and in the same clause establishing the salaries of the two other commissioners by striking out the words "five thousand" and inserting in place thereof the words "seventy-five hundred."

The report of the committee was accepted, and the ordinance was passed.

**LOAN FOR HIGHWAYS, MAKING OF.**

President DONOVAN called up under unfinished business No. 1 on the calendar, viz.:

1. Ordered, That the sum of three hundred fifty thousand dollars 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 authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On June 3, 1929, the foregoing order was read once and passed, yeas 15, nays 0.

The order was given its second and final reading and passage, yeas 15, nays 0.

Yeas—Coun. Deveney, Donovan, Dowling, Fitzgerald, Gallagher, Green, Keene, Motley, Murphy, Parkman, Ruby, Sullivan, Ward, Wilson—15.  
Nays—0.

**CONVENIENCE STATION IN FRANKLIN PARK.**

Coun. RUBY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the construction of a convenience station in Franklin Park.

Coun. RUBY—Mr. President, I presented a similar order for the construction of a convenience station on Franklin Park, on June 3 of this year, and on June 12 the Park Commissioner, in reply to the order sent to him, makes this statement:

"I regret exceedingly to inform you that we have no funds available for the construction of a convenience station in Franklin Park."

I don't want to quarrel with the Park Commissioner, Mr. President, because he has done many things in my district, and I hope he will continue to do them. But I cannot understand for the life of me, in a park situated in that portion of Boston, bordering on Roxbury and Dorchester, where 100,000 people come on Saturday and Sunday, and several thousands of people every day during the summer, spring and fall, the Park Commissioner should tell us that he has not got the funds to install such an evident necessity in a park such as Franklin Park. I don't know what it would cost to construct a convenience station, but I dare say \$10,000 would easily provide for a proper convenience station, which is certainly demanded in a place like that, which invites not only people living in Boston, but people from outside of Boston, to come and visit. In that park there has been spent in the last five or ten years \$7,000,000 in beautification, and today Franklin Park is considered the banner park of Massachusetts, a place where people are invited to visit the bird houses, the animal houses and the rose garden, upon which \$50,000 was spent by a previous administration. Several hundred thousand dollars have been spent out of the Park Department on this park alone. I remember, as a member of the Parkman Fund Committee, that within the last six months, \$15,000 or \$20,000 was asked for out of that fund for granolithic walks through the park, and that amount was granted. If I remember correctly, \$65,000 was spent last year in providing additional animals for the park, for additional lights, additional granolithic walks—and yet we are told that a convenience station cannot be constructed because there are not funds available. I say, Mr. President, knowing the conditions in the park, knowing what people who visit the park are compelled to resort to, because of lack of convenience station facilities, that if Mr. Long, the Park Commissioner, cannot provide the funds with which to construct a convenience station, the park should be closed. That would be my suggestion, under the circumstances, because it is certainly not fair to compel men, women and children to go into different private stores and garages and ask the owners of those stores to permit them to use their toilets. I think the Park Commissioner could well find \$5,000 or more with which to build a convenience station in the most traveled and frequented park in Boston. I therefore ask a suspension of the rule and the passage of the order.

Coun. WARD—Mr. President, I would like to ask the councilor from Dorchester whether, if they should build a convenience station out there, the people of that district would use it?

Coun. RUBY—In answer to the senator I will say that many of his constituents would certainly use the convenience station, if one were constructed in the park.

The order was passed under suspension of the rule.

**WHARF AT RAINSFORD ISLAND.**

Coun. SULLIVAN—Mr. President, I would like the privilege of making a statement.

President DONOVAN—Does the Chair hear any objection?

Coun. DOWLING—Mr. President, I would like to have the gentleman outline the statement he wishes to make.

Coun. SULLIVAN—In regard to the poor children of this city and their summer trips down the harbor.

Coun. DOWLING—I am always glad to hear what the councilor has to say, Mr. President.

President DONOVAN—Coun. Sullivan.

Coun. SULLIVAN—Mr. President, on June 10 an order was sent by the Mayor to the Council providing \$3,000 to repair the wharf at Rainsford

Island. On June 14 there was an article in the different newspapers referring to the time it would take to repair this wharf, and stating that it was a question whether they would be able to do it in time to accommodate the poor kiddies on the summer outings such as they have had for years, under the George L. Rindidge fund which was left to the city for that purpose in 1896. I hope that the Mayor of the City of Boston will see that the commissioner gets busy, if necessary working day and night to repair that wharf so that it will be in condition for the children to land this year, because nowadays a boat ride is a novelty for children, Mr. President. Where they were pleased with automobile rides before, the boat ride is now the thing. If the kiddies are going to be deprived of their outing, their trip down the harbor, because of the wharf not being in condition, I certainly think it is time to get into action in the matter and to make repairs on the wharf. We know at times in the past we have been told that there was a great hurry for hospital buildings, which were not going to be built for two years, and all that kind of "bunk," and in this case we got busy and appropriated the \$3,000 to fix up the wharf, and it now looks as if it might not be ready for the outing committee to use for the children this year.

Coun. McMAHON—Mr. President, in regard to the loan order for the repair of the wharf on Rainsford Island we were assured—at least, I was—the day that that order was introduced, that the reason for the rush on it was that, if it were passed immediately, it could be used for the outings of the children this summer; and if any of the councilors feel that the outings are going to be hindered, I don't think they will because I know the commissioner, and I know that the reason for sending the order here at the time and asking to have it passed immediately was for that one reason, that there might be no obstruction or hindrance to the children's outing. So, as coming from a ward that is interested in these outings, where we have a crowd of youngsters who go down and enjoy them, I will simply repeat that I am assured that the outings will not be hindered this year. Now that we have passed the loan order it is all up to the commissioner of Rainsford Island to take care of the matter.

President DONOVAN—I would say for the benefit of the first speaker that the order was passed one week ago and that the matter is now entirely up to the Mayor of the city.

Coun. WARD—Mr. President, are we acting on anything right now?

President DONOVAN—No.

#### REPAIRING OF DRINKING FOUNTAINS.

Coun. DONOVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to speed up the work of repairing drinking fountains throughout the City in order that they may be available for use at the earliest possible date.

Passed under suspension of the rule.

#### FLUSHING OF STREETS.

Coun. DONOVAN offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to have the crews of the various fire houses throughout the City flush the street or streets adjacent to same.

Passed under suspension of the rule.

#### OPENING OF SCHOOLYARDS.

Coun. DONOVAN offered the following:

Ordered, That the School Committee be requested, through his Honor the Mayor, to throw open all the schoolyards for the children to play in during the summer vacation period.

Coun. FITZGERALD—Mr. Chairman, before that order is passed I would like to say a word in regard to the opening of schoolyards. I think nothing is more important than that proposition which has been placed before us today by the president of the Council. Even if there was an attempt to keep the children out of the schoolyards in the summer, there is a question whether or not the school children would pay any attention to it.

There are sections of Boston where it would be a godsend to have the children taken off the streets, having them use the schoolyards. But there seems to be an idea in the minds of educators and reformers that the schoolyards cannot be opened unless the play of the children is supervised. Many of us in our boyhood days never had supervised play, and yet we got along very well without paid inspectors drawing down one or two salaries and filling positions of that sort. The Council, in my opinion, cannot go too strong on this matter of throwing open the schoolyards in the summertime. If you go to the North End, the South End, Charlestown and other crowded sections of the city, you will find the children using the schoolyards anyway, and when a police officer approaches they will climb over the fences and in many cases they are injured and have to be carried to the hospital. I know of one school in the North End, in particular, where they haven't got gates, but simply posts such as are used at the entrances of Boston Common, so that the children simply go into the yard and play without interference. If that can be done in one schoolyard, I don't see why it cannot be done in all schoolyards throughout the city.

Coun. WILSON—Mr. President, while I am in favor of the object of this order, I believe that the Mayor has no authority in the matter. Recently, in an effort to furnish a playground in a ward of the city where there is no playground, and in an endeavor to show up the exact situation, I requested directly from the School Committee of the City of Boston the right of the children of the center Dorchester district to use the field of the Dorchester High School at times when it would not otherwise be used, on Sundays, Saturday afternoons and holidays. The request, without any reason whatever being given, was absolutely and flatly refused. While the present administration no doubt has had many accomplishments to its credit, yet one of the chief disappointments, to my mind, in the past four years, has been this, that, despite the fact that great minds are at work on the problem, there has not been a single playground built anywhere in the City of Boston, excepting perhaps the delightfully located concrete stands out in Fenway and Back Bay which unfortunately the children, until they get a little older, cannot reach; and there has been nothing done for the outlying districts, for the poor children of the city who, after all, need the playgrounds and parks most.

Passed under suspension of the rule.

#### RECESS.

The Council voted, on motion of Coun. RUBY, 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 DONOVAN at 3.56 p. m.

President DONOVAN called Coun. KEENE to the chair.

#### EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and orders for interdepartmental transfers in the Public Welfare Department, Boston Retirement Board and Medical Examiner Service, Northern Division,—that such transfer orders ought to pass.

Report accepted; said transfer orders passed, yeas 16, nays 0.

2. Report on message of Mayor and order (referred today) accepting bequest to the City of Boston contained in the will of George O. Hovey,—that the same ought to pass.

Report accepted; said order passed.

3. Report on communication from Chief Justice of Municipal Court (referred today) retiring from active service and placing upon pension roll Edward J. Bromberg, probation officer, recommending passage of the following:

Ordered, That the retirement under the provisions of section 75 of chapter 32 of the General Laws by the justices of the Municipal Court of the City of Boston, of Edward J. Bromberg, probation officer of said court, to take effect July 15, 1929, be and the same hereby is approved.

Report accepted; said order passed.

4. Report on message and order (referred January 3) for increase of tolls on East Boston ferries, recommending passage of order in following new draft, viz.:

Ordered, That the tariff of tolls for passengers and vehicles upon the East Boston ferries be amended and established as follows, to take effect on and after January 1, 1930:

Passengers.	
Foot passengers.....	1 cent
Passengers on vehicles, other than driver, each.....	1 cent
Vehicles.	
One or two horse vehicles with driver...	15 cents
Three or four horse vehicle with driver...	25 cents
Passenger automobile with driver.....	20 cents
Motor truck, six tons or less, with driver,	20 cents
Motor truck, over six tons, with driver..	30 cents
Auto bus with driver.....	30 cents
Motor cycle with driver.....	10 cents
Trailer.....	20 cents
Miscellaneous.	
Hand cart, or wheelbarrow, and man...	10 cents
Horse and rider.....	10 cents
Horses and cattle, each, with attendant,	10 cents

Tickets for Vehicles.

Tickets in packages of twenty shall be sold at a reduction of 20 per cent from toll rates.

Funeral Processions.

Funeral processions shall pass free of tolls.

The report was accepted and the question came on the passage of the order.

Coun. DONOVAN—Mr. President, I cannot let this opportunity go by without stating my views with reference to the proposed increase in tolls on the East Boston Ferry. The ferries are nothing more nor less than continuous highways, and I believe it is entirely unfair to say to the people of East Boston, where we are so geographically situated that we have no connection with the mainland, that they must pay an increased amount for tolls. I believe that 66 per cent of the traffic that is utilizing the East Boston Ferries is traffic of East Boston people, and I cannot let this opportunity go by without raising my voice in protest against this proposed increase.

The report was accepted and the order passed.

5. Report on message of Mayor and order (referred May 13) for acceptance of chapter 297 of the Acts of 1929, entitled "An Act to provide for the construction of a vehicular tunnel between Boston proper and East Boston" be, and the same is, hereby accepted, that the same ought to pass.

Coun. FITZGERALD—Mr. President, before the vote is taken I want to say a few words upon this matter. I am firmly convinced that the entire Council will vote to accept the act creating the East Boston Tunnel. I realize that from the position taken by the members in executive session, I shall vote for the tunnel, but I do want to say just a few words. When this tunnel bill was before the Council last year there was a proposition that called for the apportionment of the cost among the different cities and towns that would be affected by the tunnel. The Mayor then made a statement in public that under no conditions would he accept the act, and although the members of the Council voted unanimously or almost unanimously for it, I do not remember now whether there was a roll call or not,—the Mayor had and used the absolute veto power.—The situation before the Legislature in regard to the tunnel this year was so rotten that the Governor sent word that he would veto the tunnel unless the City Council of Boston had something to say in regard to the acceptance of the bill. In view of that action taken by the Governor, the Legislature included a provision that the bill would have to be accepted by the City Council—although only a month was given to us to consider it, which is absolutely unfair. This tunnel will cost not \$16,000,000, but is going to cost \$60,000,000, and every intelligent member of the City Council, every man who had to do anything with the matter, knows it. Why, Mr. President, it will cost in the vicinity of \$30,000,000 for land damages alone. Of course, nobody knows what juries may do when these property questions come before them, but we all know what they have done in many, many cases. East Boston, Mr. President, as far as business is con-

cerned, is now a thing of the past. This is not the first time that the Legislature and the City Council have given thousands and thousands of dollars to East Boston in one way and another with the idea of bringing it back. There was the question of getting the Boston & Albany over there years ago. But every man who is in any way associated with business in Boston knows that, no matter what we do, East Boston cannot be brought back. They compare the proposed East Boston tunnel with the great Holland tunnel in New York. Any man who has been in New York and has taken a look at that tunnel from New York to Jersey City knows that there is no comparison, and knows that, as far as sections of this city are concerned, South Boston today has the call on the waterfront. That is the waterfront where the investment is. Outside of the Cunard line what have you got over there in East Boston? The people who control the shipping business of the city of New York have strangled this city, and the most insulting thing we have occasion to see in the City of Boston is the attitude of some of the men here who go to the Legislature and other places claiming to represent the business of Boston. They have destroyed this city, have strangled it for years, and we see the same element coming in today. I have watched them year after year before the Legislature. We have heard today, and we have heard a good deal recently, about taking away the elevated structures in the City of Boston. It was these so-called business men who foisted the elevated structures on us, and got it through the Legislature, so that the old elevated system could be operated in this city, and man after man who claimed to favor that elevated structure got up and admitted that he had not read the bill. It has all been a piece of propaganda, for which certain individuals were well paid. The ferries have got to run, Mr. President, and they are well patronized. We have modern, up-to-date ferry slips and ferry accommodations, and can get back and forth from East Boston in three minutes. Go with me down to Cambridge street, where \$4,000,000 of the people's money has been spent, and see that tunnel locked up. Who advocated that? There was the Bowdoin square plan to operate that tunnel in connection with Cambridge street and Washington street, and there was a good deal of glib talk by some of these same gentlemen. Go to Hanover street, and see things locked up there. Now, this is going to cost us plenty of money in taxes. The first thing this city ought to do, Mr. President, is to provide proper street facilities for the growing suburbs of this city. Conditions in the outlying sections of this city are the laughing-stock of the entire country. Just see the situation that we find in Dorchester, West Roxbury, Hyde Park, Brighton, and other sections today. And yet these people tell us that we must put \$16,000,000 into this hole in the ground—and that is all it is going to be, a hole in the ground. Just walk down through the business section of Boston, through State street to Adams square, all over, and see the empty buildings. Walk through Portland street and you can see their buildings vacated, windows placarded with "To Rent" signs, all that sort of thing. Places that used to be there are going out of Boston. That is so, as you know, all over. Everybody knows that. Business is pushing out Huntington avenue way and beyond. But these slick gentlemen pilot bills of this sort through the Legislature, with a smile on their faces. Of course most of the members of the Legislature didn't know or care what was being foisted on Boston, because the outside members didn't have to pay the bill. When the tunnel goes through, in years from now, if you will look over to East Boston you will not see business brought back there, but you will see the automobiles and trucks going to and from the North Shore following Charles street and the great Northern Artery, with assessments wiped out. Do you think they are going to take the tunnel? Of course not. They are going to take that artery, in connection with the widening of Charles street. They are not going to take the East Boston Ferry or the tunnel, and we are going to be faced with this great increased taxation. Now, I am going to vote for this, but I do want these slick gentlemen to know that they are not putting it over on me. I know the gentlemen who have got this through the Legislature, and I know how they worked. I defy contradiction of what I say. And these gentlemen wanted the thing to go through and to have the Governor sign it and

for us to have nothing to do with it. But a protest was made, and the Governor did not want to take the responsibility of signing the act without having it passed on by the City Council. We, however, have been given only a few short weeks to even consider the matter. Nobody even knows where the openings of the tunnel are to be. One gentleman says that it is to be here, and another, there, but nobody knows where it is to be, we are informed. Well, some of them know, Mr. President. But why should we be expected to pass upon a proposition of this sort without knowing anything about it? Oh, of course, it is a wonderful thing to be good fellows at the expense of the taxpayers. But you are not going to bring East Boston back. It woke up for a little while during the war, but since the war it has gone. I think the gentleman from East Boston deserves the greatest credit in the world. Of course he is trying to do something for his section, and he has been able to convince the members of the wisdom of this thing. But I think any man who really looks into this matter must come to the conclusion that this will not bring East Boston back. I respect these ardent and sincere men who have been coming up here on measures of this kind for a great many years—Mr. Maguire, Mr. Maccabe and others, but I also make this prediction, that this is going to be a campaign issue in the coming fight for Mayor of Boston, and I also make the prediction that a candidate for Mayor will be proclaiming from every stump, "My first act will be to wipe out the tolls in the East Boston tunnel." You will see how far wrong I am. It will be a campaign issue of every man running for Mayor of Boston, and they will go to the Legislature and petition the Legislature that the tolls be wiped out. And what do the members of the Legislature, coming from the outlying districts, districts that are not affected, care? And then we will wake up to the fact, on this as on other matters, that after the expenditures have been made on these gigantic propositions the cost comes back on the people of this city, the taxpayers. But I shall vote for the order, with these few kind remarks.

The report was accepted and the order to accept the legislative act was passed.

#### SECOND PUBLIC GOLF COURSE.

Coun. WILSON called up under unfinished business No. 3 on the calendar, viz.:

3. Ordered, That the sum of two hundred and twenty-five thousand dollars 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 of Boston to said amount.

On May 6, 1929, the foregoing order was read one and passed, yeas 15, nays 3.

The question came on the second and final passage of the order.

Coun. SULLIVAN—Mr. President, as Councilor Wilson introduced that order, I would like to have him make a statement about the revenue that is derived from the golf course in Franklin Park, as nearly as he can give it to us. I would simply like to get an idea whether this will be a self-supporting proposition.

Coun. WILSON—Mr. President, as I understand it, on the only existing golf course we had last year or the year before we netted \$40,000. So I don't see how this can be considered as a squandering of the people's money. It is a self-supporting investment, paying for itself in eight or ten years.

The order failed of a second and final reading and passage, 15 votes being required for passage, yeas 14, nays 2.

Yeas—Coun. Deveney, Donovan, Dowling, Fitzgerald, Gallagher, Green Keene, Lynch, McMahan, Motley, Murphy, Sullivan, Ward, Wilson—14.

Nays—Coun. Parkman, Ruby—2.

Coun. WILSON—Mr. President, the boys seem to be in a hurry to get away today—and perhaps I am in as much of a hurry as anybody, but I do feel that there is certain business here which we properly should attend to. I move, under the circum-

stances, reconsideration of our action and assignment to the next meeting.

The motion to reconsider was carried, and the order was assigned to the next meeting of the Council.

#### FINANCE REPORTS.

Coun. MOTLEY, for the Committee on Finance, submitted reports as follows:

1. Report on message of Mayor and order (referred May 6) for loan of \$300,000 for Health Department building to be built in Back Bay Fens—that same ought not to pass.

Report accepted; said order rejected.

#### HEALTH DEPARTMENT BUILDING.

Coun. MOTLEY offered the following:

Ordered, That under the provisions of chapter 104 of the Acts of 1929 the sum of three hundred thousand dollars be, and the same is hereby, appropriated, to be expended under the direction of the Health Commissioner, for the erection and establishment of a Health Department building within the limits of the Back Bay Fens 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.

Coun. MOTLEY—Mr. President, in offering this order, as chairman of the Committee on Finance, I did not call any meeting upon the order for \$300,000 because of the fact that the man most interested in the order, Doctor Mahoney, would be unable to be present at any hearing to back up his order. Therefore, I thought it best to take this action, in view of the strenuous opposition to the order. Doctor Mahoney ought to be given an opportunity to be heard in the matter. I have, therefore, offered the new order for \$300,000.

The order was referred to the Committee on Finance.

#### REMOVAL OF STREET CAR RAILS FROM CHAMBERS STREET.

Coun. FITZGERALD offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to remove the street car rails from Chambers street, and pave that highway with smooth paving.

Passed under suspension of the rule.

#### SIDEWALK ON WALWORTH STREET.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Walworth street, from Belgrade avenue to South 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.

#### MOTION TO RECONSIDER.

Coun. DONOVAN—Mr. President, I wish to move a reconsideration—the same to be set down for the next meeting of this Council of the vote on the East Boston toll order. I would ask that the same be set down for consideration at the next meeting of the Council.

Coun. DOWLING—Mr. President, I doubt the presence of a quorum.

Chairman KEENE—The Clerk will call the roll to ascertain whether a quorum is present.

The Clerk called the roll, and the following members responded as present:

Coun. Donovan, Dowling, Green, Keene, Lynch, Motley, Murphy, Parkman, Ruby, Ward, Fitzgerald—11.

Chairman KEENE—Eleven members only being present, the Council stands adjourned to meet next Monday at 2 p. m.

Adjourned at 4.40 p. m., to meet on Monday, June 24, 1929, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, June 24, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Dowd and Parkman.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted appointments for the term ending April, 1930, as follows:

Weigher of Coal: William Commane, 27 Maryland street, Dorchester, for Burton-Furber Coal Company, 50 Congress street, Boston.

Weigher of Beef: Arthur J. Emmons, 125 Middlesex avenue, Medford, for Fruit Dispatch Company, Long Wharf, Boston.

Severally laid over a week under the law.

## VETO, NAMING OF ROGER M. GRIFFIN SQUARE.

The following was received:

City of Boston,

Office of the Mayor, June 19, 1929.

To the City Council.

Gentlemen,—I return herewith, without my approval, but without prejudice, your order of June 3, 1929, "That the space at the intersection of Perkins street and the Jamaica way, Ward 10, be named and known as Roger M. Griffin square, in honor and memory of the distinguished citizen of that name who died recently as a result of injuries received in the World War."

Under date of August 14, 1928, my veto message on this same matter contained the following statement: "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."

Whether this policy should ultimately be changed I do not at this time undertake to say, but leave the matter open for further consideration.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

## VETO OF ORDINANCE, PARK FRONTAGES.

The following was received:

City of Boston,

Office of the Mayor, June 18, 1929.

To the City Council.

Gentlemen,—I return without my approval your ordinance of June 3, 1929, 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.

## WITHDRAWAL OF ORDER, TERCENTENARY CELEBRATION.

The following was received:

City of Boston,

Office of the Mayor, June 24, 1929.

To the City Council.

Gentlemen,—I am advised by the Corporation Counsel that the city has not the power to pass an additional appropriation for the 300th anniversary celebration under the provisions of chapter 16, Acts of 1929.

I therefore withdraw my order submitted to you under date of June 18, 1929, for this purpose.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

## KINDERGARTEN IN LOWELL MASON SCHOOL DISTRICT.

The following was received:

City of Boston,

Office of the Mayor, June 24, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the secretary of the Boston School Committee in reply to your order of April 15, 1929, relative to the establishment of a kindergarten in the Lowell Mason School District.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

The School Committee of the City of Boston, Office of the Secretary, June 20, 1929.  
Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—At the meeting of the City Council of April 15, 1929, the following order was passed:

Ordered, that the Boston School Committee be requested, through his Honor the Mayor, to arrange for the establishment of a kindergarten in the Lowell Mason School District.

It gives me pleasure to inform you that the School Committee, at its meeting on Tuesday evening, June 18, 1929, authorized the establishment of an additional kindergarten in the Edmund P. Tileston District, to be located in the Lowell Mason School, to take effect September 1, 1929.

Very truly yours,

ELLEN M. CRONIN,

Secretary.

Placed on file.

## VIADUCT, RUTHERFORD AVENUE.

The following was received:

City of Boston,

Office of the Mayor, June 24, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Chairman of the City Planning Board, in reply to your order of May 20, 1929, relative to the advisability and feasibility of constructing a viaduct for vehicular traffic from Rutherford avenue to Lechmere square.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City Planning Board, June 14, 1929.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—With reference to the inclosed order, passed by the City Council at its meeting May 20, 1929, I would say that the advisability and feasibility of constructing a viaduct for vehicular traffic from Rutherford avenue to Lechmere square has been discussed informally by Councilor Green and our consultant, Mr. Whitten. This improvement and others which Councilor Green has in mind will be given careful consideration in their relation to the comprehensive Thoroughfare Plan which we have in preparation at the present time, and which will be submitted to your Honor at an early date.

Sincerely yours,

FREDERIC H. FAY, Chairman.

Placed on file.

## LOAN FOR NEW STREETS.

The following was received:

City of Boston,

Office of the Mayor, June 24, 1929.

To the City Council.

Gentlemen,—I am informed by the Street Commissioners that the sum of \$150,000 additional will be necessary this year to accomplish much needed laying out and construction of new streets.

I therefore transmit to you an order in the sum of \$150,000 and recommend your prompt and favorable consideration of the same.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor

Ordered, That the sum of \$150,000 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 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.

William J. Aylward, to be reimbursed for judgment issued against him on account of his acts as a fireman.

Mrs. A. B. Chaffee, for compensation for injuries caused by falling limb of tree.

Harold A. Chamian, for compensation for loss of clothing at Police Station 5.

Agnes M. Grady, for compensation for injuries caused by an alleged defect in Haymarket square.

Gladys M. Grady, for compensation for injuries caused by an alleged defect in Haymarket square.

Mary Hanglin, for compensation for injuries caused by an alleged defect at 780 Dudley street, Dorchester.

James M. Healey, for compensation for damage to automobile caused by being struck by golf ball in Franklin Park.

Herbert Lorenzi, for compensation for damage to automobile caused by city car.

John A. McHugh, for compensation for damage to car by city car.

Annie Moscovitz, for compensation for injuries caused by an alleged defect at 10 Lowell street.

Alice Murray, for compensation for injuries caused by an alleged defect in Prospect street.

Thomas J. O'Brien, Jr., for compensation for injuries caused by an alleged defect in Ellis Mendell School yard.

Edward M. Shanley, for compensation for injuries caused by an alleged defect at 132 Brookline avenue.

Julia P. Sheehy, for compensation for bursting water boiler at 43 Iroquois street, Roxbury.

Bertha Sullivan, for compensation for injuries caused by an alleged defect in Massachusetts avenue.

Mrs. G. M. Smith, for compensation for injuries caused by falling limb of tree.

Samuel Leith, for compensation for damage to automobile caused by ball thrown from Wainwright Street Playground.

Executive.

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

Julius Wolfers, Steinert Hall, June 26.

Later in the session, on motion of Coun. ARNOLD, the rule was suspended, and leave was granted on the above petition on the usual conditions.

APPOINTMENT TO ZONING BOARD.

Notice was received of the appointment by the Mayor of John H. Gilbody, 60 State street, as member of Board of Zoning Adjustment.

Placed on file.

APPOINTMENT, PENAL INSTITUTIONS DEPARTMENT.

Notice was received of the appointment by the Mayor of George T. Reid, 28 Sheffield road, Roslindale, to position of Deputy Commissioner of Penal Institutions Department.

Placed on file.

ORGANIZATION OF LIBRARY TRUSTEES.

Notice was received from the trustees of the Public Library of organization for the ensuing year, as follows:

Gordon Abbott, president; Frank W. Buxton, vice president, and Della Jean Deery, clerk.

Placed on file.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings to be held on petitions for storage and sale of gasoline on July 8, viz.:

Margaret A. Dugan, 1022 Hyde Park avenue, Ward 18, 3,500 gallons.

George L. Lincoln, 219 Old Colony avenue, Ward 7, 5,000 gallons.

Skyways, Inc., 470 Maverick street, Ward 1, 4,000 gallons.

The Texas Company, 18 Robert street, etc., Ward 20, 1,500 gallons.

Referred to the Executive Committee.

TRANSIENT VENDORS' LICENSE.

Application of Max Eisenring and J. Howard Lawlor for license as transient vendors was received together with bond of Globe Indemnity Company. The license was issued under usual conditions.

REPORT OF FINANCE COMMISSION IN RE EXCHANGE STREET.

The following report was received from the Finance Commission in regard to Exchange street, viz.:

The Finance Commission,  
Boston, June 21, 1929.

To the Honorable the City Council.

Gentlemen,—In response to the request of your Committee on Finance, the Finance Commission has obtained from the Boston Real Estate Exchange an appraisal of the damages to be paid to the owners of 15-23 Exchange street, the Whittier estate; 27-35 Exchange street, the Krey estate, and 37 and 39 Exchange street, the Barry estate, for the taking of a portion of their property for the purpose of completing the widening of Exchange street.

The appraisal was requested by the Finance Commission on May 13 and was received on June 14. The Real Estate Exchange appraises the damages to be paid by the city at \$428,037, divided as follows:

Whittier estate.....	\$191,460
Krey estate.....	125,977
Barry estate.....	110,600

As the remainder of each building after the widening is believed by the Exchange to be without economic value, it reports that there should be added to these awards in each case the cost of demolishing the remainder of the buildings less their salvage value, if any. In the Barry estate the Exchange further recommends that there be allowed a sum equivalent to the owner's liability to St. Clair's, Inc., under its lease for fixtures and equipment installed by the lessee, less salvage. The lease between Barry and St. Clair's, Inc., has a provision that in case of a taking by public authority, the lessee is to be paid by the lessor the value of the fixtures and equipment, not to exceed \$6,000; 10 per cent, however, being deducted from this amount for each year, or at this rate for each proportionate part of a year the lease has run. As the lease was executed in March, 1928, the sum due St. Clair's, if the widening takes place this June, would be \$5,200.

The Exchange reports that the remainder of the land left after the taking will have a value of \$278,093, divided as follows:

Whittier estate.....	\$245,700
Krey estate.....	22,993
Barry estate.....	9,400

All the land, with the exception of the Whittier estate, is understood to be free from restriction on use. The Whittier land, in the rear of the lot, and the adjoining land belonging to 50 State street, have restricted areas for light and air. The restriction on the Whittier lot covers 424.4 square feet, leaving 5,035.9 feet unrestricted.

The commission has examined each of the owners of the property and has received from them testimony under oath that the present record owners of the property, viz., the Barry family, A. W. Krey and Charles W. Whittier *et al.*, trustees, are the present owners of the property, that they have given no agreements and no options for sale and have made no contracts for the disposal of the property.

The commission transmits herewith a copy of the report of the Exchange, as well as a copy of

the appendix, setting forth the reasoning applied by the Exchange in arriving at its valuations, together with copies of three charts attached to the report.

Respectfully submitted,  
THE FINANCE COMMISSION,  
by JOHN C. L. DOWLING,  
Chairman.

Boston Real Estate Exchange,  
Winthrop Building,  
7 Water Street, Boston.

Report of the Special Appraisal Committee of the Boston Real Estate Exchange Appointed to Appraise the Damage which would be Caused by Condemnation for the Purpose of Widening Exchange Street to a Width of 55 Feet from State Street to Dock Square of a Portion of the Estates 15-23 Exchange Street, 27-35 Exchange Street, 37 and 39 Exchange Street, corner 29 and 30 Dock Square, Boston.

This report is made in response to three applications of the Finance Commission of the City of Boston, each dated May 13, 1929, for the appraisals specified and valuations are made as of such date.

Each problem has been considered as if no taking had been made of a portion of the estate 40-44 State street for the purpose of widening Exchange street, and as if there had been no change in conditions affecting occupancy of the properties due to the acute agitation in recent years for the proposed widening.

The measure of damage applied in each case is the difference between the fair market value of each estate as each existed on the appraisal date before the assumed taking, and the fair market value of the remainder of each estate after the taking.

Takings for the purpose of the widening are

assumed to have been made simultaneously, as of the appraisal date, extending from State street to Dock square.

The test of "fair market value" applied to each original estate is the price at which the minds of each owner and a willing buyer, neither acting by compulsion or circumstance, would meet in the committee's opinion in a sale under conditions relating to occupancy of each estate which would probably have prevailed on the appraisal date had there been no threat of a taking for the widening, assuming each owner were disposed to sell his entire estate.

In estimating such value and the value of the remainder in each case, the committee has endeavored to observe the practical object of the request for the appraisals, that is, to report what it believes would be an equitable adjustment, as between the city and each owner, of the question of the amount of damage which would be caused by the proposed taking.

The land area and measurements of each original estate, of the portion of each estate assumed to have been taken, and of each remainder have been taken from a photostat plan furnished by the Finance Commission, which has been verified as approximately correct. This plan has been reproduced in the ozalid plan of the block bounded by State street, Exchange street, Dock square and Change avenue, appended to this report.

The properties are understood to be free from restrictions on use except as follows:

Two areas within the estate 15-23 Exchange street (Whittier estate), lying east of rear line of the existing building are restricted by agreement dated June 5, 1852, recorded with Suffolk Deeds, Book 633, page 97. Shown on ozalid plan herewith as area A, 389.6 square feet, and area B, 34.8 square feet. Total 424.4 square feet. Agreement provides that these areas and an adjacent area belonging to No. 50 State street (area C) shall "forever be and remain open for light and air for mutual benefit."

The valuations reported are as follows:

ESTATE.	Owner.	Entire Estate (Before Taking).	Remainder (After Taking).	Depreciation in Value of Original Estate Due to the Taking or Damage.
15-23 Exchange street.....	Whittier estate.....	\$437,160	\$245,700	\$191,460
27-35 Exchange street.....	A. W. Krey.....	148,970	22,993	125,977
37-39 Exchange street.....	W. J. Barry <i>et al</i> .....	120,000	9,400	110,600
29-30 Dock square.....				
Aggregate damage involved.....				\$428,037

The portion of each building which would remain after the taking is believed to be without economic value, for which reason there should be added to the damage reported above, in each case, the cost of demolition of the building remainder, less salvage value, if any. Being a technical question, such costs have not been estimated. To the damage reported on the Barry estate should also be added an amount equivalent to the owner's liability to St. Clair's, Inc., under its lease, for fixtures and equipment installed by lessee, in case of taking, less salvage, if any.

The undersigned members of the Special Committee of the Boston Real Estate Exchange, appointed by the President to make the appraisals above specified, declare that we have each examined the properties involved, that we have no interest of any kind in or relating to any of said properties, and that in our opinion the damage which would be caused by the proposed takings, as of the date stated, would be respectively as stated.

Appendix to Appraisal Report on Damage Which Would be Caused by the Proposed Widening of Exchange Street to the Estates 15-23 Exchange Street, 27-35 Exchange Street, 37 and 39 Exchange Street, Corner 29 and 30 Dock Square.

The reasoning applied in arriving at the valuations reported is in brief as follows:

15-23 Exchange Street—Whittier Estate.

Entire estate, area, 7,286 square feet, 24-foot street.

Utility—Location contiguous to financial district. Highest use: Development with office building in conjunction with 40-44 State street; depth from State street, 150 to 212 feet; compare depths therefrom of Merchants Bank about 220 feet, 50 State street, 260 feet to Dock square, 60 State street, 200 feet; restrictions on 40-44 State street emphasize utility of combination, previously recognized by lease of Whittier estate by Lee-Higginson & Co. Combination presently available: Whittier estate vacant, State street parcel unimproved.

Value of site for such use estimated \$60 per square foot or \$437,160. Compare sale 22-26 Exchange street, 14-20 Devonshire street to Merchants Bank, 1917, \$81 square foot; sale 40-44 State street, 1920, \$135 square foot.

Value of building for such use—nothing. Remainder, 5,400 square feet, 55-foot street. Utility to remainder of 40-44 State street seriously impaired by narrow frontage of latter, actual and as diminished by restrictions utility or combination with 50 State street, however enhanced. Value for either combination greater than value indicated by estimated earning power as separate inside unit.

Value of site for use in either combination, estimated \$45 per square foot or \$245,700. Value of building remainder for such use—nothing. Restoration not economically justified, account of age (over 60 years) and lay-out for use either with adjacent estates or independently; total loss.

Difference between value of entire estate before

taking and value of remainder after taking, being depreciation in value of the entire estate caused by the taking, or damage, \$191,460.

25-37 Exchange Street—A. W. Krey.

Entire estate, area, 2,397 square feet, 24-foot street.

Utility—Location between financial and market districts. No utility with financial district, due to shallow depth. Highest potential utility improvement in conjunction with Barry estates on Dock square, 34 feet from corner. Erection of new buildings on Barry land, 1926, however, and unadaptability of Krey and Barry buildings for use in combination as built, postpones probable realization of joint development. This potential utility valued as addition to present investment value.

Present highest utility—as now improved; building proper use of site as inside property thirteen years old. Value of land and building as investment determined by earning power. Maximum gross annual rental expectancy estimated \$12,500. Net annual earning power estimated \$7,500. Value indicated by capitalization at 6 per cent as fair long-term rate, \$125,000.

Additional value for potential utility with Dock square estimated \$10 per square foot or \$23,970. Value of entire estate, \$148,970.

For development with Dock square in future, present building will have no value. Site at \$148,970 equals \$62 per square yard, which is considered fair valuation as Dock square property.

Remainder, 491 square feet, 55-foot street.

Utility—Remainder has earning power if improved as independent unit and therefore value as such, but utility to adjacent Whittier remainder and to 28 Dock square (Barry) more valuable. Such utilization presently available; Whittier remainder being vacant, 28 Dock square free of lease.

Portion of building remaining has no value for such uses; total loss.

Acquisition of portion of site by Whittier estate would straighten its north boundary and give it additional frontage on the new street. It therefore has a value to Whittier estate. Area involved approximately 103.75 square feet, frontage 14.33 feet. Fair value for such combination estimated \$35 square foot or \$3,631.

Acquisition of remaining portion of site by Barry *et al.* would give present estate at 28 Dock square frontage on the new street. It therefore has a value for this purpose. Area involved approximately 387.25 square feet, frontage 51.84 feet. Fair value for such use estimated \$50 per square foot or \$19,362.

Total remainder value, \$22,993.

Consequent loss of value of entire estate due to the taking, or damage, \$125,977.

37 and 39 Exchange Street, Corner Dock Square, W. T. Barry *et al.*

Entire estate, 918 square feet; corner estate.

Identity of entire estate, whether limited to corner area numbered 29 and 30 on Dock square, or inclusive of 28 Dock square debatable. Limited by committee to 29 and 30 Dock square as simpler and more equitable basis for estimation of damage.

Utility—Most productive use is as now improved; building proper for site and of recent construction.

Value of site and building determined by earning power. Gross annual rental expectancy estimated \$10,233, of which amount \$8,733 is average rental of street floor fixed for about nine years by leases. Net annual income power estimated \$7,200 net. Investment value indicated by capitalization at 6 per cent as fair long-term rate, \$120,000.

Remainder, 94 square feet; corner on 55-foot street.

Utility—Combination with 28 Dock square would give that estate frontage on new street and additional frontage on Dock square, remainder therefore has value for such use. Combination now available, as 28 Dock square is free of lease. Area involved 94 square feet, frontage 18.34 feet on widened Exchange street, 4.83 feet on Dock square.

Fair value of site to owner of 28 Dock square estimated \$100 per square foot or \$9,400.

Restoration of building remainder as separate unit not economically justified, and value to adjoining estate practically nil; total loss.

Difference between value of entire estate and value of remainder \$110,600.

Placed on file.

#### PAY ROLL, REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds, to the amount of \$8,698.96, piece work, May 20 to June 15, regular employees June 16 to June 30, inclusive, was received and approved.

#### CONSTABLES' BONDS APPROVED.

The constables' bonds of Myer Goldstein and Isaac Shulman, having been duly approved by the City Treasurer, were received and approved.

#### APPOINTMENT OF ASSISTANT CITY CLERK.

The following was received:

City of Boston,  
Office of the City Clerk, June 18, 1929.  
To the City Council.

Gentlemen,—You are hereby notified that in accordance with the provisions of section 4 of chapter 11 of the Revised Ordinances of 1925, I have this day appointed, with the approval of the Mayor, John B. Hynes to be Assistant City Clerk.

Respectfully,

W. J. DOYLE,  
City Clerk.

Placed on file.

#### 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 June, 1929.

Report accepted; said order passed.

#### COMMITTEE ON FINANCE REPORTS.

Coun. MOTLEY, for the Committee on Finance, submitted the following:

1. Report on message of Mayor and orders (referred June 7) for loan of \$450,000 and appropriation of \$45,000 for construction of sewer outlet at Savin Hill Beach—that same ought to pass.

Coun. SULLIVAN—Mr. President, in regard to that order to provide a loan to repair and put in condition Savin Hill Beach, I know the members of the Council will think that the thing is a little quick, being only reported last Monday, but, being an emergency order and having been under discussion for some years, we feel that it is time for action to be taken.

The report was accepted, and both orders were passed, yeas 20, nays 0.

#### TRAFFIC SIGNAL, WALNUT STREET.

Coun. FISH offered the following:  
Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signal at the junction of Walnut street and Old Colony Parkway, for the protection of the school children who are compelled to cross at this dangerous intersection.  
Passed under suspension of the rule.

#### PAVING OF ASHLAND STREET.

Coun. FISH offered the following:  
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Ashland street, Ward 16.  
Passed under suspension of the rule.

#### LOAN FOR LIBRARY FOUNDATION.

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

1. 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 Central Library Building, Foundation Improvements, etc., 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 to said amount.

On June 10, 1929, the foregoing order was read once and passed, yeas 17, nays 0.

The order was given its second and final reading and passage, yeas 20, nays 0.

LOAN FOR GOLF COURSE.

Coun. KEENE called up assignment, viz.:

2. Ordered, That the sum of two hundred and twenty-five thousand dollars 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 of Boston to said amount.

On May 6, 1929, the foregoing order was read once and passed, yeas 15, nays 3.

The order was given its second and final reading and passage, yeas 17, nays, Coun. Ruby, 1.

TRAFFIC OFFICER ON OLD COLONY PARKWAY.

Coun. SULLIVAN offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to station a traffic officer at the intersection of Fox Point road and Old Colony Parkway, Ward 13.

Coun. SULLIVAN—Mr. President, in this morning's paper appeared a headline in regard to an accident which occurred on this parkway. Before the accident, I had made a trip through that section, and I find that it is the raceway of Boston, where automobile drivers seem to have the impression they can go as fast as they want, or possibly as fast as their cars will travel. Since this parkway has been opened I have driven over it a number of times to familiarize myself with the regulations in force for the safety of the public. There are no such regulations. It is the death trap of all the parkways in our city, and it is time that the officials in charge of our traffic regulations take action to control the speed of automobiles on this road. We have had four or five bad accidents on this stretch, culminating in the lamentable tragedy of last night, and immediate action should be taken by those in authority that will stop the wholesale slaughter on this road. The people of my ward are disgusted with the slow progress that has been made in providing a suitable entrance to Old Colony Parkway from Savin Hill avenue. Must these killings continue until such time as the Commonwealth gets around to allowing the city to make a safe entrance for automobiles and pedestrians? Some time ago I had a hearing before the Board of Street Commissioners, and they and the people of that section were all agreed upon a proper entrance from Savin Hill avenue to the Parkway, but we are still awaiting the permission of the state to make the takings. The lighting facilities along this boulevard are inadequate, and proper illumination will help greatly to eliminate the hazard of travel there. Immediate action is imperative, and I say here today to the Street Commissioners and the Traffic Board, "Get busy and stop the loss of life on this mad speedway; put police officers, white lines and danger signals where necessary, and do a job that will go down in the records of Boston as one that was well done."

The order was passed under suspension of the rule.

CLEANING OF STREETS IN WARD 12.

Coun. BUSH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to thoroughly clean the streets in Ward 12.

Coun. BUSH—Mr. President, I have taken a trip through the streets of my ward and of some of the other wards of the city within the past two weeks, and have found the most disgraceful conditions existing in the streets of Boston. It seems to me from my experience in traveling around in some of the surrounding cities and towns that Boston's streets are the worst kept streets of those of any city within a 50-mile radius. I found streets in which the gutters were filled with dirt to a depth of from 4 to 6 inches, not in piles, but along the entire curbing, with grass growing in the gutters, showing apparently that those streets have not been cleaned for over a year. Things have come to such a pass in a city the size of Boston, with the number of millions we spend for surfacing and care of the streets, that still we cannot obtain the proper kind of facilities we should have, through lack of sanitation and cleanliness of our streets. It seems the street cleaning forces are somewhat divided in this city, a condition which does not exist in any other city, to my knowledge. The power sweepers, which travel over streets paved with asphalt or bitulithic, are under the jurisdiction of the Sanitary Department, while the streets that are paved with macadam or tar are under the jurisdiction of the Paving Department, and those are the streets that suffer most. Litter remains on the streets for months at a time, and in some cases for an entire year, without being cleaned up. It is time that the Mayor took some cognizance of the fact and that an order was issued to the Public Works Commissioner to proceed at once to clean up the streets in the city.

The order was passed under suspension of the rule.

TRAFFIC SIGNAL, CRAWFORD STREET.

Coun. BUSH offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install danger signals or signs of some description at the junction of Crawford street, Harold street and Abbotsford street, Ward 12.

Coun. BUSH—Mr. President, I take this means of calling to the attention of the Traffic Commission a very bad corner. It is a corner where cross-bound traffic goes through in considerable quantity, and where traffic going through the ward longitudinally always is found in considerable amount. There have been about twelve accidents there since the beginning of this year. The intersection is a more or less blind one, and people coming from directions at right angles to each other are unable to see the cars. The streets not being any too wide causes a considerable number of accidents and near accidents. There have been something like twelve accidents there since the first of the year, and thirty near accidents, and before a fatal accident occurs there some sort of sign should be placed to warn motorists that it is a dangerous corner.

The order was passed under suspension of the rule.

CAUSEWAY STREET UNDERPASS.

Coun. GREEN called up assignment, viz.:

3. Ordered, That in accordance with chapter 18 of the Resolves of 1929, a sum not in excess of \$500 be, and hereby is, appropriated, to be expended by the Transit Department, for an investigation relative to the construction of an underpass under Causeway street, near the North Station, said sum to be charged to the Reserve Fund.

The order was passed, yeas 17, nays 0.

SIDEWALK ON WALNUT AVENUE.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Walnut avenue, at corner of Columbus avenue, 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 suspension of the rule.

## SIDEWALK ON PAUL GORE STREET.

Coun. MURRAY offered the following:  
 Ordered, That the Commissioner of Public Works make a sidewalk along Paul Gore street, from St. Peter street, to Chestnut 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 edge-stones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

## PAVING OF SAVIN HILL AVENUE.

Coun. SULLIVAN offered the following:  
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Savin Hill avenue, from Pleasant street to Dorchester avenue, Ward 13.

Passed under suspension of the rule.

## FOURTH OF JULY CELEBRATION.

President DONOVAN—The Chair has been asked by the Director of Public Celebrations to inform the members of the City Council that if those councilors representing different wards would like to see him about the appropriation for their ward for the Fourth of July, they should get in touch with him, Mr. Johnson, before Wednesday.

## TOLLS ON EAST BOSTON FERRIES.

President DONOVAN offered the following:  
 Ordered, That so much of the order passed by the City Council June 18, 1929, and approved by the Mayor June 19, 1929, establishing toll tariffs on the East Boston Ferries, as fixes the time of taking effect on January 1, 1930, be, and hereby is, repealed.

Ordered, That the tariff for tolls on the East Boston Ferries established by the order of the City Council passed June 18, 1929, and approved by the Mayor June 19, 1929, shall take effect on the date of the official opening for traffic of the East Boston vehicular tunnel provided for by chapter 297 of the Acts of 1929.

Coun. KEENE in the chair.

Coun. DONOVAN—Mr. President, my reason for filing this order at this time is that the people of East Boston have been looking for relief. We are not responsible for the deficit that takes place in the East Boston Ferries. When we consider that the initial expense for construction of bridges in different sections of this city has been upward of \$20,000,000, when we consider that Charlestown at one time paid a toll, that the West End paid a toll to Cambridge, that the people of South Boston paid a toll, and that all such tolls were eventually wiped out, I believe it is only fair to the people of East Boston to suspend this proposed increase in tolls until the operation of the new tunnel.

Chairman KEENE—The Chair would ask whether Councilor Donovan asks for a suspension of the rule?

Coun. DONOVAN—I do, Mr. Chairman, ask for a suspension of the rule.

Coun. BUSH—Mr. President, I rise to a point of information. Has the Mayor approved that toll order?

Chairman KEENE—The Chair would advise the councilor that he has.

Coun. BUSH—Well, Mr. President, has the councilor from East Boston consulted the Mayor in reference to the proposed repeal of the order at this time?

Coun. DONOVAN—Mr. Chairman, I would say for the benefit of Councilor Bush that I asked his Honor the Mayor personally to suspend the increase in tolls until the opening of the new tunnel. I was led to believe, while he didn't say outright that he would do so, that he would take the matter under advisement, and I was not aware until I read it in the newspapers that he had signed the order.

The rule was declared suspended by a rising vote and the order was passed.

## COMMITTEE ON CLAIMS.

Coun. RUBY, for the Committee on Claims, submitted reports as follows:

1. Report on petition of William J. Aylward (referred today), fireman attached to Ladder Company 24, to be reimbursed \$34.25 on account of execution issued against him in Municipal Court as result of an accident on November 23, 1928—recommending passage of following order:

Ordered, That the sum of \$33.25 be allowed and paid to William J. Aylward 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.

The report was accepted and the order passed under suspension of the rule.

## COMMITTEE ON UNCLAIMED BAGGAGE.

Coun. FITZGERALD, for the Committee on Unclaimed Baggage, submitted report on petition of Boston and Maine Railroad (referred May 13) for sale of unclaimed baggage, recommending passage of following order:

Ordered, That the Boston and Maine Railroad be authorized to sell at public auction, on or before August 1, 1929, the articles remaining unclaimed in the possession of said railroad in the City of Boston.

Report accepted; said order passed.

## CONDITION OF PLAYGROUNDS.

Coun. GREEN—Mr. President, I would like to inquire from the chairman of the Committee on Parks and Playgrounds whether he intends to have Chairman Long before the committee this week, and if he will call a meeting of the committee to consider the deplorable condition of some of the playgrounds in the different districts? It is about time that we should have the commissioner down here and find out what program he has laid out for this year, and I would like to ask the chairman of the committee to call a meeting of the committee. I think that committee should function.

Coun. SULLIVAN—Mr. President, in answer to the councilor from Charlestown I would say that I called a meeting of the Committee on Parks and Playgrounds and that Chairman Long of the Park Commission appeared before the committee. At that meeting, with Commissioner Long present, Councilor Wilson of Dorchester said:

"Mr. Chairman, I understand that the purpose of holding the meeting was to see if any real progress has been made on parks and playgrounds, so that we could tell those in our wards who are interested what the situation is, whether a thing had been vetoed, or whether a favorable report was coming in in so many days and weeks.

"Chairman SULLIVAN—That is, if Mr. Long can give the information. Can you give us any information as to how long we may have to wait, Mr. Long, for any idea of the progress that is being made?"

"Mr. LONG—I cannot give you any information. I regret it exceedingly. I would like to come out and tell you everything. I know that strong cases were presented for the Dorchester district, the Hyde Park district, and for the West Roxbury district. Councilor Deveney's case was not so strong, but the rest of you gentlemen had a strong case.

"Chairman SULLIVAN—You can answer the question or not, as you wish,—if it does not embarrass you. Have you sat in on vetoes of the various matters?"

"Mr. LONG—That is embarrassing. There are lots of things I would like to tell."

Now, that is all the information we are able to get from the chairman of the Park Commission. If the members, however, want another meeting, I will issue a call for another meeting this week, and see if we can get any information.

Coun. DOWLING—Mr. President, since the question of repair of the playgrounds has been brought up, I think it is fair to say that out in my district, anyway, there is absolute neglect of the playgrounds. I have the most friendly feeling for the Commissioner of Parks and Playgrounds, Mr. Long, who has been a personal friend of mine for many years; but the fact remains that the

playgrounds are not being taken care of. The biggest part of the money spent each year for the care of playgrounds goes into Boston Common, the Public Garden and Franklin Park. A lot of these playgrounds are nothing more than sand lots. We all know why playgrounds are purchased many times in different localities—to relieve some over-taxed, land-poor property owner, helping him to get rid of a piece of land. That is exactly the reason why a piece of land was bought in my district a few years ago. It is called a playground, but it is not a playground. There is not a baseball diamond there of sufficient size for the boys to play on, and it is covered with water a large part of the time, resembling a swimming pool rather than a playground. The man who is supposed to be in charge rarely visits the place, and apparently likes to see the beautiful vista of paper, cardboard boxes and that sort of thing, and wouldn't stop to pick one up, anyhow. As I say, the situation in my district is abominable. I say to Commissioner Long, although personally I like him, that something ought to be done to put that and other playgrounds in some kind of shape. Personally, I am ashamed to visit the Stanley Ringer Playground out my way, although it is only a few hundred feet from where I live. I know that the boys who go there don't think so much of me as they used to, and no doubt I am held responsible for conditions on the playground. I have not felt, however, that I was elected to go around personally and keep things picked up and keep that playground in fairly presentable shape, giving to the children of my district the opportunities that they ought to be given to play. That is supposed to be the duty of the department. The playground in my district is not safe. There is a cliff at one edge of the playground certainly 30 feet high, where you look down over a rough, jagged ledge, and a child who fell off it there would be killed. I believe that the situation is altogether bad, I certainly hope that the Committee on Parks and Playgrounds will have some sort of an understanding with Mr. Long as to what is to be done about the playgrounds.

Coun. WARD—Mr. President, I happened to be late today, but in walking into the Chamber I heard the councilor from Dorchester delivering a report. I was wondering if I might hear it read.

Coun. SULLIVAN—I am very sorry, Mr. President, that the copy has been taken out, and that I cannot read it to the councilor at this time.

Coun. WARD—Mr. President, I would ask the councilor from Dorchester if I could simply read the copy.

Coun. SULLIVAN—Yes, Mr. President, just as soon as I recover the copy I will give it to the councilor.

Coun. GREEN—Mr. President, I take it that the councilor from Dorchester is going to call a meeting of his committee this week and have Commissioner Long before the committee.

Coun. SULLIVAN—That is correct, Mr. Chairman.

Coun. GREEN—Mr. President, I would like to say that I subscribe to everything that the councilor from Brighton (Coun. Dowling) has said. I have no feeling of animosity against Chairman Long, but there are certain things that he owes to our districts, and I think if we had him before the committee this week we would have the cards put on the table.

SUSPENSION OF RULE 29.

Coun. ARNOLD—Mr. President, as chairman of your Committee on Rules I was not aware that Rule 29 had been suspended, and you can imagine my feelings when I came over here and saw these very decorative, if not ornamental, ash trays on the desk of some of the members. If the rule has simply been suspended by consent, in order that formal action may be taken, I would move that the rule be suspended forthwith.

The Council voted to suspend Rule 29.

SIDEWALKS IN WARD 15.

Coun. McMAHON offered the following:  
 Ordered, That the Commissioner of Public Works make a sidewalk along 22, 24, 26 Winter 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.

Ordered, That the Commissioner of Public Works make a sidewalk along Bird street, southerly corner Columbia road to 44, 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.

Severally passed under suspension of the rule.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. MOTLEY, for the Committee on Public Lands, submitted report, as follows:

1. Report on message of Mayor and order (referred April 29) in regard to release of restrictions on land at 83 Dedham street—that said order ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

QUESTION ABOUT EASTERN MASSACHUSETTS PETITION.

Coun. WARD—Mr. President, I would like to ask the chairman of the Committee on Jitneys whether the Eastern Massachusetts Street Railway petition has been acted upon yet? It has been heard, I believe, on another occasion.

Coun. WILSON—Mr. President, the voice of the Senator from Roxbury is becoming so mild that I cannot hear him!

Coun. WARD—I am referring to the Eastern Massachusetts matter that was sent to the Committee on Jitneys, of which you are the chairman.

Coun. WILSON—Well, what location?

Coun. WARD—In Ashmont, or near the Milton line.

Coun. WILSON—If I understand correctly there was a petition put in last week and it has been referred to the committee, and, able and efficient as that committee is, we haven't had a chance to have a meeting since last Monday. But if the senator or anybody else interested in any particular bus line desires it, we will be glad to call a meeting at an early date. We generally let those things rest until somebody who has a real interest in the improvement of the car service or something of the sort asks us to hold a meeting.

Coun. WARD—The only interest I have, Mr. President, is the interest that any member of the body might naturally have. The Legislature passed a bill allowing petitions of this character to go before the Department of Public Utilities if the Council failed to act. I would not like to see the few remaining prerogatives of this body taken from it, simply because a permit can be secured through the Department of Public Utilities at the State House. The Legislature passed that bill last year for the sole purpose of granting to these people the opportunity to run a bus line through Milton, and I would like to see quick action taken on the matter, if possible.

Coun. WILSON—Mr. President, as one who favored that particular bus line when very few did so, because I would rather see the City Council act upon matters of this sort than the Legislature, which following its usual custom has been taking away our powers one by one, I shall be glad to call a meeting this week for any time that is convenient to the senator.

INCINERATION PLANT.

Coun. WILSON offered the following:

Ordered, That the sum of \$350,000 be, and the same hereby is, appropriated to be expended for the purchase of land if necessary and 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, I would say with reference to that order, for the benefit of the newer members of the Council, that three years

ago—on August 2, 1926—an order was passed by the City Council requesting the Commissioner of Public Works, through his Honor the Mayor, to submit to the City Council the estimated cost of an incinerator which would eliminate the present antiquated and unsanitary dump system of rubbish disposal and would bring the City of Boston in line with the rest of the civilized world in the matter of garbage and rubbish disposal. On November 8, 1926, three years ago, Commissioner Sullivan made a report to the Council, pointing out that complete incineration in the City of Boston would involve an expenditure of \$4,000,000, dividing the city into seven sections and having seven plants, which would each involve an expenditure of from \$335,000 up to \$875,000. Two years ago, on May 9, 1927, I introduced an order in the City Council suggesting that something be done in the line of introducing up-to-date methods of disposal of refuse and garbage, and a committee was appointed to consider and report upon the matter, my idea being that at least one incineration plant might be introduced, so that the thing could be tried out. On March 26, 1928, I introduced an order that the sum of \$335,000 be appropriated for the construction of one modern incineration plant; but his Honor the Mayor vetoed that order a few months thereafter, on July 16, 1928, on the ground that the existing Coleman contract for the disposal of three-quarters of the material collected had four years to run—thereby losing the entire point of the loan order looking to the construction of an incineration plant. My entire point was then and is now this, that the Coleman Disposal Company, whose contract runs out in 1932—

and under which they will have received some \$10,000,000—only includes certain districts of the city. In at least three districts the collections are now made by the city workers, and it occurred to me as a logical thing that if we are to join the rest of the country in modern methods of incineration, it might perhaps be an excellent idea to install at least one incineration plant in one of the three or more districts not now covered by the Coleman contract, so that when 1932 comes and the question of the contract for the entire City of Boston comes up, we will not have waited until the last minute before trying the thing out in one of the three districts not covered by Coleman. That would put us in a position in 1932 of knowing whether we would want to go on for another ten years under the plan which we have been following. I hope this matter will be referred to the Committee on Finance for consideration.

The order was referred to the Committee on Finance.

#### PROPOSED ACCEPTANCE OF CEDAR STREET.

Coun. MURPHY offered the following:

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

Passed under suspension of the rule.

Adjourned at 3.10 p. m., on motion of Coun. DOWLING, to meet on Monday, July 1, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, July 1, 1929.

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

## JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, the Mayor absent, and Coun. Ruby drawing the jurors, viz.:

Twenty-four additional traverse jurors, Superior Civil Court, Sixth Session, July Sitting, to appear July 8, 1929:

William J. Chisholm, Ward 2; Dennis M. Murray, Ward 2; Thomas Coffey, Ward 5; Arthur C. Burnham, Ward 4; James A. Kelly, Ward 4; Frank A. Kuhns, Ward 4; Donald J. Matheson, Ward 4; John J. Walsh, Ward 7; Arthur S. Giddings, Ward 6; Francis L. Harrington, Ward 8; Joseph F. Mitchell, Ward 8; Albert W. Bellman, Ward 10; Samuel Lewis, Ward 11; Edward Quinn, Ward 11; Arnold T. Waugh, Ward 11; Oliver S. Fader, Ward 12; Alexander Lipson, Ward 12; Frank F. Aicardi, Ward 13; Peter F. Lydon, Ward 14; Samuel Adams, Ward 16; Martin Joseph Ruane, Ward 16; James McC Laughlin, Ward 17; Horatio Bills, Ward 18; Joseph D. Craven, Ward 19.

Thirty-two traverse jurors, Superior Criminal Court, Second Session, to appear August 5, 1929:

Thomas J. Arthur, Ward 1; Thomas F. Burke, Ward 1; Joseph A. McLellan, Ward 1; James J. O'Gorman, Ward 1; Dominick L. Elliott, Ward 3; William J. Plummer, Ward 3; Maurice Weinberger, Ward 3; Luke McCarthy, Ward 4; John S. Amory, Ward 5; George B. Morison, Ward 5; Amos Weston, Ward 5; Joseph F. Hartigan, Ward 6; John Connelley, Ward 7; Michael Francis O'Donnell, Ward 8; Wallace Cook, Ward 9; Patrick H. Scollin, Ward 10; John A. McCormick, Ward 11; Max Eisenberg, Ward 12; Abraham Ginsberg, Ward 12; William F. Nixon, Ward 12; James McCullagh, Ward 13; William L. Roberts, Ward 13; Gilbert D. Bostrom, Ward 15; Rufus S. Chaffee, Ward 17; James F. McGovern, Ward 17; Herbert A. Baxter, Ward 18; Clyde F. Young, Ward 18; Frederick A. Harvey, Ward 19; William S. Macomber, Ward 19; Stephen J. Mikite, Ward 19; Frank H. Stanyan, Ward 21; Francis T. Lahey, Ward 22.

## EXECUTIVE APPOINTMENT.

The following was received:

City of Boston,  
Office of the Mayor, July 1, 1929.

To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body, I appoint Dennis Haggerty of 34 Easton avenue, Hyde Park, Mass., employed by Brotherhood Coal Distributing Company, Inc., as Weigher of Coal and Measurer of Wood for the period ending April 30, 1930.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Laid over to the next meeting under the law.

## ADDITIONAL LIFE GUARDS AT BEACHES.

The following was received:

City of Boston,  
Office of the Mayor, July 1, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of June 18, 1929, relative to additional life guards at bathing beaches to provide adequate protection to the bathers who use these beaches.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, June 28, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of June 26 with inclosed order from the City Council that the Park Department be requested, through his Honor the Mayor, to place additional life guards at each bathing beach under its jurisdiction.

In reply, I desire to say that in the event that any further life guards are necessary, the department will be only too glad to supply them. At the present time there are ample guards at all our beaches.

Very respectfully yours,  
WILLIAM F. LONG, Chairman.

Placed on file.

## BY-PASS AT CITY SQUARE.

The following was received:

City of Boston,  
Office of the Mayor, July 1, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the City Planning Board in reply to your order of June 10, 1929, relative to by-pass route around City square, from vicinity of Adams street, at Chelsea street, to Prison Point Bridge.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
City Planning Board, June 29, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I am returning herewith the order passed by the City Council at its meeting June 10, 1929, requesting the City Planning Board, through your Honor, to consider the feasibility of a by-pass route around City square from the vicinity of Adams street, at Chelsea street, to the Prison Point Bridge.

In reply to this order I would say that the City Planning Board is convinced of the desirability of providing such a by-pass route as suggested, and is now at work on plans for the same which will be presented in connection with its forthcoming thoroughfare report, together with other improvements in the street plan of the Charlestown district.

Very truly yours,  
FREDERIC H. FAY,  
Chairman, City Planning Board.

Placed on file.

## FLUSHING STREETS BY FIREMEN.

The following was received:

City of Boston,  
Office of the Mayor, July 1, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Fire Commissioner in reply to your order of June 18, 1929, relative to crews of fire houses flushing streets in vicinity of streets adjacent to same.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Fire Department, June 27, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council:

"Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to have the crews of the various fire houses throughout the city flush the street or streets adjacent to same."

In reply thereto I would say that it has long been customary on hot days for the members of the department to flush the streets adjacent to fire stations.

Yours very truly,  
E. C. HULTMAN,  
Fire Commissioner.

Placed on file.

#### REPAVING ASHLAND STREET.

The following was received:

City of Boston,  
Office of the Mayor, July 1, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Department in reply to your order of June 24, 1929, relative to repaving Ashland street, Ward 16, with smooth paving.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, June 28, 1929.  
To the Honorable the Mayor.

I return order of the City Council, requesting that Ashland street, Ward 16, be repaved.

We are preparing to resurface this street with asphalt macadam, from Park street to Everdean street, and we have just obtained the approval of your Honor to do the work.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

#### TRANSFER FOR RANDIDGE EXCURSIONS.

The following was received:

City of Boston,  
Office of the Mayor, July 1, 1929.  
To the City Council.

Gentlemen,—The Commissioner of Penal Institutions informs me that on account of the increased use of the steamer "Michael J. Perkins" it will be inadvisable to count on the use of this steamer for the transportation of children to Rainsford Island, in connection with the Randidge Fund excursions. The harbor trip has been a beneficial part of the children's outings each summer and in order to continue this feature it will be necessary to make arrangements for the transportation to Rainsford Island at an estimated cost of \$4,000. Accordingly, I submit herewith an order for the appropriation of this amount from the Reserve Fund and respectfully request its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$4,000 be, and the same hereby is, appropriated to be expended by the Board of Park Commissioners for the purpose of furnishing steamer transportation to Rainsford Island for recreation purposes, said sum to be charged to the Reserve Fund.

Referred to Executive Committee.

#### LOAN FOR GRANOLITHIC WALKS.

The following was received:

City of Boston,  
Office of the Mayor, July 1, 1929.  
To the City Council.

Gentlemen,—I transmit herewith an order

in the sum of \$40,000 to be expended for continuous granolithic walks through the park system from Columbia Station to the Fens.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$40,000 be, and hereby is, appropriated to be expended under the direction of Park Commissioners for the construction of granolithic walks through the park system from Columbia Station to the Fens, 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, on motion of Coun. WILSON, to the Executive Committee.

#### LOAN FOR CENTRAL POWER PLANT, DEER ISLAND.

The following was received:

City of Boston,  
Office of the Mayor, June 30, 1929.  
To the City Council.

Gentlemen,—The architects and engineers in charge of the construction of the new central power plant at Deer Island are of the opinion that an additional appropriation of \$50,000 should be made for the purpose of installing in this plant an auxiliary boiler to be used principally during the summer months for furnishing the necessary steam for power and heating purposes. In their opinion, it is not economical to operate the large boilers at this time, since the power and heating requirements of the institution are greatly reduced during the summer months. Considerable savings can be realized in the item of fuel by the installation of a small auxiliary boiler, consequently, I deem it expedient to approve the recommendation and provide the necessary funds. To this end, I submit herewith a loan order for the sum of \$50,000 and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$50,000 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.

City of Boston,  
Penal Institutions Department,  
June 20, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.  
Dear Sir,—I beg to inclose herewith communication received from James H. Ritchie and Associates, architects of the Deer Island Power Plant.

I concur in the recommendations of the architect that a small boiler is essential for the nonheating period in the summer and would recommend that an appropriation of \$50,000 be provided for this necessary work.

Very truly yours,  
PHILIP A. CHAPMAN,  
Penal Institutions Commissioner.

James H. Ritchie and Associates,  
100 Arlington Street,  
Boston, Mass., June 7, 1929.

Mr. Philip A. Chapman,  
Penal Institutions Commissioner.  
Dear Mr. Chapman,—When the new power plant was put in operation at Deer Island, it immediately developed a rather serious situation with regard to steam leaks in the old piping underground and in the old building. This was brought about by the increased pressure and efficiency of the new plant. Now that

these leaks and replacements have been completed, it is interesting to observe that the overall load has been reduced by approximately one hundred to one hundred fifty boiler horse power.

There is a certain minimum at which the large boilers can be operated economically, and the large boiler at its minimum is wasteful in taking care of your summer load, for you are consuming about 375 pounds of additional coal per hour, and are generating thereby more steam than you need and, therefore, the coal is being wasted. During the four or five months of the nonheating period in the summer, the operation of this large boiler to take care of the light load shows an unnecessary expense of about \$4,700 to \$5,000.

I am calling your attention to these facts because it would be possible for a sum not exceeding \$50,000 to install a small boiler mechanically operated, that would furnish all the necessary steam for power purposes and such heating as you require and for the manufacture of electricity at a very substantial saving. Further than that, it would eliminate an unnecessary depreciation upon the large, more expensive boilers because of their not being operated during this light load period in an economical manner. I therefore recommend that you give careful consideration to the possibility of obtaining an appropriation not exceeding \$50,000 to meet this condition.

Very truly yours,  
JAMES H. RITCHIE.

Referred to Committee on Finance.

PETITIONS REFERRED.

The following petitions were received and referred to the Committee on Claims.

George Buck, for compensation for injuries caused by being hit by an ash barrel.

James Butler, for compensation for injuries caused by an alleged defect in Rutherford avenue.

Carl Supply Company, for compensation for damage to property at 52 Blackstone street, caused by overflow of sewage.

Mrs. Minnie Chaddock, for compensation for injuries caused by an alleged defect at South Station.

Frank Guerriero, for compensation for expenses incurred in digging sewer at 182 F street, South Boston.

Helen F. Herman, for compensation for injuries caused by an alleged defect in Boston Common.

Mildred E. Horton, for compensation for damage to automobile caused by an alleged defect in Walkhill street, Dorchester.

Thomas A. Malloy, for compensation for damage to automobile by police automobile.

Megliola Building Trust, for compensation for damage to property at 22 and 24 Maynard street, caused by overflow of sewage.

New England Deaconess Hospital, for refund on refuse tickets.

Sarah & Robert Polite, for compensation for damage to property at 21 Wellington street, caused by police officers.

Harry L. Smith, for compensation for loss of property taken from locker.

Boris L. Thorner, for compensation for damage to property at 149 Harvard street, caused by defective sewer.

John Van Baars, for compensation for damage to property at 193 Sycamore street, Roslindale, caused by backing up of sewage.

Frank Wolohowicz, for compensation for damage to property at 12 Ernst street, Roxbury, caused by city truck.

Harry Slabine, for compensation for damage to automobile caused by city truck.

CONSTABLES' BONDS.

The constables' bonds of James L. Combs and William F. Cogan, having been duly approved by the City Treasurer, were received and approved.

GASOLENE LICENSES.

Notice was received from the Board of Street Commissioners of hearings on Monday, July 15, 1929, on the following petitions for the storage and sale of gasolene:

William H. Quimby, 2004 Centre street, Ward 20, 5,000 gallons.

Harriet E. Reid, 502 Cambridge street, Ward 21, 5,000 gallons.

Estate of L. T. Hollingsworth, 926 Cummins Highway, Mattapan, 1,000 gallons.

Joseph A. Bellieu, 195-199 Ruggles street, Ward 9, 3,000 gallons.

Morris Lipsen, 116 and 118 Hampden street, Ward 8, 3,000 gallons.

James L. Minitier, 512 Centre street, Ward 19, 3,000 gallons.

Emil R. Swenson, 355 Maverick street, Ward 1, 3,000 gallons.

Referred to Executive Committee.

RESIGNATION OF CONSTABLE O'BRIEN.

Notice was received from the Mayor of the resignation of Daniel W. O'Brien from the position of Constable in the City of Boston.

Placed on file.

President DONOVAN called Coun. GALLAGHER to the chair.

Coun. GALLAGHER in the chair.

IMPROVEMENT OF WORLD WAR MEMORIAL PARK.

Coun. DONOVAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to expend \$50,000 from the income of the Parkman Fund to be used for improvements at World War Memorial Park, East Boston.

Coun. DONOVAN—Mr. President, this order calls for the expenditure of \$50,000 on Wood Island Park, or World War Memorial Park, as it is known today, the amount to be taken from the Parkman Fund. As I understand it, this park comes within the scope of the parks and playgrounds mentioned in the will of the late Mr. Parkman. I believe the interest accrues every quarter. Therefore, I ask the Park Commissioner at this time, through his Honor the Mayor, to expend some of the money from that fund in that section of the city, where it is much needed, due to the fact that we are located on an island and that we have more school children than any other section of the city. By virtue of the fact that the state has reclaimed the land at World War Memorial Park, we in East Boston at the present time are practically without a bathing beach. It is therefore very desirable that something in the way of a substitute be provided. It might be that steps could be taken whereby something in the way of a bathing beach might be provided, a ball park, gymnasium and so on. I therefore trust that the order will be passed.

The order was passed under suspension of the rule.

PROTECTION OF VALUABLES AT BEACHES.

Coun. RUBY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to take immediate steps to safeguard and protect the money and valuables of bathers, which are left in the care and custody of officials or employees of the Park Department at the various beaches in the City of Boston.

Coun. RUBY—Mr. President, within the last few days I have had a complaint from citizens of Boston visiting certain bathing beaches, properly checking their valuables with the properly designated officials employed by the City of Boston, and then having those valuables stolen while they were out bathing. In the particular instance I have in mind, a man went to one of the bathing beaches conducted by the City of Boston, checked his valuables, and received the check for the same. He then went to the locker, undressed and properly closed the locker and went to the bathing place, and upon his return found the locker to which he had been designated and for which he had the key in his possession all the time, open, his clothes ransacked, the ticket for the valuables that he had checked in the office stolen from his pocket, and he found that the check had been presented to the officials in the locker building and the valuables given to the man presenting the ticket. That man had evidently in some way got access to the locker, and in this way the man who owned the valuables and took every precaution had them stolen. In the particular case the man lost his gold watch, costing \$75, and a sum of money, for which I understand a claim has been made on the City of Boston. It is not a hard thing for the Park Commissioner to take steps to properly safeguard these valuables, having them properly checked and looked after, if he will only use the same method that is used at the state bathing beaches. There, when valuables are checked, the person who places the valuables in charge of the one in the office signs his or her name, and in going out countersigns the name. There is thus a chance for comparison of the handwriting when the check is presented for the return of the valuables. The circumstances surrounding the particular case I have referred to have convinced the police authorities, as well as myself, that somebody having access to the lockers must have obtained the check, and it is also a fair presumption that the guilty person must have seen the valuables checked, must have watched the young man go to the particular locker, and must have known just what locker was being used. I think if the Park Commissioner is instructed to properly safeguard these valuables of the people of Boston who use the different bathing beaches, and who have a right to proper protection of their valuables when checked, perhaps through signature when depositing the values and countersignature upon checking them out, this sort of thing can be remedied. I understand that that signing system was adopted several years ago and given up for some reason; but it certainly seems that such a system might prevent the recurrence of this sort of thing. For various reasons I don't want to disclose the name of the bathing beach, because I think it is probably inadvisable to do so at this time. But this did occur, and it does seem, in the interest of the citizens of Boston, that some measure should be adopted to properly safeguard the public. Therefore, I ask suspension of the rule and the passage of the order.

The order was passed under suspension of the rule.

#### SIDEWALK ON GREENWICH STREET.

Coun. McMAHON offered the following:  
Ordered, That the Commissioner of Public Works make a sidewalk along Greenwich street, from Dorchester avenue to Freeport 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.

Passed under suspension of the rule.

#### SIDEWALK ON HOLBROOK STREET.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Holbrook street, from Centre street to Dane 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 (sidewalk only), with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### SIDEWALK ON SPRING PARK AVENUE.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Spring Park avenue, from Centre street to Chestnut 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.

#### ANNUITY FOR MRS. CHARLES A. FERNALD.

Coun. DOWD offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of Charles A. Fernald, 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 Executive Committee.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Chairman GALLAGHER called up under unfinished business Nos. 1, 2 and 3 on the calendar, viz.:

1. Action on appointments submitted by the Mayor June 18, 1929, of James L. Combs and Henry L. Murphy, to be Constables.

2. Action on appointments submitted by the Mayor June 18, 1929, of Lawrence H. Dunn, Carleton B. Perry and Daniel F. Lauten, to be Weighers of Coal.

3. Action on appointments submitted by the Mayor June 24, 1929, of William Commans, to be a Weigher of Coal, and Arthur J. Emmons, to be a Weigher of Beef.

The question came on confirmation. Committee, Coun. Dowling, and Fitzgerald. Whole number of ballots, 18; yeas, 18, and the appointments were confirmed.

#### LEASE TO CHARLESTOWN POST, V. F. W.

Coun. GREEN 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 Lexington Street Building which will shortly be abandoned by the George R. White Health Unit, to Charlestown Post No. 544, Veterans of Foreign Wars, at a rental of one dollar per annum.

Referred to Executive Committee.

#### RECESS.

The Council voted at 2.30 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 DONOVAN at 4.24 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

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

1. Report on the order (referred today) authorizing the Superintendent of Public Buildings, with the approval of his Honor the Mayor, to lease the premises in the Lexington Street Building, to Charlestown Post No. 544, Veterans of Foreign Wars, at a rental of \$1 per annum—that the same ought to pass.

Report accepted, said order passed.

2. Report on order (submitted by the Mayor and referred today) that the sum of \$4,000 be appropriated to be expended by the Board of Park Commissioners for the purpose of furnishing steamer transportation to Rainsford Island—that the same ought to pass.

Report accepted, said order passed, yeas, 22, nays, 0.

3. Report on order (referred January 14) that an annuity of \$600 be allowed and paid to the widow of Thomas F. Flynn, late member of the Boston Fire Department—that the same ought to pass.

Report accepted, said order passed.

4. Report on order (referred June 10) that an annuity of \$600 be allowed and paid to the widow of Frank H. Laskey, late member of the Boston Fire Department—that the same ought to pass.

Report accepted, said order passed.

5. Report on order (referred May 13) concerning the salaries of officers connected with the City Council, recommending the passage of the following:

An ordinance concerning the salaries of officers connected with the City Council:

Be it ordained, etc.

Section 1. Chapter three of the Revised Ordinances of 1925 is hereby amended in section five in the clause establishing the salaries of the officers connected with the City Council by striking out said clause and inserting in place thereof the following:

"The officers connected with the city council: the clerk of committees, fifty-five hundred dollars; the assistant clerk of committees, thirty-seven hundred fifty dollars; the second assistant clerk of committees, twenty-seven hundred fifty dollars; the city messenger, fifty-five hundred dollars; the assistant city messenger, thirty-two hundred fifty dollars; the second assistant city messenger, twenty-seven hundred fifty dollars."

Sect. 2. This ordinance shall take effect as of the first day of June, 1929.

Coun. WARD—Mr. President, I wish to offer an amendment, to change the amount allowed to the Second Assistant Clerk of Committees from \$2,750 to \$3,000.

The amendment was adopted, and the question came on accepting the report and passing the ordinance as amended.

Coun. PARKMAN—Mr. President, I suppose there is nothing more difficult in public life than the fixing of salaries by a legislative body, and particularly so when it is a question of the salaries of the attaches of the legislative body with whom we live day by day and who help us to perform our duties. But, after all, we have duties to a great body of citizens outside of those who serve with us here, and we must consider our obligation in that respect as well. It seems to me that the present attaches of the City Council are well paid at their present salaries. I say so from the point of view of the comparison of those salaries with those paid in public employment, such as salaries paid by the Commonwealth of Massachusetts for similar positions of responsibility; and it would seem that the salaries paid here compare favorably, so far as they can be compared, with the salaries paid in private employment. I must, therefore, register my protest against these increases in salaries, and shall vote against them.

Coun. DOWLING—Mr. President, for the reason already stated by the gentleman from Ward 5 (Coun. Parkman) and for the reasons which I went into in further detail in the Executive Committee, I merely want to say that I am also in opposition to the proposed increases. I merely offer this as an explanation of my vote against the proposed increases.

Coun. WILSON—Mr. President, I perhaps stand in a middle position between the councillors who have just spoken. I am in favor of moderate and reasonable increases for the more active attaches of the Boston City Council; but, due to the fact that the increases proposed are not such increases as I consider reasonable, I am driven to the position where I cannot vote in favor of any of the six.

Coun. MURPHY—Mr. President, for the first time since I became a member of the Boston City Council I have been forced to stand up in defense of those with whom, because of my personal financial inability to pay personally for such services as a member of this body is compelled to have in carrying on his business with the public, I have occasion here to deal. In the ward from which I come, Mr. President, there are over 40,000 people, of whom over 16,000 are registered voters, and I am required, due to the requests and the calls made upon me day in and day out by my constituents, to go to the stenographers attached to the Boston City Council and get their assistance in conducting my business with the citizens of Boston, who pay the freight through taxation. I say, when you put the services rendered by the attaches of this Council on a level with the services rendered by many others in public employment, it is all wrong. There is no greater service in this world than service between man and man, when those serving act in a representative and a confidential, advisory capacity. In my short experience in this city, from 1915 down, I have found that it is the policy of the powers that be in the state to strip the Boston City Council of power, of dignity, of the respect that ought to go with the representative body in a city of this type; and I have discovered since my membership of the body first that the men serving us here are the most faithful of men, men who are in a way giving their lives to the City of Boston; secondly, that they are absolutely efficient in the work which they are performing; and, third, that they are helping us every day to conduct private business, business which they keep absolutely confidential, and exhibiting the greatest fidelity and tact. And so I trust that this Council will try once again to raise the standard, not alone of American efficiency, but the standard of American living, showing by our example that we are willing to pay properly those who are doing our confidential business for the services which they are performing; and that we shall, so far as lies in our power, put them on a par, in the matter of wages, with similar employees in the Mayor's office, in the Governor's office, and in every confidential office of every big business establishment in the country.

Coun. McMAHON—Mr. President, it is very nice to sit here and listen to several gentlemen tell about what big increases these are, and how they are going against such raises in salary. But these men don't come probably from the same sort of district that I come from, or from the same sort of district where these men who are now before us for a raise live. There are men here now in our service who have in the past for years been elected to public office, gentlemen who have worked for the city for years, and I say here today that they are entitled to more of a raise than we are offering them. When I hear some of these men get up here this afternoon and voice their opinions against these proposed raises, my mind goes back to June 18, a couple of weeks ago, to action that was taken at a meeting where these gentlemen who have today opposed these proposed in-

creases were present. The members absent at that time were Coun. Arnold, Bush, Dowd, Mahoney, and Murray. May I refer to the proceedings on page 216 of the City Council record?

"Salaries of Transit Commissioners. On motion of Coun. SULLIVAN the Council took up assignments, viz.,—Report of the committee on ordinances ought to pass on the following:

"An ordinance concerning the salaries of the Transit Commissioners:

"Be it ordained by the City Council of Boston as follows:

"Section 5 of chapter 3 of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the Chairman of the Transit Commissioners by striking out the words 'Seventy-five Hundred' and inserting in place thereof 'Nine Thousand' and in the same clause establishing the salaries of the two other commissioners by striking out the words 'Five Thousand,' and inserting in place thereof the words, 'Seventy-five Hundred.'"

The report of the committee was accepted. Mr. President, and the ordinance was passed. There was a raise in salary to two gentlemen from \$5,000 to \$7,500, and I would like to be told for what? Those two gentlemen, Mr. President and members of this Council don't give the City of Boston over one hour's work a week, and still they come in here and we give them a raise of \$2,500, a 50 per cent increase. But when it comes to our stenographer here, our city messenger, our clerk of committees, men connected with our own department, what do we hear this afternoon? We hear two gentlemen get up here and say that they are opposed to increasing the salaries for these men. Let them be opposed, Mr. President. I come from a district that will not oppose it, and I will not oppose any salary increase. When the Mayor of the City of Boston can come in here, as he did two weeks ago, and tell us that some of these gentlemen should be given a \$2,500 raise, what are these members talking about when they object to a \$250 or \$500 raise in the case of some of our faithful employees. The shoe doesn't fit the right foot, that is all. Mr. President. And let me tell you that you can look back through the records of this City Council and see commissioners coming in here for raises of \$500, \$1,000, \$1,500, and up to \$2,500, with no objection raised. It is all very well for some of the members to say that we shouldn't give these raises that are proposed here, but if I did not have the help of the stenographers around here I could not do my work. I am sent here from a ward composed largely of everyday working people, and I cannot afford personally to hire stenographers. There are many times when we have to use them, in helping our constituents and doing our work for the city, and neither I nor most of the other members could afford to pay the fee that was necessary for such work if we did not have them here. I say that there should not be one vote against these proposed salary increases. As I have said, if you will look back into our records for only two weeks you can see the ordinance that was passed for these \$2,500 raises that I have referred to. I certainly hope that this ordinance will pass, Mr. President.

The report was accepted and the ordinance as amended was passed.

#### ROOM FOR COMMITTEE ON STATUTE CODIFICATION.

Coun. ARNOLD offered the following:

Ordered, That the Committee on Codification of the Statutes relating to the City of Boston be permitted to occupy and use Room 50, City Hall, during July and August, 1929, except on Mondays.

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

Coun. McMAHON—Mr. President, I doubted the vote.

President DONOVAN—The Chair heard no objection when he put the question to the Council.

Coun. McMAHON—Mr. President, I ask to be recognized.

President DONOVAN—Does the gentleman care to move a reconsideration or for what purpose does he rise? At the time the Chair put the question on the order, he heard no objection.

Coun. McMAHON—Mr. President, I move a reconsideration.

The motion to reconsider was lost.

#### PROPOSED HIGHWAY AND SIDEWALK LOAN.

Coun. DOWD offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to draw up legislation to allow the City of Boston to borrow nine millions of dollars to be expended over a period of three years for the making of highways and sidewalks, and the reconstruction of streets throughout the residential sections of the City of Boston.

Coun. DOWD—Mr. President, if there is no objection I move that the order be referred to the Executive Committee.

Coun. BUSH—That is a loan order, Mr. President?

President DONOVAN—Not a loan order,—an order requesting legislation at the hands of the Legislature which will enable the city to borrow a sum outside the debt limit for these purposes.

Coun. DOWD—Mr. President, while there may be some doubt in the minds of some members of the Council in regard to this matter, I have presented that order in order to attempt to correct a condition which seems outrageous. I feel that the time has come in the City of Boston when some consideration must be given to the residents of Boston, the people who pay the bill, and not alone to the business men of Boston, who live outside the city and pay no personal taxes. We spend annually millions and millions upon this improvement and that improvement. Every year we spend one million dollars on Highways, Making of, and \$1,000,000 on Reconstruction of Streets. It is a fact that the great city of New York last year alone spent \$114,000,000 on reconstruction and making of highways; it is a known fact that the great city of St. Louis spent \$80,000,000 last year for such purposes, and yet here we have the great city of Boston spending \$1,000,000 on Making of Highways. What are conditions in West Roxbury, Hyde Park and Dorchester? I ask any Councilor if he can get the new streets desired and necessary in his district? One million dollars is only five or six streets a year, and, while we vote millions of dollars for other improvements, the City of Boston does not spend the amount that is necessary in this direction. I say that if Boston is to continue to grow we must spend more money and that \$3,000,000 for a period of three years is not a great deal to ask the Legislature for. We have already been considering in Executive Committee today the appropriation of \$1,650,000, under the act passed by the Legislature, for the widening of two streets in one section. I say that every street in Boston and every sidewalk in the residential section should be fixed, and I ask that this order go through the Executive Committee in order that we may discuss the matter fully.

Coun. BUSH—Mr. President, I fully agree with the remarks of the councilor from Roxbury when he refers to the tremendous amount that is being spent by the city in certain lines and the need for the expenditure of much more money for new streets in the suburban districts. But the mere fact that we may obtain the right to borrow money so that we

would be able to expend a much larger sum in the direction suggested, is no assurance that that money will be spent for that purpose. Unless we can find some way to obtain assurances that the money will be spent for that purpose, I should not be in favor of this kind of request. What assurance have we that the money would not be used for further unnecessary street widenings, if we do obtain the \$9,000,000?

Coun. MURPHY—Mr. President, I disagree with the last words of the previous speaker, with reference to unnecessary widenings. So far as I am concerned, as a member of this Council, there has been no widening for which I have voted which I was not convinced in my own mind was absolutely necessary for the welfare and the building-up of Boston. I ask nobody to alibi for my responsibility, whether it be on Exchange street or any other street. I voted on Exchange street, as I have voted on other matters, with my eyes open, after careful consideration, and I charge myself and nobody else with the responsibility. As far as the order introduced by Councilor Dowd is concerned, I am absolutely in favor of the request he has made. In the ward from which I come, Ward 18, which does not comprise alone Hyde Park, but takes in a large section of West Roxbury and of Dorchester, we have 330 odd streets that are unaccepted highways and are nothing but quagmires today, in spite of the fact that people have to live on them. We were asked when we went to the Street Commissioners why people moved into those streets? Why, if they did not move into that kind of street and develop Boston, what would become of Boston, Mr. President? Those people are the pioneers in the suburban district, people living in mud, in many cases, without sewers or water, and I say some serious effort should be made to take care of them. We have already been told of the enormous amount of money spent in New York for the making of highways, and similar expenditures are continually being made in other parts of the country. When I was in Los Angeles, they had appropriated \$140,000,000 to dig a harbor out of a mud-bank. I say that Boston ought to be alive to the importance of this matter, ought to take steps to give plenty of air and sunlight to her children and to her citizens, and ought to have proper streets and sidewalks for them to travel and walk upon. I am certainly heartily in favor of Councilor Dowd's request.

The order was referred to the Executive Committee.

REPAVING OF SAGAMORE STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Sagamore street, from Savin Hill avenue to Belford street, Ward 13.

Passed under suspension of the rule.

ADDITIONAL ELECTRIC LAMPS ON SAVIN HILL AVENUE.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install a sufficient number of electric lamps on Savin Hill avenue, from Dorchester avenue to the Savin Hill Station, in order that this thoroughfare may be adequately illuminated.

Passed under suspension of the rule.

CHAPLAIN FOR FIRE DEPARTMENT.

Coun. SULLIVAN offered the following:

Ordered, That the Fire Commissioner, through his Honor the Mayor, be requested to appoint a chaplain in the Fire Department.

Coun. SULLIVAN—Mr. President, I understand that the request has been made a great many times that the Fire Commissioner or the Mayor of the City appoint a chaplain for the Fire Department. I certainly hope that his Honor the Mayor will recommend such an appointment to the Commissioner, and that such a chaplain will be appointed so that the men will have the proper kind of instruction.

The order was passed under suspension of the rule.

LOAN FOR HOSPITAL BUILDING PLANS.

Coun. MOTLEY, for the Committee on Finance, submitted a report on the order (presented by the Mayor and referred May 27) for a loan of \$180,000 to be expended by the trustees of the Boston City Hospital for Hospital buildings, etc.—that the same ought to pass.

Report accepted, said order passed, yeas, 16, nays, 2:

Yeas—Coun. Arnold, Deveney, Donovan, Dowling, Fish, Fitzgerald, Gallagher, Green, Keene, Mahoney, Motley, Murphy, Murray, Parkman, Ruby, Sullivan—16.

Nays—Coun. Bush, Ward—2.

REPAVING CENTRE STREET, WARD 16.

Coun. FISH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Centre street, from Dorchester avenue to Adams street, Ward 16.

Passed under suspension of the rule.

SPECIAL ELEVATED FARE FOR CHILDREN.

Coun. DOWLING offered the following:

Ordered, That his Honor the Mayor be requested to take up with the officials of the Boston Elevated Company the matter of a special five-cent fare to the children of Boston on all lines connected with the various city bathing resorts during the summer.

Coun. DOWLING—Mr. President, if I am not greatly mistaken the Boston Elevated Company has an arrangement at the present time by which school children are transported to and from the schools at a special five-cent fare. It occurs to me that at this time, in the hot weather, with people going to the beaches and other resorts, there might be an unusual demand on the part of the children to attend the bathing beaches. Therefore, I hope the order will pass and that overtures will be made to the Elevated road with a view to securing reduced fares for the children.

The order was passed under suspension of the rule.

THE NEXT MEETING.

Coun. KEENE—Mr. President, inasmuch as it seems that there is nothing on the calendar that will suffer in the meantime, and as we are to have during the week one of the important holidays of the year, I move that when we adjourn it be to two weeks from today, at 2 p. m.

The Council voted that when it adjourn it be to meet on Monday, July 15, at 2 p. m.

IMPROVEMENTS AROUND TRECSCOTT SCHOOL.

Coun. MURPHY offered the following orders:

Ordered, That the chairman of the Schoolhouse Commission be requested, through his Honor the Mayor, to place in proper condition the land situated opposite the Trescott School

and known as the "Trescott School Playground," so that the children may enjoy the playing of baseball during the summer months.

Ordered, That the chairman of the Schoolhouse Commission be requested, through his Honor the Mayor, to grade around the Trescott School, Ward 18, so that it may be placed in proper condition as a playground.

Coun. MURPHY—Mr. President, I will simply say in regard to the two orders pertaining to the Trescott School grounds, that we have a situation there whereby my children and the children of every other family in that school district are required to put up with very bad conditions at recess and other times, so far as playing facilities are concerned. Things on the outside of the school are in very bad shape. There are large stones lying around, where children are liable to get hurt, and I have had my own children come home with their knees cut. I hope, and I know, that the Commissioner of the Schoolhouse Department will see to it in the vacation period that this place is put in proper condition so that the children may enjoy their outdoor recreation with decent surroundings. I also trust that proper facilities will be afforded to the children to play baseball and that sort of thing. The ground is not in proper condition at the present time, and because of that we are requesting the Schoolhouse Commissioner to grade and fix up the piece of ground referred to in one of these orders so as to make it an up-to-date little playground for the children of my district, especially that part of the district where they have no playground at the present time. I move a suspension of the rule and the passage of the orders.

The rule was suspended, and the orders were passed.

#### ANNUITY TO MRS. JOHN P. CREMIN.

Coun. MURPHY offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of John P. Cremin, 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 Appropriations for Fire Department, Pensions and Annuities.

Coun. MURPHY—Mr. President, I desire to say just a word in regard to this order. On March 19, 1929, John P. Cremin, a member of Ladder Company 13, which is located on Warren avenue, answered a second alarm from Box 2322. From the inhalation of smoke, the heat and gas, Mr. Cremin developed pneumonia, from which he died on April 11, 1929. I might say that this young man, who was a veteran of the World War, was one of the outstanding reputable citizens of Ward 18, and one of the most pitiful things that has happened in the history of our district is the taking away by Almighty God of this fine public servant. I trust that his widow may receive the annuity, after proper consideration of the matter by the Executive Committee and by the Fire Commissioner, to the end that something will be done for the widow of this faithful, honorable public servant.

The order was referred to the Executive Committee.

Adjourned at 4.58 p. m., on motion of Coun. RUBY, to meet on Monday, July 15, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, July 15, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair.

Absent, Coun. Green, Lynch, Mahoney, Murphy.

## EXECUTIVE APPOINTMENTS.

Communications were received from the Mayor making the following appointments for the term ending April, 1930:

Constables: Abraham S. Singer, 114 Falcon street, East Boston; Jerome Edward O'Brien, 75 Savin street, Roxbury.

Wheeler of Coal: Ira E. Thompson, for City Fuel Company, 460 River street, Mattapan.

Weighers of Goods: Thomas Hennessey, 31 Argyle street, Everett, for Molasses Distributors Corporation, 650 Summer street, Harry J. Smith, 496 Hyde Park avenue, Roslindale, for the Whittemore Company, Roslindale, Mass.

Measurer of Wood and Bark: Ira E. Thompson, for City Fuel Company, 460 River street, Mattapan.

Appointments severally laid over for a week, under the law.

## VETO—POSTPONEMENT OF FERRY INCREASES.

The following was received:

City of Boston,  
Office of the Mayor, July 9, 1929.

To the City Council.

Gentlemen,—I herewith return without my approval your order under date of June 24, 1929, repealing the effective date of the revised schedule of ferry tolls recently adopted by your honorable body upon my recommendation.

The revised tolls adopted by you represent a reduction in taxation as well as a fairer schedule of charges for ferry service and in my opinion should not be postponed.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

## REPORT ON CITY HOSPITAL ADMINISTRATION AND SERVICE.

The following was received:

City of Boston,  
Office of the Mayor, July 15, 1929.

To the City Council.

Gentlemen,—I transmit herewith for your consideration the report and recommendations of the Board of Physicians appointed by me to study the administration and service of the Boston City Hospital and to inquire into the needs of the community of Boston in the matters of hospital care.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

[Appended at length was the report and recommendations referred to.]

Placed on file.

## PROTECTING BATHERS' VALUABLES.

The following was received:

City of Boston,  
Office of the Mayor, July 12, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Commissioner in reply to your order of July 1, 1929, relative to the safeguarding and protecting of money and valuables of bathers left in the care and custody of officials or employees of the Park Department at the various beaches in the City of Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, July 9, 1929.  
Hon. Malcolm E. Nichols.

Mayor of Boston.

Dear Sir,—I have your memorandum of July 6, with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to take immediate steps to safeguard and protect money and valuables of bathers, which are left in the care and custody of officials or employees of the Park Department.

The trouble at the beaches is that the users do not leave their money and valuables with the officials or employees of this department. Ninety-nine per cent of the losses are caused by the bathers leaving their valuables in the lockers.

This department does more to safeguard the valuables of the bathers than most private concerns. When 12,000 bathers try to use the bath house in one day and a great many see fit not to check their valuables and only one loss is reported, that should speak for itself.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

## BURIAL OF VETERANS IN FAIRVIEW CEMETERY.

The following was received:

City of Boston,  
Office of the Mayor, July 12, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of June 10, 1929, relative to the setting aside of a lot of land in the Fairview Cemetery, Hyde Park, to be used for the burial of deceased veterans of all wars.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, July 1, 1929.  
Hon. Malcolm E. Nichols.  
Mayor of Boston.

Dear Sir,—I have your memorandum of June 10, with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to set aside a lot of land in the Fairview Cemetery, Hyde Park, to be used for the burial of deceased veterans of all wars.

At the present time in Evergreen Cemetery is a large lot for the burial of Civil War veterans, which has been used since the two lots at Mt. Hope Cemetery were filled. There is space for 200 additional graves in this lot.

At Fairview Cemetery is also a lot for Civil War veterans which has 50 empty graves. At the same cemetery is a lot for Spanish War veterans which has 35 graves still unoccupied.

Mt. Hope Cemetery also has a large lot for Spanish War veterans which has 125 vacant graves. There is also at this cemetery a lot for World War veterans containing 3,000 graves—at the present time 2,900 are vacant.

In all of the above lots the only requirement is that the deceased is a resident of Boston, whether a citizen or not.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

## CONVENIENCE STATION IN FRANKLIN PARK.

The following was received:

City of Boston,  
Office of the Mayor, July 12, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of June 18, relative to the construction of a convenience station in Franklin Park.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, June 28, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of June 26, with inclosed order from the City Council,

that the Park Commission be requested, through his Honor the Mayor, to provide for the construction of a convenience station in Franklin Park.

At the present time we have facilities in four different places in Franklin Park, namely, the Refectory Building, Bird House, Scarboro Hill and on the Morton street side. There is no question but what an additional convenience station could be placed in Franklin Park, but I regret exceedingly to inform you I have no funds available for such purpose at the present time.

Very truly yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### PUBLIC SCHOOL VACATION PERIOD.

The following was received:

City of Boston,  
Office of the Mayor, July 12, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the School Committee, in reply to your order of June 18, relative to the closing of the public schools from June 15 to September 15, each year.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
School Committee, July 5, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—At a meeting of the School Committee held in this building on Monday evening last, July 1, 1929, the committee received the following order passed by the City Council on June 18, 1929:

Ordered, That the School Committee be requested, through his Honor the Mayor, to close down the public schools from June 15 to September 15 each year so as to allow the children an opportunity for outdoor recreation during the hot weather.

The superintendent was asked for an expression of opinion as to the feasibility of carrying out the suggestion of the City Council, and the superintendent reported that in his opinion the suggested procedure is impracticable, for under statute law the School Committee is obliged to keep open the schools for pupils of the upper grades for at least one hundred eighty days, exclusive of vacations, in each school year. After a great deal of discussion and consideration, the School Committee several years ago adopted a school year calendar which has worked out satisfactorily. Eliminating the vacation periods, which are essential for the health and well-being of both teachers and pupils, leaves about one hundred eighty-two actual school days in the year. In view of this fact alone, it seemed to the superintendent unwise to attempt to further shorten the school year.

In view of this statement of the superintendent, the communication from the City Council was ordered placed on file.

Very truly yours,  
ELLEN M. CRONIN, Secretary.

Placed on file.

#### TRAFFIC OFFICER, FOX POINT ROAD.

The following was received:

City of Boston,  
Office of the Mayor, July 12, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner in reply to your order of June 24, 1929, relative to placing a traffic officer at the intersection of Fox Point road and Old Colony Parkway.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Police Department, July 1, 1929.  
Ida Hibbard, Chief Clerk,  
Office of the Mayor.

Dear Madam,—Replying to your communication, under date of June 26, referring to an order of the City Council relative to placing a traffic officer at the intersection of Fox Point road and Old Colony Parkway, I desire to state that I have had an investigation made of this matter and

find that Fox Point road at the intersection of Old Colony Parkway and twenty feet in on Fox Point road from the inner edge of the roadway is under the jurisdiction of the Metropolitan District Commission. Therefore, to place an officer at this point would conflict with their authority.

I wish to further state that Fox Point road connects the Savin Hill Yacht Club with the boulevard and is used almost exclusively by members of this club and their families.

Yours respectfully,  
HERBERT A. WILSON,  
Police Commissioner.

Placed on file.

#### TRAFFIC SIGNAL, WARD 12.

The following was received:

City of Boston,  
Office of the Mayor, July 12, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Boston Traffic Commissioner, in reply to your order of June 24, relative to the installing of danger signals or signs at the junction of Crawford street, Harold street and Abbotsford street, Ward 12.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

June 28, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.  
Re City Council Order June 24, 1929.

Dear Sir,—That the Traffic Commission be requested, through his Honor the Mayor, to install danger signals or signs of some distinction at the junction of Crawford, Harold and Abbotsford streets, Ward 12.

I will have an investigation made of the necessity for such signals and if we find that they are needed we will have them installed.

Respectfully yours,  
WILLIAM A. FISHER, Commissioner.  
Placed on file.

#### BURIAL LOT FOR POLICE, MT. HOPE CEMETERY.

The following was received:

City of Boston,  
Office of the Mayor, July 12, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of June 10, 1929, relative to the setting aside of a lot of land in the Mt. Hope Cemetery to be used for the burial of deceased members of the Police Department.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, July 1, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of June 10, with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to set aside a lot of land in the Mt. Hope Cemetery to be used for the burial of deceased members of the Police Department.

At various times in the past the city government has sold at a nominal price lots of varying sizes to charitable bodies. They have, of course, always paid the usual fee for interments which others pay in private lots and graves. At no time has the city established lots except in the cases above-named and in cases of lots for veterans.

Some years ago the Corporation Council stated that the City Council could not legally discriminate and establish lots in the city cemeteries even to charitable societies at a nominal cost on the ground that this was a misuse of city property.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.  
Placed on file.

DEPARTMENTAL TRANSFERS.

The following was received:

City of Boston,  
Office of the Mayor, July 15, 1929.

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 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 make the following transfer in the appropriations for Institutions Department:

From the appropriation for Long Island Hospital, A-1, Permanent Employees, Internes, 6 at \$600 a year, \$457.56, to the appropriation for Long Island Hospital, B-29, Stenographic, Copying and Indexing, \$457.56.

From the appropriation for A-1, Permanent Employees, Carpenters, 2 at \$1,100 to \$1,300 a year, \$200, to the appropriation for Central Office, G-3, Incidentals, \$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 Fire Department:

From the appropriation for B-39, General Plant, \$2,000, to the appropriation for D-13, Chemicals and Disinfectants, \$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 Penal Institutions Department:

From the appropriation for House of Correction, A-1, Permanent Employees, Firemen, 6 at \$39 (\$40.50) a week, \$829.75, to the appropriation for House of Correction, A-1, Permanent Employees, Engineer, Chief, 1 at \$2,100 (\$2,200) a year, \$58.77; Engineers, 5 at \$42 (\$45) a week, \$219; Firemen, 6 at \$39 (\$40.50) a week, 0.00. Steamer "Michael J. Perkins," A-1, Permanent Employees, Captain, 1 at \$50 (\$52) a week, \$61.33; Engineer, Chief, 1 at \$48 (\$50) a week, \$61.33; Engineer, Assistant, 1 at \$42 (\$44) a week, \$61.33; Firemen and Oilers, 3 (4) at \$39 (\$40.50) a week, \$184; Mate, 1 at \$45 (\$47) a week, \$61.33; Mate, Second, 1 at \$36 (\$38) a week, \$61.33; Wharfinger, 1 at \$36 (\$38) a week, \$61.33.

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 B-39, General Plant, \$200, to the appropriation for B-6, Hire of Teams and Auto Trucks, \$200.

From the appropriation for B-39, General Plant, \$10, to the appropriation for B-22, Medical, \$10.

From the appropriation for B-39, General Plant, \$100, to the appropriation for F-11, Workingmen's Compensation, \$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 Park Department:

From the appropriation for B-39, General Plant, \$826.11, to the appropriation for B-21, Removal of Snow, \$826.11.

From the appropriation for B-39, General Plant, \$300, to the appropriation for C-17, General Plant, \$300.

From the appropriation for B-39, General Plant, \$200, to the appropriation for D-16, General Plant, \$200.

From the appropriation for B-39, General Plant, \$500, to the appropriation for F-11, Workingmen's Compensation, \$500.

Referred to the Executive Committee.

LOAN FOR WORLD WAR PARK.

The following was received:

City of Boston,  
Office of the Mayor, July 15, 1929.

To the City Council.

Gentlemen,—I am in receipt of the attached

communication from the chairman of the Park Commissioners, in which he requests that a loan appropriation of \$75,000 be made available for the purpose of building a new bathhouse and beach at World War Memorial Park, East Boston. This matter has been discussed in the Council at a recent date and I assume the members of the Council are acquainted with the need for such an improvement. I accordingly submit a loan order providing for the sum of \$75,000 and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$75,000 be, and hereby is, appropriated, to be expended under the direction of the Park Commissioners, for World War Memorial Park, Improvements, etc., 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.

City of Boston,  
Park Department, July 9, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Replying to your inquiry and following your suggestion, I respectfully recommend that a loan order of \$75,000 be presented to the City Council at its next meeting for the purpose of building a new bath house and beach at Wood Island Park, East Boston, at a new location.

The reason for this request is that the present bathhouse is inadequate. The original cost was in the vicinity of \$15,000 and we could not salvage even the lockers that are in it at the present time.

The original beach at Wood Island was destroyed when the hydraulic fill was dumped into the Airport by the state in building the Boston Airport.

A new and up-to-date bath house will cost.....	\$50,000
To properly grade, remove eel grass, sand beach, etc.....	25,000
	\$75,000

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Referred to Committee on Finance.

TERCENTENARY APPROPRIATION.

The following was received:

City of Boston,  
Office of the Mayor, July 15, 1929.

To the City Council.

Gentlemen,—The Three Hundredth Anniversary Executive Committee is of the opinion that an appropriation of \$50,000 should be made available to be used during the balance of the year towards perfecting preliminary plans and arrangements for the celebration.

I had hoped it would be possible to make such an appropriation available without encroaching upon funds already allotted. Because of legislative limitations upon the appropriating power of the city such action is impossible and the only source from which the desired appropriation can now be secured is the Reserve Fund. Because of the low level at which this fund now stands, I do not deem it advisable to make available the full amount requested by the Executive Committee. Instead, I am recommending that an initial appropriation of \$25,000 be made available. Therefore I recommend adoption of the accompanying order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That in accordance with the provisions of chapter 16 of the Acts of 1929 an initial sum of \$25,000 be, and hereby is, appropriated to be expended by the Three Hundredth Anniversary Committee, under the direction of the Mayor, for the necessary preliminary arrangements in connection, with the three hundredth anniversary celebration of Boston, said sum to be charged to the Reserve Fund.

Referred to Executive Committee.

## LOAN FOR NEW FERRYBOAT.

The following was received:

City of Boston,  
Office of the Mayor, July 15, 1929.  
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the engineer in charge of the Ferry Division of the Public Works Department in which he points out a serious transportation difficulty now existing in his division. It is evident from his communication that immediate steps should be taken to provide for another modern ferryboat to be used in the East Boston ferry service. There is a balance of approximately \$100,000 available in the loan authorized by the Legislature three years ago for a similar purpose, hence with an appropriation of \$300,000 at this time the Public Works Department will have the sum of \$400,000 to expend for the construction of a new boat. I accordingly submit herewith a loan order providing for the appropriation of \$300,000 and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$300,000 be, and hereby is, appropriated to be expended under the direction of the Commissioner of Public Works, for East Boston Ferry, two additional boats and other permanent improvements, 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.

City of Boston,  
Public Works Department, July 9, 1929.  
To the Honorable the Mayor.

The ferry situation is at present serious, owing to the lack of the necessary number of boats to give proper service. The ferryboat "Noddle Island" was sold after it was found to be useless. The ferryboat "General Sumner" is one of the old wooden boats and is not reliable. It has been repaired repeatedly but is not of sufficient strength to handle the heavy loads that are taken over the ferry.

Owing to the condition of the "Sumner" it is problematical whether this boat will last out this year. With the remaining five steel boats it is necessary every year to make repairs to each boat and this will mean that for a very large part of the year service will be rendered to East Boston with but four boats, which is an insufficient number to give decent service.

It is true that the East Boston Tunnel is contemplated but it will be, I assume, at least three years before it can be put in service and in the meantime the Ferry Service, particularly with regard to the boats, is going to be decidedly insufficient for the needs of the community.

I therefore respectfully request that a loan be authorized to build at least one more boat. There is a balance in the appropriation for "East Boston Ferry, two additional boats and other permanent improvements" of about \$50,000 and about \$50,000 more authorized but not issued, making a total of about \$100,000 that may be made available from this particular appropriation; \$300,000 added to this \$100,000 would provide for one new boat.

I therefore respectfully suggest that an amount of \$300,000 be obtained by loan to add to the loan for the "East Boston Ferry, two additional boats and other permanent improvements," so that a boat may be built as soon as possible. It will take about one year to build a boat.

Respectfully yours,  
JOHN E. CARTY, Division Engineer.  
Referred to Committee on Finance.

## LOAN FOR MORTON STREET BRIDGE.

The following was received:

City of Boston,  
Office of the Mayor, July 15, 1929.  
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the engineer in charge of the Bridge Division of the Public Works Department, in which he requests that a loan of \$175,000 be made available for the rebuilding of the Morton

Street Bridge. Since this bridge is an integral and important part of the Southern Artery, its reconstruction is bound to facilitate the movement of traffic over this important highway. I accordingly submit a loan order in the amount requested and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$175,000 be, and hereby is, appropriated to be expended under the direction of the Commissioner of Public Work for Morton Street Bridge, 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.

City of Boston,  
Public Works Department, July 9, 1929.  
To the Honorable the Mayor.

I respectfully suggest that a loan of \$175,000 be made for the rebuilding of Morton Street Bridge, over the New England Branch of the New York, New Haven and Hartford Railroad.

Upon your request the City Council petitioned the Public Utilities Department of the Commonwealth for an order as to the necessity for rebuilding and the Utilities Department passed such an order.

The City of Boston and the New York, New Haven and Hartford Railroad Company agreed as to the type of structure and the amount which the railroad should pay to the city and the railroad has agreed to pay \$38,500.

All the preliminary arrangements have been completed, plans are drawn, and it is advisable that this work of rebuilding the bridge be done as soon as possible.

Respectfully yours,  
JOHN E. CARTY, Division Engineer.  
Referred to Committee on Finance.

## RELEASE OF SEWER RIGHTS, EAST EAGLE STREET.

The following was received:

City of Boston,  
Office of the Mayor, July 15, 1929.  
To the Honorable the City Council.

Gentlemen,—Inclosed find order releasing certain sewer rights which the City of Boston has in land situate on East Eagle street, or Eagle square, so called, East Boston. By deed dated December 20, 1864, recorded with Suffolk Deeds, Book 857, page 299, the East Boston Company conveyed to the City of Boston, in consideration of five hundred dollars, certain sewerage rights reserved in a deed from it to Edwin Rice, dated October 19, 1854, and recorded with Suffolk Deeds, Book 674, page 191.

By an order of the Board of Aldermen, approved by the Mayor of said City of Boston May 18, 1892, the City of Boston took for sewerage purposes certain land in East Boston, situate off East Eagle street, and contained within the parcel described in the abovementioned deed. The Old Colony Trust Company is now the owner of the said parcel of land, as trustee under the will of Abbie E. Rice, and is desirous of developing the land. I am in receipt of a letter, dated July 15, 1929, from James H. Sullivan, Commissioner of Public Works, in which he states the balance of the land, except that as used for sewerage purposes mentioned in his letter, is no longer necessary for public purposes.

The order contemplates a reservation of twelve feet in length so that the present sewer may be continued to tidewater. In the original conveyance you will note the consideration paid is five hundred dollars but inasmuch as no money was paid for the taking in 1892 and the city has now a sufficient easement, I suggest a nominal consideration.

I recommend the passage of the accompanying order.

MALCOLM E. NICHOLS, Mayor.

Whereas, By deed dated December 20, 1864, recorded with Suffolk Deeds, Book 857, page 299, the East Boston Company conveyed to the City of Boston certain sewerage rights reserved

in a deed from it to Edwin Rice, dated October 19, 1854, and recorded with Suffolk Deeds, Book 674, page 191; and

Whereas, The City of Boston took for sewerage purposes certain land in East Boston, situate off Eagle square, East Boston, by an order of the Board of Aldermen of said City of Boston, approved by the Mayor of said City of Boston May 18, 1892; and

Whereas, The Old Colony Trust Company, a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, trustee under the will of Abbie E. Rice, is the owner of a certain parcel of land situate in said East Boston, running from Eagle square, so called, to Chelsea creek, so called; and

Whereas, The said land thus owned by the Old Colony Trust Company, trustee as aforesaid, is subject to sewer rights conveyed to the said City of Boston by the deed of the said East Boston Company mentioned above; and

Whereas, The said land of the Old Colony Trust Company is also subject to the taking by the City of Boston for sewerage purposes as above set forth; and

Whereas, The City of Boston no longer needs for sewerage purposes and for public purposes a portion of the land thus owned by the said Old Colony Trust Company, trustee as aforesaid;

Now, therefore, it is hereby ordered, That the Mayor of said City of Boston be, and he hereby is, authorized, in the name and behalf of the said City of Boston, in consideration of one dollar, to release to the said Old Colony Trust Company and its assigns, trustee as aforesaid, all its right, title and interest to use for sewerage purposes the land conveyed by the East Boston Land Company to Edwin Rice, as aforesaid, reserving and excepting, however, from said release the right to use for sewerage purposes all land now actually being used by the said City of Boston for said sewerage purposes and also the right to use a strip of land for sewerage purposes, about twelve feet in width, extending northerly from the end of said taking to tidewater and along the westerly boundary to said parcel above referred to. This conveyance is to be made on condition that the said Old Colony Trust Company, trustee as aforesaid, conveys to the said City of Boston by an instrument in writing, satisfactory to the Law Department of said City of Boston, the right to build, use and maintain all sewerage works in a strip of land about twelve feet wide, extending from the end of said land taken as aforesaid to tidewater.

Referred to Committee on Public Lands.

PETITIONS REFERRED.

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

Claims.

George J. Burns, for compensation for damage to property at 187 Florence street, caused by backing up of sewage.

Hannah M. Courtney, for compensation for injuries caused by an alleged defect in Columbus avenue.

Samuel D. Davidoff, for refund on second-hand license.

Clemence R. Dwinell, for compensation for damage to property at 2 Sutherland road, Brighton, caused by bursting of water main.

James L. Early, for compensation for damage to car caused by an alleged defect in Morton street.

Ethel Fleming, for compensation for injuries caused by an alleged defect in Everton street, Dorchester.

Mildred Frank, for compensation for injuries caused by an alleged defect in Somerset street.

Ellis Freeman, for compensation for damage to automobile caused by an alleged defect in Brookline avenue.

Diab Jadin & Handouny Thomas, for compensation for damage to property at 190 West Springfield street, caused by ash truck.

Elias Kamber, for compensation for broken sidewalk by city team.

George T. King, for compensation for damage to property at 2 Sutherland road, caused by clogged sewer.

B. F. Kingsley, for compensation for damage to property at 2 Sutherland road, caused by backing up of sewage.

Dorothy A. Malone, for compensation for injuries caused by an alleged defect in Roland street, Charlestown.

T. A. Maloof, for compensation for damage to automobile by city cart.

Frank Marino, for compensation for injuries caused by city wagon.

Anna T. McCloskey, for compensation for coat torn on fence on Beaumont street, Dorchester.

Alice T. McDonald, for compensation for injuries caused by an alleged defect in Adams street.

Rose Morris, for compensation for injuries caused by an alleged defect at 375 Washington street.

Giuseppe Moscaritolo, for compensation for injuries caused by an alleged defect at 11 Salem street.

Beatrice Packer, for compensation for injuries caused by fall in Whittier School yard.

Bridget Riley, for compensation for injuries caused by an alleged defect at 270 Parker Hill avenue, Roxbury.

Mary Riskin, for compensation for damage to property at 34 Perrin street, Roxbury, caused by city wagon.

S. Ruby, for compensation for damage to property at 144 Summer street, caused by defective water main.

Lillian Sicsu, for compensation for injuries caused by an alleged defect at Kilby and Central streets.

Harry L. Smith, for compensation for loss of property at L Street Bath.

William Sullivan, for compensation for damage to automobile caused by an alleged defect in Northern avenue.

Anna D. Wood, for compensation for damage to clothing caused by an alleged defect in Westland avenue.

Stefan Zinkiewicz, for compensation for injuries caused by an alleged defect in Andrew square.

Arthur W. Sides, to be paid amount of execution against him in a suit on account of his acts as a police officer.

Committee on Jitneys.

Petition of New England Transportation Company, by E. J. Phillips, vice president, for an extension of the present routes and terminals from Park square, over Park square, Columbus avenue, Charles street, Cambridge street, to 29 Scollay square.

BOAT FOR INSTITUTIONS DEPARTMENT.

The following was received:

The Finance Commission,  
Boston, July 8, 1929.

To the Honorable the Mayor and City Council.

Gentlemen,—On June 10 the Mayor submitted a loan order for \$75,000 for the purchase of a second-hand boat for the Institutions Department, to take the place of the "George A. Hibbard." A communication from the Institutions Commissioner, submitted by the Mayor at the same time as his message, stated that the boat to be purchased is the "Southport," now owned and operated by the Eastern Steamship Company; that the boat had been examined by Rudolph J. Thanisch, engineer in the Ferry Service, and Walter Wicks, chief engineer of the steamer "George A. Hibbard." The vessel is said to be in excellent seaworthy condition.

The "Southport" was built for the Eastern Steamship Company by the William McKee Company of East Boston in 1911 at a cost to the owners, according to a statement of the president of the Eastern Steamship Company, of \$64,000. It is now eighteen years old and is used in the coast-wise service in the state of Maine, plying between Rockland, Bar Harbor and Blue Hill. In 1926, the owners state, \$20,000 was expended for new boilers and other repairs.

The "Southport" is a steam-driven vessel of wooden construction. Wooden vessels are being rapidly superseded by steel vessels and the commission is informed that steam also is being superseded to a large extent by the Diesel engine which, it is claimed, costs 50 per cent less for operating charges. A wooden hull ship twenty years old is an extremely doubtful proposition, and the commission believes it unwise to pay \$75,000 now for a wooden vessel which eighteen years ago cost \$64,000. The city would at best only have a second-hand boat.

The "Hibbard" was built in 1910 and is therefore of approximately the same age as the "Southport." The commission sees no economy in swapping an old boat for another old boat and paying \$75,000 extra to boot. It would cost approximately \$23,000 to install Diesel engines in the "Hibbard" and would take about five weeks to complete.

Under these circumstances the commission believes that further consideration should be given to the installation of Diesel engines in the "Hibbard."

The commission recommends:

1. That the pending loan order for \$75,000 be rejected.

2. That the Institutions Commissioner be directed to consider the retention of the "Hibbard" and the installation of Diesel engines therein.

Respectfully submitted,  
THE FINANCE COMMISSION,  
by JOHN C. L. DOWLING,  
Chairman.

Placed on file.

#### KILLING OF UNLICENSED DOGS.

A copy of the warrant issued by the Mayor July 9, 1929, for the killing of unlicensed dogs under chapter 140 of the General Laws was received and placed on file.

#### MILITIA ENROLLMENT.

The following was received:

City of Boston,  
Assessing Department, July 11, 1929.  
Mr. Wilfred J. Doyle, City Clerk.

Dear Sir,—The Board of Assessors voted this day to certify to you under the General Laws, chapter 33, section 6, that the number of persons in the City of Boston liable to enrollment in the militia in 1929 is found to be 143,182.

Very truly yours,  
BOARD OF ASSESSORS,  
by FRED E. BOLTON,  
Secretary.

Placed on file.

#### CERTIFICATIONS FROM STATE CIVIL SERVICE.

Notives were received of the approval by the Commissioners of Civil Service of the appointments by the Mayor of George T. Reid, Deputy Commissioner of Penal Institutions; and John H. Gilbody, Member, Board of Zoning Adjustment.

Placed on file.

#### CHARLES D. MAGINNIS, ART COMMISSIONER.

Notice was received of the appointment by the Mayor of Charles D. Maginnis, 100 Boylston street, as Commissioner of the Art Department.

Placed on file.

#### HEARINGS ON GASOLENE PETITIONS.

Notice was received from the Board of Street Commissioners of hearings on Monday, July 29, 1929, on petitions for storage and sale of gasolene, as follows:

Capitol Tire and Rubber Company, 165-187 Columbus avenue, Ward 5, 1,500 gallons.  
Economy Grocery Store, Inc., 46 and 48 Granite street, Ward 6, 5,000 gallons.  
Joseph F. Ezrin, 600 Centre street, Ward 19, 2,000 gallons.  
Gulf Refining Company, 1365 Boylston street, Ward 21, 4,000 gallons.  
Liberty Oil Company, 940 Old Colony parkway, Ward 16, 2,000 gallons.  
Jeremiah J. McCarthy, 117 and 119 Boston street, Ward 7, 1,000 gallons.  
Emma M. Young, 36-40 Camden street, Ward 9, 2,000 gallons.  
Referred to the Executive Committee.

#### NOTICE OF INTEREST IN CONTRACTS.

Notices were received of interest in contracts from Joseph A. Tomasello, a member of the Board of Appeal, and A. J. Carpenter, member of the Board of Examiners.

Placed on file.

#### SIDEWALK ASSESSMENTS.

Communications were received from the Public Works Department, submitting the cost of constructing artificial stone sidewalks on Hooker street, Ward 22, St. Joseph street, Ward 11, Newbern street, Ward 19, and Greenwood avenue, Ward 18, with accompanying orders that the persons named in the schedules be, and the same are, hereby assessed for the sums set against their names as their proportionate part of the cost of constructing sidewalks in front of their estates, and that the same is ordered to be certified and notice given to the persons as aforesaid.

Orders were severally passed.

#### CONSTABLE'S BOND OF HENRY L. MURPHY.

The constable's bond of Henry L. Murphy, 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 July 1 to July 15, 1929, inclusive, amounting to \$4,618.54, was approved and ordered paid.

#### SOLDIERS' RELIEF FOR JULY.

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 July, 1929.

Report accepted; said order passed.

#### \$50,000 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 would ask reference of this particular order to the Executive Committee, for the following reason: Two weeks ago, if I am correct, we received from the Park Commissioner a request to pass a loan order in the sum of \$40,000, for the establishment of granolithic sidewalks in a part of the park system, as I gathered, from somewhere out around Columbia road into the Fenway, whatever it meant. I, for one, am not opposed to beautifying the Back Bay and the Fenway, for the benefit of those who view the City of Boston, in order that they may see the excellent condition of our parks and the walks in them. But if it is to be our financial policy to pass loan orders for sidewalks, and if the City of Boston wishes to have such money available for sidewalks, I think, before we further beautify the Fenway and the Strandway along the waterfront of South Boston, we should do something for the sidewalks upon which our citizens go back and forth every day. Frankly speaking,—and I think in so stating my position I am stating the position of the majority of the members here in their districts,—I have from half a dozen to two dozen orders in for sidewalks as yet not built, and it occurs to me that the first sidewalks to have relief should be those used by men and women of this city in going to and from their work each day; that they should be particularly taken care of before we have further beautification of our parks. I say this without any reflection upon Park Commissioner

Long, with whom I get along very well. He is a live wire, as is shown by the fact that he is in here asking for \$40,000 additional for these sidewalks. But I think before we pass the \$40,000 order we should insure the passing of a loan order for sidewalks in the residential wards. As one final point, I might state that if we pass an order appropriating \$50,000 for sidewalks along the streets outside of our parks, in our residential wards, it will insure the construction of \$100,000 worth of sidewalks, owing to the fact that those who own the houses along the way must pay 50 per cent of the cost, the payment stretching over ten years, whereas in the parks the entire amount so appropriated will be spent by the city. I do feel personally that we should have in mind, before we beautify the parks for those visiting our city, the people who walk back and forth to and from their business on these other sidewalks for which I would like to see provision made. For that reason I ask that this order go to the Executive Committee.

The order was referred to the Executive Committee.

MUNICIPAL REGISTER.

Coun. DOWLING 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 the suspension of the rule.

TRAFFIC OFFICER AT POND STREET, JAMAICAWAY.

Coun. MURRAY offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to assign a traffic officer to the Jamaicaaway, at Pond street, Ward 19, between the hours of 1 and 6 p. m. daily.

Coun. MURRAY—Mr. President, I might say just a word in regard to the reason for introducing that order. It is so that mothers and children may go on to the parkway at Pond street without danger from traffic. Mothers and children now have to wait sometimes for fifteen or twenty minutes or half an hour to get across, because of the high rate of speed at which vehicles pass that point. The people of my district cannot enjoy the parkway as they should, unless there is a traffic officer stationed there between the hours of 1 and 6 p. m. daily. We are now in vacation time, a time when the children ought to go there for recreation, in order to enjoy the park and the pond, and proper precautions should be taken to protect them. I hope that the order will be passed under suspension of the rule.

The order was passed under suspension of the rule.

SIDEWALK ON CHESTNUT AVENUE, WARD 19.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Chestnut avenue, from Wyman street to No. 116, 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 ON WYMAN STREET, WARD 19.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Wyman street, from Chestnut avenue to Lamartine 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.

TEMPORARY BEACH, OLD COLONY PARKWAY.

Coun. FISH offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to lay a temporary beach on the ocean side of the Old Colony Parkway, Ward 16, for the use of bathers during the time dredgers are at work in Savin Hill Basin.

Coun. FISH—Mr. President, I understand that the contract has been awarded for dredging Savin Hill Basin. If such is the case, it means that Coulter's Beach in my ward will be shut down. We have a lot of poor people in my ward who cannot afford to go to some of the other beaches in the summer time, and so I hope his Honor the Mayor and the Park Commissioner will take immediate action looking to the preparation of a new beach there for the children.

Coun. McMAHON—Mr. President, the order introduced by Councilman Fish, while it affects a section not in my ward, does affect my ward perhaps more than the ward of the councilor who introduced the order. We have one of our beaches now closed. This will mean the closing not only of Savin Hill Beach but Coulter's Beach, within the next two or three weeks, when they start dredging. There will, therefore, be no chance for people of my ward to go in bathing, unless they go over to South Boston. I feel that this so-called temporary beach should really be a permanent one, and I hope his Honor the Mayor and the Park Commissioner will take action at once, because within the next two or three weeks we will be without beach bathing facilities out there.

The order was passed under suspension of the rule.

TRAFFIC LINE ON SOUTHERN ARTERY.

Coun. FISH offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to paint a center line on the Southern Artery, from Dorchester avenue to Neponset avenue, Ward 16.

Passed under a suspension of the rule.

FRANK VOZELLA SQUARE, NORTH END.

Coun. FITZGERALD offered the following:

Ordered, That the space at the junction of Endicott street and Thacher street, North End, be named Frank Vozella square, in honor and memory of said Frank Vozella, who died in the service of the United States during the World War, and that said space be suitably marked with signs.

Passed under suspension of the rule.

PERMIT TO USE PARADE GROUND, BOSTON COMMON.

President DONOVAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to allow the Hub Nest, Fraternal Order of Orioles, the use of the parade grounds on Boston Common on Tuesday, August 6, 1929, from 6.30 p. m. to 9 p. m.

Passed under suspension of the rule.

STREET LAMPS, WALES STREET.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install street lamps on Wales street, between Harvard street and Talbot avenue, Ward 14.

Passed under suspension of the rule.

## STREET LAMPS, KINGSDALE STREET.

Coun. RUBY offered the following:  
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install additional street lamps on Kingsdale street, Ward 14.

Passed under suspension of the rule.

## PROPOSED ACQUISITION OF HOMEOPATHIC HOSPITAL PROPERTY.

Coun. McMAHON offered the following:  
 Ordered, That the Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to consider and report to the City Council as to the advisability of acquiring for an addition to the City Hospital the land and buildings on East Concord street owned by the Massachusetts Homeopathic Hospital, which presumably will be abandoned for hospital purposes.

Coun. McMAHON—Mr. President, under the new hospital building program, the buildings will be pretty well crowded in the small space they now have there. We have read in the papers that the Homeopathic Hospital has picked another site and is going to leave that section. So I think it would be a good idea at this time for his Honor the Mayor and the trustees to consider getting an option on that land. Then, instead of putting all the new buildings on the land we own now, we could possibly put one or two, within this new \$3,000,000 appropriation, on that land, which could be acquired from the Homeopathic Hospital. The only reason why I have introduced this order is because of my having been over there a couple of weeks ago and having noticed that the buildings that they have started make the hospital grounds pretty well crowded. I think there is now a good opportunity for our city to take a little more land nearby, which will give us real hospital accommodations. I hope the order will be passed under suspension of the rule.

Coun. WILSON—Mr. President, I will simply say with reference to this particular order, that I introduced a similar one three or four years ago in this body. It appeared at that time that the Homeopathic Hospital property would become a drug on the market, and I received communications from men associated with the hospital giving a complete story of the thing, with an admission that the entire outfit could be bought on very reasonable terms at that time. With the Homeopathic Hospital now moving away, it would certainly seem that the property can be purchased for at least as reasonable a price as or even a more reasonable price than at that time. It seems to me that the introduction of the order by the councilor from Ward 15 is particularly appropriate today,—first having in mind the report of the special committee of doctors who have examined into conditions in the City Hospital and have just put in their report, and, secondly, in view of the fact that the order providing \$180,000 for plans of the hospital buildings to be erected under the \$3,000,000 appropriation was given its first reading and passage two weeks ago and is upon our calendar awaiting final passage today. It seems to me, therefore, most appropriate that the order should be introduced at this time and most fitting that it should be passed.

The order was passed under suspension of the rule.

## SIDEWALK ON DRAPER STREET, WARD 15.

Coun. McMAHON offered the following:  
 Ordered, That the Commissioner of Public Works make a sidewalk along 14 and 16 Draper 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.

Passed under suspension of the rule.

## COMPLETION OF MORTON STREET IMPROVEMENT.

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 concerning the probability of early completion of the so-called Morton street improvement at the Washington street end, and particularly to advise the Council the amount of money, if any, heretofore authorized for said improvement but not as yet expended.

Coun. WILSON—Mr. President, with reference to these two orders concerning a street improvement job that was authorized by the Massachusetts Legislature as long ago as 1924, I had both orders prepared when I arrived at the Council this afternoon and did not put them in before this, because I had heard of the loan order for the expenditure of \$175,000 in connection with Morton street. I naturally assumed that after these long years the order appropriating \$175,000 was for the completion of the street work at the Washington street end of the so-called Morton street job. It appears, however, that the loan order is for the finishing of the construction of the so-called Morton street bridge, which was bungled in the first place, and with reference to which some city contractor, or some contractor supposedly working for the city, is suing the city for a substantial amount. The real fact at the present time is that the so-called neck of the bottle at the bridge is something that could be passed up for the present, in view of the fact that only a few hundred yards along, between Codman and Druid streets, the street, which should be from 70 to 80 feet wide at that point, narrows down to about the width of Hollis street at the theater, and certainly it should be widened out at that point to 70 or 80 feet. So I do not believe there is any necessity at the present time for spending \$175,000 to rectify the damage done by the contractor, when there is need of a proper expenditure for completion of the work at the Washington street end of the Morton street job. There is another matter also that I wish to refer to at this time, without unnecessarily taking up the time of the body. I would simply like to refer to the following dates of orders which have been passed in connection with this matter. On September 25, 1928, the Public Works Commissioner was requested to advise the City Council forthwith for what reason, if any, all construction work had apparently been stopped on the Ward 17 end of the new Morton street extension. On November 13, 1928, the Public Works Commissioner was again requested to advise the City Council forthwith concerning progress on the Morton street extension, for which an order had been passed by the Council. On December 11, 1928, he was requested to advise the Council forthwith in response to a City Council order unanimously passed on November 19 with reference to completion of the Ward 17 end of the so-called Morton street extension. On January 14, 1929, an order was passed requesting the Commissioner of Public Works, through his Honor the Mayor, to provide \$250,000 for the completion of the proposed work on the so-called Morton street extension, between Codman street and Druid street, that figure having been estimated as the approximate amount necessary, according to the reply to the Boston City Council on December 27, 1928, and the Commissioner of Public Works, through his Honor the Mayor, was requested to at once proceed with the completion of the street work on the so-called Morton street extension between Druid and Washington streets, Dorchester, particularly in view of the fact that under date of December 27 the City Council had been advised that money for such work was available. Again on March 25, 1929, a similar order was passed, requesting the Commissioner of Public Works to immediately proceed with the completion of street work on the so-called Morton street extension, between Druid and Washington street, Dorchester, especially in view of the fact that under date of December 27, 1928, the City Council had been advised that money for such work was available; and on May 27, 1929, an order was passed that the Commissioner of Public Works, through his Honor the Mayor, be respectfully requested to advise the City Council forthwith concerning the probability of early completion of the so-called Morton street improvement and particularly to advise the Council as to the amount of money heretofore authorized for said improvement but not as yet expended. As I understand it, not only have we made no progress on this Morton street job authorized by the Legislature over five years ago, but I understand that in the section between Codman street and Druid street building



permits already are being requested that will keep that street narrowed down to 40 or 50 feet, thereby causing a great additional expense later to the City of Boston, when it has finally passed out of it, and finds that it must eventually take the land so improved and built upon for street widening purposes. So it seems to me, before we start rectifying the bungled job that was done on the bridge, we should save the situation between Codman and Druid streets before the present permits that are asked for two and three family houses there are allowed, thereby bringing about a condition of affairs under which the city in some years from now will have to expend hundreds of thousands of dollars to take the land necessary for the widening that will have to come.

The order was passed, under a suspension of the rule.

RECESS.

The Council voted at 2.38 p. m., on motion of Coun. KEENE, 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 DONOVAN at 4.10 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. DOWLING, for Coun. Keene, submitted the following:

1. Report on order (submitted by the Mayor and referred July 1) for a loan of \$40,000 to be expended under the direction of the Park Commissioners for the construction of granolithic walks through the park system, from Columbia Station to the Fens—that the same ought to pass.

The report was accepted and the question came on the passage of the order.

Coun. WILSON moved to lay the order on the table and the motion was lost by a rising vote, 5 to 5. Coun. WARD doubted the vote and asked for the yeas and nays.

Coun. Wilson's motion to lay on the table was lost, yeas 4, nays 12.

Yeas—Coun. Deveney, Dowd, Dowling, Wilson—4.

Nays—Coun. Bush, Donovan, Fish, Fitzgerald, Gallagher, McMahon, Motley, Murray, Parkman, Ruby, Sullivan, Ward—12.

Coun. MURRAY—Mr. President, I move assignment of the matter to the next meeting.

Coun. WILSON—Mr. President, with reference to that particular order, I have no objection to that disposition. I perhaps prefer it to my original motion to lay on the table, which was only made for the reason that I still feel that we should have some definite information as to whether or not money is available in the Public Works Department for the completion of sidewalks in the residential district of the City of Boston. I think we should find out something about the state of the \$50,000 loan order for sidewalks before we put ourselves in the position of providing \$40,000 for sidewalks, which I would certainly like to see built, but which I shall not vote for until I find out the standing of the sidewalk situation, which does not concern the parks, but which concerns our citizens in their everyday going and coming.

Coun. Murray's motion to assign to the next meeting was declared lost. Coun. WILSON doubted the vote and the motion to assign was lost by a rising vote, 8 to 8.

President DONOVAN—The question now comes on the passage of the order.

Coun. WARD—Mr. President, I am not opposed to the order but in favor of it; and I was not in favor of laying it on the table indefinitely. I am not, however, leading the fight. I am leaving that to the genial councillor from Dorchester, who is leading the fight one way or the other—I don't know which way [laughter]—but he is apparently leading the fight. I have, however, since I have been a member of this body, felt that when any member or group of members desired information that they should have the courtesy of being given an opportunity to obtain that information. Therefore, I favor it being put over for a short and definite time. I believe the vote on assignment to the next meeting was an 8 to 8 vote, and I now wish, if in order, to further doubt that vote.

President DONOVAN—The motion is not now in order.

Coun. PARKMAN—Mr. President, I am opposed to this loan order and also to the \$50,000 order for building sidewalks, for the reason that I believe both these loan orders are for a purpose which is a proper subject for appropriation in the annual budget, and not a purpose for which money should be borrowed. The City of Boston appropriation bill this year carried an item of \$75,000 for granolithic sidewalks, indicating that it was the policy of the administration—and I believe a sound policy—to provide for the construction of granolithic sidewalks out of the annual tax levy, and not by borrowing. I can see no reason why a loan order of \$40,000 should come in at this time for the building of sidewalks, when an appropriation has already been made in the budget for that purpose, in the sum of \$75,000. If the sidewalks are in such bad condition, as they are supposed to be in at the present time, surely that condition was observable at the time when the budget was passed last April, only a few months ago. I do not believe it is sound finance or good business policy to raise money for this purpose by borrowing. It is in the nature of an annual expense, to be assumed by the City of Boston every year, and not something for which money should be borrowed which future generations must pay. That policy has been recognized, as I say, year after year; we have appropriated money for these sidewalks, to be raised by taxation, in the annual budget. That indicates a settled policy, and a policy that should not, in my opinion, be deviated from. The only reason I can see for bringing in the loan order at the present time is that very likely, in the desire to reduce apparent expense of the city this year, the budget of the department was pared down \$40,000, and we are now asked to raise that \$40,000 by loan. I make this statement so that I may not be understood to be in the position of apparently saying that we do not want sidewalks. That is not the question. We have an appropriation of \$75,000 in the budget for sidewalks. If more money was required the Council should have been asked to provide it when the budget was before us and not in this way at this time. Therefore, I am opposed to this order.

Coun. McMAHON—Mr. President, in regard to this particular sidewalk order, I will simply say that I have introduced orders of this sort myself, and that the district I come from is very badly in need of granolithic sidewalks. This particular loan order, which concerns the Park Department, affects my ward, Columbia road, and if any members of the Council will take a walk out that way Sunday and see what those who walk through the park have to put up with, in going through mud and that sort of thing, I feel that any opposition they might have would be removed. Conditions are disgraceful, Mr. President. We have a great many people along Columbia road who use the street, outside of visitors. You will find every day 75,000 or 100,000 using it, in my ward alone. When you come to talk about the \$75,000 provided for this purpose in the budget, that is certainly a very small appropriation when it is cut up between twenty-two members, representing the twenty-two wards of this city. I could use \$75,000 a year in my ward alone for sidewalks, if I could get away with it. I have been to the Commissioner of Public Works repeatedly for sidewalks but there is considerable doubt whether he has much money out of this appropriation for the general run of sidewalks in the city, outside of the public parks. I know I could use, and that other members of this Council could use, all the money they can get for artificial sidewalks, and I would like this afternoon to see orders providing money for artificial sidewalks go through this body—not this particular order alone, but also the order for \$50,000. I am not going to be in the position of continually fighting for sidewalks, and then deliberately voting against a sidewalk order asked for by the Park Department. I don't think any councillor here can consistently vote against a thing of this kind. The thing is now put up to us, and we know the demand that there is for these sidewalks. We can take the members all along the line here.—Councillors Sullivan, Ruby, the councillor from Forest Hills, all the other members,—they all know the necessity in this city for artificial sidewalks, and the small amount of money that has been appropriated for them. We spend plenty of money for fancy things, but we fall down on important matters of this kind. So I don't see why wo

should not pass this order. We had the Park Commissioner before us this afternoon and he explained it, and everybody was apparently satisfied. If we can get the \$50,000 for our districts, all the better. I certainly hope the order will pass.

Coun. SULLIVAN—Mr. President, we had an explanation on this matter from Mr. Long today in our executive meeting. He said it was the first loan order he had ever put in for sidewalks, and I think Senator Parkman is mistaken when he says that he has a right to use any of the \$75,000 appropriated in the annual budget for this purpose. That money was appropriated for sidewalks to be taken care of throughout the city by the Public Works Department. I don't think the Park Department has any money available for sidewalks. We are in dire need of sidewalks in different sections of this city—out along Columbia road, in Hyde Park, Jamaicaaway and through the different districts—and I am not only in favor of this loan order, but also in favor of the loan order of \$50,000 for other sidewalks.

Coun. WILSON—Mr. President, I wish to have my position very clear on these two particular loan orders for the construction of artificial sidewalks. I have in mind that the capacity of the Council to pass loan orders is limited. I am not aware how near the line we now are, and I might ask for information whether, if we pass this \$40,000 for the Park Department, there would be available \$50,000 or even \$40,000 for the Public Works Department—and I might also add in regard to appropriations for sidewalks in general, outside of the Park Department, if we appropriate \$40,000 or \$50,000, that will mean an expenditure of \$80,000 or \$100,000, because the abutting owners will have to pay 50 per cent of the cost of the sidewalk construction in the residential wards. I also am unable to reconcile the information we get from a member of the Council, that there is a large amount of money still available in the Public Works Department for sidewalks, with the situation as I see it, because when I go up to the department the cry always is, "We will do what we can, but we have practically no money. We will see if we can squeeze it in." If there is a large amount of money available for this purpose, I would like to find it out; if not, I do not propose to be jockeyed into the position of voting for \$40,000, no matter how much it may add to the beauty of our parks in the eyes of visitors, until I find out whether something can be done for sidewalks which, in my opinion, are more needed than these sidewalks in the parks. If the orders pass, I will be interested to note their fate, considering that the Mayor vetoed last year an order for \$50,000, using the very argument that has been used today by the councilor from the Back Bay, that a loan order is not the proper medium for handling the construction of sidewalks,—although, with all due deference and modesty, I differ with both gentlemen, because I feel that the life of the average sidewalk is at least as long as, if not longer than, the life of the average street next to it, particularly in view of the fact that the Edison Company and the gas company are not tearing it up every few weeks and leaving it in the condition that we find most of our streets after such work. So I do not agree that the loan is not proper for sidewalks, which certainly should last twenty or thirty years. But it will be interesting to see with what logic this particular order will be handled, in view of the fact that a \$50,000 loan order for construction of sidewalks was vetoed last year on the ground that the senator from the Back Bay has now advanced.

The question came on the passage of the order. The Clerk called the roll, with the following result:

Yeas—Coun. Arnold, Donovan, Dowd, Fish, Fitzgerald, Gallagher, McMahon, Motley, Murray, Sullivan, Ruby, Sullivan—11.

Nays—Coun. Bush, Deveney, Dowling, Parkman, Wilson—5.

Fifteen votes being required for passage the order was declared rejected.

On motion of Coun. SULLIVAN it was voted to reconsider the rejection of the order and to assign the matter to the next meeting of the Council.

2. Report on order (referred today) for a loan of \$50,000, to be expended under the direction of the Commissioner of Public Works, for the construction of granolithic sidewalks—that the same ought to pass.

Report accepted, and the Clerk called the roll on the passage of the order.

The result of the roll call was as follows:

Yeas—Coun. Donovan, Dowd, Fish, Fitzgerald, Gallagher, McMahon, Motley, Murray, Ruby, Sullivan, Ward, Wilson—12.

Nays—Coun. Arnold, Bush, Deveney, Dowling, Parkman—5.

Fifteen votes being required for passage, the order was defeated. On motion of Coun. MURRAY the vote on the order was reconsidered, and it was assigned to the next meeting.

3. Report on orders (submitted by the Mayor and referred today) for transfers within the Institutions, Fire, Penal Institutions and Park Departments—that the same ought to pass.

The report was accepted and said transfer orders were passed, yeas 17, nays 0.

4. Report on order (submitted by the Mayor and referred today) appropriating from the Reserve Fund the sum of \$25,000 to be expended by the Three Hundredth Anniversary Committee, under the direction of the Mayor, for the necessary preliminary arrangements in connection with the Three Hundredth Anniversary Celebration of Boston—that the same ought to pass.

Report accepted, said order passed, yeas 17, nays 0.

#### RELEASE OF RESTRICTIONS, 83 DEDHAM STREET.

The Council took up, under unfinished business, No. 4 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 of Boston, to execute and deliver to Bessie Moodie, owner, or those claiming title under her to the premises situated on Dedham street, Boston proper, being numbered 83 in the numbering of said Dedham street, release in form satisfactory to the Law Department of the following restrictions which are contained in a deed given by the City of Boston to Augustus Lothrop, dated January 23, 1877, and recorded with Suffolk Registry of Deeds, Lib. 1361, page 139:

"The front line of the building which may be erected on the said lot shall be placed on a line parallel with the said Dedham and Canton streets.

The building which may be erected on the said lot shall be of a width of not less than twenty (20) feet.

No dwelling house or other building except the necessary outbuildings shall be erected or placed on the rear of said lot.

No building which may be erected on 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.

No cellar basement room or other apartment in said building shall be sunk more than three feet below the present coping of the Dry Dock in Charlestown, such level to be determined from time to time by the City Engineer or some other officer duly appointed for that purpose by the City Council."

On June 24, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

The question came on giving the order its second and final reading and passage, and the Clerk called the roll, with the following result:

Yeas—Coun. Arnold, Bush, Deveney, Donovan, Dowling, Fish, Fitzgerald, Gallagher, McMahon, Motley, Parkman, Ruby, Sullivan, Wilson—14.

Nays—Coun. Dowd, Murray, Ward—3.

The order was rejected, fifteen votes being necessary for passage.

On motion of Coun. MOTLEY the rejection of the order was reconsidered and it was assigned to the next meeting.

Later in the session Coun. WARD said:

Mr. President, I would like unanimous consent to make a statement.

President DONOVAN—If there is no objection, the gentleman may proceed.

Coun. WARD—Mr. President, if it is within the rules I would like to change my vote on No. 4 on the calendar from "No" to "Yes."

President DONOVAN—The Chair would state that the request of the councilor from Roxbury comes too late. The question of reconsideration has already been voted upon. Therefore, reconsideration is not now in order.

COMMITTEE ON TERCENTENARY CELEBRATION.

Coun. DOWLING offered the following:

Ordered, That the President of the City Council appoint a committee of five members to cooperate with or work in conjunction with the general committee having charge of the tercentenary celebration which will take place in 1930.

The order was passed under suspension of the rule and President DONOVAN appointed as said committee, Coun. Dowd, Murray, Deveney, Dowling and Wilson.

SAVIN HILL BAY SEWERAGE WORK.

On motion of Coun. McMAHON, the Council took up, under unfinished business, No. 2 on the calendar, viz.:

2. Ordered, That under authority of chapter 239 of the Acts of 1929, the sum of \$450,000 be, and hereby is, appropriated to be expended by the Commissioner of Public Works for Savin Hill Bay, Sewerage Works, etc., 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 June 24, 1929, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second and final reading and passage, yeas 17, nays 0.

APPROPRIATION FOR HOSPITAL BUILDINGS, PLANS, ETC.

On motion of Coun. ARNOLD, the Council took up, under unfinished business, No. 3 on the calendar, viz.:

3. Ordered, That the sum of \$180,000 be, and the same hereby is, appropriated, to be expended by the trustees of the Boston City Hospital, for Hospital Buildings, Plans, etc., 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 July 1, 1929, the foregoing order was read once and passed, yeas 16, nays 2.

The question came on the second and final reading and passage of the order, and the Clerk called the roll, with the following result:

Yeas—Coun. Arnold, Deveney, Donovan, Dowling, Fish, Fitzgerald, Gallagher, McMahon, Motley, Murray, Parkman, Ruby, Sullivan—13.

Nays—Coun. Bush, Ward, Wilson—3.

The order was rejected, fifteen votes being required for passage.

On motion of Coun. MURRAY, the vote was reconsidered and the order was assigned to the next meeting.

CONFIRMATION OF EXECUTIVE APPOINTMENT.

President DONOVAN called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointment submitted by the Mayor July 1, 1929, of Dennis Hagerty, to be a Weigher of Coal and a Measurer of Wood and Bark.

The question came on confirmation. Committee, Coun. Fitzgerald and Gallagher. Whole number of ballots 14, yeas 14, and the appointment was confirmed.

SIDEWALK ON ADAMS STREET, WARD 15.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 252, 254 and 256 Adams 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.

Passed under suspension of the rule.

SIDEWALK ON WINSHIP STREET, WARD 22.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Winship street, on the east side from Union street to Colonial 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.

VEHICULAR UNDERPASS AT FOREST HILLS.

Coun. MOTLEY offered the following:

Ordered, That the sum of two hundred thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Board of Street Commissioners for the construction of a vehicular underpass beneath the Arborway at Washington street, 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 of Boston to said amount.

Referred to Committee on Finance.

ACCOMMODATIONS FOR NUTRITION AND REST CLASSES.

Coun. WARD offered the following:

Ordered, That his Honor the Mayor be requested to confer with the School Committee and the Schoolhouse Commission with a view to providing additional and adequate accommodations for nutrition and rest classes.

Coun. WARD—Mr. President, just one word on the order. I shall be very brief. The School Committee have today these nutrition and rest classes, dealing with these needs of the pupils, in what correspond with the previous recess periods. At the present time there are not classrooms enough for this purpose, and the object of the order is that there may be a conference between the Mayor, the Schoolhouse Commission and the School Committee, sitting down together, with a view to finding some available additional room to much good of these classes, which are doing so much good for the undernourished children in our schools at the present time.

The order was passed under suspension of the rule.

TRAFFIC SIGNALS AT OLD COLONY PARKWAY JUNCTIONS.

Coun. FISH offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic control signals at the junction of Old Colony Parkway and the three following-named streets in Ward 16: Redfield street, Tolman street, Conley street.

Passed under suspension of the rule.

PLAYGROUND AND LOCKER BUILDING, EAST BOSTON.

President DONOVAN offered the following:

Ordered, That the sum of forty thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission for the erection of playground and locker buildings on Amerena Park and Paris Street Playground, East 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 of Boston to said amount.

Referred to the Committee on Finance.

Adjourned at 4.42 p. m., on motion of Coun. FITZGERALD, to meet on Monday, July 22, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, July 22, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Green and Wilson.

## APPOINTMENT BY MAYOR.

The following was received:

City of Boston,  
Office of the Mayor, July 22, 1929.  
To the City Council.

Gentlemen,—Subject to confirmation by your honorable body I herewith appoint Michael O'Haire, 46 Brook road, Jamaica Plain, a weigher of coal and measurer of wood, for John A. Whittemore's Sons, for the term ending April, 1930.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Laid over to the next meeting, under the law.

## VETO, ANNUITY TO WIDOW OF FRANK H. LASKEY.

The following was received:

City of Boston,  
Office of the Mayor, July 16, 1929.  
To the City Council.

Gentlemen,—I return herewith without my approval the order of the City Council under date of July 1, 1929, providing that an annuity of \$600 be allowed and paid the widow of Frank H. Laskey, late member of the Fire Department.

My reason for not signing this order is contained in the opinion of the Corporation Counsel, under date of December 9, 1927, which supported a prior veto to a similar order.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

LEASING CHARLESTOWN PREMISES—  
VETO.

The following was received:

City of Boston,  
Office of the Mayor, July 16, 1929.  
To the City Council.

Gentlemen,—I return herewith without my approval the order of the City Council under date of July 1, 1929, providing for the leasing of premises in the Lexington street building to Charlestown Post No. 544, Veterans of Foreign Wars, for the reason contained in the accompanying report of the Superintendent of Public Buildings.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Buildings Department, July 5, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Replying to the inclosed order of the City Council in which the Superintendent of Public Buildings is authorized, with the approval of his Honor the Mayor, to lease the premises in the Bunker Hill and Lexington street building to Post 544, Veterans of Foreign Wars, at a rental of \$1 per annum, I respectfully report that I replied on June 8 to a similar order having reference to the Old Armory Building, at the corner of Maverick and Bremen streets, East Boston, namely,—that I regret to report adversely on this order, owing to the fact that the room referred to in said order is designated as a wardroom, to be used by the citizens of the district for public meetings at the request of any five legal voters. The law compels us to provide

these quarters, and inasmuch as this is the only one available in Charlestown for this purpose, I feel that it would be doing an injustice to the citizens at large if they were deprived of the use of the hall for public meetings.

Respectfully yours,  
JOHN F. ENGLERT,  
Superintendent of Public Buildings.

Placed on file.

RELEASE OF RESTRICTIONS ON  
BOYLSTON ROAD.

The following was received:

City of Boston,  
Office of the Mayor, July 15, 1929.  
To the Honorable City Council.

Gentlemen,—Inclosed please find an order to release restrictions on a parcel of land on Boylston road, now Boylston street, at the entrance to the Fens.

The above restrictions were placed upon the said land by a written instrument, dated December 30, 1921, by Gordon Dexter, in consideration that the Park Department of the City of Boston would maintain the roads within the said property as park roads.

The Park Department has passed a vote setting forth that the said restrictions were no longer necessary or required by them.

I recommend the passage of the accompanying order.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, July 15, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—You are respectfully notified that at a meeting of the Board of Park Commissioners held today, July 15, 1929, the following vote was passed:

"Whereas by deed dated December 30, 1912, and recorded with Suffolk Deeds, Book 3698, page 254, one Gordon Dexter, the then owner of certain land referred to in said deed, placed certain restrictions upon his said land, same being located at the corner of Boylston street and Charlesgate East.

"And whereas said restrictions were created by said Gordon Dexter upon a consideration given to the said Gordon Dexter by the City of Boston.

"And whereas the said restrictions are founded in part on matters relating and pertaining to the parks of the said City of Boston.

"Now, therefore, the Board of Park Commissioners of the said City of Boston, at a meeting held on the fifteenth day of July, 1929, hereby vote that the said restrictions are not needed for park purposes by the said Board of Park Commissioners, and that the said restrictions may be released without impairment of the rights of the said City of Boston in said parks, and that a release of said restrictions by proper instruments of release may be given, to be in such form as the Law Department of the said City of Boston may approve."

Respectfully yours,  
DANIEL J. BYRNE, Secretary.

Whereas by an instrument in writing, dated December 30, 1912, and recorded with Suffolk Deeds, Book 3698, page 254, in which deed a description of the parcel of land hereinafter mentioned is set forth, Gordon Dexter, of Beverly, in the county of Essex, agreed to hold a certain parcel of land situate on Boylston street in Boston, subject to certain restrictions set forth in said instrument, so long as the roadways and walks laid out in said parcel should be maintained by the City of Boston as park roads; and

Whereas the Board of Park Commissioners voted to accept said agreement; and

Whereas by a vote passed July 15, 1929, the Park Department of the City of Boston voted to release said restrictions; and

Whereas the Board of Zoning Adjustment voted to change the above described area from an R-65 (General Residence 65-foot height) district to an R-80 (General Residence 80 foot) district;

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, in form satisfactory to the Law Department, in

consideration of one dollar, to release to Morris Bronstein of Boston, county of Suffolk, his heirs, executors, administrators and assigns, all right which the said City of Boston has to enforce the above mentioned restrictions.

Referred to Committee on Public Lands.

SUPPLEMENTARY BUDGET FOR COUNTY OF SUFFOLK.

The following was received:

City of Boston,  
Office of the Mayor, July 22, 1929.  
To the City Council.

Gentlemen,—I submit herewith a supplementary budget for the county of Suffolk totaling \$94,440.19. Approximately 25 per cent of this total has been provided to meet additional county expenditures authorized by legislative acts. Chapter 95 authorized the appointment of a first assistant clerk in the Brighton District Court. Chapter 208 authorized the appointment of an additional court officer in the District Court of Chelsea. Chapter 298 raises the fee for witnesses appearing in the courts of the county from 50 cents to \$1.50. Chapter 346 authorized the payment of damages for a fatal accident which occurred in the courthouse at Pemberton square. Under the provisions of Section 70, chapter 221, of the General Laws, it has been necessary to provide for additional court officers in the Superior Court. Under section 83, chapter 276, of the General Laws, it has been necessary to provide for salary increases voted by the justices of the Municipal Court. The appropriations in each of these instances are mandatory upon the city resulting, as previously pointed out, from legislative action.

Other outstanding appropriations included in this budget are as follows:

Salary increases have been provided for stationary engineers and stationary firemen employed in the courthouse, county buildings and county jail in order to bring the wages of these employees up to the scales now paid by the city for such service. An appropriation of \$15,000 has been made available to provide for enlarged quarters for the Probation Department of the Municipal Court, Roxbury District. Increased population at the Suffolk County Jail has made necessary additional appropriations for repairs and alterations in the buildings of this institution. Salary increases for sixty employees attached to the clerk's office of the Superior Civil Court have been provided in accordance with the general policy pursued in other city and county departments. In addition, three new positions have been provided in this office at the request of the clerk because of increased business. Two additional clerks have been provided in the registered land department of the Registry of Deeds. An appropriation of \$1,000 has been made to provide for the fitting up of a laboratory for the Medical Examiner, Southern District.

It is hoped that the tax rate for the year may be declared at an early date. In order that the supplementary county budget may be included in the rate for this year, I respectfully recommend an early consideration by your honorable body of the accompanying orders and schedules.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

SUPPLEMENTARY COUNTY APPROPRIATIONS ALLOWED BY MAYOR FOR 1929.

Allowance.	
Suffolk County Courthouse (Custodian).	\$6,681 66
Suffolk County Courthouse (County Buildings)	1,000 00
County Buildings	24,417 38
Jail	7,667 00
Supreme Judicial Court	5,493 38
Superior Court, Civil Session, General Expenses	9,642 50
Superior Court, Civil Session, Clerk's Office	5,071 12
Superior Court, Criminal Session	2,000 00
Municipal Court	6,450 00
East Boston District Court	25 00
Municipal Court, Dorchester District	432 33
Municipal Court, Brighton District	1,356 11
Boston Juvenile Court	100 00
District Court of Chelsea	2,280 00

Registry of Deeds	\$1,416 66
Index Commissioners	300 00
Insanity Cases	2,000 00
Medical Examiner Service, Southern Division	1,000 00
Miscellaneous Expenses:	
Treasury Department	83 33
Granite Avenue Bridge	800 00
Penal Institutions Department:	
Office Expenses	423 72
House of Correction	15,800 00
	<u>\$94,440 19</u>

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1929, 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, 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, that the same be raised by taxation upon the polls and estates in the City of Boston, and that all orders heretofore passed by the City Council relating to appropriations and taxes and the interest thereon apply to the taxes herein provided for.

GENERAL ITEMS.

County of Suffolk.

Suffolk County Courthouse (Custodian).

A. Personal Service as per Schedule A.	\$1,681 66
1. Permanent employees	\$996 66
2. Temporary employees	685 00
F. Special Items	5,000 00
2. Damages	\$5,000 00
	<u>\$6,681 66</u>

Suffolk County Courthouse (County Buildings).

D. Supplies	\$1,000 00
3. Fuel	\$1,000 00

County Buildings.

A. Personal Service as per Schedule A.	\$2,092 38
1. Permanent employees	\$2,092 38
B. Service Other than Personal	21,600 00
28. Expert	\$1,500 00
37. Photographic and blueprinting	100 00
39. General plant	20,000 00
C. Equipment	500 00
3. Electrical	\$500 00
D. Supplies	125 00
1. Office	\$25 00
13. Chemicals and disinfectants	100 00
E. Materials	100 00
1. Building	\$100 00
	<u>\$24,417 38</u>

Jail.

A. Personal Service as per Schedule A.	\$427 00
1. Permanent employees	\$427 00
B. Service Other than Personal	4,000 00
39. General plant	\$4,000 00
C. Equipment	1,000 00
3. Electrical	\$1,000 00
E. Materials	1,600 00
1. Building	\$1,200 00
10. Electrical	400 00
F. Special Items	640 00
7. Pensions and annuities	\$640 00
	<u>\$7,667 00</u>

Supreme Judicial Court.	
A. Personal Service as per Schedule	
A.....	\$58 33
1. Permanent employ-	
ees.....	\$58 33
B. Service other Than Personal.....	5,350 00
1. Printing and bind-	
ing.....	\$350 00
35. Fees, service of	
venires, etc.....	5,000 00
C. Equipment.....	85 05
9. Office.....	\$85 05
	<u>\$5,493 38</u>

Superior Court, Civil Session, General Expenses.	
A. Personal Service as per Schedule	
A.....	\$9,142 50
1. Permanent employ-	
ees.....	\$9,142 50
C. Equipment.....	500 00
16. Wearing apparel...	\$500 00
	<u>\$9,642 50</u>

Superior Court, Civil Session, Clerk's Office.	
A. Personal Service as per Schedule	
A.....	\$5,071 12
1. Permanent employ-	
ees.....	\$5,071 12

Superior Court, Criminal Session.	
B. Service Other than Personal.....	<u>\$2,000 00</u>
35. Fees, service of	
venires, etc.....	\$2,000 00

Municipal Court, City of Boston.	
A. Personal Service as per Schedule	
A.....	\$1,400 00
1. Permanent employ-	
ees.....	\$1,400 00
B. Service Other than Personal.....	4,050 00
5. Cartage and freight,	
\$50 00	
13. Communication ...	1,000 00
35. Fees, service of	
venires, etc.....	3,000 00
C. Equipment.....	500 00
9. Office.....	\$500 00
F. Special Items.....	500 00
9. Care of dependents,	\$500 00
	<u>\$6,450 00</u>

East Boston District Court.	
B. Service Other than Personal.....	<u>\$25 00</u>
13. Communication...	\$25 00

Municipal Court, Dorchester District.	
A. Personal Service as per Schedule	
A.....	\$250 00
2. Temporary employ-	
ees.....	\$250 00
C. Equipment.....	82 33
9. Office.....	\$82 33
D. Supplies.....	100 00
1. Office.....	\$100 00
	<u>\$432 33</u>

Municipal Court, Brighton District.	
A. Personal Service as per Schedule	
A.....	\$1,356 11
1. Permanent employ-	
ees.....	\$1,356 11

Boston Juvenile Court.	
B. Service Other than Personal.....	<u>\$100 00</u>
35. Fees, service of	
venires, etc.....	\$100 00

District Court of Chelsea.	
A. Personal Service as per Schedule	
A.....	\$1,030 00
1. Permanent employ-	
ees.....	\$1,030 00
B. Service Other than Personal.....	600 00
4. Transportation of	
persons.....	\$200 00
8. Light, heat and	
power.....	50 00

13. Communication...	\$50 00
18. Cleaning.....	100 00
28. Expert.....	200 00
D. Supplies.....	\$500 00
1. Office.....	\$500 00
G. Miscellaneous.....	150 00
1. Probation officer's	
expenses.....	\$150 00
	<u>\$2,280 00</u>

Registry of Deeds.	
A. Personal Service as per Schedule	
A.....	\$1,416 66
1. Permanent employ-	
ees.....	\$1,416 66

Index Commissioners.	
D. Supplies.....	\$300 00
1. Office.....	\$300 00

Insanity Cases.	
B. Service Other than Personal.....	<u>\$2,000 00</u>
35. Fees, service of	
venires, etc.....	\$2,000 00

Medical Examiner Service, Southern Division.	
C. Equipment.....	\$700 00
12. Medical, surgical,	
laboratory.....	\$600 00
13. Tools and instru-	
ments.....	100 00
D. Supplies.....	300 00
5. Medical, surgical,	
laboratory.....	\$300 00
	<u>\$1,000 00</u>

Miscellaneous Expenses, Treasury Department.	
A. Personal Service as per Schedule	
A.....	\$83 33
1. Permanent employ-	
ees.....	\$83 33

Granite Avenue Bridge.	
B. Service Other than Personal.....	\$250 00
39. General plant....	\$250 00
E. Materials.....	550 00
3. Bridges.....	550 00
	<u>\$800 00</u>

Penal Institutions Department.	
Office Expenses.	
A. Personal Service as per Schedule	
A.....	\$58 72
1. Permanent employ-	
ees.....	\$58 72
B. Service Other than Personal.....	300 00
4. Transportation of	
persons.....	\$300 00
C. Equipment.....	65 00
4. Motor vehicle.....	\$65 00
	<u>\$423 72</u>

House of Correction.	
B. Service Other than Personal.....	\$100 00
5. Cartage and freight,	\$100 00
C. Equipment.....	3,200 00
2. Machinery.....	\$200 00
7. Furniture and fit-	
tings.....	3,000 00
D. Supplies.....	9,000 00
3. Fuel.....	\$9,000 00
F. Special Items.....	3,500 00
9. Care of dependents,	\$3,500 00
	<u>\$15,800 00</u>

SCHEDULE A.	
Suffolk County Courthouse, Custodian.	
Engineer, chief, 1 at \$50 (\$52) per week.	\$61 33
Engineer, assistant, 1 at \$44 (\$47) per week.....	92 00
Engineers, assistant, 2 at \$42 (\$45) per week.....	184 00
Firemen and oiler, 11 at \$39 (\$40.50) per week.....	506 00

Matrons, 2 at \$25 to \$27 per week . . . . .	\$61 33
Mechanic, helper, 1 at \$36 (\$39) per week . . . . .	92 00
	<u>\$996 66</u>
Temporary . . . . .	<u>\$685 00</u>

## County Buildings.

Superintendent, deputy, 1 at \$3,500 (\$4,000) per year . . . . .	\$294 38
Firemen, 8 at \$6.50 (\$6.75 per day) . . . . .	368 00
Mechanics, etc., 2 at \$5.50 per day . . . . .	1,430 00
	<u>\$2,092 38</u>

## Jail.

Engineer in charge, 1 at \$50 (\$55) per week . . . . .	\$152 50
Engineers and firemen, 3 (5) at \$42 (\$45) per week . . . . .	274 50
	<u>\$427 00</u>

## Supreme Judicial Court.

Clerk, 1 at \$1,500 (\$1,600) per year . . . . .	<u>\$58 33</u>
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## Superior Court, Civil Session, General Expenses.

Court officers, 37 (42) at \$2,484 per year, <u>\$9,142 50</u>
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## Superior Court, Civil Session, Clerk's Office.

Clerical assistant, 1 at \$2,400 per year . . . . .	\$1,016 67
Clerical assistant, 1 at \$2,150 per year . . . . .	146 67
Clerical assistants, 2 at \$2,100 per year . . . . .	75 00
Clerical assistants, 3 at \$1,800 per year . . . . .	1,207 59
Clerical assistants, 2 (3) at \$1,600 per year . . . . .	416 87
Clerical assistants, 3 at \$1,350 (\$1,450) per year . . . . .	174 99
Clerical assistants, 4 at \$1,300 per year . . . . .	1,975 00
Record clerk and messenger, 1 at \$2,150 (\$2,250) per year . . . . .	58 33
	<u>\$5,071 12</u>

Municipal Court, City of Boston.  
Civil Business.

Clerical assistants . . . . .	\$900 00
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## Probation Department.

Clerks, 6 at \$1,700 (\$1,800) per year . . . . .	300 00
Clerks, 4 at \$1,350 (\$1,450) per year . . . . .	150 00

## Medical Department.

Clerk, 1 at \$1,500 (\$1,600) per year . . . . .	50 00
	<u>\$1,400 00</u>

## Municipal Court, Dorchester District.

Temporary . . . . .	<u>\$250 00</u>
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## Municipal Court, Brighton District.

Clerk, first assistant, 1 at \$1,856.25 per year . . . . .	<u>\$1,356 11</u>
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## District Court of Chelsea.

Court officer, 1 at \$1,800 per year . . . . .	<u>\$1,030 00</u>
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## Registry of Deeds.

Clerks, 10 (12) at \$1,600-\$1,700 per year . . . . .	<u>\$1,416 66</u>
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## Miscellaneous Expenses, Treasury Department.

Cashier, 1 at \$300 (\$500) per year . . . . .	<u>\$83 33</u>
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## Penal Institutions Department.

## Office Expenses.

Clerk and stenographer, 1 at \$1,600 (\$1,700) per year . . . . .	<u>\$58 72</u>
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Referred to the Executive Committee.

## TRANSFER—CITY COUNCIL.

The following was received:

City of Boston,

Office of the Mayor, July 22, 1929.

To the City Council.

Gentlemen,—In order to provide funds for the recent increases granted to the attaches of the City Council, I respectfully recommend adoption of the accompanying order wherein it is provided 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, \$1,316.19, to the appropriation for City Council, A-1, Permanent Employees, Clerk of Committees, 1 at \$5,000 (\$5,500) per year, \$293.15; Secretary to the City Council (Assistant Clerk of Committees), 1 at \$3,500 (\$3,750) per year, \$146.58; Second Assistant Clerk of Committees, 1 at \$2,500 (\$3,000) per year, \$293.13; City Messenger, 1 at \$5,000 (\$5,500) per year, \$291.66; Assistant City Messenger, 1 at \$3,000 (\$3,250) per year, \$145.83; Second Assistant City Messenger, 1 at \$2,500 (\$2,750) per year, \$145.84—\$1,316.19.

## TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,

Office of the Mayor, July 22, 1929.

To the City Council.

Gentlemen,—I am in receipt of the attached requests for transfers within departmental appropriations and I respectfully recommend the 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 City Council:

From the appropriation for B-29, Stenographic, Copying, Indexing, \$100, to the appropriation for B-3, Advertising and Posting, \$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 Soldiers' Relief Department:

From the appropriation for F-8, State and Military Aid, Soldiers' Relief and Burials, \$1,002, to the appropriation for B-1, Printing and Binding, \$400; B-35, Fees, Service of Venires, etc., \$2; D-1, Office, \$600.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Medical Examiner Service, Southern Division:

From the appropriation for B-28, Expert, \$30, to the appropriation for B-37, Photographic and Blueprinting, \$30.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Superior Court, Civil Session, Clerk's Office:

From the appropriation for A-1, Permanent Employees, Clerical Assistant, 1 (0) at \$2,170 per year, \$904.16, to the appropriation for A-1, Permanent Employees, Clerical Assistants, 2 at \$2,400 (\$2,500) per year, \$118.66; Clerical Assistants, 2 at \$2,300 per year, \$21.67; Clerical Assistants, 1 at \$2,150 per year, \$765.83.

From the appropriation for A-1, Permanent Employees, Clerical Assistants, 3 (1) at \$2,050 per year, \$1,691.66, to the appropriation for A-1, Permanent Employees, Clerical Assistants, 2 at \$2,100 per year, \$1,691.66.

From the appropriation for A-1, Permanent Employees, Clerical Assistant, 1 (0) at \$1,950 per year, \$812.50; Clerical Assistants, 5 (0) at



\$1,900 per year, \$2,607.50, to the appropriation for A-1, Permanent Employees, Clerical Assistants, 4 at \$2,000 per year, \$3,420.

From the appropriation for A-1, Permanent Employees, Clerical Assistants, 5 (0) at \$1,900 per year, \$1,350 75, to the appropriation for A-1, Permanent Employees, Clerical Assistants, 4 at \$1,800 (\$1,900) per year, \$216.66; Clerical Assistant, 1 at \$1,850 per year, \$787.50; Clerical Assistants, 3 at \$1,800 per year, \$346.59.

From the appropriation for A-1, Permanent Employees, Clerical Assistants, 2 (1) at \$1,750 per year, \$729.16, to the appropriation for A-1, Permanent Employees, Clerical Assistants, 3 at \$1,800 per year, \$729.16.

From the appropriation for A-1, Permanent Employees, Clerical Assistants, 5 (4) at \$1,700 per year, \$708.33; Clerical Assistants, 40 (9) at \$1,500 per year, \$19,375, to the appropriation for A-1, Permanent Employees, Clerical Assistants, 2 (32) at \$1,600 per year, \$20,083.33.

From the appropriation for A-1, Permanent Employees, Clerical Assistants, 7 (6) at \$1,300 (\$1,400) per year, \$191.68, to the appropriation for A-1, Permanent Employees, Clerical Assistants, 4 at \$1,300 per year, \$191.68—\$28,370.74.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Election Department:

From the appropriation for A-1, Permanent Employees, Assistant Registrars, 36 at \$1,600 to \$2,100 per year, \$450, to the appropriation for B-39, General Plant, \$450.

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 Street Laying-Out Department, A-1, Permanent Employees, Clerks, 2 (1) at \$2,100 per year, \$914.71, to the appropriation for Boston Traffic Commission, A-1, Permanent Employees, Clerk, 1 at \$2,100 per year, \$914.71.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Assessing Department:

From the appropriation for A-3, Unassigned, \$500; to the appropriation for A-1, Permanent Employees, Assessors, Second Assistant, 17 (18) at \$5 per day, \$500.

Referred to Executive Committee.

#### LOAN FOR NEW BUILDINGS, DEER ISLAND.

The following was received:

City of Boston,  
Office of the Mayor, July 22, 1929.

To the City Council.

Gentlemen,—The recent fire at Deer Island has made necessary the reconstruction of certain existing buildings and the erection of a new building to replace the building formerly occupied by the doctor, chaplain and other executive officers. I am in receipt of a communication from the Penal Institutions Commissioner in which he recommends that an appropriation of \$135,000 be made available for this work. In conformity with this recommendation I submit herewith an order providing for the appropriation of this amount. In view of the emergency nature of this appropriation I recommend its immediate consideration by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$135,000 be, and hereby is, appropriated to be expended under the direction of the Penal Institutions Commissioner for House of Correction, Deer Island, New Buildings and Reconstruction of Old Buildings, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

City of Boston,  
Penal Institutions Department, July 22, 1929.  
Hon. Malcolm E. Nichols.

Mayor of Boston.

Dear Sir,—The fire at the island caused damage which necessitates a large expenditure of money.

The day after the fire I appointed M. A. Dyer Company, Architects and Engineers of 1 Beacon street, Boston, as architects for this work, and requested them to give me an immediate figure on the cost of restoring and replacing these buildings.

They have submitted a report to me and I favor the alternate proposal contained on sheet 3 of their recommendations. This would necessitate a loan in the amount of one hundred thirty-five thousand (135,000) dollars for the work at the island, and I accordingly recommend that a loan for this amount be submitted to the City Council.

I inclose herewith copy of architect's report.

Yours respectfully,

PHILIP A. CHAPMAN,  
Penal Institutions Commissioner.

Referred to Executive Committee.

#### PETITIONS REFERRED.

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

##### Claims.

Lillian M. Bartholdson, for compensation for injuries caused by explosion of manhole at Sumner and Chauncy streets.

B. L. Blane, for compensation for damage to property at 187 Florence street, caused by backing up of sewage.

Samuel Brilliant, for compensation for damage to car by city team.

Archie J. Campbell, for compensation for damage to property at 187 Florence street, caused by backing up of sewage.

Lillian Cunningham, for compensation for damages caused by an alleged defect in A street, South Boston.

Alice Dean, for compensation for damage to coat caused by burning stump of tree on Boston Common.

James Donohoe, for compensation for damage to automobile caused by an alleged defect in Marcella Street Playground.

Celia Geba, for compensation for injuries caused by an alleged defect in Congress square.

William H. Hubbard, for compensation for damage to property by city truck.

Mrs. L. W. Jenkins, for compensation for damage to property at 187 Florence street, caused by backing up of sewage.

Joshua Shaw Case Company, for compensation for damage to property at 74 Chauncy street, caused by broken water main.

W. A. Leary, for compensation for damage to property at 1 and 3 Shepard place, caused by defective sewer.

Katherine V. MacKenzie, for compensation for damage to property at 2 Sutherland road, caused by bursting of water pipe.

A. C. McCarthy, for compensation for damage to property at 187 Florence street, caused by backing up of sewage.

Albert J. McMurtrie, Jr., for compensation for damage to property at 187 Florence street, caused by backing up of sewage.

Phlemon Moore, for compensation for damage to automobile by city truck.

Katie Paretsky, for compensation for injuries caused by an alleged defect at 1134 Blue Hill avenue.

Jerome J. Patnoudé, for compensation for damage to automobile by city car.

Marion Pippi, for compensation for garbage can taken by ashmen.

Elwood L. Richardson, for compensation for damage to automobile caused by an alleged defect at 64 Washington street.

Henry H. Schnetzer, for compensation for expenses incurred on account of raising grade of street on La Grange street, West Roxbury.

Arthur Shenker, for compensation for injuries caused by city car.

Carolyn E. Siebert, for compensation for damage to coat by burning stump of tree on Boston Common.

Mamie S. Velvin, for compensation for injuries caused by being struck by motorcycle officer.

## Jitney Licenses.

Boston Elevated Railway Company, to operate jitneys between the junction of Northampton street and Washington street and Savin Hill Station, over Washington street, Massachusetts avenue, Edward Everett square, Columbia road, Dorchester avenue and Savin Hill avenue, returning via Savin Hill avenue, Dorchester avenue, Columbia road, Edward Everett square, Massachusetts avenue, Southampton street, Sheridan square and Northampton street.

## CONSTABLES' BONDS.

The constables' bonds of Allen Libby and William J. Baker, having been duly approved by the City Treasurer, were received and approved.

## APPROVAL OF APPOINTMENT.

A certificate was received from the Commissioners of Civil Service, approving the appointment of Charles D. Maginnis, 100 Boylston street, Boston, to be an Art Commissioner.  
Placed on file.

USE OF SCHOOL YARDS FOR PLAY-  
GROUNDS.

The following was received:

The School Committee of the City of Boston, Administration Building, 15 Beacon Street.  
Office of the Secretary, July 15, 1929.  
Mr. Wilfred J. Doyle, City Clerk.

My dear Mr. Doyle,—At a meeting of the City Council on June 18, 1919, it was  
Ordered, That the School Committee be requested, through his Honor the Mayor, to throw open all the school yards for the children to play in during the summer vacation period.

The School Committee at the meeting of July 1, 1929, referred the order to the superintendent for consideration and report. The superintendent, in turn, asked the Board of Superintendents to consider the order of the City Council in connection with several petitions then before that Board for the opening of school yards in other sections of the city, more particularly in the congested sections. It had been suggested that school yards in the congested sections at least, be open for play purposes for the younger children without supervision.

In response to these several propositions, the Board of Superintendents gave careful consideration to the whole question of opening additional school yards for play purposes, with or without supervision. The Board had before it lists of playgrounds operated under the direction of the School Committee—one hundred thirty in number, distributed generally throughout the city. The Board furthermore understands upon authority of the director, that no additional playgrounds with attendants may be opened during the present season for budgetary reasons—that there are no funds available for further extension.

Speaking specifically to the question as to whether school yards should be opened in congested portions of the city without school attendants, the Board of Superintendents reported adversely. The Board feels that for the protection of school property and abutters' interests attendants should be provided wherever yards are opened. Large boys frequent these play centers intended for younger children and interfere with the children's games and cause much disturbance. Such a situation was emphasized at a recent hearing of citizens when a petition for the suspension of the Richard Olney School Playground in the Robert Gould Shaw District was before the School Committee. The use of school property in Eliot square and on Pershing road, without supervision, is the cause of repeated complaints to the members of the School Committee and to school officials. There has been considerable complaint, furthermore, concerning the unsupervised area in the neighborhood of the Latin School.

The Board of Superintendents was unanimous in its disapproval of the suggestion that school yards be opened without supervision, and was

agreed that the present financial situation is such that no additional playgrounds may be established this year.

This report of the Board of Superintendents was accepted in School Committee, July 10, 1929, and was ordered transmitted to the City Council.

Very truly yours,  
ELLEN M. CRONIN, Secretary.

Placed on file.

## HEARINGS ON GASOLENE LICENSES.

Notice was received from the Board of Street Commissioners of hearings before that Board on Monday, August 5, 1929, on petitions to store and sell gasolene as follows:

Max Carlin and others, 456 and 458 Blue Hill avenue, Ward 14, 2,000 gallons.

Curtiss Flying Service, Inc., 460 Maverick street, Ward 1, 2,500 gallons.

Margaret Dugan, 1012 Hyde Park avenue, Ward 18, 2,500 gallons.

Harry T. Grenberg, 13 Lewis street, Ward 1, 1,000 gallons.

Max Levine, 259 Talbot avenue, Ward 17, 1,000 gallons.

Christopher E. Stathaker, 281 Ruggles street, Ward 4, 1,000 gallons.

Boston Five Cents Savings Bank, 132 and 134 Staniford street, Ward 3, 2,000 gallons.

David Webb, 1173 Adams street, Ward 17, 1,000 gallons.

Referred to Executive Committee.

MORAL AND RELIGIOUS INSTRUCTION  
IN JAIL.

Coun. FITZGERALD offered the following:  
Ordered, That under the authority contained in chapter 225, section 76, of the Revised Laws, there be allowed and paid from the appropriation for County of Suffolk in each year a sum not exceeding two thousand five hundred dollars to provide moral and religious instruction in the Suffolk County Jail.

Referred to Committee on County Accounts.

## EXTENSION OF VETERANS' RELIEF.

Coun. WARD offered the following:  
Ordered, That the Commissioner of Soldiers' Relief be requested, through his Honor the Mayor, to petition the Legislature to amend the law on veterans' relief so that the settlement period may be three years instead of five years.

Passed under suspension of the rule.

## HEALTH UNIT IN BRIGHTON.

Coun. GALLAGHER offered the following:  
Ordered, That the Trustees of the George Robert White Fund be requested, through his Honor the Mayor, to consider and report to the City Council upon the possibility and advisability of establishing a health unit at Brighton on land now occupied by Engine Company 29 and Ladder Company 11, Chestnut Hill avenue, soon to be abandoned for Fire Department purposes.

Passed under suspension of the rule.

## TENNIS COURT, WARD 22.

Coun. GALLAGHER offered the following:  
Ordered, That the Park Commission be requested, through his Honor the Mayor, to install tennis courts for the children at the Portsmouth Street Playground, Ward 22.

Passed under suspension of the rule.

WIRE FENCE AROUND TENNIS COURTS,  
JAMAICA PLAIN.

Coun. MURRAY offered the following:  
Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide

for the erection of a wire fence around the tennis courts at the Jamaica Pond, also a rearrangement of the courts.

Passed under suspension of the rule.

ADDITIONAL ARC LIGHTS, JAMAICA POND.

Coun. MURRAY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide for the installation of additional arc lights on the Jamaica way side of Jamaica Pond, especially near Pond street.

Passed under suspension of the rule.

REPAVING FORBES STREET, WARD 10.

Coun. DEVENNEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Forbes street, Ward 10.

Passed under suspension of the rule.

REPAVING PARKER STREET, WARD 10.

Coun. DEVENNEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Parker street, from Heath square to Centre street, Ward 10.

Passed under suspension of the rule.

REPAVING WHITNEY STREET, WARD 10.

Coun. DEVENNEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Whitney street, Ward 10.

Passed under suspension of the rule.

REPAVING WIGGLESWORTH STREET, WARD 10.

Coun. DEVENNEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Wigglesworth street, Ward 10.

Passed under suspension of the rule.

REPORT ON CITY HOSPITAL.

Coun. DOWD submitted the following:

The Committee on Hospitals report as follows: On Monday, July 15, the Council received a copy of the detailed report, submitted, under date of June 15, to the Mayor, by the Board to Study the Administration of the Boston City Hospital, which, although that fact was not even commented upon by the Board, was, of course, directly the result of Councilor McMahon's original City Hospital Investigation Order, passed by the City Council on October 15, 1928, and the consequent 39-page detailed report made to this Council by its own committee on December 31, 1928.

Although the investigation by the members of the City Council was restricted to the Boston City Hospital, as they found it, as distinguished from the more general study made by the Board of Doctors seeking a comprehensive plan for the treatment, first, of acute cases, second, chronic cases, and third, convalescent cases, nevertheless a significant comparison may be made of points brought out by two such reports made within six months of each other.

Stripping down the 39-page detailed report, it may be said that the special City Council Committee first made two general recommendations, flatly stating, "irrespective of new buildings or new equipment or modern improvements, there are two outstanding elements which must absolutely be corrected at the Boston City Hospital.

. . . They are points which can be remedied in any hospital which is properly and efficiently administered."

The first was the proper enforcement of a degree of discipline and efficiency, woefully lacking, largely because of constant political interference. "Your committee found nothing to change its faith in the unquestionably high standard and undoubted professional ability of the present surgical and medical staff.

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."

Secondly, the committee insisted that the City Hospital could not 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."

Our special investigating committee then made thirteen specific recommendations for improved operation and management "of the present City Hospital," urging:

1. More nurses are urgently required in almost every ward, and at least double the present number of trained nurses should at once be placed on duty.

2. Discipline being conspicuous by its absence, definite responsibility for the active management of the hospital should at once be fixed.

3. There must be more active and direct supervision on the part of the executive and his immediate assistants.

4. Prompt abolishment of Wards K and L.

5. No young children in any such environment as Ward K.

6. Greater segregation of contagious diseases.

7. Extermination of vermin pests.

8. Use of modern insulated food carts.

9. Modern electric signal lights.

10. Emergency push-buttons for patients.

11. Accuracy in sick reports.

12. Restriction of the hospital pass abuse.

13. Experimental survey by medical experts and some attention to inadequate salaries now paid to many of the executives and doctors on active duty at the hospital.

Stripping down the 27-page detailed report, the Medical Board made ten general recommendations, chiefly referring to building plans, as follows:

1. No increase in the size of the main Boston City Hospital beyond 2,000 beds.

2. Erection of a hospital for the chronic sick adjacent to the present main hospital.

3. No increase at Long Island.

4. Erection of convalescent hospital at West Roxbury.

5. Abandonment of the Dorchester Convalescent Home.

6. Retention of sufficient West Roxbury land for a new hospital when needed.

7. Continuation of the Haymarket Relief Station with minor improvements.

8. Abandonment of the East Boston Relief Station.

9. Replacement of old equipment in the South Department.

10. Release of funds by the Mayor and Council to insure new buildings and reconstruction already approved by the Hospital Trustees.

The above ten items, of course, chiefly concern not the hospital as it is now constituted but as additions and a proper building program may or may not improve it. Of course, the Council Investigating Committee took no such latitude. It may now be proper, however, to comment on the Board's suggestions concerning a convalescent hospital and relief stations. No doubt a new convalescent hospital at West Roxbury would relieve congestion at the main hospital, and, that being so, why should the Dorchester Convalescent Home be abandoned, while "rarely as much as half full," particularly pending construction of the proposed hospital in West Roxbury which is not included in the present three million-dollar building program, and is therefore a matter of some years to come? In the second place, why should the East Boston Relief Station, established in response to local demands for emergency service in an outlying district, be at once abandoned as "an unnecessary and extravagant activity" in the face of a finding by the Board that the Haymarket Relief Station, located much nearer the main hospital, is a valuable public utility serving an important need, and although the trustees of the Boston City Hospital have themselves unanimously and repeatedly urged the absolute abolishment of the Haymarket

Station as a relief hospital? It would seem that in these days of increased traffic dangers the need of quickly accessible local relief stations in such districts as East Boston, South Boston, Dorchester, and other outlying sections, grows more apparent, particularly in view of the undoubted present inadequate ambulance service.

In addition, the Medical Board made five specific recommendations concerning the hospital as it is now constituted:

1. A "radical reorganization of all three fundamental factors" in the organization of the hospital, because the trustees, the Medical and Surgical Staff, and the Administration have "not kept pace with the expansion of the work of the institution."

2. "An adequate standard ratio of nurses to patients should be established and applied consistently."

3. Steps to remedy "inadequacies of service and space in Wards K and L and the children's wards in the main hospital should be undertaken at once."

4. Ward rooms, so "urgently needed at almost all times for the care of the dangerously ill, disturbed, noisy, troublesome and otherwise difficult patients," should not, to the present "considerable expense, be used for private patients of members of the staff," but a separate building should be built and operated for that purpose, if required, and not at public expense.

5. Adequate salaries should be paid at the hospital.

Where the investigation by the City Council and the investigation by the Mayor's Medical Board really do meet on common ground, it is thus plainly apparent that the very weaknesses reported to exist by five laymen, last December, are now specifically corroborated by three medical experts in June, using almost the same language. And, after all, the first corrections to be made are in the Boston City Hospital as it now exists. If the management is now inefficient and the number of nurses woefully inadequate, the situation is not improved by enlarging the institution.

There is little to be gained by grafting new branches on a tree while the roots of the tree are bad.

The two general criticisms made by the Council Committee were, first of all, unsatisfactory management, and, second, a woefully inadequate number of trained nurses. The first real comment now made by the Mayor's Board is to recommend "a radical reorganization" of the administration of the hospital—and in fact the entire final six measures of the 27-page report, together with a detailed chart, are given over to that most fundamental problem. With reference to inadequate nursing the Board now says: "Only by a generous provision of nursing and other attendant personnel can so high a percentage of use of beds be safely undertaken, and then only when there is remarkably good management."

The number of nurses in relation to patients is less than is found safe and necessary in the case of communicable diseases, many of which are in small children needing much individual attention." On January 31 a request for "sixty additional graduate nurses and fifty more pupil nurses" was "strongly urged" on the Mayor by the Medical Board.

The City Council Committee in its report urged that Wards K and L be absolutely abolished and that young children especially should never be subjected to such environment. On January 30 the Mayor's Board, in male Ward K, with a normal capacity of forty-two patients, found seventy-three patients, with a night service consisting of one pupil nurse and two orderlies. The seventy-three men included such cases as erysipelas, tuberculosis, syphilis, fractures, epilepsy, and homeless alcoholics.

The report of the Mayor's Medical Board appears to your committee now to corroborate and to justify Councilor McMahon's original order of October, 1928, and the consequent report by the Special Hospital Investigation Committee of the City Council (City Document No. 95), which incidentally expressed the belief that the "official investigation at the Boston City Hospital by a Special Committee of the Boston City Council has been by no means in vain." Your Committee on Hospitals further submits that the June 15th Report of the Mayor's Medical Board, received by the City Council last Monday, is itself a most important and valuable result of the McMahon investigation. The criticism by the hospital trustees on January 1 that the City Council in-

vestigation "started unfairly and has come to its conclusion in a biased report," would hardly seem to be warranted in view of the fact that our findings have now been substantially confirmed in detail after "getting the opinion of men trained in hospital management to ascertain the real facts," which was the request made by the trustees themselves.

Your Committee on Hospitals at this time, therefore, makes the following nine recommendations to the City Council:

1. Printing as a public document the report of the Board of three doctors appointed by the Mayor to study the administration of the Boston City Hospital.

2. Immediate passage of an order by the City Council requesting definite advices from the trustees of the Boston City Hospital to his Honor the Mayor that the "sixty additional graduate nurses and fifty more pupil nurses" urgently requested in January of this year have all been actually appointed and are now actually on duty at the Boston City Hospital.

3. Passage of an order that the trustees of the Boston City Hospital, through his Honor the Mayor, advise the City Council forthwith what steps, if any, have been taken since June 15 to effect the changes in administration recommended in detail by the Mayor's Medical Board, or in fact any changes in the present unsatisfactory organization of the Boston City Hospital.

4. Retention and improvement of the Dorchester Convalescent Home at moderate cost, in such an excellent location, at least pending long-delayed construction at West Roxbury.

5. Serious consideration of a purchase of the Homeopathic Hospital or other property near the present City Hospital to assure that crowding of new buildings shall not destroy that light and air essential to any hospital.

6. Retention of East Boston Relief Station and an extension of such necessary stations throughout the residential wards of the city.

7. Preference to local members of the medical profession in appointments to executive positions at the City Hospital and promotions in the service.

8. Adoption of the suggested increase in the membership of the Board of Trustees of the City Hospital from five members to nine, to insure closer and more efficient supervision of the management of the hospital.

9. Immediate abolishment of Wards K and L.

JOHN F. DOWD, Chairman.  
THOMAS W. McMAHON.  
MICHAEL J. MAHONEY.  
FRANK B. SULLIVAN.  
ROBERT GARDNER WILSON, Jr.

Coun. DOWD—Mr. President, in view of the fact that the members of the Council have in their possession at the present time copies of the report of the committee, if there is no objection, I would move to dispense with the reading of the report, simply reading the recommendations offered by your hospital committee. Before reading the recommendations, I would like to bring to the attention of the Council the fact that the report of the Medical Board submitted to the Council by the Mayor last Monday is practically the identical report made by the body of laymen, acting as a committee of this Council, six months ago, a report of which the trustees at that time said that the investigation was started in a prejudiced manner and ended in that same manner. The first recommendation is, "Printing as a public document the report of the board of three doctors appointed by the Mayor to study the administration of the Boston City Hospital." The second recommendation is:

"Immediate passage of an order by the City Council requesting definite advices from the trustees of the Boston City Hospital, through his Honor the Mayor, that the 'sixty additional graduate nurses and fifty more pupil nurses' urgently requested in January of this year have all been actually appointed and are now actually on duty at the Boston City Hospital."

I say in reference to that, that our committee some seven months ago requested that these nurses be appointed, and this same recommendation has been made by the Board which was appointed by the Mayor last January; but up to the present time I understand from the authorities at the City Hospital that all the nurses have not been appointed.

The third recommendation is:

"Passage of an order that the trustees of the

Boston City Hospital, through his Honor the Mayor, advise the City Council forthwith, what steps, if any, have been taken since June 15 to effect the changes in administration recommended in detail by the Mayor's Medical Board, or, in fact, any changes in the present unsatisfactory organization of the Boston City Hospital."

"4. Retention and improvement of the Dorchester Convalescent Home at moderate cost, in such an excellent location, at least pending long-delayed construction at West Roxbury."

May I say in reference to that, that the Medical Board advises that this Dorchester Hospital be discontinued and abandoned, but, because of the fact that the West Roxbury Hospital cannot be rebuilt for three or four years, in the interest of the people of this city the present Dorchester Hospital should be in the meantime continued.

"5. Serious consideration of the purchase of the Homeopathic Hospital, or other property near the present City Hospital, to assure that crowding of new buildings shall not destroy that light and air essential to any hospital."

"6. Retention of East Boston Relief Station and an extension of such necessary stations throughout the residential wards of the city."

"7. Preference to local members of the medical profession in appointment to executive positions at the City Hospital and promotions in the service."

I might say in reference to that, that the committee have been advised that the Board of Trustees last Friday consulted with a physician from Chicago, with a view to having him take the place of Doctor Wilson, recently resigned. The committee feel that there are enough Boston men, trained in Boston and having experience in this community, to occupy any executive positions at the City Hospital, and that it should not be necessary to go to Chicago or any other city to get a man to assume charge of the Boston City Hospital.

"8. Adoption of the suggested increase in the membership of the Board of Trustees of the City Hospital from five members to nine, to insure closer and more efficient supervision of the management of the hospital." The committee feel in reference to that suggestion that it is a very important one, because of the fact that the Board of Trustees of the City Hospital as at present constituted, have been there for quite a while and that if the hospital is to be managed as it should be, some new blood should be infused.

"9. Immediate abolishment of Wards K and L."

The report was accepted and ordered printed and the recommendations were adopted.

Coun. DOWD offered the following:

Ordered, That the Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to advise the City Council forthwith what steps, if any, have been taken since June 15 to effect the changes in administration recommended in detail by the Mayor's Medical Board, or, in fact, any changes in the present unsatisfactory organization of the Boston City Hospital.

Ordered, That the Report by the Board to Study the Administration of the Boston City Hospital be printed as a public document.

Ordered, That the trustees of the Boston City Hospital, through his Honor the Mayor, advise the City Council forthwith whether or not sixty additional graduate nurses and the fifty additional pupil nurses urgently requested in January of this year have all actually been appointed and are now actually on duty at the Boston City Hospital, and, if not, exactly what number of additional graduate nurses and additional pupil nurses, have been added since January 1, 1929.

Severally passed under suspension of the rule.

RECESS.

The Council voted, on motion of Coun. ARNOLD at 2.35 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 DONOVAN at 3.59 p. m.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President DONOVAN called up under unfinished business Nos. 1 and 2 on the calendar, viz.:

1. Action on appointments submitted by the Mayor July 15, 1929, of Abraham S. Singer and Jerome E. O'Brien, to be Constables.

2. Action on appointments submitted by the Mayor July 15, 1929, of Ira E. Thompson, to be a Weigher of Coal and a Measurer of Wood and Bark; and Thomas Hennessey and Harry J. Smith, to be Weighers of Goods.

The question came on confirmation, Committee, Couns. Deveney and Dowling. Whole number of ballots 13; yeas 13, and the appointments were confirmed.

ACCEPTANCE OF HUMES ROAD.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Humes road, Ward 16, as a public highway.

Passed under suspension of the rule.

SIDEWALK ON CEDAR STREET, WARD 11.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Cedar street, both sides, 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 suspension of the rule.

RELEASE OF RESTRICTIONS, 83 DEDHAM STREET.

Coun. MOTLEY called up No. 4 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 of Boston, to execute and deliver to Bessie Moodie, owner, or those claiming title under her to the premises situated on Dedham street, Boston proper, being numbered 83 in the numbering of said Dedham street, release in form satisfactory to the Law Department of the following restrictions which are contained in a deed given by the City of Boston to Augustus Lothrop, dated January 23, 1877, and recorded with Suffolk Registry of Deeds, Lib. 1361, page 139:

"The front line of the building which may be erected on the said lot shall be placed on a line parallel with the said Dedham and Canton streets.

The building which may be erected on the said lot shall be of a width of not less than twenty (20) feet.

No dwelling house or other building except the necessary outbuildings shall be erected or placed on the rear of said lot.

No building which may be erected on 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.

No cellar basement room or other apartment in said building shall be sunk more than three feet below the present coping of the Dry Dock in Charlestown, such level to be determined from time to time by the City Engineer or some other officer duly appointed for that purpose by the City Council."

On June 24, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

The order was given its second and final reading and passage, yeas 17, nays 0.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of the Mayor (referred today) submitting various orders for transfer within departmental appropriations—that the various orders, with the exception of the order relating to the transfer for Superior Court, Civil Session, clerk's office, ought to pass, and that said appropriation for the Superior Court, Civil Session, clerk's office, be referred to the Committee on Appropriations.

The report was accepted, and all the orders submitted by the Mayor today for transfers within departmental appropriations, with the exception of the said transfer for the Superior Court, City Session, clerk's office, were passed, yeas 18, nays 0.

The order relating for transfer for Superior Court, Civil Session, clerk's office, was referred to the Committee on Appropriations.

2. Report on order (submitted by the Mayor and referred today) for a loan of \$135,000 for House of Correction, Deer Island, new buildings and reconstruction of old buildings—recommending reference of said order to the Committee on Finance.

Report accepted, said reference ordered.

3. Report on supplementary county budget (submitted by the Mayor and referred today) recommending reference of the same to the Committee on Appropriations.

Coun. WARD—Mr. President, I do not believe that this budget, amounting to something like \$94,000, should be referred to the Committee on Appropriations. At the start of the year we had a budget of something like \$64,000,000 or \$65,000,000, and I do not believe this Council, after acting upon that budget, is desirous of spending much time on this little supplementary budget now. There are only two items that can be discussed. There is the controversy existing between his Honor the Mayor and Mr. Campbell, the Clerk of the Superior Civil Court, in which I am neutral. It is their personal fight, and I believe they should be allowed to fight it out. The other item, in which I believe we should be interested, is that relating to the \$15,000 which it is proposed to appropriate for the extension of the probation office of the Roxbury Court. I said in executive session that I was opposed to that. I oppose it because I do not believe Mr. Keene, who is perhaps known as the Roxbury bulldog, should be allowed a large kennel from which to bark at the poor unfortunates who come before that court. I believe that that man has made possible the filling of the State Farm, which I might say here, as a member of the Committee on Institutions, is one of the rankest institutions within the confines of the Commonwealth. (A voice. A Ku Kluxer?) Yes, I know he is a Ku Kluxer, and there are other things I might say about him, but I will not say them here. I do wish to say, Mr. President, that Mr. Keene of the Roxbury Court is not carrying out the letter of the law. In every other court within the county the probation officer has the right to release a man arrested on the charge of drunkenness, four times within a year. I say here that Mr. Keene is violating the law, because he does not do that, and I intend to go to the Legislature this year with a bill that will make it possible in the Roxbury Court to have a new Chief Justice, two associate justices, and a new probation officer. I say that the \$15,000 that it is proposed to expend for the enlargement of the probation office there is a waste of the city's money, because if things go as the people of Roxbury feel that they must go, there will be no need to enlarge the probation office of the Roxbury Court. We have a man up there asking for \$15,000 to enlarge his court, in order to carry out a system that is not in accord with the dictates of the people of Massachusetts. In giving him the \$15,000, we are asking him to continue to violate the law; to continue to send men who should be on probation to the State Farm for a year in case of a second arrest. That is what we will be appropriating this money for, and I do not believe it will be a just appropriation. I hope this body will not refer this budget to the Committee on Appropriations, but will take it up today; that they will vote to abolish the \$15,000 for the Roxbury Court, the only item in this budget that would properly even come before the Committee on Appropriations as a matter of controversy.

The report was accepted, and the budget was referred to the Committee on Appropriations.

4. Report on order (submitted by the Mayor and referred today) for a transfer from the Reserve Fund to the appropriation for City Council—that said order ought to pass.

Report accepted; said order passed, yeas 17, nays—Coun. Dowling, Parkman—2.

5. Report on order (referred July 1) that an annuity of \$600 be allowed and paid to the widow of Charles A. Fernald, late member of the Boston Fire Department—that the same ought to pass.

Report accepted; said order passed.

6. Report on order (referred July 1) that an annuity of \$600 be allowed and paid to the widow of John P. Cremin, late member of the Boston Fire Department—that the same ought to pass.

Report accepted; said order passed.

#### HOSPITAL BUILDINGS, PLANS, ETC.

Coun. KEENE called up No. 3 on the calendar, viz.:

3. Ordered, That the sum of \$180,000 be, and the same hereby is, appropriated, to be expended by the trustees of the Boston City Hospital, for Hospital Buildings, Plans, etc., 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 July 1, 1929, the foregoing order was read once and passed, yeas 16, nays 2.

Coun. BUSH—Mr. President, this appropriation has been before the Council for vote several times, and is for the purpose of paying for hospital plans as well as for supervision of construction. Quite some years ago—about three, four or five years ago—there was \$3,000,000 appropriated for buildings at the City Hospital, and it has taken that whole period of time to expend that money, and the last of it is just being expended now. This \$180,000 is to cover, I repeat, the cost of making the plans for further new buildings, as well as the supervision of the construction of those buildings, the cost of the plans being but a small proportion comparatively of the entire \$180,000, and the balance representing supervision of the construction of the buildings. As these buildings cannot possibly be constructed for at least another year, and will in all probability take two, three or four years for construction, I fail to see the necessity for passing the order for the entire appropriation for \$180,000 at the present time.

The order was given a second and final reading and passage, yeas 16, nays—Coun. Bush, Ward—2.

#### 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 July, 1929.

Report accepted; said order passed.

#### FINANCE REPORTS.

Coun. MOTLEY, for the Committee on Finance, submitted the following:

1. Report on order (submitted by the Mayor and referred July 1) for a loan of \$50,000 to be expended under the direction of the Penal Institutions Commissioner for central power plant, House of Correction, Deer Island—that the same ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. MOTLEY—Mr. President, the original Deer Island appropriation was for a power plant which was intended to be used with the existing underground feeding system. When the new plant started in operation it was found that it was barely able to meet the requirements of the island. Examination disclosed the fact that there were numerous leaks in the present underground system. This system had been in operation since the establishment of the island and it must have been in bad condition. Money was appropriated to put in an overhead system. With the establishment of the overhead system the leaks were eliminated, and the plant was found to be too large for summer requirements. There was no way of throttling down the present engines to meet the summer requirements, which of course, means a waste of steam. The present order is for a small boiler which can be used during the summer when their load is light instead of the present wasteful large boiler.

Coun. WARD—Mr. President, I was wondering what effect this \$50,000 will have on the \$135,000 appropriation that the Mayor wants for reconstruction and repairs at the island?

Coun. MOTLEY—Mr. President, the Penal Institutions Commissioner has informed me that

this will not have anything to do with the \$135,000, that the need of this appropriation would have been the same if there had not been that damage by the fire.

The report was accepted and the order was passed, yeas, 19, nays, 0.

2. Report on order (submitted by the Mayor and referred July 15) for a loan of \$75,000 to be expended under the direction of the Park Commissioner for World War Memorial Park, improvements, etc.—that the same ought to pass.

Coun. MOTLEY—Mr. President, this order calls for the building of a new, up-to-date bath house for \$50,000, and for \$25,000 to remove the eel grass and sand the beach at Wood Island Park. The present bath house is old and inadequate and the beach was destroyed when the hydraulic fill was dumped into the airport by the state in building the airport. Your committee on finance, after hearing the plea of the president in support of this order, thought it ought to pass.

Coun. WARD—Mr. President, it seems to me that everything is coming through loan orders. We just passed an appropriation for \$40,000 that might have been taken out of the departmental appropriation without going outside under a loan order. This does not go into effect until after September 13, and I want to move now that it be laid on the table for further study.

The motion to lay on the table was declared lost, and the question came on accepting the report of the committee and passing the order.

Coun. PARKMAN—Mr. President, I agree entirely with the councillor from Roxbury (Coun. Ward); in fact, I have advanced at various times the same argument that he advances at the present time. I think continual resorting to borrowing is a serious thing and should only be invoked when there is a large appropriation involved, and one concerning a matter which is not in the nature of an item which recurs year after year. When it comes to expansion of the park system by the improvement of small parks, we have in effect the same situation that exists in the reconstruction of streets and matters of that sort, which are the subject of budget appropriations, to be taken from the tax levy. The amount involved in this case is an unusually small one, and I do not believe resort should be had to the borrowing power of the City of Boston. The general act which governs all other cities, with the exception of Boston, forbids a resort to borrowing except in the case of sums that amount to 25 cents per thousand dollars on the valuation, which in the case of the City of Boston would amount to \$400,000 or \$450,000. For those two reasons—one, that this is in the nature of an extension of the park system, which is an annually recurring item, and second, that the amount involved is so small,—I do not believe this order ought to pass.

Coun. KEENE in the chair.

Coun. WARD—Mr. President, if this order goes into effect I shall not oppose it, because I feel that a bath house is necessary; but what I am opposed to, as the gentleman from the Back Bay says, is the method of financing, carried out by the Mayor. If any member of this body were going to buy an automobile, he might pay for it over a period of a year or eighteen months through notes. That would be good financing. But if any member were buying a pair of shoes, I don't believe he would pay a dollar a week for them. But here we are voting to raise by loan \$75,000 in this case, and \$40,000 for granolithic walks, and practically all the orders on the calendar call for small appropriations through loan orders. I believe that something should be done for World War parks, that some relief should be given to the people in Boston along the lines proposed in this order, but I do criticize the method of financing carried out by the Mayor.

Coun. DONOVAN—Mr. President, consistency is a jewel, and I believe an examination of the records will show that the gentleman who has just taken his seat has on numerous, countless occasions voted for somewhat similar appropriations. I believe all the members of the Council are cognizant of the fact that there is a crying need for a bathing beach in East Boston, and I have previously tried to procure the necessary money for this purpose out of department funds. The World War Memorial Park was in existence at the time of Mr. Parkman's decease; yet, time after time have we endeavored to procure some of the money from that fund for such purposes

as this, for the improvement of parks that were in existence in Mr. Parkman's lifetime, and have failed. I have tried continually to obtain something from the fund to help out on World War Memorial Parks, but without avail. As a matter of fact, we are the only part of Boston that does not have a bathing beach. East Boston, with 77,000 people, can only afford swimming or bathing facilities in back yards! We do not now have a bathing beach, by virtue of the fact that the state came in and reclaimed the land formerly used as a bathing beach, with the result that we now have no place to bathe on the shore. You must all be familiar with the newspaper articles telling how they have been trying to swim in the mud-holes over there, along Chelsea street. When we had a bathing beach, we did not ask for money for that purpose, but, as I say, conditions have changed by reason of the fact that the state has come in and taken what we did use as a beach for other purposes. Two years ago I asked for an examination of the waters of Wood Island Park, and positive pollution was found at that time. So I say the people of East Boston are now in crying need of an appropriation of this kind.

Coun. WARD—Mr. President, I think the gentleman misunderstands me. I am not against the purpose of the appropriation but the method of financing. He claims also that there is no place that can be used as a swimming hole. Well, I have seen people from the Back Bay try to go to the little swimming hole in the North End because they had none, and I don't know of any out my way. If there is any outside of the Roxbury Court, I don't know about it, and the people of Roxbury certainly have no bathing beach. As I say, I am not opposed to the purpose of the order, but I do criticize the method of financing. That is my only argument. I will simply say to the gentleman from East Boston that if I were in with the Mayor I think I could convince him of the importance of taking \$75,000 from the Parkman Fund for this purpose.

The report was accepted and the order was passed, yeas, 18, nays—Coun. Dowling, Parkman—2.

3. Report on order (submitted by the Mayor and referred June 10) for a loan of \$75,000, to be expended under the direction of the Institutions Commissioner for Institutions Department, new boat—that the same ought not to pass, without prejudice.

Coun. MOTLEY—Mr. President, on this matter the committee of finance have reported "Ought not to pass," without prejudice, and the committee, hoping that more time will be given to a study of the matter, have directed me to file a new order.

Report accepted, order rejected.

4. Report on order (referred July 15) for a loan of \$50,000, to be expended under the direction of the Commissioner of Public Works for any necessary land-takings, and for completion of street construction of the so-called Morton street extension job, from Codman street to Washington street, Dorchester—that the same ought to pass.

Coun. MOTLEY—Mr. President, the committee have reported back "Ought to pass." On the 15th of July, Coun. Wilson made a very extensive statement in regard to the matter, and I think every member here understands the situation.

Report accepted, order passed; yeas 18; nays—Coun. Bush, Ward—2.

5. Report on loan order (recommitted May 27) for \$100,000 for traffic signal system—recommending the passage of the order in the following new draft:

Ordered, That the sum of \$100,000 be, and the same hereby is, appropriated, to be expended under the direction of the Traffic Commission, for automatic traffic signal lights, etc., in places other than down-town Boston, as defined in the Street Traffic Regulations; 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.

Report accepted; said order passed, yeas 20, nays 0.

6. Report on order (submitted by the Mayor and referred June 24) for a loan of \$150,000 for Highways, Making of, under the provisions of chapter 393 of the Acts of 1906—that the same ought to pass.

Coun. DOWD—Mr. President, may I ask the chairman of the committee whether that is going to be expended for the specific widening of suburban streets?

Coun. MOTLEY—Mr. President, at the hearing before the Committee on Finance, Chairman Hurley of the Board of Street Commissioners appeared and informed us that the sum of \$150,000 was to be all spent on suburban streets in Boston.

The report was accepted and the order was passed, yeas 18, nays 0.

7. Report on order (referred June 24) for a loan of \$350,000 for the purchase of land and for the construction of a modern incineration plant in the City of Boston—that the same ought to pass.

The report of the committee was accepted.

Coun. FITZGERALD—Mr. President, I would like to have some information with reference to that order. I don't think it should be allowed to slide right through here without an explanation. We have legitimate propositions which concern business men who invest their money here in the town, and which are laid on the table for investigation, and I would certainly like to have information in regard to this \$350,000 for incinerator.

Coun. MOTLEY—Mr. President, this order was introduced by Councilor Wilson on June 24.

Coun. FITZGERALD—Then, Mr. President, I move that action be postponed until the councilor interested is present, at the next meeting.

The matter was assigned to the next meeting of the Council.

#### LOAN FOR NEW INSTITUTIONS BOAT.

Coun. MOTLEY offered the following:

Ordered, That the sum of seventy-five thousand dollars be, and hereby is, appropriated to be expended under the direction of the Institutions Commissioner for Institutions Department, New Boat, 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 Committee on Finance.

#### RELEASE OF SEWER ASSESSMENT, EAST BOSTON.

Coun. MOTLEY, for the Committee on Public Lands, submitted a report on order (presented by the Mayor and referred July 15) with regard to release of sewer assessment on land running from Eagle square, East Boston—recommending the passage of the order in the following new draft:

Whereas, By deed dated December 20, 1864, recorded with Suffolk Deeds, Book 857, page 299, the East Boston Company conveyed to the City of Boston certain sewerage rights reserved in a deed from it to Edwin Rice, dated October 19, 1854, and recorded with Suffolk Deeds, Book 674, page 191; and

Whereas, The City of Boston took for sewerage purposes certain land in East Boston, situate off Eagle square, East Boston, by an order of the Board of Aldermen of said City of Boston, approved by the Mayor of said City of Boston, May 18, 1892; and

Whereas, The old Colony Trust Company, a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, trustee under the will of Abbie E. Rice, is the owner of a certain parcel of land situate in said East Boston, running from Eagle square, so called, to Chelsea creek, so called; and

Whereas, The said land thus owned by the Old Colony Trust Company, trustee as aforesaid, is subject to sewer rights conveyed to the said City of Boston by the deed of the said East Boston Company mentioned above; and

Whereas, The said land of the Old Colony Trust Company is also subject to the taking by the City of Boston for sewerage purposes as above set forth; and

Whereas, The City of Boston no longer needs for sewerage purposes and for public purposes a portion of the land thus owned by the said Old Colony Trust Company, trustee as aforesaid;

Now, therefore, it is hereby ordered, That the Mayor of said City of Boston be, and he hereby

is, authorized, in the name and behalf of said City of Boston, in consideration of one dollar, to release to the said Old Colony Trust Company and its assigns, trustees as aforesaid, in form satisfactory to the Law Department of the City of Boston all its right, title and interest to use for drainage and sewerage purposes the land conveyed by the East Boston Company to Edwin Rice as aforesaid, reserving and excepting, however, from said release the right of the said City of Boston to use for drainage and sewerage purposes all of that portion of the land conveyed by the said East Boston Company to said Edwin Rice which is now being actually used by the said City of Boston for drainage and sewerage purposes and also the right to use for drainage and sewerage purposes in addition to the land now being actually used for such purposes by the said City of Boston a strip of land contiguous to that portion of land now actually being used for drainage and sewerage purposes, which extends from Eagle square ninety-three and 70-100 feet to the land taken as aforesaid, so that the land thus reserved and excepted for said drainage and sewerage purposes for the said ninety-three and 70-100 feet shall be twelve feet wide, namely, six feet on each side of the center line of the existing drain or sewer, and also reserving and excepting from said release the right for drainage and sewerage purposes in all land within the limits of the above mentioned taking, together with a strip of land twelve feet wide, extending from said land taken as aforesaid along the westerly boundary of the said land conveyed by the said East Boston Company to Edwin Rice as aforesaid to tidewater. This conveyance is to be made on condition that the said Old Colony Trust Company, trustee as aforesaid, conveys to the said City of Boston by an instrument in writing, satisfactory to the Law Department of said City of Boston the right to build, use and maintain sewerage works in a strip of land about twelve feet wide, extending from the end of said land taken as aforesaid to tidewater.

Coun. MOTLEY—Mr. President, this order calls for the city releasing to the Old Colony Trust a sewer easement on land in East Boston. Your committee heard Mr. Garfield, the attorney for the Old Colony Trust. It appears that the Old Colony Trust desires to have the city confine its sewers to one section of the property, and that it has given over to the city some property the city desires to have, in order that everything may be straightened out.

The report was accepted, and the question came on the passage of the order in the new draft.

On motion of Coun. ARNOLD, the matter was assigned to the next meeting of the Council.

#### DANGER TO WATER SUPPLY.

Coun. SULLIVAN offered the following:

Ordered, That his Honor the Mayor be requested to advise the City Council if the water supply of the City of Boston is threatened by the present drought; and if so, what steps are contemplated to prevent suffering within the city by reason of any threatened inadequate water supply.

Coun. SULLIVAN—Mr. President, my idea in introducing this order is that in the newspapers during the past two weeks there has been a lot of news in regard to the water supply in different sections of the country, and I think it would be well for this city to be on its guard in regard to our water supply. If we have an adequate supply to meet the needs and wants of the city, it is well for us to know it immediately.

Coun. WARD—Mr. President, I wonder if the Mayor would know about that?

Chairman KEENE—It deals with the Metropolitan water system.

Coun. SULLIVAN—Well, Mr. President, I think the Mayor can get the information from the State House, that there is plenty of clerical help to prepare it, and that it would certainly be worth while.

Coun. WARD—Well, Mr. President, I think if it were referred to Senator Parkman he could get the information.

The order was passed under suspension of the rule.



TRAFFIC SIGNAL, HUMBOLDT AVENUE.

Coun. BUSH offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to erect automatic traffic signals at the junction of Humbolt avenue and Seaver street.

Passed under suspension of the rule.

NEXT MEETING.

On motion of Coun. WARD it was voted that when the Council adjourned it be to meet on August 5 at 2 p. m.

ACCEPTANCE OF NEWBERN STREET.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and construct Newbern street, from Richards avenue to Madison street, Ward 18, as a public highway.

Passed under suspension of the rule.

Adjourned at 4.39 p. m., on motion of Coun. DOWLING, to meet on Monday, August 5, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, August 5, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair.  
Absent, Coun. Sullivan.

## JURORS DRAWN.

Traverse jurors were drawn in the manner prescribed by law, the Mayor absent, by Coun. RUBY, viz.:

Thirty-four traverse jurors, Superior Civil Court, First Session, July Sitting, to appear September 3, 1929:

Patsy Covino, Ward 1; Frank Dondero, Ward 1; John E. Hanson, Ward 1; Michael J. McDonnell, Ward 1; Daniel J. O'Meara, Ward 1; Benjamin Ryan, Ward 2; William A. Nye, Ward 5; Charles H. Fitzgerald, Ward 6; Joseph P. Whalen, Ward 6; Clifton E. Chandler, Ward 10; Thomas F. Creegan, Ward 11; Thomas P. Fox, Ward 11; William J. Kelley, Ward 11; Albert F. Leonard, Ward 11; William H. Short, Ward 11; Charles C. Porter, Ward 12; Richard H. Wanders, Ward 13; Alfred Silverman, Ward 14; Dennis Mahoney, Ward 15; James J. Buckley, Ward 16; Elijah D. Brooks, Ward 17; John F. Hines, Ward 17; Louis J. Murphy, Ward 17; Edward M. Duggan, Ward 19; Charles G. Fallon, Ward 19; Edward J. Geishecker, Ward 19; Harold B. Neal, Ward 19; Robert Wruck, Ward 20; Henry J. Horn, Ward 21; Frank E. Lindergren, Ward 21; Harold F. Noble, Ward 21; Fred Schubert, Ward 21; Chester M. Stevens, Ward 21; John H. MacKinnon, Ward 22.

Thirty-four traverse jurors, Superior Civil Court, Third Session, July Sitting, to appear September 3, 1929:

David Alexander, Ward 1; James J. Callanan, Ward 1; Anthony Laurano, Ward 1; Charles H. Ashley, Ward 4; William A. Fraser, Ward 4; John B. O'Hare, Ward 4; Charles P. Simmons, Ward 4; George M. Marz, Ward 5; Henry McIntosh, Ward 5; William H. Walls, Ward 6; George W. Berry, Ward 7; Harry E. Gardner, Ward 7; James F. Whooley, Ward 7; Delmont P. Thurston, Ward 9; Albert A. Cay, Ward 10; James M. Farren, Ward 10; William J. Marceys, Ward 10; William F. Cunningham, Ward 11; John T. Delaney, Ward 11; Max Huenniger, Ward 11; Samuel Lieberman, Ward 12; Nathan Bell, Ward 14; Joseph E. Sturks, Ward 15; Edward B. Matz, Ward 16; Ralph J. Newman, Ward 17; Lewis Buhlman, Ward 18; Rufus E. Garland, Ward 18; Robert B. Harlow, Ward 18; George W. Harring, Ward 18; Evans C. Somes, Ward 18; Michael A. Coughlin, Ward 19; Joseph W. Edwards, Ward 20; Edward E. Cooke, Ward 21; Joseph P. Jordan, Ward 22.

Thirty-four traverse jurors, Superior Civil Court, Fourth Session, July Sitting, to appear September 3, 1929:

James C. Cairns, Ward 1; William H. Fogarty, Jr., Ward 1; Thomas M. Nolan, Ward 2; Eugene L. Sullivan, Ward 2; James H. Brennan, Ward 4; Bartley J. Curran, Ward 4; Duval Dunne, Ward 5; Samuel D. Walker, Jr., Ward 5; Charles Conway, Ward 7; John B. Chalmers, Ward 12; Roy S.; Clark, Ward 12; Lawrence F. Nolan, Ward 12; Albert H. Casey, Ward 13; John T. Hasey, Ward 13; John J. Ring, Ward 13; Adolph Holzman; Ward 14; David Daniel Goodman, Ward 14; Myer Nerden, Ward 14; Isaac Paipert, Ward 14; Hyman Slabinsky, Ward 14; John J. Corbett, Ward 15; Joseph V. Crowley, Ward 16; John H. Kerr, Ward 16; Frank E. Larkin, Ward 16; W. Thomas Martin, Ward 16; Joseph J. Cannon, Ward 17; Michael J. Fallon, Ward 17; Samuel Hoffman, Ward 17; John Rosen, Ward 17; Frederick W. Fenno, Ward 18; Frederic W. Maddox,

Ward 18; John Galano, Ward 19; Harry M. Gordon, Ward 19; Frederick J. Oberacker, Ward 20.

Thirty-four traverse jurors, Superior Civil Court, Fifth Session, July Sitting, to appear September 3, 1929:

Daniel M. Coleman, Ward 2; Henry L. O'Connell, Ward 4; Chester D. Baldwin, Ward 5; Henry E. Partridge, Ward 5; Ernest J. Batastine, Ward 7; Anthony VanGemert, Ward 8; Thomas E. Walsh, Ward 9; Gerald T. Driscoll, Ward 11; Hugh F. Duffy, Ward 11; William L. Cook, Ward 12; Allen Libby, Ward 12; James P. Delehanty, Ward 13; Joseph L. Scott, Ward 13; Harry Cooper, Ward 14; Julius M. Singer, Ward 14; Michael J. Sperrls, Ward 15; Richard J. Dwyer, Ward 16; John T. Meehan, Ward 16; William J. Millin, Ward 16; Jeremiah A. Fitzgerald, Ward 17; Thomas M. Garvey, Ward 15; William E. Gould, Ward 17; Daniel F. Leary, Ward 17; Michael J. McGrath, Ward 17; Francis A. Trainor, Ward 17; James I. Murison, Ward 18; Abraham Polsky, Ward 18; William Wood, Ward 18; George Correa, Ward 19; Anthony Furst, Ward 19; Frederick D. Lamb, Ward 20; Frederick W. Robinson, Ward 20; Leicester G. Inman, Ward 21; Frederick W. Perkins, Ward 21.

Thirty-one traverse jurors, Superior Civil Court, Sixth Session, July Sitting, to appear September 3, 1929:

William J. Cahill, Ward 1; Edward J. Kane, Ward 1; Samuel Leamon, Ward 1; Adelino Vozello, Ward 1; Patrick H. Connolly, Ward 2; John A. Dewey, Ward 2; Arthur Lent, Ward 2; Edward A. McKinnin, Ward 2; Hugh Brennan, Ward 4; Danforth H. Holbrook, Ward 6; John Callahan, Ward 7; Albert C. Cosby, Ward 7; John J. Curley, Ward 8; Thomas Day, Ward 10; Lawrence J. Wagner, Ward 10; Herman Rogers, Ward 12; Louis Trilling, Ward 12; James Thom, Ward 13; John H. Driver, Ward 15; George H. Hanlon, Ward 15; George A. Magner, Ward 15; Frank E. Bennett, Ward 17; Harry P. Eveleth, Ward 17; Jeremiah J. Fitzpatrick, Ward 17; James P. Burns, Ward 18; George T. Corbett, Ward 18; Henry C. Goehl, Ward 19; Frank Hendry, Ward 19; Charles H. Haskell, Ward 20; James C. Marble, Ward 20; Alver W. Polk, Ward 20.

Thirty traverse jurors, Superior Criminal Court, Second Session, to appear September 10, 1929:

George E. Burrows, Ward 1; Peter H. O'Connell, Ward 1; Victor J. Solari, Ward 1; John J. Curley, Ward 4; Martin F. Kelly, Ward 4; Frank G. Hale, Ward 5; Patrick F. Doherty, Ward 7; James Kiley Jr., Ward 7; Daniel J. Buckley, Ward 8; Edward J. Fennessey, Ward 8; Simon M. Ellis, Ward 12; Frederick Charles, Ward 14; Adam Hoffman, Ward 14; Gerald J. Fitzgerald, Ward 15; John A. Molloy, Ward 15; Thomas A. Quirk, Ward 15; Robert H. LeBlanc, Ward 16; Edwin F. Molloy, Ward 16; Michael A. Ryan, Ward 16; William F. Sargent, Ward 16; William A. Terrenzi, Ward 16; Harold T. Paine, Ward 17; William C. Luniford, Ward 19; James G. Nagle, Ward 19; Sebastian L. Gahn, Ward 20; John E. Hooper, Ward 20; Walter M. Kingman, Ward 20; John A. Robinson, Ward 21; George L. Behan, Ward 10; Joseph S. Healy, Ward 11.

Twenty-five traverse jurors, Superior Criminal Court, Fourth Session, to appear September 3, 1929:

Joseph F. Doyle, Ward 1; Walter M. Miller, Ward 1; William J. O'Connell, Ward 1; Joseph W. Blake, Ward 2; William Hington, Jr., Ward 2; James F. McInness, Ward 2; William L. McLaughlin, Ward 3; Patrick W. Burke, Ward 6; John H. Powell, Ward 9; Erwin L. Hainline, Ward 10; John A. McDonald, Jr., Ward 10; Clifford V. Tuttle, Ward 10; Israel A. Feinstein, Ward 14; Samuel M. Rosen, Ward 14; John T. O'Neil, Ward 15; David Scott, Ward 16; Arthur W. Rogers, Ward 18; James F. Smith, Ward 18; Arthur Wood, Ward 18; Robert E. W. Mackey, Ward 19; Arthur E. Nicholson, Ward 20; Edward A. Robinson, Ward 20; Charles L. Rohde, Ward 20; Walter F. Como, Ward 22; William H. McGinniss, Ward 22.

Coun. RUBY in the chair.

## APPOINTMENTS BY THE MAYOR.

The Mayor submitted the following appointments, severally, for the term ending April 30, 1929, viz.:

Constables: John D. Oatt, 7 Brook avenue, Roxbury; Otto Kohl, 2 School Street place, Roxbury; Louis N. Kaiser, 129 Intervale street, Roxbury; William Weingarten, 23 Sonoma street, Roxbury; George Albert Sparks, 7 Brook avenue, Roxbury.

Weighers of Coal: Theodore Collins, John Hitch, W. Henry Cotting and Theodore L. Marsters.

Laid over for one week under the law.

## TENNIS COURTS, JAMAICA POND.

The following was received:

City of Boston,  
Office of the Mayor, August 3, 1929.  
To the City Council,

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of July 22, 1929, relative to the erection of a wire fence around the tennis courts at Jamaica Pond.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, July 29, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of July 26, 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 wire fence around the tennis courts at the Jamaica Pond.

The tennis courts in question are of very little use. The department deems it inadvisable to erect a wire fence in this vicinity as it would detract in a great measure from the landscape.

Very truly yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

## BATHING BEACH, OLD COLONY PARKWAY.

The following was received:

City of Boston,  
Office of the Mayor, July 26, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of July 15, 1929, relative to laying a temporary beach on the ocean side of the Old Colony Parkway, Ward 16, for the use of bathers during the time dredgers are at work in Savin Hill basin.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, July 20, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of July 19, with order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to lay a temporary beach on the ocean side of Old Colony Parkway, for the use of the bathers during the time dredgers are at work in Savin Hill basin.

Before permission was given to the Public Works of the state to dredge Savin Hill basin it was distinctly understood that there would be no interference either with the Freeport, Tenean or Savin Hill bathers. I cannot see any reason for laying a temporary beach when the present beach will suffice. Furthermore, this same would have to be on ground this department does not control.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

## TRAFFIC OFFICER, POND STREET.

The following was received:

City of Boston,  
Office of the Mayor, August 3, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner, in reply to your order of July 15, 1929, relative to the assignment of a police officer for traffic duty to the Jamaica way, at Pond street, Ward 19, between the hours of 1 and 6 p. m. daily.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Police Headquarters, July 27, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mayor Nichols,—With reference to order of City Council, dated July 15, 1929: "That the Police Commissioner be requested, through his Honor the Mayor, to assign a traffic officer to the Jamaica way, at Pond street, Ward 19, between the hours of 1 and 6 p. m. daily." I would say that this location is covered by a traffic officer on Sundays and holidays, during the hours specified in the order of the City Council.

Neither the Captain of Division 13 nor the Captain of Division 21 is able to assign an officer to this point for daily service, because of the limited number of officers available. Irrespective of the large number of absentees caused by sickness and injury, this is vacation period in this department, and I am left decidedly short-handed.

The placing of a traffic officer at this location at this time would simply mean taking one away from a post just as important, if not more important.

I am returning herewith the original order of the City Council, copy of which has been kept for the files of this office.

Very truly yours,  
HERBERT A. WILSON,  
Police Commissioner.

Placed on file.

## TENNIS COURTS—PORTSMOUTH STREET PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, August 3, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of July 22, 1929, relative to installation of tennis courts for children at Portsmouth Street Playground, Ward 22.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, July 29, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of July 26, with inclosure, order from City Council that the Park Commission be requested, through his Honor the Mayor, to install tennis courts for the children at the Portsmouth Street Playground, Ward 22.

I regret exceedingly to inform you that this department has no funds available for this purpose at this time. I will be pleased to insert in the budget for 1930 an amount necessary to construct two up-to-date tennis courts at this locality.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

## USE OF BOSTON COMMON.

The following was received:

City of Boston,  
Office of the Mayor, July 26, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Commission in reply to your order of July 15, 1929, relative to allowing the Hub Nest, Fraternal Order of Orioles, the use of the parade grounds on Boston Common, on Tuesday, August 6, 1929, from 6.30 p. m. to 9 p. m.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department July 20, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of July 18, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to allow the Hub Nest, Fraternal Order of Orioles, the use of the parade grounds on Boston Common on Tuesday, August 6, 1929, from 6.30 p. m. to 9 p. m.

If this order is complied with, it will be creating a precedent. No other fraternal order has ever received permission to use the Boston Common parade grounds. For that reason, the Board of Park Commissioners consider it inadvisable to grant the request.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

TRAFFIC SIGNALS, OLD COLONY AVENUE.

The following was received:

City of Boston,  
Office of the Mayor, July 26, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Boston Traffic Commissioner, in reply to your order of July 15, 1923, relative to the installing of automatic traffic control signals at the junction of Old Colony Parkway and the three following-named streets in Ward 16: Redfield street, Tolman street and Conley street.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Boston Traffic Commission, July 22, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic control signals at the junction of Old Colony Parkway and the three following-named streets in Ward 16: Redfield street, Tolman street, Conley street.

In reply thereto I would say that the Boston Traffic Commission has no control over traffic on the Old Colony Parkway. All roadways under the jurisdiction of the Metropolitan District Commission were exempted under the provisions of the act creating the Boston Traffic Commission.

Respectfully yours,  
WILLIAM A. FISHER, Commissioner.

Placed on file.

TRAFFIC LINE, SOUTHERN ARTERY.

The following was received:

City of Boston,  
Office of the Mayor, July 26, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Boston Traffic Commissioner, in reply to your order of July 15, 1929, relative to painting a center line on the Southern Artery, from Dorchester avenue to Neponset avenue, Ward 16.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Boston Traffic Commission, July 22, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to paint a center line on the Southern Artery, from Dorchester avenue to Neponset avenue, Ward 16.

In reply thereto, I would say that center lines will be painted leading to the intersections included in this area.

Respectfully yours,  
WILLIAM A. FISHER, Commissioner.

Placed on file.

PARKMAN FUND APPROPRIATION.

The following was received:

City of Boston,  
Office of the Mayor, August 5, 1929.  
To the City Council.

Gentlemen,—I am advised that the sum of \$104,000 in income is now available in the George F. Parkman Fund. In accordance with the attached request received from the chairman of the Park Commissioners I respectfully submit an order providing for the appropriation of this amount for improvements in various parks. I recommend adoption of this order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, August 1, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to make a request on the City Council for a transfer from the income of the George F. Parkman Fund of the following amounts, which are now available, for the purposes stated below:

Boston Common Improvements:	
New walks, improvements to public address system, etc.....	\$30,000
Marine Park Improvements:	
General repairs to Marine Park pier, repairs to public landing, drinking fountains, etc.....	15,000
Franklin Park Improvements:	
New entrance to Animal Range, allocation of statues from Post Office, improvements and repairs to buildings..	50,000
Purchase of animals, birds, etc.....	5,000
Aquarium Improvements:	
Repairs to buildings and purchase of tropical fish.....	4,000
Total.....	<u>\$104,000</u>

Respectfully yours,  
WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$104,000 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:

Boston Common and Public Garden, Improvements.....	\$30,000
Marine Park, Improvements, etc.....	15,000
Franklin Park, Improvements.....	50,000
Animals, Birds, etc.....	5,000
Aquarium, Improvements, etc.....	4,000

Referred to the Committee on Parkman Fund.

LOAN FOR LONG ISLAND HOSPITAL.

The following was received:

City of Boston,  
Office of the Mayor, August 5, 1929.  
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Institutions Commissioner in which he recommends that an appropriation of \$50,000 be made available for the installation of steam turbine driven coal pulverizing units to feed the new boilers in the Power Plant of the Long Island Hospital. In conformity with this recommendation I submit herewith a loan order for the desired amount and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Institutions Department, July 24, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—James H. Ritchie & Associates, architects and engineers for the construction work at Long Island, have sent me a communication stating that in the boiler plant at Long Island, at the present time, there are two 84-inch boilers being fired mechanically by use of pulverizers and three new 66-inch boilers are hand-fired, and that it will be a distinct economy and

will prolong the life of the larger boilers to install steam turbine coal pulverizing units to feed the three new 66-inch boilers, and they inclose the proposal submitted by the James P. Dwyer Company to do this work for the sum of \$47,149.

The James P. Dwyer Company is at present on the island with men and materials, and as it has already installed all of the new boilers and other pulverizers, it would seem advisable to award the contract for the above sum to them covering this new installation, and I therefore recommend that your Honor submit a loan order to the Council for the sum of \$50,000 to cover this work and such minor additions thereto as may become necessary during its progress.

Respectfully yours,  
WILLIAM S. KINNEY, Commissioner.

Ordered, That the sum of \$50,000 be, and hereby is, appropriated to be expended under the direction of the Institutions Commissioner for Long Island, New Buildings and Additions and Equipment and Furniture, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

#### LOAN FOR COTTAGE FARM BRIDGE.

The following was received:

City of Boston,  
Office of the Mayor, August 5, 1929.

To the City Council.

Gentlemen,—I am advised by the City Auditor that under the provisions of chapter 497 of the Acts of 1921 it will be necessary for the city to raise the sum of \$574,280.98 as its share of the cost of construction of the Cottage Farm Bridge. This amount must be paid to the state and under the terms of the bill may be raised by loans outside the limit of indebtedness. It is desirable in the issuance of loans that the amounts authorized be in even figures. For this reason it is planned to secure the odd amount involved in the payment to the Commonwealth from balances now existing in loan appropriations. I accordingly submit herewith two orders, one providing for a loan outside the limit of indebtedness of \$570,000 and the other for a transfer of an unexpended balance of \$4,280.98. I respectfully recommend passage of these orders by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$570,000 be, and hereby is, appropriated, to be expended under the provisions of chapter 497 of the Acts of 1921 for Brookline Street-Essex Street-Cottage Farm 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 under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Columbus Avenue Bridge, \$4,280.98, to the appropriation for Brookline Street-Essex Street-Cottage Farm Bridge, \$4,280.98.

Referred to the Committee on Finance.

#### APPROPRIATION FOR WATER SERVICE.

The following was received:

City of Boston,  
Office of the Mayor, August 5, 1929.

To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Commissioner of Public Works in which he requests that an appropriation of \$30,000 be made from Water Revenue to Item E-6 in the budget of the Water Service. The amount requested is to be used for the purchase of high pressure fire hydrants to replenish the Water Service stock of such equipment. I am advised that the water revenue as of June 30 is adequate to meet such an appropriation, hence I respectfully

recommend adoption by your honorable body of the accompanying order.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department, July 30, 1929.  
To the Honorable the Mayor of Boston.

I respectfully request that an appropriation be made from Water Revenue to Item E-6, Materials, the amount of \$30,000 in the budget of the Public Works Department, Water Division.

Replacements of defective high pressure fire hydrants have exhausted the stock on hand, and to maintain the High Pressure Fire System it is necessary to obtain a supply. At the time of making up the 1929 budget it appeared that the Water Division might carry on with the number on hand, but the large number of replacements, repairs, etc., now calls for a contract at this time. The water revenue as of June 30 is such that the transfer of the amount requested can be made.

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

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1929, the sum of \$30,000 be, and the same hereby is, appropriated from the income of Water Service, Public Works Department, as follows:

PUBLIC WORKS DEPARTMENT.	
Water Service.	
E. Materials.....	\$30,000 00
6. Water.....	\$30,000 00
Referred to the Executive Committee.	

#### TRANSFER IN PARK DEPARTMENT.

The following was received:

City of Boston,  
Office of the Mayor, August 5, 1929.

To the City Council.

Gentlemen,—Considerable damage has been caused to walks surrounding Jamaica Pond by the blocking of the pipe which releases the surplus water in the pond. This condition was not evident when the original budget estimates were prepared. Because of the emergency nature of the work I submit herewith a transfer order providing for the shifting of the necessary funds from a special fund under control of the Park Department. I respectfully recommend adoption of this 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 Reconstructing and Repairing Parkways and Roadways by Contract, \$18,000, to the appropriation for Park Department, B-39, General Plant, \$18,000.

Referred to the Executive Committee.

#### APPROPRIATION FOR STREET WIDENING DEFICITS.

The following was received:

City of Boston,  
Office of the Mayor, August 5, 1929.

To the City Council.

Gentlemen,—Under the provisions of chapter 352 of the Acts of 1929, authorizing the city to borrow money to make up deficits in existing appropriations for street widenings, 10 per cent of the amount authorized must be raised by taxation. In order that this latter amount may be included in the tax rate of the current year I submit an order providing for the appropriation of \$100,000 and respectfully recommend its immediate consideration by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$100,000 be, and hereby is, appropriated, to be expended by the

Board of Street Commissioners for Street Widening and Extensions, Act of 1929, in accordance with chapter 352 of the Acts of 1929, and the amount so appropriated be raised by taxation on the polls and estates in the City of Boston.  
Referred to the Executive Committee.

REPORT ON PARKS AND PLAYGROUNDS.

The following was received:

City of Boston,  
Office of the Mayor, August 5, 1929.  
To the City Council.

Gentlemen,—I transmitt herewith for your consideration report of Committee on Future Parks and Playgrounds.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, July 29, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Your Committee on Future Parks and Playgrounds have held a number of hearings to which were invited members of the City Council, members of the Legislature, members of the various improvement associations of the respective districts and interested citizens who advocated the needs of the various localities, and after due deliberation and investigation, we are now submitting the following preliminary report as to the needs of the various districts.

Your Honor has indicated that you find it possible to approve this year for playground purposes an approximate amount of \$400,000. Of this amount your committee feels that if the present playgrounds are adequately equipped by the addition of field houses, etc., it will solve the immediate needs of a great many of the districts and we recommend that the sum of \$250,000 be appropriated for this purpose. These additional field houses will serve a very large portion of the public for many years to come and the financial burden should, therefore, be extended over many years and for that reason we suggest that this \$250,000 be raised by loan order.

The playground areas suggested are as follows:

William Amerena Playground, Wellington street, East Boston.....	\$25,000
Paris Street Playground, Paris street, East Boston.....	12,000
Charlestown Heights Building, Bunker Hill street, Charlestown.....	12,000
William J. Barry Playground, Medford street, Charlestown.....	25,000
Rev. Father Buckley Playground, South Boston.....	12,000
Jefferson Playground, Jamaica Plain and Roxbury.....	25,000
Francis Parkman Playground, Forest Hills.....	16,000
Doherty-Gibson Playground, Dorchester.....	36,000
Lester J. Rotch Playground (Randolph Street), South End.....	25,000
Improvements to the present field house at Billings Field, West Roxbury.....	25,000
Readville Playground, Readville.....	12,000
Almont Street Playground, Mattapan.....	25,000
	<u>\$250,000</u>

Your committee has received considerable information concerning proposed desirable playground sites. Many sites could be recommended, but after the expenditure of \$250,000 has been made on the playgrounds for additional field houses, there will remain in the appropriation but \$150,000 to secure playgrounds in districts where heretofore none have been established and we have endeavored, in arriving at our recommendations, to have this \$150,000 expended in the most advantageous manner, bearing in mind that while there is a demand for new recreation areas, the need is not acute. Boston, as compared with other American cities, is better provided with playgrounds than any other city.

The Park Department has spent on development and upkeep on the various playgrounds throughout the city during the past three years, the sum of \$982,083.08.

The districts in which we recommend new playgrounds should be established are as follows:

East Boston:  
In the vicinity of Pope street, a quarter of an acre of land for a mothers' rest and a children's playground. Assessed valuation for three years.... \$8,900

Roxbury:  
In the vicinity of Moreland and Winthrop streets, a quarter of an acre of land with buildings thereon is available for a mothers' rest and children's playground. Assessed valuation, land and buildings for three years... 32,900

Dorchester:  
Four or five acres of land are available in Ward 17 in the vicinity of Dunbar avenue. Assessed valuation for three years, approximately..... 12,500

Hyde Park:  
In what is known as the Rugby section on Wood avenue, an area of five acres for a young men's playground could be obtained. Assessed valuation for three years, approximately..... 16,000

Roslindale:  
Clarendon Hills-Metropolitan Hill district, an area of four or five acres could be obtained to take care of a rapidly-growing section. Assessed valuation for three years, approximately..... 16,000

Brighton:  
In the Brighton district a playground of four or five acres is needed near the center of the district. There is available much vacant land and further study will be focused upon the proper location for the city to take. There is, however, urgent need of widening the present playground known as Rogers Park Playground and we recommend that a strip of land be taken adjoining Rogers Park on the Washington street side. Assessed valuation for three years, approximately..... 8,500

West Roxbury:  
The committee made a canvas of the various vacant parcels of land under the control of the City of Boston and the School Committee, and desire to recommend to your Honor a piece of land at the corner of Washington and Stimson streets, in what is known as the Germantown section, containing approximately 13,180 square feet which is under the control of the School Committee, which, at a meeting held on January 7, 1929, offered to sell. The committee recommends that this land be taken for a children's playground. Assessed valuation for the past three years is ..... 1,656

West End:  
In the West End, the lack of available land and the lack of unanimity of opinion as to the proper location of a desirable site for a playground, as evidenced at our hearing, and the suggestion of the proposed ramp over Charles street and the additional 240 feet to be added to the present area of the Charlesbank, and the proposed new playground on the waterfront at the end of what is now known as Nashua street, makes it inadvisable to request at this time an appropriation for this district.

Total assessed valuations of the above parcels for the past three years..... \$96,456

Under the provisions of chapter 293, Acts of 1892, hereinafter set out, the city is only authorized to take or purchase lands of assessed value not exceeding two-thirds of the amount so authorized. If \$150,000 be authorized, then the city could only take by purchase or eminent domain land to an assessed value of \$100,000. Because of the above provision of law, we have set out the assessed valuation of the parcels recommended.

In the making of our report we deemed it our

principal concern to discuss playgrounds in districts where none now exist and to point out the most desirable available sites. As to the method of acquisition, we are advised by the Law Department that under the provision of section 31, chapter 486, Acts of 1909, that whenever the price to be paid for a lot of land for any municipal purpose is more than twenty-five per cent higher than its average assessed valuation, during the previous three years, said land shall not be taken by purchase but shall be taken by right of eminent domain and paid for in the manner provided for the taking of and the payment of damages for land for highways in said city. No land shall be taken until an appropriation by loan or otherwise for the general purpose for which land is needed shall have been made by the Mayor or City Council by a two-thirds vote of all its members.

#### Taking of Land for Municipal Purposes.

Section 31, Acts, 1909, chapter 486—"At the request of any department and with the approval of the mayor the board of street commissioners, in the name of the city, may take in fee for any municipal purpose any land within the limits of the city, not already appropriated to public use. Whenever the price proposed to be paid for a lot of land for any municipal purpose is more than twenty-five per cent higher than its average assessed valuation during the previous three years, said land shall not be taken by purchase but shall be taken by right of eminent domain and paid for in the manner provided for the taking of and the payment of damages for land for highways in said city. No land shall be taken until an appropriation by loan or otherwise for the general purpose for which land is needed shall have been made by the mayor and city council by a two-thirds vote of all its members; or in case of land for school purposes by the school committee and schoolhouse department in accordance with law; nor shall a price be paid in excess of the appropriation, unless a larger sum is awarded by a court of competent jurisdiction. All proceedings in the taking of land shall be under the advice of the law department, and a record thereof shall be kept by said department."

Our attention has also been called by the Law Department to the provisions of chapter 293, Acts of 1892, which is as follows:

"Whenever the city of Boston shall have authorized the city treasurer to issue bonds or certificates of indebtedness for the purpose of procuring and preparing for public use open spaces to be used for open-air meetings, playgrounds or similar purposes, in said city, the street commissioners of said city, with the approval of the mayor, may take in fee, by purchase or otherwise, such lands of a total assessed value not exceeding two-thirds of the amount so authorized as shall be determined by said city, and may agree with the persons owning such lands as to the damages to be paid by the city therefor; and said city, by such agency as it may determine, shall expend the balance of the proceeds of the bonds or certificates of indebtedness remaining after such lands have been paid for, in constructing or preparing such lands for use."

In view of the statute just above quoted, it will be observed that the balance of the appropriation after the acquisitions of the land shall be used in constructing or preparing such lands for use.

Respectfully submitted,  
WILLIAM P. LONG, Chairman.

Placed on file.

#### PETITIONS REFERRED.

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

##### Claims.

Mamie Ardagna, for compensation for injuries caused by an alleged defect at 33 Charter street.

D. W. Brennan, for compensation for damage to automobile caused by an alleged defect in Geneva avenue.

George B. Burke, for compensation for damage to automobile caused by an alleged defect in River street.

M. K. Callahan, for compensation for damage to property at 114 Gardner street, West Roxbury, caused by water being shut off.

Julius Candler, for compensation for damage to horse and wagon caused by falling limb of tree.

Dr. Harry M. Carp, for compensation for injuries caused by an alleged defect at 154 Bunker Hill street.

Mrs. Philip Carrigan, for compensation for injuries caused by an alleged defect at Litchfield and Lincoln streets.

James A. Churchward, for compensation for damage to automobile by city truck.

Charles S. Cooper, for compensation for damage to automobile caused by an alleged defect in Redlands road, West Roxbury.

Etta M. Coyne, for compensation for damage to shoes caused by an alleged defect in Harrison Avenue extension.

Philias Dostie, for compensation for injuries caused by an alleged defect in Boston street.

Mrs. Lena Driscoll, for compensation for injuries caused by an alleged defect at F and Silver streets.

Catherine R. Foster, for compensation for damage to property at 179 Florence street, Roslindale, caused by backing up of sewage.

Emma G. Fowler, for compensation for injuries caused by an alleged defect at 76 Walworth street.

Dominika Gajda, for compensation for injuries caused by an alleged defect at 789 Dorchester avenue.

Mrs. T. Gildea, for compensation for damage to fence by city truck.

Joseph Goldberg, for refund on building permit.

W. J. Hobbs, for compensation for damage to automobile by city car.

Jean M. Ivory, for compensation for damage to automobile caused by an alleged defect at 109 Berkeley street.

Carl H. Lemmer, for compensation for injuries to son on Boston Common.

Benjamin Levy, for compensation for injuries caused by city truck.

Frederick H. Lutts, for refund on victualler's license.

Mrs. E. R. McIntire, for compensation for injuries caused by an alleged defect at 118 Hewlett street, Roslindale.

Nash New England Company, for refund on used car license.

Anna L. Nelson, for compensation for damage to property at 509 Main street, Charlestown, caused by bullet fired by policeman.

John P. O'Hearn, for compensation for damage to automobile caused by an alleged defect in Adams street.

Mrs. Mary Parkman, for compensation for injuries caused by an alleged defect in front of 103 Leverett street.

Elisabeth Padey, for compensation for personal injuries caused by an alleged defect in Boston Common.

Sarah E. Regan, for compensation for injuries caused by an alleged defect in Boston Common.

E. C. Robertson, for compensation for injuries caused by an alleged defect in Warren street.

Isaac R. Saperia, for compensation for injuries caused by an alleged defect in South Ferry.

Frank E. Silva, for compensation for damage to property at 179 Florence street, Roslindale, caused by defective sewerage system.

Henry L. Smith, for compensation for loss of articles at L Street Bath House.

Clarence W. Stackhouse, for compensation for damage to automobile by ash truck.

James E. Thomson, for compensation for damage to property by ash team.

Vorenberg's Successor, Inc., for compensation for damage to property caused by broken water pipe.

May Willis, for compensation for dress torn at 14 Fenwick street, Roxbury.

James Ginsburg, for compensation for damage to automobile caused by truck commandeered by police officer.

Mary F. Breslin, for compensation for injuries caused by alleged defect in front of 632 Hyde Park avenue.

Paul U. McGregor, for compensation for damage to automobile caused by defect in Brookline avenue.

#### GASOLINE LICENSE HEARINGS.

Notice was received of hearings on August 12, 1929, on petitions for the storage, etc., of gasoline, viz.:

Ernest W. Brown, 6 Bloomfield street, Ward 17, 1,000 additional gallons.



Isabel May Carter, 259 Cambridge street, etc., Ward 22, 1,500 gallons.  
Abraham B. Franklin, 250 Dorchester street, Ward 7, 1,000 gallons.  
Referred to the Executive Committee.

#### CONSTABLES' BONDS.

The constables' bonds of Jerome O'Brien and Harry A. Webber, having been duly approved by the City Treasurer, were received and approved.

#### MINORS' LICENSES.

Applications for minors' licenses from twenty-seven newsboys and twenty-four vendors were received and licenses granted on the usual condition.

#### APPOINTMENT OF SECOND ASSISTANT ASSESSOR.

Notice was received from the Board of Assessors of the appointment of Charlotte F. Cashman to be a second assistant assessor.  
Placed on file.

#### RESIGNATION OF CONSTABLE.

Notice was received from the Mayor of the resignation of Francis J. O'Laughlin from the position of constable of the City of Boston.  
Placed on file.

#### INDEMNITY BOND.

A communication was received from the Metropolitan District Commission transmitting a bond of indemnity for contract work at Chestnut Hill Reservoir.  
Placed on file.

#### APPOINTMENT OF BOSTON PORT AUTHORITY.

Notice was received from the Mayor of the appointment of Joseph W. Powell, Louis E. Kirstein, and Guy W. Currier to be members of the Boston Port Authority.  
Placed on file.

#### PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds from June 17 to July 20, piece-work; and from July 16 to July 31, regular, amounting to \$10,076.10, was received and approved.

#### APPOINTMENT IN PUBLIC WORKS DEPARTMENT.

Coun. WARD offered the following:  
Ordered, That his Honor the Mayor request the Law Department to take action in court compelling the Civil Service Commissioner to certify a requisition for broommaker made by the Department of Public Works.

Coun. WARD—In explanation of that, I desire to say that the present Civil Service Commissioner, as we all know, has taken a high-handed method of handling the requisition that was sent by the Public Works Commissioner and other city department heads. There has never been any action taken, and the city has never fought this man, and the only way they can have redress is by going to the courts. So I am offering the order to ask the Law Department to take this stand, to determine whether or not the Civil Service Commissioner, after a request is made by the Public Works Commissioner, can take the law into his own hands and fail to take action because he thinks it is not necessary. The Public Works Department thinks it is necessary and the commissioner thinks it is not necessary. The only way to settle the matter is to go to the court.

The order was passed under suspension of the rule.

#### REPORT OF FINANCE COMMITTEE.

The Finance Committee submitted a report on the order (referred July 15) for a loan of \$200,000 for the construction of a vehicular underpass beneath the Arborway at Washington street—recommending the passage of the following:

Ordered, That 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 construction of a vehicular underpass, and other construction work upon or under Arborway at Washington street and streets adjacent thereto, and that to meet such 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 of Boston for the said amount.

Chairman RUBY—The question comes on the acceptance of the committee's report and the passage of the order. The Clerk will call the roll.

Coun. McMAHON—Mr. President, is that the loan order we had here the other day, or a week or two ago, when the Planning Board said that had to be done with St. Ann street and Centre street?

Coun. MOTLEY—Mr. President, the engineer of the Planning Board did not say it had to be done, but the widening of Centre street and the extension of St. Ann street was the only way that the traffic problem at Forest Hills could be solved.

The report of the committee was accepted. The order was passed, yeas 18; nays 0.

#### LOAN FOR TRAFFIC SIGNALS.

The Council took up, under unfinished business No. 2 on the calendar, viz.:

2. Ordered, That the sum of \$100,000 be, and the same hereby is, appropriated, to be expended under the direction of the Traffic Commission, for automatic traffic signal lights, etc., in places other than down-town Boston, as defined in the Street Traffic Regulations; 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 July 22, 1929, the foregoing order was read once and passed, yeas 20; nays 0.

The order was read a second time and again passed, yeas 18; nays 0.

Coun. MOTLEY moved that No. 3 on the calendar, under unfinished business, be taken from the calendar.

Coun. DOWD moved that No. 3 be left on the table for one week.

The question came on the motion of Coun. Dowd, and the motion was carried.

#### LOAN FOR WORLD WAR PARK.

On motion of Coun. DONOVAN the Council took up, under unfinished business No. 6 on the calendar, viz.:

6. Ordered, That the sum of \$75,000 be, and hereby is, appropriated, to be expended under the direction of the Park Commissioners, for World War Memorial Park, Improvements, etc., 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 July 22, 1929, the foregoing order was read once and passed, yeas 18; nays 2.

The order was read a second time and again passed, yeas 18; nays 0.

#### LOAN FOR MORTON STREET.

On motion of Coun. MOTLEY the Council took up, under unfinished business, No. 5 on the calendar, viz.:

5. 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 any necessary land-takings and for completion of street construction of the so-called Morton street extension job, from Codman street to Washington street, Dorchester, and that to meet such expense the City Treasurer be author-

ized 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 22, 1929, the foregoing order was read once and passed, yeas 18, nays 2.

The order was read a second time and again passed, yeas 19, nays 0.

#### LOAN FOR HIGHWAYS.

On motion of Coun. MOTLEY the Council took up under unfinished business, No. 4 on the calendar, viz.:

4. Ordered, That the sum of \$150,000 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 authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On July 22, 1929, the foregoing order was read once and passed, yeas 18; nays 0.

The order was read a second time and again passed, yeas 20; nays 0.

#### LOAN FOR PARK SIDEWALKS.

On motion of Coun. MOTLEY the Council took up under unfinished business, No. 7 on the calendar, viz.:

7. Ordered, That the sum of \$40,000 be, and hereby is, appropriated to be expended under the direction of the Park Commissioners for the construction of granolithic walks through the park system, from Columbia Station to the Fens, 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 22, 1929, the foregoing order was read once and passed, yeas 16, nays 4.

Coun. WILSON—A point of inquiry, Mr. President. I regret to say I was absent two weeks ago. Do I understand that the City Council voted \$40,000 for granolithic sidewalks for the Park Department, and that no vote was passed, or order pending taken up for any further loans for sidewalks in the residential part of the city?

Coun. MOTLEY—Mr. President, I think that assignment No. 8 was taken up at the last meeting.

The order was read a second time and again passed, yeas 17; nays—Coun. Bush, Dowling, Ward—3.

#### RELEASE OF SEWER EASEMENT.

On motion of Coun. GREEN, the Council took up, under unfinished business, No. 10 on the calendar, viz.:

10. Whereas, By deed dated December 20, 1864, recorded with Suffolk Deeds, Book 857, page 299, the East Boston Company conveyed to the City of Boston certain sewerage rights reserved in a deed from it to Edwin Rice, dated October 19, 1854, and recorded with Suffolk Deeds, Book 674, page 191; and

Whereas, The City of Boston took for sewerage purposes certain land in East Boston, situate off Eagle square, East Boston, by an order of the Board of Aldermen of said City of Boston, approved by the Mayor of said City of Boston, May 18, 1892; and

Whereas, The Old Colony Trust Company, a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, trustee under the will of Abbie E. Rice, is the owner of a certain parcel of land situate in said East Boston, running from Eagle square, so called, to Chelsea creek, so called; and

Whereas, The said land thus owned by the Old Colony Trust Company, trustee as aforesaid, is subject to sewer rights conveyed to the said City of Boston by the deed of the said East Boston Company mentioned above; and

Whereas, The said land of the Old Colony Trust Company is also subject to the taking by the City of Boston for sewerage purposes as above set forth; and

Whereas, The City of Boston no longer needs for sewerage purposes and for public purposes a portion of the land thus owned by the said Old Colony Trust Company, trustee as aforesaid;

Now, therefore, it is hereby ordered, That the Mayor of said City of Boston be, and he hereby is, authorized, in the name and behalf of said City of Boston, in consideration of one dollar, to release to the said Old Colony Trust Company and its assigns, trustees as aforesaid, in form satisfactory to the Law Department of the City of Boston, all its right, title and interest to use for drainage and sewerage purposes the land conveyed by the East Boston Company to Edwin Rice as aforesaid, reserving and excepting, however, from said release the right of the said City of Boston to use for drainage and sewerage purposes all of that portion of the land conveyed by the said East Boston Company to said Edwin Rice, which is now being actually used by the said City of Boston for drainage and sewerage purposes, and also the right to use for drainage and sewerage purposes in addition to the land now being actually used for such purposes by the said City of Boston a strip of land contiguous to that portion of land now actually being used for drainage and sewerage purposes, which extends from Eagle square ninety-three and 70-100 feet to the land taken as aforesaid, so that the land thus reserved and excepted for said drainage and sewerage purposes for the said ninety-three and 70-100 feet shall be twelve feet wide, namely, six feet on each side of the center line of the existing drain or sewer, and also reserving and excepting from said release the right for drainage and sewerage purposes in all land within the limits of the above-mentioned taking, together with a strip of land twelve feet wide, extending from said land taken as aforesaid along the westerly boundary of the said land conveyed by the said East Boston Company to Edwin Rice as aforesaid to tidewater. This conveyance is to be made on condition that the said Old Colony Trust Company, trustee as aforesaid, conveys to the said City of Boston by an instrument in writing, satisfactory to the Law Department of said City of Boston, the right to build, use and maintain sewerage works in a strip of land about twelve feet wide, extending from the end of said land taken as aforesaid to tidewater.

The order was read once and passed, yeas 20; nays 0.

#### LOAN FOR GRANOLITHIC SIDEWALKS.

The Council took up, under unfinished business, No. 8 on the calendar, viz.:

8. Ordered, That the sum of \$50,000 be, and hereby is, appropriated to be expended under the direction of 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.

The order was read once and passed, yeas 16; nays—Coun. Bush, Dowling, Ward—3.

Coun. ARNOLD moved that No. 9 under unfinished business be taken from the calendar.

Coun. MOTLEY moved that No. 9 under unfinished business be laid on the table for a week.

The question came on the motion of Coun. Motley to lay on the table.

Coun. McMAHON—Mr. President, may I ask the purpose of putting it over another week? I understand it was put over two weeks ago for further action, and for checking up of facts and figures, it having been previously unanimously passed by the Council.

The question came on the adoption of Coun. Motley's motion to lay on the table. The question was taken and the Chair declared the motion adopted.

The vote being doubted, a rising vote was taken, with the following result:

Yeas 9, nays 7.

The order was laid on the table for one week.

#### MOTION FOR RECESS.

Coun. KEENE moved that the Council take a recess.

Coun. WARD—Mr. President, before we go into executive session I would like to ask unanimous consent to having the budget referred back to the Executive Committee.

Chairman RUBY—The budget is not before the Council. Anything the Executive Committee wants to hear at the meeting can be heard.

## FINANCE COMMITTEE REPORT.

Coun. MOTLEY, for the Committee on Finance, submitted a report on the order (referred July 15) for a loan of \$40,000 for playground and locker buildings on Amerena Park and Paris Street Playground, East Boston—that the order ought to pass.

The report of the committee and the order was read once and passed, yeas 17; nays—Coun. Bush—1.

Coun. MURPHY—Mr. President, did I understand, on the motion made by Coun. Ward, that the budget was still in the hands of the committee?

Chairman RUBY—The Committee on Appropriations has the budget. It has not been reported from the body.

Coun. MURPHY—I might ask the chairman of the committee if it is permissible for somebody who has further information to give to the Council to appear before that committee or the executive session on the budget?

Chairman RUBY—I would suggest that that could be permitted in executive session this afternoon.

## CONFIRMATION OF APPOINTMENTS.

The Council took up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointment submitted by the Mayor July 22, of Michael O'Haire, to be a Weigher of Coal and a Measurer of Wood and Bark.

The Chair appointed Coun. Donovan and Keene to receive, sort and count the ballots.

Whole number of ballots 18; yeas 18; nays 0. The appointment was confirmed.

## MOTHERS' REST AND PLAYGROUND FOR SMALL CHILDREN, MEEHAN STREET.

Coun. MOTLEY offered the following:

Ordered, That the Board of Park Commissioners be hereby authorized to use for the purposes of a mothers' rest and playground for small children the parcel of land taken for Stony brook sewerage works on the easterly side of Meehan street, between Rossmore road and Williams street, provided that said land shall not be used in such manner as to interfere with the maintenance or repair of said sewerage works or for any purpose which shall be disapproved by the Commissioner of Public Works.

Passed under suspension of the rule.

## INCREASE IN HOSPITAL TRUSTEES.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to petition the General Court at its next session for such legislation as may be necessary to provide for an increase in the number of trustees of the Boston City Hospital from five to nine.

Coun. WILSON—With reference to that particular order, if my memory is correct, the original act of incorporation of the Boston City Hospital was in 1880, at which time there were seven trustees of the City Hospital, two of them elected from the City Council, one of them elected from the Board of Aldermen, and a second one elected from the Common Council, and in 1885, due to the charter changes, the number of trustees of the City Hospital was reduced from seven to five, due to the fact that the City Council could not even to that extent interfere with any department of the city.

In view of the recommendation of the Special Committee on Hospitals, and particularly in view of the recommendations of the expert board of doctors that was appointed by the Mayor of the city himself, I would urge the immediate adoption of this particular order, namely, the increase of the trustees of the City Hospital from five to nine, in order that there may be some more general connection between those who are supposed to be running the hospital and the hospital itself.

The order was passed under suspension of the rule.

## ACCEPTANCE OF COURT HOUSE ACT.

Coun. WILSON offered the following:

Ordered, That chapter 368 of the Acts of 1929, entitled "An Act to Provide Additional Court House Accommodations and Facilities for the Courts and Other Officials in the County of Suffolk," be, and the same hereby is, accepted.

Coun. WILSON—Mr. President, I would like to enlighten some of the members who may possibly go out for a smoke, or leave before the end of the Executive Committee meeting, and I make these particular statements as a matter of record, inasmuch as I intend to quote to you briefly from the 98-page stenographic report of the hearings which were held in 1926, following the introduction of the order introduced by Coun. Fitzgerald of the West End, who was then a councilor on the Committee on County Accounts.

The particular act which is referred to in this particular order which I will ask to be sent to the Executive Committee today, was signed by the Governor of the Commonwealth exactly two months ago today, the preamble being that the deferred operation of the act in question would tend to defeat its purpose of providing immediate relief for the Courthouse congestion in Suffolk County, which is seriously impeding the administration of justice, so that it is hereby declared to be an emergency law necessary for the immediate preservation of the public safety and convenience; and in view of the fact that the Governor of the Commonwealth and a majority of the Legislature thought it of sufficient importance to pass it on June 5, or have it signed on June 5 as an emergency act, it occurred to me that the Council might well take some action, after leaving the matter without any action for two months.

On Saturday, or late last week, I learned from the City Clerk that the not unusual situation existed, that the Council had not as yet received a certified copy of the act. There is attached to that order a certified copy of the act, and there has been obtained for each member of the Council also a copy of the act.

This matter of the Courthouse has been brought out in the City Council since the election of the new City Council. It was brought out first as long ago as April, 1926, by the councilor from Ward 3, and as a result of his order and the petition filed by Assistant District Attorney Lavelle, hearings were held by the Committee on County Accounts. In 1927, if I am correct, the councilor from Ward 3 introduced a similar order, an order was introduced by former Councilor Gilbody, and I introduced an order in May of 1927.

Three years ago, at the time when these particular hearings were held, it was the unanimous sentiment of everyone who appeared before the Committee on County Accounts that there was an absolute need of immediate action, and on the peril of wearying the members of the Council to that extent,—and bear in mind that I am merely summarizing in a page or so the stenographic report of 98 pages,—I would remind the members of this Council that at the hearings in 1926, at which time the Committee on County Accounts was composed of Councilors Fitzgerald, Arnold, Donovan, Green and Wilson, all five of whom are members of this body, the following men appeared:

Sheriff John A. Keliher of Suffolk County described the Courthouse conditions, even back there three years ago, in 1928, as absolutely insufferable and disgraceful. As custodian of the Courthouse, in his capacity as Sheriff of Suffolk County, he should certainly be a well-qualified expert as to conditions. He stated in his opinion the Suffolk County Courthouse would and should remain at its present location, with expansion of facilities, preferably westward, with a passageway under and archway over Somerset street. He urged that the Suffolk County courts, both civil and criminal, should be easily accessible, and insisted that such extensions as are made should not be piecemeal, but comprehensive enough to take care of inevitable growth of business during the next fifty years. He strongly opposed any plan of increasing the height of the present building, having in mind the already grossly inadequate elevator facilities.

W. T. A. Fitzgerald, Register of Deeds for Suffolk County, appeared before the committee and pointed out that instead of his department having now twice as much area as in 1910 for the accommodation of double the business, the Registry has about one half enough space. He

pointed out that all records of land transfers in Suffolk County since 1640 must be safely kept in the Registry of Deeds, and not stored away but readily accessible for title reference and examination at all hours of the day. He described the present working conditions in the Registry, with eight clerks working in a space 16 feet square, as well as general lack of space for conveyancers conveniently to transact necessary business otherwise than to sign deeds and papers on stools, chairs, and against bookcases. As a measure of relief for the Registry of Deeds only he suggested extending the present fifth floor northerly and westerly over the roof of the present fourth story.

Arthur W. Sullivan, Register of Probate, complained of the disgraceful congestion, with frequently only one available courtroom for two or more sessions of court, scores of women clerks in one basement room, with inadequate cellar window ventilation, and with only one toilet and washstand for over thirty-five women and girls.

William F. Donovan, Clerk of the Boston Municipal Court, Civil Session, the largest court in the entire state, so far as the number of cases is concerned, complained of grossly inadequate quarters, necessitating several clerks using the same desk, and disgraceful congestion for litigants, witnesses and attorneys in courtrooms and corridors.

Thomas C. O'Brien, then District Attorney of Suffolk County, reported unbearable conditions on the criminal side of the court, with a general bedlam of defendants, witnesses, police officers, officials and attorneys crowding the available spaces, and with two Assistant District Attorneys sharing each available desk room.

Thomas D. Lavelle, for eight years Assistant District Attorney, described the corridors of the Municipal and Superior Courts as a shamble of witnesses, jurors and police, without a single retiring room or any facilities whatever for consultation of attorneys with clients, or properly ventilated decent rooms for juries deliberating a verdict. He urged prompt relief from intolerable conditions at the Courthouse, and as an initial step advocated a separate court building to house the criminal courts and kindred departments, viz., the District Attorney's office, the Superior and Municipal Courts and the probation offices.

Harvey B. Hudson, Assistant Clerk of the Boston Municipal Court, reported deplorable conditions with the department scattered in five separate cramped offices.

John F. Cronin, Clerk of the Supreme Judicial Court, although he reported conditions in this particular department as not unbearable, agreed with the need of prompt relief for other courts in the building, and pointed out the satisfactory arrangement in Middlesex and in Norfolk Counties, placing the Register of Deeds, the Register of Probate, and the Probate Court in a separate building from the civil and criminal courts. He did not oppose the separation of the criminal courts, as advocated by other speakers, provided such quarters remained easily accessible to the general public and not far removed from the main courthouse.

Joseph A. Conry, ex-Congressman and former president of this body, if I am correctly informed, commented upon the commission appointed prior to 1926 to study the Suffolk County Courthouse conditions, and their recommendations for a six and a half million or a ten-million dollar building. He opposed construction under a board appointed entirely by the Governor. Feeling that Suffolk County may be said to be synonymous with the City of Boston, and that Boston must pay all the expenses of the county, he believed that Boston rather than the State Legislature should determine the character of the new Courthouse, and advocated a separation of the criminal courts from other departments.

Frank W. Grinnell, secretary of the Judicial Council, summarized the general work of the special commission appointed about 1924 for a survey of conditions and needs of the Suffolk County Courthouse, and the two or three alternative plans proposed to that commission, together with its own judgment in favor of extension swards Somerset street.

While I have spoken in some detail, I have merely endeavored briefly to summarize the 98-page stenographic report of the hearings on the matter of a new Suffolk County Courthouse held by the City Council Committee on County Accounts three years ago, and to that extent save some time for the members of this particular body.

Suffice it to say that sentiment was absolutely unanimous three years ago with reference to the need for prompt action to relieve the congestion in Suffolk County Courthouse, and certainly must be just as unanimous now concerning the absolute necessity for prompt relief.

You have a number of copies of the present bill passed by the Legislature, of which a certified copy is attached to the order. I am aware that criticisms have been made by officials of the county, and throughout the state, and possibly by members of this City Council, with reference to the provisions of this particular bill. I am well aware of the usual criticism to the effect that the Legislature, which, if they showed up there enough, should be easily controlled, or to a greater extent controlled by the Representatives and Senators of Suffolk County—that the Legislature too frequently interferes with the home rule rights of Boston, and to that extent I assume there is some criticism of the fact that under this present act the City of Boston stands 80 per cent of the cost of construction of the Courthouse, and the balance is borne by the Commonwealth, to the extent of 20 per cent; also the criticism that of the three members of the commission one is appointed by the Governor, one by the Mayor and one by the Chief Justice of the Supreme Court. It seems to me that the latter objection is not an objection that is really properly raised, due to the fact that I understand that under the terms of the act, while the Governor may appoint one member of the commission, we might hope he would appoint a Boston man; the Chief Justice of the Supreme Judicial Court, although he appoints one of three, must appoint a Boston resident and the Mayor of the City of Boston appoints the third, so to that extent the residents of the City of Boston, at least to the extent of two to one, will control this particular commission.

But be that as it may, whether or not Boston home rule is being interfered with, the fact remains, as any member of this body knows who has appeared in the Courthouse,—none, of course, as defendants,—as any member of this Council knows, we have needed an enlargement of the Suffolk County Courthouse for the past five or ten years, let alone during the three years during which this body has done nothing at all. It seems to me we should either fish or cut bait; we should have this matter sent to the Executive Committee today, and pass on it one way or the other.

I personally, as one who has practiced for twelve years in the courts of this particular county, and who has occasion to go to the courts in the Suffolk County Courthouse probably two or three times a day, would hate to see even this act, which is probably the most satisfactory progress at least that has been made—I would hate to see this act defeated, meaning a new bill in the Legislature in 1930, and God knows when it would mean a new Courthouse.

I accordingly move that it be sent to the Executive Committee, and that action be taken today.

The order was referred to the Executive Committee.

#### LOAN FOR MORTON STREET.

Coun. WILSON offered the following:

Ordered, That the sum of forty thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, for the laying out, widening, and construction of Morton street, Dorchester, from Codman street to Druid street, 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.

#### LOAN FOR TOLL GATE TUNNEL.

Coun. MURRAY offered the following:

Ordered, That the sum of one hundred and fifty thousand dollars be, and hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, 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, 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.

#### BEECH STREET WIDENING.

Coun. MURPHY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to speed up the work on plans for the widening of Beech street, from Washington to Poplar streets, Ward 18.

Passed under suspension of the rules.

#### NEPONSET RIVER NUISANCE.

Coun. MURPHY offered the following:

Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to take immediate steps to abate the menace to public health caused by filth in the Neponset river.

Passed under suspension of the rules.

#### REPAVING OF READVILLE STREET.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement, Readville street, Ward 18.

Coun. MURPHY—Mr. President, on June 25, 1928, I introduced an order for the widening of Beech street, from Washington to Poplar street, and as far as I know nothing has been done on the matter since. On this particular street is located what is known as the Phineas Bates School, which is used by hundreds of children who have to attend school. The street runs from 16 feet in some parts to 26½ feet in other parts. The sidewalks are very narrow, and many accidents have happened in the past two years. I am putting in this order to call this again to the attention of those who are responsible for the delay, to the end that the people of West Roxbury, of my ward, will be given some relief.

On the other order referring to the Neponset river, a condition has prevailed for the past month in the Neponset river that has caused sickness throughout that part of my ward. Women and children are today lying abed, suffering from various kinds of diseases, due to the filth and slime of the Neponset river, and it would be well for those who are talking about health menaces, sitting in the back rooms of the State House or City Hall, to take a ride to the Neponset river and see if they can return without returning in a Red Cross wagon.

So I hope that the Health Department, both of the city and of the state, will take notice of this order, to the end that this public health nuisance will be removed, and that the people will get a healthy condition.

On the repaving of Readville street, which is located in what is known as Readville Park of Ward 18, that is in a deplorable condition at the present time and should be repaved immediately. I believe that the attention that ought to be paid to the poorer class of people living in Readville is not being paid to them, so I hope that when we get through the big widenings and the spending of money in the downtown part of the city for the elite, we will pay some attention to the poor of Readville by giving them proper streets.

The several orders were passed under suspension of the rule.

#### RECESS.

The Council voted, on motion of Coun. KEENE, 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 RUBY.

#### EXECUTIVE COMMITTEE REPORTS.

1. On the message of the Mayor and order referred May 13, 1929, for the acceptance or chapter 248 of the Acts of 1929, concerning the

widening and reconstruction of Centre and St. Ann streets, the Executive Committee submitted a report that the order ought to pass.

The report of the committee was accepted.

The question came on the passage of the order. Coun. WILSON—Mr. President, I want to repeat, only to a very brief extent, what I said in the executive committee meeting.

I am not opposed to the widening of Centre street or St. Ann street, or to any needed public improvement, but I think that the councilors from that particular district are gravely in error, and the people of that particular district are gravely in error, when they think that the spending of \$1,600,000 on this particular street widening will be of any benefit at all to Jamaica Plain or West Roxbury, any more than the improvement made in the Southern Artery has been of value to the people of the Dorchester district. I fail to see how the spending of \$1,600,000 to make a rapid speedway for the people of Providence and way stations is of any real value to the people of West Roxbury. It may be of some value to the City of Boston, but when I am told by the Mayor of the City of Boston, and quite properly, that he is cramped for money, and that he has got very little money left for street widening or street acceptances, or even necessary street resurfacing, I cannot see my way clear to vote for the expenditure of \$1,600,000 today, when our vote today, rather than later, automatically means that we put \$160,000 more on the expenditures on which is computed the 1929 tax rate.

We have got until the end of 1929 to accept this particular act, and, as I stated in the other room, I am not against public improvements, but I certainly refuse to go on record as adding \$160,000 to the 1929 expenditures, and thereby increasing this year's tax rate, when there is not money enough to build the streets that are needed in my particular ward, to the exclusion of the people of Providence, R. I.

And furthermore, as the gentleman in the chair himself stated, it is the opinion of the Planning Board of the City of Boston that when we accept this act we put in motion steps which will mean not the expenditure of \$1,600,000, but many more millions. And, Mr. President, for that reason and in order that it may not go on this year's tax rate, and in order that we may not add to the burdens which the Mayor of Boston quite properly says he already has for this year, I move that this particular matter lay on the table.

The question came on the motion of Coun. Wilson to lay the report of the committee on the table. The Chair being in doubt as to the vote, the clerk called the roll with the following result:

Yeas—Coun. Bush, Dowd, Lynch, Mahoney, McMahon, Ward, Wilson—7.

Nays—Coun. Arnold, Deveney, Donovan, Dowling, Fitzgerald, Gallagher, Green, Keene, Motley, Murphy, Murray, Parkman, Ruby—13.

The motion to lay on the table was lost.

The question came on the acceptance of the committee's report and passage of the order.

Coun. BUSH—Mr. President, I want it understood by the members of the body that theoretically I am not opposed to the widening of Centre street. It might be perhaps very advisably made, but we have had several millions of dollars appropriated within a very short time for various improvements in the city.

Now, the streets of the city and its suburbs, that is, the old streets of the city, and its suburbs, are in a very deplorable condition, and every time an effort is made to obtain some street resurfacing the Public Works Commissioner and the Mayor state they have not sufficient money with which to make improvements; yet, somehow or other there are always millions of dollars available for some particular improvement that the Mayor or his associates are interested in.

Now, the members of this body must realize that the time is drawing near when most of them will be candidates for re-election, and the fact that the city is being burdened with a debt, both inside and outside the debt limit, which perhaps is greater than that ever placed on the taxpayers of the city in the entire history of the City of Boston—that fact must be faced by the members of this body in a campaign for re-election.

There are a great many improvements which are desirable, and a few which are necessary, but these improvements can be spread over a period of time, so that they will not bring unnecessary and undue hardship and burden on the taxpayers at a particular time.

Now, we have voted away millions of dollars here in the last two years for various improvements. I think it is about time we called some kind of a halt on saddling the city with a greater debt, and I am in favor of defeating this order for the time being. I was perfectly willing to have the order laid on the table until some estimate can be made of what expenditures have been made up to date, and delayed a little further, in which I can see no harm, but in view of the fact that the body failed to support the motion to lay on the table I feel that I would rather not vote for the order at all.

Coun. WILSON—Mr. President, if there is no objection, I would like to talk briefly on the question. As I stated in the original motion to lay this on the table, I am not opposed to improvements of this particular nature, but I might call to the attention of the councilors in this room today not merely the question that there is an election in November, because I do not believe that intensely interests every member on every particular vote necessarily, any more than it does me, but I do call to their attention the fact that we have voted close to a million and a half dollars supposedly for more new street acceptance work in the City of Boston. A large percentage of that money, perhaps quite properly, had been used for street widenings, so that although we may think here that we are spending a million dollars a year for new streets, as a matter of fact we are not. We are not spending anywhere near that amount.

So I will be interested to see the councilors who vote for this \$1,600,000 street widening proposition today—and I will assume for the sake of argument, and so will their constituents on election day, that those councilors who today vote for this \$1,600,000 street widening for the benefit of the people of Providence, R. I., and way stations, have got all the new streets in their districts that they need, and they have got all the streets resurfaced in their districts that they need—I say, when we only appropriate a million or a million and a half in 1929 for new street acceptance work, and then turn around and in one breath, you might say, vote \$100,000 more than that amount for the widening of Centre street and St. Ann street, for the benefit of through traffic—I say, with all due respect to the other members of the Council, that perhaps I have been in haste here, and perhaps the ward which I represent is the only residential ward in the City of Boston which does need any street work at all.

And when I hear that in the Assessors' Department they are working nights, squeezing a penny here and a dollar there, in order that they can pull the tax rate down to an even \$28 a thousand so it will make it easier arithmetic for the boys when they work on it—and I hope they do it—and then I think of slipping on \$160,000 to this year's money, which our action today means, I am surprised that the members of this Council should take such action before the 15th day of August.

Bear in mind that this particular loan order is not a thirty-year loan order, if I am correct in reading the act, nor a twenty-year loan order. If I remember the act correctly, it is a ten-year loan order, and if I remember the testimony of the members of the Planning Board of the City of Boston, they estimate, quite frankly, and lay their cards on the table, that this is not \$1,600,000 spread over ten years; it is a lot nearer a quarter of a million dollars a year, and that means at least a quarter of a million dollars this year.

And so I say to the members of the City Council in this room here today, those of you who haven't got any new streets needed in your wards and those members of this Council who do not need any street resurfacing in their wards, to go ahead and add \$160,000 to this year's tax rate, but you won't have my vote when you do it.

Coun. KEENE—Mr. President, in order that the members of the Council may understand the real conditions as they exist, I would like to state briefly that we have a rather serious condition in the West Roxbury section of the city. Some years ago, I think during Mayor Curley's prior administration, steps were taken to widen Centre street in the village part, that is, starting at the Charles River Bridge and coming down to South street, where we have an 80-foot street. From South street down to what is known as Fenway Park there is a 26-foot hard surface road. On that road there are the Elevated buses. That road takes care of all the through traffic

practically going to Providence, Needham and Dedham, and the congested section of it from South street to Fenway Park is absolutely today a menace. Coming down in the morning, if you get behind a bus, every time the bus stops you stop. The situation there has been a matter of public discussion for several years. The Chamber of Commerce have commented upon it; the city officials have commented upon it, and the state officials.

Now we have an opportunity, through the kindness of the present Legislature, to have the narrow section brought up to the width of the section from South street west. I cannot conceive of a man who has the interest of this city at heart who could raise any objection to it.

I am sorry that Councilor Wilson does not live on Washington street, where people cannot sleep nights because of the trucks, and there are isolated instances of where dishes have been rattled off plate rails and from shelves in pantries, where from 1 o'clock in the morning to 5, four-ton and five-ton trucks are coming through that section, and women have called me on the telephone and stated it was impossible for their children to sleep, and only last week a woman telephoned me, and I had her child taken down to the City Hospital.

We have streets which are unsurfaced, and for Councilor Wilson's information I might say we have 380 unaccepted streets. We have streets where in the spring and fall, during the rainy season, during the season when the frost is coming out of the ground the people are unable to get their automobiles out of their garages onto the main highways. But those people are particularly anxious that this project be attended to. Why?

He speaks of the people from Providence. Let me say this to you. The population of this city is merely 850,000 people, yet at noontime every day we have a million and a half people in the City of Boston. What do they come here for? To work. What do they come here for? To buy the products in our stores. If you want to close this city up and if you want "To Let" signs in the stores of your merchants, close up your avenues that come into this city.

If I had my way, I would not only spend \$1,600,000, but I would like to see a project where you could spend \$50,000,000 to bring a million more people in here, and see if times would not be a little better. Mr. Wilson is in the same profession that I am. I have a fairly good law practice, but I find it extremely difficult to get the money for my work, because I find that conditions in this city financially are not any too good. In the section of the city where I live real estate has dropped 33 per cent. Why? Nobody wants to live on Centre street; nobody wants to live on a street off Centre street. Why? Because when you go home at night you make the progress that you would if you were running. Coming in town, unless you get in ahead of the traffic or come after it, you have the same thing to contend with, and our people are tired and sick of living in a section of the city with nothing more or less than an alley, not only to go back and forth themselves, but to take care of the large number of people who use that avenue.

We have the New York busses, we have the Providence' busses, we have the Albany busses, we have all the busses that go west. A large percentage of them go through our street, and traffic moves, Mr. President, at the rate of approximately 30 miles an hour, and every one that goes through that strip, when he gets a chance, violates the law.

This thing was all threshed out before the Legislature. The people on Washington street, the people in the section who were harmed by the large volume of trucks, because of the restrictions on Centre street, were up in arms. Almost every organization in our section of the city appeared at the State House.

What did you have down here when we had our public hearing? You had the churches, you had the Board of Trade, you had the citizens organization, practically every organization out there, coming in here and telling you the conditions, and asking for relief.

Now, we have an opportunity to do up this. The Legislature says we can do it and it is up to this Council to see whether or not they want this added improvement. If you want to close up any possible chance of making it easier to get in and out of Boston, this is a good opportunity, but I am going to ask the members of this Council if

they do not think by so doing they are helping not only West Roxbury, Hyde Park and Jamaica Plain, but are actually helping the City of Boston and its future.

Coun. DOWD—Mr. President, I am of the opinion, and believe that the members of this Council were elected to serve the people of Boston and the respective districts from which they come. I, like Councilor Wilson, have no objection to the widening of Centre street. I have plenty of streets in Roxbury I would like to see widened. But I have in mind, and I believe I am correct, that the one logical thing the people of Boston are interested in is the tax rate of the City of Boston. There is not an individual interested in street widenings that are going to benefit the people from out of town. They are interested—and I do not care from what community they are, whether it be East Boston, Charlestown, the West End, South Boston, Roxbury, Dorchester, Hyde Park or any other section of Boston—they are interested in the resurfacing of streets. The streets of Boston are in a deplorable condition. The tax rate of Boston is higher by \$2.50 than it should be, due to the street widenings forced upon the people of Boston by a selected group.

Let us review the matter of Centre street and St. Ann street. Who were behind this move? Who were the gentlemen in the Legislature that had power enough to put that act through and to place it before the City of Boston and before this Council? You all know who they are. A few gentlemen interested in that development. And before that development was even started 60 per cent of the property on St. Ann and Centre streets was purchased, and if we today vote for the improvement of St. Ann and Centre streets, we are voting to place in the pockets of a few individuals at the State House at least \$350,000.

I personally believe in public improvements, but I believe that every man should have his share of them. I do not believe that the gentleman who comes from Jamaica Plain or West Roxbury, who has received thousands upon thousands of dollars during this present administration, should be given everything. I am of the opinion that the people of East Boston, Charlestown, Roxbury and Dorchester pay their taxes just as much as the individuals from Jamaica Plain.

Let me say to you that when the present administration came into office they increased the taxes over \$5, which was unjust, and should never have happened. During the last three years the taxes have been lowered, and if they have been lowered during the last three years, then they should never have been increased \$5 at the outset of this present administration. They want you today to place \$160,000 more on the taxation of the City of Boston, and every individual that votes for the acceptance of that act today is voting to increase taxes. And I want every individual to bear that in mind when they vote today, that they are voting to place an increase in the taxes, and it is our job to vote to decrease the taxes wherever we possibly can.

It is a great public improvement, yes, but there is no greater improvement in the City of Boston than street improvements in the residential streets of the City of Boston, where the people live and pay their taxes. The people from out of town do not pay the taxes in Boston—the taxpayers in Boston do—and I believe it is a great mistake, Mr. President and members of this Council, if we here today put ourselves on record as favoring a project in one small community of \$1,600,000, which, before its completion, will mean at least \$2,500,000 of the city's money.

Coun. MURRAY—Mr. President, in answer to the councilor from Roxbury, who tells you about the clique or group of men who tried to have this improvement passed, and who went out and bought the land, I want to say they must have bought it from the City of Boston, because St. Ann street is 90 per cent City of Boston property; it is owned by the City of Boston 90 per cent, maybe 95 per cent.

The people on Washington street live in three-family houses, and the people who own property there cannot let their houses. There are "To Let" signs in every house and home, and if you don't give them some relief from the congestion of the trucks up there, how are we going to get taxes from the people in the city to help improve the city?

We had a hearing on the traffic in St. Ann street last Friday, and women came in and said it was utterly impossible to sleep at night. People who live on Washington street are working people, who

live in three-family and four-family houses, and they want to get this improvement made to relieve traffic conditions. Show me two men from Roxbury who say that somebody tried to get the property. Nobody got it. It is owned by the City of Boston 95 per cent, and the people who live there are working people, that same as he and I.

Coun. WILSON—Mr. President, I do not want to drag this out, but I do not want to leave some of the statements made in favor of this particular project unanswered.

Of course, I can appreciate the desire of the councilors from West Roxbury and Jamaica Plain to see the people of their particular districts accomplish something that they think they want. Of course, as a matter of fact, when the councilor speaks about the people and the poor children in the three-family houses on Washington street, I appreciate what he is talking about. There are quite a few poor families in three-family houses and two-family houses on the Southern Artery of Dorchester, and I venture to say 90 per cent of them wish they could move out of those new houses on some street than that through traffic artery to the South Shore. But be that as it may, I also fail to see how the making of Centre street a widened parkway will do otherwise than put more trucks on the same poor street that the same poor people live on in the same three-family houses. If I read the facts correctly, the putting through of this particular improvement will increase the number of trucks on Washington street. And if a large part of the land which we are buying belongs to the City of Boston, which I doubt, with the possible exception of St. Ann street, then, of course, there will be very little advantage to the taxpayers of West Roxbury and Jamaica Plain. The only real beneficiary of the widening of those streets will be the City of Boston itself.

I do not oppose any necessary improvement, as I have said before, and if our tax rate was \$12 a thousand and we had a lot of money in the bank and didn't know how to spend it, I would be inclined to favor even gold fish in the pond in the Public Garden, but the difficulty is that our tax rate is slightly over \$12 a year, and the fact remains that we are spending less than \$1,000,000 a year on ordinary new streets.

The member from West Roxbury speaks of the 380 unaccepted streets in West Roxbury. Of course, he comes from that ward, and perhaps he can speak for his own ward better than I can, but I imagine that the people who live on those 380 unaccepted streets are very much like the people who live on the many unaccepted streets in Dorchester and Roxbury, and speaking for the people who live on the unaccepted streets in my ward, I venture to say that the people on those streets would a lot more prefer to see that particular street accepted than they would to see a job like the Southern Artery or Centre Street widening go through, because at least a letter carrier can go down Centre street, and that is more than he necessarily needs to do under the law on an unaccepted street.

And my brother speaks of the trucks on Centre street and Washington street and the beautiful portraits, etc., of dishes falling from the walls, but I can point out to him scores of unaccepted streets in my ward that do not need painting, but do need tar in the holes at the foot of every small grade.

I do want to point out again, as was accented by Councilor Dowd of Roxbury, that those who vote for this particular loan order today, more than any other vote this Council ever passed, automatically increase the tax rate. You cannot get away from it because the statement was made in the Executive Committee today that the reason they want you to pass it today instead of a little nearer midnight on the 31st of December is because it has got to be passed today if we are going to lump the \$160,000 onto this year's tax money. So if once in your lives you vote "Yes" or "No" to increase the tax rate for a definite object you are going to do it on this vote, because that is why we have got to vote "Yes" or "No" on it today.

It certainly is bad for the automobilists from Providence, and it certainly is bad for the automobilists from West Roxbury and Jamaica Plain to have to come in on Centre street, but I believe it is worse for the people who live on unaccepted streets in my ward to have to walk down the middle of the street, with no sidewalks, with their ankles in the mud in the middle of the winter, to ride in on the dear old Elevated with their feet wet. So I say it is a lot more important to spend this money

on the streets where the people live who do not ride in automobiles but who have to walk in the muck to get to the Elevated.

I admit that Centre street needs to be widened. Give me a million dollars for street work and I will vote a million dollars for street work. But I won't do what they ask me today, vote \$1,600,000, which will automatically come out of the resurfacing of streets in my ward, or the ward of any councilor who votes for this order today, or, rather, the acceptance of this act today. Let him bear in mind that he adds \$160,000 onto this year's money on which the tax rate is computed, and he says to the people of his district, whether he likes or not, "Our ward does not need any new streets."

Coun. McMAHON—Mr. President, now that they have all talked on St. Ann street and Centre street and as the councilors from that district would not wait until after the 15th, to give the boys that might be running for re-election a chance and prevent their opponents from having an opportunity to attack them, as one that does not care about that part of it, I do want to say something on Centre street and St. Ann street.

The councilors from that district do not want to take into consideration the other twenty or nineteen councilors representing the other part of Boston. As one councilor that is not opposed to any widening, and particularly Centre street and St. Ann street, I am opposed, as the previous councilor from Dorchester has told you, because I have plenty of unaccepted streets, plenty of streets that need resurfacing to be done, and plenty of sidewalks to be done, and I find, as I go along asking for unaccepted streets to be accepted, and streets to be straightened out and smoothed out, that they are shy of the money, and I feel, Mr. President, coming from the district that I represent, where it is overloaded with three deckers, and plenty of rough streets, with the trucks knocking down beautiful paintings and glasses, as they have out there in Jamaica Plain and West Roxbury—I feel on this particular \$1,600,000 loan order that there was nobody at the meeting the day they held the public hearing right in this Chamber, who could tell anybody why the appropriation jumped from \$1,200,000 or \$1,100,000, when it went into the committee at the State House, and came out \$1,600,000. I sat at that hearing, and nobody could answer why that \$400,000 or \$500,000 was added on to that particular bill. And still, Mr. President, the councilors want us to vote today to accept this \$1,600,000 loan.

They do not tell you that on the tax rate we are going to be stiffed this year. They are trying to get the tax rate to \$28 a thousand, and the councilors know that with the passing of this loan order the tax rate is going to jump, and, as one councilor that feels that the tax rate should be kept down a lot lower than it is now, I hope, Mr. President and members of this Council, that this loan for the acceptance of this act will at least hold over until after August 15.

Coun. GREEN—I would like to ask Councilor Wilson a question, if he will answer it. I understood in executive session, from information from the City Clerk, that the acceptance of the act did not bind us on the \$160,000; that that was another item we had further to take action on. Was that so?

Coun. WILSON—As I understand it, it was recommended to the Executive Committee that the reason they wanted to rush this through today was that in order that the Mayor might be able to count on the fact that he would have \$160,000, one tenth of the money, to include in the computation of this year's tax rate. That is why they want to vote on it today, despite the fact that I asked them to delay it two weeks, as long as they have got until New Year's eve. I believe the Clerk will corroborate me that that is the fact.

Chairman RUBY—The Chair states that is the fact.

Coun. MURPHY—Mr. President, I desire to get information. If we accept the act today, does that bind the City of Boston with \$160,000 to be computed in the making up of the tax rate?

Chairman RUBY—Not until the Council passes an order.

Coun. MURPHY—Thank you.

Coun. WILSON—Mr. President, I do not refer to Councilor Murphy, because I realize his inquiry is properly directed, and he really wants to know the answer to the question, but in order

that, knowing the answer, none of us may duck, of course it is a fact that if we vote this today, the Mayor, in making up his budget setting the tax rate will take into consideration \$160,000, and there is no way of getting away from it.

The committee's report was accepted, and the order was passed.

Yeas—Coun. Arnold, Deveney, Donovan, Dowling, Fitzgerald, Gallagher, Green, Keene, Motley, Murphy, Murray, Parkman, Ruby—13.  
Nays—Coun. Bush, Dowd, Lynch, Mahoney, McMahon, Wilson—6.

2. Report on the message and order (referred today) for the transfer of \$18,000 in the appropriation for Park Department—that the order ought to pass.

Report accepted, order passed; yeas 19, nays 0.

3. Report on the message and order (referred today) appropriating \$30,000 for Water Service—that the order ought to pass.

Report accepted, order passed; yeas 19, nays 0.

#### REPORT OF COMMITTEE ON APPROPRIATIONS.

1. On the order referred July 22, 1929, for the transfer of \$28,370.74 in the appropriation for Superior Court, Civil Session, Clerk's Office, the Committee on Appropriations submitted a report that the order ought to pass.

The report of the committee was accepted. The order was passed, yeas 19; nays 0.

2. On the message of the Mayor and order referred July 22, 1929, making supplementary appropriations for the County of Suffolk the Committee on Appropriations submitted a report that the order ought to pass.

The report of the committee was accepted.

Coun. WARD—I perhaps do not feel as good today as I would like to feel when I talk upon the subject of the Roxbury Court and the \$15,000 appropriation that is indicated there for the enlargement of the probation department, but I would like to present a brief resume of what happened before the Committee on Appropriations, of which I was not a member, although I was present there when the Chief Justice of that court came before the Committee on Appropriations, and they discussed more than any other point, the question of the probation officer, who was Mr. Keene, alias Joe Butts.

Judge Hayden in his remarks made mention of the fact that Keene was one of the most efficient probation officers in the United States of America. He is a very efficient probation officer; in fact, he is too efficient to be employed in any American institution that is founded on the principle of humaneness toward the unfortunates. He said to the Committee on Appropriations that he was running that court, and that nobody was dictating to him up there what action he should take. Well, I believe the Committee on Appropriations knows I sat there before Judge Hayden and I asked him some pretty interesting questions that he answered back in a manner indicating more or less that he was the boss, that he was the king pin, but he did say that his probation officer was efficient, and that if there were three more men just like Mr. Keene, he would appoint them probation officers in the Roxbury Court.

All I have got to say on that is that I thank God there are not three men like Keene. I do not believe if you went from one end of America to another you would find three men that are as mean and as contemptible as the probation officer in the Roxbury Court.

And, Mr. Chairman, he gave some figures from the probation department in the Roxbury Court. I maintain that were the probation system run right, were it managed properly and in the way the law intended the probation department should be set up, there would be no necessity for an additional \$15,000 appropriation for the probation department in the Roxbury Court. He says his court is run properly. If his court is run properly, every court within the confines of Massachusetts is run improperly. He wants \$15,000 to enlarge his office, he says.

Now, I have got a record here of the probation officer's report to the Governor which shows that in every other courthouse in the City of Boston they have not enough room, and they haven't got any smaller places than Keene has got in the Roxbury Court. But we find these figures in the commissioner's report, that in the Roxbury Court



they have got 1,738 people on probation. Now, we will just run down some of the other courts. The Boston Municipal Court that takes in five station houses and takes in the busiest section of our city, has only got 1,900 on probation. The Boston Juvenile Court has got 309 on probation. The Brighton Municipal Court, where I do not think there are any more saints than there are in Roxbury, has only got 136, as compared to 1,738 in the Roxbury Court. In the Charlestown Court, where I know they are not saints, they have only got 342 on probation, as compared to 1,738 in the Roxbury Court. In the East Boston Court where I think I know as well as any citizen of Boston knows that they are not saints, they have got 267 on probation, as compared with 1,738 in the Roxbury Court.

Those are just some of the figures, Mr. President, which bring out the fact that if this man were on the job, if he were doing the job he was sent there to do, and if he were doing the job as the probation system intended he should do, there would be no necessity for the enlargement of the probation department. He has got 1,700 men on probation, with an average of 300 in the other courts. Why doesn't he clean up his business? It means that there is negligence in the Roxbury Court. And why should there be any negligence in any court of our county? There is negligence, and he is responsible for it. I say that this Justice that caters to this Judge that he has got up there, Mr. Keene, is as much responsible for the condition that exists in the Roxbury Court at the present time.

Another question that Judge Hayden brought out was that fifteen years ago there were some politicians—I don't know who they were—that came to Judge Hayden and said, "Well, Judge, if you will remove Keene you can have anything you want." Fifteen years ago I was not in politics, so I was not there. But he says the trouble with those men was that Mr. Keene looks too closely into their records; he keeps a record of everything. They cannot get drunk that Mr. Keene does not know it.

Well, let us take up this little angel himself, Mr. Keene. I have heard some very strange stories in the past two or three years around town. Mr. Keene, if my memory serves me correctly, was an habitué of the Highland House some years ago. The Highland House was an institution, but it is a place that prohibition closed up, but Mr. Keene went there, and as an excuse for going there to drink liquor and drink beer, as I know he did, Mr. Keene said, "I went there to watch the men who were on probation, so that if they came in there I knew they were violating their probation, and I could bring them into court and send them away for it." That was his excuse.

Well, I don't know whether to believe Mr. Keene, or to believe all these friends I know who used to drop into the Highland House and occasionally see Mr. Keene tilted over on a chair. And there are other men who have seen Mr. Keene come out of certain breweries in town, and were it within the powers that I have to stand on the floor of this Council and say that Keene was a common drunkard, I would say that Keene was a common drunkard, but I don't know whether that is permissible or not. If that is not permissible I won't say it.

But that is the type of man that is in the Roxbury Court. That is the type of man that is standing up before the Judge. He is the judge. He is the court, he is the jury, he is the chief probation officer, he is everything up there. He lies on the judge's bar up there—bench—he probably is used to lying on bars, and he lies on the judge's bench up there, and when a man comes in he will not hand the judge his card, but he says, "This man is a common drunkard. He ought to go to the State Farm." And the Judge says, "All right, Mr. Keene. I won't trouble you. We will send this man away to the State Farm."

Who is he sending away? Judge Hayden says he takes care of the poor people. If Judge Hayden sits in his court and fines a man \$15 for taking a drink, the man is probably working for a contractor, he is probably working for the city and getting \$30 a week. If he goes out Saturday night and has a few drinks, and comes into the Roxbury Court, on the first offense he is fined \$15. Probably Judge Hayden thinks he is taking that out of the man. Probably the man has got so much money he can afford to pay that \$15. But to my mind, keeping in closer touch with the people than Judge Hayden ever would, or "Judge" Keene

ever could, I know invariably it is the wife that walks up into the probation officer's department there and says, "Here is my husband's fine." And when you go back into the home you find there are three or four children that are going to starve for the rest of the week, to make up for that \$15 that Mr. Keene recommends that Judge Hayden should fine a man for the first offense of being drunk.

I would not mind if such a condition existed in every court of the county or every court of the Commonwealth, but such conditions do not exist. I know both the judges in the East Boston Court, and I wish they were out in Roxbury. I know the judges in the South Boston Court and I wish they were at the Roxbury Court. And I might say this, that were Judge Barnes or Judge Brown of the East Boston Court sent to the Roxbury Court tomorrow, there would be no need for the enlargement of the probation department, because they would make 250 pounds of room, the first thing they did, by the removal of Keene. If Judge Day was sent to the Municipal Court tomorrow, I do not believe there would be any necessity for the enlargement of the probation department. They stand up there as judges and judge the cases fairly and squarely, looking into the human side of every problem that comes before them, and if the money is coming out of the family, I do not believe Judge Brown, whom I know intimately, Judge Barnes, whom I know well, or Judge Day, would stand up in court and say, "Send your wife out to get me \$15 so she can pay your fine for being drunk." It is not being done by those judges, because they are humane and kind.

There was a member of the City Council, a man whom I succeeded here, who came before the executive session here and told you that Mr. Keene was arrogant and inhuman. I would say that Mr. Keene could probably be likened more to Cain who killed his brother Abel, although his name is spelled different, but he is more than inhuman, he is more than arrogant, he is impossible.

Now, he told you all that, he told you about Keene walking into his home one time when they had a little family squabble, when Keene was a patrolman in Station 9, and he slapped him right in the face and knocked him down. He brought out the type of man he was.

He brought out another point that I would like to impress upon you this afternoon. We cannot regulate the probation department of the Roxbury Court, we cannot tell Judge Hayden what he should do. If we could fire him, I know we would. If we could execute him, I think we would do it. I know I would. But we can do this. We can tell Mr. Keene this: "Here! You want this \$15,000"—and no doubt he wants it, because he has made this request for the past five years. Now, we can offer an amendment cutting this \$15,000 item from the budget, and if we do, we will probably just be merely slapping Mr. Keene in the face, but when we go to the Legislature next year, with God's help, we will give him the big kick that will kick him out entirely. All we can do is to stop this appropriation, and we will say to the Roxbury Court, "Well, if you come down here and tell us Mr. Keene is the fine character of man you think he is, and whether the Appropriation Committee gives you this money or not, Mr. Keene will still be there, and there will be three more like him if you can find three more like Mr. Keene, we don't have to take that stuff from you. You are only a little court and we are the City of Boston." And it will be the first time that anybody has ever questioned the authority of Mr. Keene in an official manner. We can do it this afternoon by cutting this item out of the budget.

In the first place, speaking for a little while on the item we are discussing—we haven't discussed that before—the item of \$15,000 for the probation department, if the probation department were run properly, and if those men whom they bring up and place on probation were released, as they should be, and as they are released in other sections there would not be any crowded condition in the probation office. As I said before, you will just be giving this great big bulldog a larger kennel. That is what you will be doing when you appropriate \$15,000 for Mr. Keene and the Roxbury Court. This is the first opportunity this Council has had to take a shot, you might say, at Mr. Keene, and we can do it this afternoon. There is no imperative need for this \$15,000. Six years ago he requested it, and he has been trying to get it every year since.

Some of the members of the Council are going to say, "Well, Mr. Keene is not going to be there forever." That fellow is too mean to die, too mean to get out. I think he will probably be there forever, probably be there after we are all dead and gone. But the point is that if we trim his wings this afternoon and say, "You are not going to get this," then I think Mr. Keene will feel it.

I am going to offer an amendment to the budget this afternoon, and I am going to move that the \$15,000 item inserted for the enlargement of the probation officers' quarters at the Roxbury Court be cut from the budget.

Coun. FITZGERALD—I understand it is rumored around pretty generally that many men active in politics in Roxbury are in collusion in this way, that they like to have that sort of business go on in the Roxbury Court, and have these unfortunates sent to the State Farm in order to show the influence they have got in getting them released. They haven't any regret about ruining a reputation or sending a young man away to a place that was established by the Legislature only for those who were habitual drunkards or were infirm, without homes, and no possible means of support.

Now, we all know that the law is absolutely violated in Roxbury, and yet all these men during all these years, both lawyers and politicians—out there most lawyers get elected to office—have never once sought to go before the Governor and Council to have both the Judge and the probation officer removed. Every lawyer in this body knows that the law specifically states that a man or woman or any person—not that they may be, but that they shall be released if they are arrested four times within one year. The law is mandatory, and still for years I was the only one that ever had the courage to stand up and fight them in the Legislature, notwithstanding the fact that I had every lawyer in Boston on my back, trying to pull me off, and I had to fight every man who was in active political life that came from that section of the town, in the Legislature, as well as a large section of Boston. I know his history better than anybody, and when he attempted to fool with the people from my section, he was brought to his milk. But they had the remedy in their hands. The law is specific on it, mandatory. And not only that, but we have a State Probation Commission, and a law that gave us probation for one purpose. Formerly it was in the hands of the police to release men and women arrested for drunkenness and they had the law repealed because of the abuse of power, and they made it mandatory, and you will find it is exercised every morning in the Central Court in Boston. A man must report there at half-past six in the morning, at toe time these men go to work, if they are working, and unless they report, when they are brought into court for the second offence, they are not even allowed to plead; the clerk stands there and says, "You are released," without arraignment. Yet they fine these unfortunates \$15 and send them to the State Farm. The State Probation Commission could chop off this man's head, if it was brought to the attention of the State Probation Commission.

The Roxbury Court, as well as the East Boston Court, are a disgrace. They were never built to provide for the future growth of those sections. The Roxbury Court should have been a great deal larger than it is, as well as the East Boston Court. We should not take it out of the persons who have business with the Roxbury Court, because the business is there, but they should go at once, and not wait until the Legislature comes in, and file their petition with the Governor and Council, and bring these officials to their knees. But when lawyers will go off fishing, and go hobnobbing with these judges, and go on these parties, and do all these things that are necessary, and drink and revel, and think it is all right to allow these men to continue in their reign of terror worse than took place in Russia or in Ireland in penal days, they are to blame, and not the Council. They could be removed for what I assume is an abuse of their power and a direct violation of the law, which says it shall be mandatory that they shall be released. He violates his oath of office when he places a fine upon them, and he can be brought before the Supreme Court. The Supreme Court has overruled his decisions several times, we understand.

Look at his law practice, how much he had before he went on the bench. Let his record be looked into, and see how many times he went into court. He obtained his position because of his relation-

ship with a former gentleman who was prominent in politics in this town. We know the story of those three men. If these men are sincere, they will have him removed now, and not wait any longer and they should be removed. They would not get away. The records are there. It is an opportunity for some young lawyer in Roxbury to become another John B. Moran and go forward with this on the level, if he is not seeking political office or political favors from the judges. The trouble with the lawyers today is that they bend the knee and bow the head to these judges. The days of Moran and Riley are gone, men who were not afraid of these men, who were fearless, and did not seek benefits of the bench, but sought to get their favors in many cases from clients who were rich enough to pay large fees to lawyers. Now is the time for some young lawyer who wants to get political honor in the city, who wants prestige, to bring these men to their knees. If they were sitting in the section that I have the honor to represent we would find out why they do not live up to the law, and why they violate the law themselves. We have had district attorneys removed; we have had judges removed. We saw a man only a few weeks ago removed who was one of the greatest characters, we thought. We know how he ruled and reigned, but the Supreme Court removed him, and you have the power to go now to the Supreme Court and have this man removed because of his abuse of power and the violation of his oath of office.

Coun. BUSH—Mr. President, while I thoroughly agree with some of the sentiments expressed by the councilor from Roxbury with reference to the chief probation officer, and I know that he is by training and psychology unfitted for the position of probation officer, I know that the courthouse is overcrowded and that the business there has increased tremendously, and regardless of the personalities introduced into the discussion with reference to the appropriation of \$15,000 for the enlargement of the quarters of the probation department, the fact still remains that the quarters are inadequate, and it is necessary to have that appropriation in order to provide the necessary facilities. And while, if it were possible on the part of this Council to remove the chief probation officer—the others are all right—from his office, I would be the first to be in favor of it, at the same time I realize the necessity of increasing the facilities of the courthouse, and I would be in favor of any appropriation which would increase such facilities.

Coun. McMAHON—Mr. President, two weeks ago, when this appropriation first came in, I was one of the councilors who objected to this particular item to provide an enlargement of the probation quarters in the Roxbury Court. As one of the councilors, and not being an attorney, I had the pleasure of visiting the Roxbury Court, and I had also the displeasure of finding out the type of man that Mr. Keene is to the general public, and more so to some that he has under his wing there, and I feel sorry for anybody who is in a position under Mr. Keene, for the simple reason that I know his attitude towards me, when he did not have me under his jurisdiction or on probation. I had the pleasure of going over there to see if I could help a young fellow that happened to live in my ward, and this Chief Judge over there had the pleasure of asking me if I was an attorney. I tried to tell his Honor that I was not; that I was just a plain, ordinary citizen, and also a member of the City Council. He immediately tells me that I have nothing to say. And so the young man that I was with, knowing enough when I looked at him to appeal the case, appealed it.

I had the pleasure of going over that case with his Honor here the other day at the meeting of the Committee on Finance, and when I asked him he said that a man never goes on probation in his court the first time arrested. I cited a case to him, where he was the Judge that sat in the case, and placed the young man on a year's probation, and the young man missed reporting a couple of times to Mr. Keene, and went in before his Honor, and his Honor, instead of having the heart that I thought at least he should have, sitting in that high office—and his probation officer was also present—gave my young man one year at Deer Island, just because he missed reporting to Mr. Keen on his probation.

Further than that, Mr. President, as the previous councilor from the West End has said sometimes they are afraid to talk to these judges.

and probation officers. Probably a defendant will come in and he will be afraid to speak to them. Probably some unfortunate may come in and he cannot talk to them as I do today.

And when I told his Honor in there that it was not necessary to enlarge his quarters, he turned right around and said, "Well, I will not do anything to my probation system out there if I never get the loan order." So if he feels that good about not getting the loan order, I don't know why this Council should worry about his \$15,000. He told the committee right there that if he had to make any changes in his court to get this loan order, he would never make the changes, and, as was recited here, if he could find three more men like Mr. Keene, he would appoint them. I would be sorry for the Roxbury people if he could find three more men like Keene. He has men there that you can talk to, and they are gentlemen, but these men cannot talk to anybody.

I want to say now that if this Justice out there would like to find out where to come to get instructions, I will gladly give him an invitation out to the Dorchester Court, where I will show him a probation officer, with assistants, and also the judges themselves, that, when they hand down decisions, do not take a man arrested the first time for drinking and give him a \$15 fine. In fact, he never reaches the courthouse. The only time he sees the probation officer is in the morning when the probation officer takes him out of his cell, and if he is arrested less than four times during the year, the man is let go. And I say the same thing should happen in the Roxbury Court.

And today the opportunity comes before this body, as the councilor has already offered an amendment to this budget. So I say in this Council that there is no great rush for this \$15,000, and if they want more room to run their probation system out there, then it is time that the City Council, with the little power we have got, should at least hold up the \$15,000, and let Mr. Keene and the Roxbury Court know that the councilors in Boston, not the particular councilor from Roxbury, or even one of the Roxbury councilors, but the councilors from other sections of the city that have to go over there, and I, as one from Dorchester, when they go over to the Roxbury Court for a client, do not want the favors that the politicians are looking for, but mere justice. I was not asking for a favor. This fellow that I went over for was entitled to it without asking for it, but after they give you something over there, you cannot take it away, so the young fellow is living it down now, and has also lost his civil service job with the city on account of the year's probation.

So I say to the councilors here this afternoon, that when the amendment is made to that budget he will have a chance to let it lay on the table for awhile.

Coun. WILSON—Mr. President, I have listened with a great deal of interest to what has been said by the councilors from the various districts of the city. I have no criticism to make of Judge Hayden, although I have never been out fishing with him or had any particular social engagements with him.

I have had some experience with the gentleman of whom the gentleman from Roxbury so feelingly speaks, although I know nothing about the history of the Highland Club or Highland House, or Mr. Keene's past record. I am not interested in that one way or the other.

But I was interested to hear the report on the Charlestown Court, and, without any reflection on the councilor from that district, I was interested to hear the court at Charlestown held up as a shining example of a court where local influence does not count and where everything is done that should be done, having had experience within the last week with a poor unfortunate, who was taken in by the police and told by the police officers that his case was coming up Friday, and failing to show up there on Thursday, having the police officers in such a rush and the Court in such haste as to send out on the streets to bring him in while the court was in session, and he was given pretty close to the limit, due to the fact that he was not represented by that local coterie which we find so prevalent in many of the courts of the City of Boston. All of which is neither here nor there, except that I was surprised to hear the Charlestown Court held up as an example of a good court in the City of Boston, in view of my own recent experience in that particular locality.

I believe there is not much that the councilor

from Roxbury has said with reference to this probation officer that is incorrect. I have not had much experience there even with clients, but I can well appreciate how the average drunk or how the average unfortunate, that goes there supposedly to get some encouragement, may be treated, because even as a member of the bar, in the past twelve years, not seeking any mercy for any particular criminal, but seeking that information to which not merely a member of the bar, but any ordinary citizen, let alone a defendant, is entitled, the way in which people are treated there has not gone without my notice. I say that no ordinary citizen or member of the bar can go into that probation office in Roxbury at any hour of the day, busy or with no business, and receive even ordinary courtesy or a civil answer. So I could only judge by the treatment that I, as a member of the bar, received from this particular office, and I can only imagine the sweet welcome that the poor drunk gets when he goes into that particular office.

Now, I do not think that our voting in favor of this particular amendment will purge the Roxbury Court, and I realize that by this vote we cannot remove this particular probation officer, and I have no particular experience with him other than I have stated, but I do feel that since he has been looking for these enlarged quarters for two or three years, and since it is the middle of a hot summer, and he can come in again next year for these quarters—I do not know that it will punish him especially, but at least it will focus the attention of the people of the City of Boston on the fact that there is something "rotten in Denmark" in the probation office of the Roxbury District Court.

The question came on the adoption of Coun. Ward's amendment. The amendment was adopted.

The budget, as amended, was passed, yeas 19; nays 0.

#### APPROPRIATIONS FOR CENTRE AND ST. ANN STREETS.

The following was received:

City of Boston,  
Office of the Mayor, August 5, 1929.  
To the City Council.

Gentlemen,—In accordance with the provisions of chapter 248 of the Acts of 1929 I submit herewith four orders in connection with the contemplated widening and reconstruction of Centre and St. Ann streets. Two of these orders provide for loans totaling \$1,600,000, the same to be issued outside the limit of indebtedness, and two provide for the raising by taxation, as provided in said chapter, of a sum equal to ten per cent of the amount to be raised by loans. Since it is imperative that these last orders be included in the tax rate of the year I recommend immediate consideration by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That under authority of chapter 248 of the Acts of 1929 the sum of \$1,100,000 be, and hereby is, appropriated, to be expended by the Board of Street Commissioners for Centre 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, the same to be issued outside the limit of indebtedness.

Ordered, That under authority of chapter 248 of the Acts of 1929 the sum of \$500,000 be, and hereby is, appropriated, to be expended by the Board of Street Commissioners for St. Ann 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, the same to be issued outside the limit of indebtedness.

Ordered, That the sum of \$110,000 be, and hereby is, appropriated, to be expended by the Board of Street Commissioners for Centre street in accordance with chapter 248 of the Acts of 1929, and the amount so appropriated be raised by taxation on the polls and estates in the City of Boston.

Ordered, That the sum of \$50,000 be, and hereby

is, appropriated, to be expended by the Board of Street Commissioners for St. Ann street, in accordance with chapter 248 of the Acts of 1929, and the amount so appropriated be raised by taxation on polls and estates in the City of Boston.

Referred to the Executive Committee.

Coun. GREEN—I would like to know why that order is not referred to the Committee on Finance. Why is it going to the Executive Committee?

Chairman RUBY—There were two matters in this order, one with reference to the appropriation and one with reference to the loan. The Executive Committee, when it meets, can report back on the appropriation end of it, and refer the proper end of it to the Committee on Finance.

Coun. DOWD—May I be advised whether the Mayor was advised this afternoon that the Council had accepted the act?

Chairman RUBY—He received official information from the City Clerk.

#### INFORMATION AS TO BUDGET CONTROL.

Coun. PARKMAN offered the following:

Ordered, That the Budget Commissioner be again requested, through his Honor the Mayor, to furnish the Council with the information asked for in the order of the Council of March 4, 1929, namely, as to what steps have been taken to further the methods of budget control recommended in the report of a Special Committee to the Council on January 10, 1927.

Passed under suspension of the rule.

#### LOAN FOR TRAFFIC SIGNALS, COMMONWEALTH AVENUE.

Coun. PARKMAN offered the following:

Ordered, That the sum of one hundred and twenty-five thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Traffic Commission for the installation of an automatic traffic signal system on Commonwealth avenue, from Arlington street to Governor square, 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.

#### ARC LIGHT, MIDDLESEX STREET.

Coun. PARKMAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light at the intersection of Middlesex and Castle streets, Ward 5.

Passed under suspension of the rule.

#### ARC LIGHT, OLD COLONY ROAD.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light on Dorchester avenue, at the foot of Old Colony road, Ward 7.

Passed under suspension of the rule.

#### TRAFFIC LIGHTS, OLD COLONY AVENUE.

Coun. LYNCH offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic signal lights at various points on Old Colony avenue, Ward 7.

Passed under suspension of the rule.

#### SIDEWALK ORDERS.

Coun. DONOVAN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Saratoga street, south side, from Wauppello road to Winthrop Bridge, 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.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Montview 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.

Ordered, That the Commissioner of Public Works make a sidewalk along Fairview 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.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Sanford street, from Washington street to Cedar 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.

Ordered, That the Commissioner of Public Works make a sidewalk along Selden street, both sides, 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.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 6 and 10 Draper 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. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Dana avenue, south side, from Hyde Park avenue to 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.

Severally passed under suspension of the rule.

#### ACCEPTANCE OF CHESTNUT SQUARE.

Coun. MURRAY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Chestnut square, Ward 19, as a public highway.

Passed under a suspension of the rule.

#### MOTION FOR RECONSIDERATION.

Coun. WILSON—Mr. Chairman, I move reconsideration with reference to the acceptance of the act on the widening of Centre street and ask that it be assigned to the next meeting of the Council.

Chairman RUBY—Coun. Wilson moves the reconsideration of the order of acceptance of the

act for the widening of Centre street and St. Ann street, and moves that same be assigned to the next meeting.

Coun. WILSON—Mr. President, I move reconsideration, particularly in view of the fact that it is now perfectly obvious that those who voted for the act were voting for an increase in this year's taxes.

The motion to reconsider was lost.

Yeas—Coun. Bush, Dowd, Fitzgerald, Lynch, Mahoney, McMahon, Ward, Wilson—8.

Nays—Coun. Arnold, Deveney, Donovan, Dowling, Gallagher, Green, Keene, Murphy, Murray, Parkman, Ruby—11.

#### ADJOURNMENT.

Coun. ARNOLD moved that when the Council adjourned, it adjourn for three weeks.

A rising vote was taken, and the motion declared lost.

Coun. McMAHON moved that when the Council adjourned, it adjourn for two weeks.

A rising vote was taken, and the motion declared lost.

Adjourned at 6 p. m., on motion of Coun. KEENE, to meet on Monday, August 12, 1929, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, August 12, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair.

Absent, Coun. Dowling, Mahoney, Fish and Motley.

## APPOINTMENTS BY THE MAYOR.

The Mayor submitted the following appointments, severally for the term ending April, 1930, viz.:

Weighers of Coal: Bernard Schwartz and Harry Caseley.

Weighter of Goods: D. W. Gerard.

Laid over for one week under the law.

CHANGES IN ADMINISTRATION,  
HOSPITAL DEPARTMENT.

The following was received:

City of Boston,

Office of the Mayor, August 12, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Hospital Department in reply to your order of July 22, 1929, relative to changes in administration recommended in detail by Mayor's Medical Board.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Hospital Department, August 2, 1929.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Mr. Mayor,—I am returning to you herewith the order of the City Council, "That the Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to advise the City Council forthwith what steps, if any, have been taken since June 15 to effect the changes in administration recommended in detail by the Mayor's Medical Board, or, in fact, any changes in the present unsatisfactory organization of the Boston City Hospital."

The Trustees today held their first meeting since the receipt of the official report of your Medical Board, and therefore regret to say that they have had no opportunity for sufficient individual consideration of the report, which will be necessary before having a general discussion.

Yours respectfully,

JOSEPH P. MANNING,

President, Board of Trustees.

Placed on file.

## CHAPLAIN, FIRE DEPARTMENT.

The following was received:

City of Boston,

Office of the Mayor, August 12, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Fire Commissioner, in reply to your order of July 1, 1929, relative to appointing a chaplain in the Fire Department.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Fire Department, August 2, 1929.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—I return herewith the following order from the City Council:

"Ordered, That the Fire Commissioner, through his Honor the Mayor, be requested to appoint a Chaplain in the Fire Department."

In case of accidents where a fireman needs spiritual help there are so many churches in this

city that, with the rapid transportation furnished by our automobiles, a minister of any faith can be secured in a very few minutes. Therefore, it is my opinion that it is not necessary to employ a chaplain in the Fire Department.

In a modern fire department the services of a chaplain are unnecessary, because the men have sufficient time off to attend to the requirements of their religion. The services of a chaplain might have been necessary many years ago, when the department operated on the "one day off in thirty days" basis, but under the two-platoon system his services would be unnecessary.

Yours very truly,

EUGENE C. HULTMAN,

Fire Commissioner.

Placed on file.

ADDITIONAL GRADUATE AND PUPIL  
NURSES, HOSPITAL DEPARTMENT.

The following was received:

City of Boston,

Office of the Mayor, August 12, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Hospital Department, relative to additional graduate and pupil nurses, as requested in your order of July 22, 1929.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Hospital Department, August 2, 1929.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Mr. Mayor,—I am returning to you herewith the order of the City Council, "That the Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to advise the City Council forthwith whether the sixty additional graduate nurses and the fifty additional pupil nurses, urgently requested in January of this year, have all actually been appointed and are now actually on duty at the Boston City Hospital; and if not, exactly what number of additional graduate nurses and additional pupil nurses have been added since January 1, 1929."

In September of 1928 we had on duty 196 pupil nurses and 62 graduates, and today, August 2, 1929, we have on duty 238 pupil nurses and 106 graduates.

Yours respectfully,

JOSEPH P. MANNING,

President, Board of Trustees.

Placed on file.

## CONDITION OF WATER SUPPLY.

The following was received:

City of Boston,

Office of the Mayor, August 12, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Public Works Commissioner, in reply to your order of July 22, 1929, relative to the possibility of a drouth and whether city has an adequate water supply.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department August 5, 1929.

To the Honorable the Mayor.

I return order of the City Council, dated July 22, 1929, requesting certain information relative to the water supply of the city, and inclose a report from the Division Engineer of the Water Division giving statistics as they relate to the water supply, etc., of the Metropolitan District at the present time.

Yours very truly,

J. H. SULLIVAN,

Commissioner of Public Works.

City of Boston,

Public Works Department, August 2, 1929.

To the Commissioner of Public Works.

Reporting on the order of the City Council, requesting information, etc., as to the water supply of the city, beg leave to state that Boston is one of the eighteen cities and towns comprising the Metropolitan District and furnished with water by the Metropolitan District Commission.

There are eight storage reservoirs, together with Lake Cochituate and Farm Pond, comprising the water system. The total capacities of all the reservoirs, etc., when filled, is 80,680,000,000 gallons, of which the Wachusett Reservoir contains the greater quantity. This reservoir when filled contains 64,968,000,000 gallons, or 85 per cent of the total capacity of the system.

On July 28 the Wachusett Reservoir was filled to within 4 feet of the high water level and the amount of water in storage was 59,872,300,000 gallons. At the present time the water consumption in the Metropolitan District is approximately 142,000,000 gallons per day. With no rainfall and dependent solely on water drawn from the Wachusett Reservoir there is practically 420 days supply in said reservoir. In addition to the water drawn from the Wachusett Reservoir, amounting to about 80 per cent of the total usage in the district, there is in the other reservoirs on the Sudbury watershed approximately 10,000,000,000 gallons.

I am of the opinion that the City of Boston water supply is not threatened by the present drouth and there will be no necessity to take steps to prevent suffering within the city. This opinion is confirmed by Mr. Goodnough, Chief Engineer of the State Board of Health.

Very respectfully,  
C. J. CARVEN,  
Division Engineer.

Placed on file.

#### REPORT OF EMPLOYMENT BUREAU.

The following was received:

City of Boston,  
Office of the Mayor, August 12, 1929.  
To the City Council.

Gentlemen,—In accordance with request of the City Council I am transmitting herewith communications from the Employment Department relative to the activities of their department for May and June, 1929.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Municipal Employment Bureau,  
187A Blackstone Street,  
Boston, July 25, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—Pursuant to the City Council orders, inclosed please find the number of registrations and positions filled directly through this Bureau for the period from May 6 to May 31, inclusive:

Week of May 6 to May 11, inclusive, registrations, 84; placed, 44.

Week of May 13 to May 18, inclusive, registrations, 175; placed, 70.

Week of May 20 to May 25, inclusive, registrations, 83; placed, 59.

Week of May 26 to May 31, inclusive, registrations, 59; placed, 50.

Respectfully,  
STEPHEN C. SULLIVAN,  
Assistant Secretary.

Municipal Employment Bureau,  
187A Blackstone Street,  
Boston, July 25, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—Pursuant to the City Council orders, herewith, please find the number of registrations and positions filled directly through this office for the period from June 3 to June 29, inclusive:

Week of June 3 to June 8, inclusive, registrations, 119; filled, 115.

Week of June 10 to June 15, inclusive, registrations, 133; filled, 59.

Week of June 17 to June 22, inclusive, registrations, 88; filled, 69.

Week of June 24 to June 29, inclusive, registrations, 169; filled, 101.

Month of July, registrations, 318; filled, 125.

Respectfully,  
STEPHEN C. SULLIVAN,  
Assistant Secretary.

#### TRAFFIC SIGNALS, HUMBOLDT AVENUE AND SEAVER STREET.

The following was received:

City of Boston,  
Office of the Mayor, August 12, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commissioner, in reply to your order of July 22, 1929, relative to the erecting of automatic traffic signals at the junction of Humboldt avenue and Seaver street.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Boston Traffic Commission, August 1, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—With reference to the City Council order of July 22, 1929, requesting that the Traffic Commission erect automatic traffic signals at the junction of Humboldt avenue and Seaver street, I wish to say that no funds are available for such an installation.

Respectfully yours,  
WILLIAM A. FISHER,  
Commissioner.

Placed on file.

#### SALE OF LAND, ALFORD AND DEXTER STREETS.

The following was received:

City of Boston,  
Office of the Mayor, August 12, 1929.  
To the Honorable the City Council.

Gentlemen,—Inclosed please find an order for the sale of land belonging to the City of Boston at the corner of Alford and Dexter streets, Charlestown. This land is a small part of the premises that were originally connected with the old Charlestown Almshouse. Most of the land has already been sold and this land has not been used by the Institutions Department for many years. Mr. Warren Freeman has given as his opinion that twenty-one hundred dollars is a fair price for the land.

Yours respectfully,  
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 sell at public auction at an upset price of twenty-one hundred dollars all the right, title and interest of the City of Boston, in and to a parcel of land, situated in Charlestown on the northeasterly side of Dexter street at the corner of said Dexter street and Alford street, containing 4,830 square feet of land, more or less, and execute and deliver a deed of the said parcel of land to the purchaser of said land in form satisfactory to the Law Department of the City of Boston.

Referred to the Committee on Public Lands.

#### PETITIONS REFERRED.

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

##### Claims.

American Supply Company, for compensation for equity in suit of clothes sold to Harold Chamian, and lost at Police Station 5.

Samuel Aronson, for refund on unused refuse tickets.

Blue Front Stable, for compensation for damage to horse and wagon by city truck.

William J. Burns, for compensation for damage to automobile caused by an alleged defect in Lowell street.

Minnie Chaddock, for compensation for personal injuries caused by an alleged defect in Dewey square.

Mary Cicco, for compensation for damage to property caused by baseballs thrown from John H. L. Noyes Playground, East Boston.

Florence N. French, for compensation for personal injuries due to an alleged defect in front of 129 Newbury street.

George Hobson, Jr., for compensation for death



caused by alleged lack of protection at outlet of drain, emptying into Chelsea creek and maintained by City of Boston.

Annie Kachoris, for compensation for personal injuries due to an alleged defect in front of 5 Spring street.

Daniel J. McKenna, for compensation for damage to property at 37 St. Alphonsus street, caused by bursting of water pipe.

Hannah Murphy, for compensation for personal injuries caused by being struck by automobile of Public Works Department.

Mrs. Murphy, for compensation for damage to personal property caused by hydrant at 49 Thomas park.

James R. Mutch, for compensation for damage to automobile caused by an alleged defect on Washington street, near Metropolitan avenue.

Frances Nadleman, for compensation for personal injuries due to an alleged defect in Blue Hill avenue.

Mrs. William P. O'Mara, for compensation for damage to personal property caused by hydrant at 49 Thomas park.

Stephen M. Regan, for compensation for damage to property at 56 Winthrop street, caused by bursting of hot water boiler.

John F. Saunders, for compensation for damage to trunks at 2 Sutherland road, caused by water.

Ben Snell, for compensation for personal injuries caused by an alleged defect in front of 105 Pearl street, Charlestown.

Jane Walsh, for compensation for personal injuries caused by an alleged defect in road leading from Castle Island.

Rocco Ricciardi, for compensation for personal injuries caused by lurching of ferryboat (East Boston).

Willard R. Kitchen, for compensation for damage to property at 2280 Washington street, West Roxbury, caused by construction of sewer.

Frank E. Sikora, claim for refund on unused refuse tickets.

#### OPPOSITION TO ST. ANN STREET WIDENING.

A petition was received of Julia R. Dunbar and others in opposition to the proposed widening of St. Ann street.

Referred to the Executive Committee.

#### CONSTABLE'S BOND.

The constable's bond of Abraham S. Singer, 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 for the period, from August 1 to August 15, 1929, amounting to \$4,571.91, was received and approved.

#### GASOLENE LICENSES.

Notice was received from the Board of Street Commissioners of hearings on Tuesday, September 3, 1929, on petitions for storage and sale of gasolene, viz.:

Boston Transit Mixers, 47 Harrison street, Ward 19, 1,000 gallons.

B and B Amusement Enterprise, Inc., 59-65 Scollay square, Ward 3, 4,000 gallons.

Andrew B. Callahan, 57 Cliff street, Ward 12, 1,000 gallons.

Fannie Dubinsky, 8 Old road, Ward 14, 2,000 gallons.

Colonial Air Transport, Inc., 492 Maverick street, Ward 1, 4,000 gallons.

Hyman L. Golden, 172 and 174 Dover street, Ward 3, 2,000 gallons.

Price & Nisson, Realty Trust, 473 River street, Ward 18, 4,000 gallons.

Antonio Volante, 1612 and 1614 Hyde Park avenue, Ward 18, 10,000 gallons.

Referred to the Executive Committee.

#### SOLDIERS' RELIEF PAY ROLL.

Coun. PARKMAN, 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 for the month of August.

Report accepted and order passed.

#### LOAN FOR LOCKER BUILDING, ETC., JEFFERSON SCHOOL PLAYGROUND.

Coun. DEVENEY offered the following:

Ordered, That the sum of twenty-five thousand dollars be, and the same is, hereby appropriated, to be expended under the direction of the Park Commission, for the erection of a locker building, grading, etc., on the Jefferson School Playground, Ward 10, 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 at 2.25 p. m., on motion of Coun. KEENE, 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 DONOVAN at 4.45 p. m.

#### CONFIRMATION OF APPOINTMENTS.

The Council took up, under unfinished business, Nos. 1 and 2 on the calendar, viz.:

1. Action on appointments submitted by the Mayor August 5, 1929, of the following-named person to be Constables: John D. Oat, Otto Kohl, Louis N. Kaiser, William Weingarten and George A. Sparks.

2. Action on appointments submitted by the Mayor August 5, 1929, of Theodore Collins, John Hitch, W. Henry Cotting and Theodore L. Marsters to be Weighers of Coal.

The Chair appointed Coun. Fitzgerald and Gallagher to receive, sort and count the ballots.

Whole number of ballots, 13. Yeas 12, nays 1. The appointments were confirmed.

#### EXECUTIVE COMMITTEE REPORTS.

1. On the petition of Susan R. Dunbar and others against the appropriation for St. Ann street, the Executive Committee submitted a report recommending that the petition be placed on file.

The report of the committee was accepted.

Coun. WARD—Mr. President, I would like to ask, if it is in order, for a public hearing to allow these petitioners to come in and state their objections. I think any group of eighty people signing a petition must have a grievance, and they have got a right to be heard.

President DONOVAN—The time to make the motion was in the Executive Committee session, when this petition was considered.

2. Report on message and orders (referred August 5) for a loan of \$1,100,000 for the widening of Centre street and a loan of \$500,000 for St. Ann street—that the same be referred to the Committee on Finance.

Report accepted. Referred to the Committee on Finance.

3. Report on order appropriating from taxes \$110,000 for Centre street—recommending the passage of the same.

The report of the committee was accepted.

The order was passed, yeas 14, nays 4.

Yeas—Coun. Arnold, Deveney, Donovan, Fitzgerald, Gallagher, Green, Keene, Lynch, McMahon, Murphy, Murray, Parkman, Ruby, Sullivan—14.

Nays—Coun. Bush, Dowd, Ward, Wilson—4.

Coun. MURRAY—Mr. President, I make a motion that we recall from the Executive Committee the order appropriating \$50,000 for St. Ann street.

President DONOVAN—The question comes on recalling from the Executive Committee the

appropriation for St. Ann street, which was laid on the table in executive session. This calls for a two-thirds vote.

The motion declared lost.

The vote being doubted by Coun. Murray, the Clerk called the roll, with the following result:

Yeas—Coun. Arnold, Deveney, Green, Keene, Lynch, McMahon, Murphy, Murray, Ruby—9.

Nays—Coun. Bush, Donovan, Dowd, Fitzgerald, Gallagher, Parkman, Wilson—7.

A two-thirds vote being required for adoption, the motion was lost.

Coun. RUBY—A question of information.

President DONOVAN—What is your point of information?

Coun. RUBY—I would like to know what happened to the Courthouse order which was voted, I think, 9 to 7, ought not to pass.

President DONOVAN—Does the chairman of the Executive Committee care to answer that question?

Coun. KEENE—I did not understand it.

President DONOVAN—Will Councilor Ruby repeat the question?

Coun. RUBY—I understood in executive session that a motion was made by Councilor Wilson that the Courthouse order be reported back, "Ought to Pass," and that was defeated 9 to 7, which I understand brings it out into the Council Chamber as being reported back "Ought not to Pass."

Coun. KEENE—Mr. President, the motion of Councilor Wilson was that it ought to be reported back "Ought to Pass," and the motion was defeated; consequently the order is still laid on the table, having been on the table before.

#### INCREASED GAS RATES.

Coun. DOWD offered the following:

Ordered, That the President of the City Council appoint a committee of five members to wait upon his Excellency Governor Allen to ascertain whether or not it is possible to hold up the proposed schedule of increased rates of gas to the consumers in the City of Boston.

Coun. DOWD—Mr. President, the order that I have just submitted to the President and Council calls upon the President, with the sanction of this Council, to appoint a committee of five members to wait upon the Governor of Massachusetts in regard to something which, to my mind, affects, according to the statistics of the Consolidated Gas Company, 68 per cent of the consumers of gas in the City of Boston.

We all know that a short time ago the Public Utilities Commission agreed that the Boston Consolidated Gas Company should inflict a 50-cent service charge on everyone in the City of Boston not using \$3 worth of gas every month. That means that the average family using \$1.50 or \$2 or \$2.25 worth of gas a month must pay 50 cents service charge every month. I submit to you gentlemen that the Public Utilities Commission's decision is final, but I also say to you that the Governor of Massachusetts has the power of appointing the members of the Public Utilities Commission. I submit to you gentlemen that five years ago, when Governor Fuller was governor of Massachusetts and the trustees of the Elevated were going to allow the men to go out on strike, that being a great big public service corporation, serving the people, the Governor stepped into the breach and said, "If you allow those men to go out, I will discharge every man on the board," and they never went out on strike.

Here we find a situation affecting every man on this Council, I don't care what district he represents. Sixty-eight per cent of the people of Boston will be forced to pay a 50-cent service charge by the Boston Consolidated Gas Company. Is the gas company in such shape that it must demand more money? If a raise is made it should be on the large consumer as well as the small consumer.

Oh! But the Boston Consolidated Gas Company is not going into bankruptcy by any means. Let us see what dividends they paid, taken from the records at the State House. In 1907, 7 per cent; 1908, 8 per cent; 1909 to 1913, 9 per cent; and so it goes, never paying less than 6½ per cent, and we find in the last five years,—1923, 8 per cent; 1924, 8 per cent; 1925, 9 per cent; 1926, 8 per cent; 1927, 8 per cent; 1928, 8 per cent.

Let us look at the net income for the last five

years,—1923, \$120,839, and all along the line until 1928, last year, when they had a surplus of \$1,820,777, after paying the 1928 dividend of 8 per cent.

I say it is an unfair situation. I say to you, Mr. President, that it is an unfair situation. Somebody should step into the breach. The Legislature has not done a thing about it. The city government should, and it rests with Boston to carry the challenge to the Governor of this state.

You are going to say, "Oh, the Governor couldn't do anything." I say he can. Governor Allen owes a duty to the people of Boston. His election was made feasible by the people of Boston and regardless of what power the Public Utilities Commission may have, Governor Allen has the power to discharge every man who sees fit to charge the poor people this unfair and unjust taxation.

I say, Mr. President, that a committee of this Council should wait upon the Governor, and should demand that the Governor take one stand or another,—either the Governor must approve this unfair raise, or he must say they are wrong. And I say any public service corporation placing a burden on the poor of Boston is absolutely wrong, when they pay from 8 to 9 per cent.

I need not tell you about the great salaries paid to the officers of the company, and anyone knows that the directors do not care about the poor in Boston. All they care about is their stock dividends. I say they are getting enough. If I had any money invested and was receiving 8 per cent or 9 per cent upon it, I would be perfectly satisfied with that dividend. There is not a man here who is fortunate enough to have any money to invest, who is now getting more than that, and yet they want to make this unfair raise. If they need a raise it should be placed upon the rich, and not as a burden upon the poor, and I am asking the Council for a suspension of the rules, in order that a committee of this Council might go to the Governor of this state and express our opinion upon this matter.

Coun. WILSON—Mr. President, I am not opposed to the gas company or its rates, and because I heard a familiar name mentioned, and because of the familiarity with which the gentleman from Roxbury mentioned the name, I am rather clear that it was not the secretary of the treasury or of the navy that he mentioned.

But be that as it may, I am constrained to remember at this time the order introduced by Councilor Murphy as long ago as March 25, 1929, which was passed by this Council, to the effect that the City Council of Boston requested his Honor the Mayor to originate an appropriation for the employment of a utility expert to represent the city at the hearings before this Board which has handed down this unfair decision. And I am afraid that is just one more case of the city authorities, perhaps, neglecting the horse until after the horse is out of the barn, crying at an injustice that has been done the people of Boston. Because I agreed with Councilor Murphy then, and do now—and spoke for the adoption of that order at that time, which apparently was not carried through—that the only way to appear effectively in behalf of the people of the City of Boston, or any city, before committees at the State House, is by paid experts; not by legislative agents, not by volunteers, not by amateur salesmen, but by an expert who can beat the Consolidated Gas Company or the Edison Light Company, or any other company—either beat them or at least meet them on their own figures. And I certainly think it was a misfortune that Councilor Murphy's suggestion of March was not followed, and I fully believe that if the people of Boston are to get a fair break on Edison Light rates or Consolidated Gas rates, they won't get anywhere unless we pay out good money and send an expert up there to talk with the experts.

Coun. MURPHY—Mr. President, as Councilor Wilson has well stated, some months ago I introduced an order calling upon the City of Boston to furnish not a lawyer, but a public utilities expert, to repair to the hearings on the increase for the Consolidated Gas Company. I am sorry to say that although the Corporation Counsel did appear, we did not get a public utilities expert.

I am also very sorry to say that very few men in public life, as well as very few of those that are affected today by the increase granted by the Public Utilities Commission, appeared at that hearing. Day after day the hearings went on, and

the people, whether for lack of information conveyed to them or not, failed to appear at the hearings, and very few of the men holding political positions representing districts in the City of Boston were heard on the floor of the Public Utilities Commission. The Public Utilities Commission, in order to give a fair hearing, set aside different days on which any of the people of Boston would be heard. The Gas Company, while the City of Boston was fast asleep, went to Chicago and other cities outside of New England, and brought in public utility experts to testify, with the aid of a slide rule, that it was necessary to grant this 50-cent service charge, and, as I said to those experts when I testified at those hearings, I said, "Gentlemen, you have come in here for one reason only, and that is to enable the Consolidated Gas Company to squander some more of the money that might help to reduce instead of increase the price of gas."

So I hope that the motion introduced by Councilor Dowd will pass. In my opinion it is a good order. And I hope that one thing will be done by the administration who is now protesting loudly that they will now employ a public utilities expert to make a study before those rates go into effect—let him accompany the committee to the Governor and see if he can stop this robbery of the poor of the City of Boston.

Coun. BUSH—Mr. President, this is a very fine gesture, and it is perfectly apparent that it is nothing else but a gesture, because we will not accomplish anything by it. Nevertheless, it may have some effect.

Now, with reference to the previous councilor's remarks on the question of men holding public positions appearing before the Public Utilities Commission, let me call to your attention that the Public Utilities Commission is appointed by the Governor specifically for the purpose of protecting the public's rights. They are not there for the purpose of protecting the public utilities rights, but for the purpose of protecting the public's rights, and it should not be necessary for anybody to appear there in opposition to any increase in rates. It is for them to know whether those rates are just or not.

It is a matter of common knowledge that public utility stocks have risen enormously in value in the last year or so. Why have they risen in value? Because they are making enormous profits. If they are making enormous profits, why should they increase the rates? If anything, the rates ought to have been reduced. But it is a very moot question as to why the Governor should not ask the Public Utilities Commission to render an account of their stewardship in that office.

The order was passed under suspension of the rule.

The President appointed as members of the Committee: Coun. Dowd, Fitzgerald, Bush, Wilson and Murphy.

#### LOAN FOR PARK, WEST END.

Coun. FITZGERALD offered the following:

Ordered, That the sum of two hundred and fifty thousand dollars be, and the same is, hereby appropriated, to be expended under the direction of the Park Commission, for the purchase of land in the West End section of Ward 3 to be used for park purposes, 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. FITZGERALD—Mr. President, in reference to this order, I want to say a few words. At the last meeting of the Council the committee appointed by his Honor the Mayor on parks and playgrounds rendered a report. It is true that that commission worked hard, honestly and faithfully. It is also true that the commission appointed by his Honor the Mayor was originally appointed simply and solely through an agitation for a playground in the West End section of Boston. That commission reported that it could not recommend anything for the West End, owing to the fact that the people of that district could not agree. That, in my opinion, was a very poor excuse. It is not what the people of that district wanted; it was the fact that they wanted a playground. No particular site was suggested by me, because I was not interested in any site, as I said on the floor of this Council; I was interested in seeing the district protected,

and it was a poor excuse, as I said a moment ago, for any commission to take that into consideration. It was their duty to proceed. The question was: Did the district desire a playground and was it feasible? They say, "Yes," but this time they could not recommend on account of a disagreement.

Now, as most of the members of this Council know, the West End of Boston is the most congested section of any part of Boston. Yes, only London exceeds the congestion in this section—not even the East Side of New York.

You also are familiar with the fact that within a few days his Honor the Mayor has requested the widening of Charles street, which takes away from the section whatever playground they had, the present park. The first open-air gymnasium in the country was erected in the Charlesbank park. That is to be entirely wiped out. Of course, a philanthropic woman,—you might have heard of her, Mrs. Storrow,—said she may give them a million dollars, but Mrs. Storrow is in Europe. Nobody knows whether her wishes will be carried out. Some say that her son, if anything happens to Mrs. Storrow, will carry out her wishes, but we all know that sons and daughters often disagree when it comes to a question of money, and they all like the almighty dollar.

I say it was very poor judgment on the part of anyone to proceed with a proposition, when one depended upon the other. Now, the wiping out of that park depended on her giving this money, and it is a matter between the city and the state.

I also want to remind his Honor the Mayor and the committee, and the citizens of Boston in general, that when George F. Parkman died he owned large vacant tracts in the West End of Boston, which were used by the people for years and years for playground purposes. He died, and in his will he left that land to the City of Boston, to use it and keep it as open-air spaces. In the last administration of the late Mayor Hibbard some real estate experts of Boston conceived the idea that that land should be sold, and all that land was sold to the Massachusetts General Hospital. They could not very well oppose a worthy institution like the Massachusetts General Hospital that desired to expand, and, of course, it was impossible to stop progress, and it would be unfair, I say, to oppose an institution of that kind. But the money that was paid by the Massachusetts General Hospital to the City of Boston for the land, the open-air spaces we had in that district, has been used by the city to help out every other section of Boston but the section to which it originally belonged.

Now, the people of the West End are not asking for anything new. They are asking for what was taken away from them, the money that was given to the city for that tract, and then, as I said, used for other sections. We do not ask for anything new, and we would not be asking for it.

It is well known that in the old days they could have got plenty of space, but nobody ever dreamed that the tract of land would ever revert to the purpose that it did. The money is in trust, and you all know what it is being used for. We demand some recognition there. I demand for my district what every other councilor demands for his district. Into some of the homes of those poor people the sunlight never enters—buildings built down there in 1895, 1896 and 1897 by speculative builders, and the City of Boston inspectors closed their eyes to the violation of the law. The buildings were built in direct violation of the law, and light and air shut off. Yes, even in the old days, when there were some high-minded gentlemen on the old Board of Aldermen, who occupy some important positions today, I recall to mind that they voted in that time, against the representatives of that district, to place bay-windows illegally all over that district.

No! I am only asking for the little children of that district an opportunity to breathe the fresh air, and to that end that they might have these open spaces.

In the last year of Mayor Curley's administration another section of the ward I represent wanted to have taken down a ramshackle building on Webster avenue and Webster place, and the money was provided and the building was removed, but not one dollar has ever been spent on the mudhole which still exists. On one side is the Old North Church, and on the other side St. Stephen's Roman Catholic Church, and it is a monumental disgrace to the city. Yet not one dollar has been spent upon it since he left office. His theory was right. He came into those old

sections of the city and tore down those old buildings and removed those pestholes and breeders of disease. And remember, my friends, when diphtheria and scarlet fever and other diseases come they may emanate from one end of the city, but they sweep all over Boston, and Dorchester feels it as well as the West End, and so does Roxbury, and yet the public officials charged with this responsible duty refuse this section fifty cents of every dollar to which it is entitled for the land taken away. We all know why it is going to be taken. Circles are going to be placed in Charlestown and Cambridge. We know that we were implored to take down the old Revere House, and there it stands—a mudhole—for months and months and not a brick laid. Nashua street is another hole. Anyone from Montana would think it was one of those mining camps they have out there, the way the stone and rock is thrown alongside of a great, gigantic improvement.

The *Boston Post*, the *Boston American*, and even the *Globe*, that very seldom takes a stand on any question affecting any public improvement, all have published editorials calling attention to the discrimination against this section. The *Boston Post* has had one or two editorials in the past two weeks, the *Boston American* has referred to it on one or two occasions in their editorial columns, and the *Boston Transcript* and the *Boston Herald*. The need of a playground in this section is recognized. The people there are honest and their representatives are honest. They do not desire to make a profit upon the little children or the mothers. They ask for a playground, and ask them to use their own good judgment as to where it should be placed. There is no desire to commercialize, no desire to become rich upon the little children—the motherless children.

Oh, my friends, if you could go into that section and see it. Down there every moment you would find lessons in psychology worthy of consideration.

I sincerely hope his Honor the Mayor and the authorities charged with the responsibility will awaken to the duty they owe to that section, especially in view of the fact that they have taken away the only breathing spot they had, wiping it out, and, as I say, allowing it to hinge upon the offer of a woman who, at a whim, might change her mind. If they wanted to do this thing, why didn't they provide for it before she left? This act passed the Legislature, taking away the power of the Council. They wanted to do it all. Why didn't they do it? No one can tell what this woman may do. She has left the country and gone to Europe. When she will come back nobody knows. She has not done one iota and nothing has been done with reference to that improvement, because there was no time placed upon it. The Massachusetts District Commission refused to proceed. Why? Because they did not get the money. The money does not come from the city treasury nor the state treasury. It comes from this million dollars that this woman may leave.

I want to give to the poor people of this section an opportunity to enjoy this recreation, that will be of more benefit to them than millions of dollars spent upon dumping mud into the river.

The order was referred to the Committee on Finance.

#### LOAN FOR PLAYGROUND, EAST BOSTON.

Coun. DONOVAN offered the following:

Ordered, That the sum of sixty thousand dollars be, and the same is, hereby appropriated, to be expended under the direction of the Park Commission, for the purchase of land in what is known as the Fourth Section area of East Boston, and the grading, construction, etc., thereof as a playground, 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 Committee on Finance.

#### INVESTIGATION OF GAS AND ELECTRIC RATES.

Coun. RUBY offered the following:

Whereas, There has just been published in the daily papers the proposed new schedule of gas rates approved by the Public Utilities Commis-

sion and which provides for an increase in the price of gas to small consumers in the City of Boston, to take effect October 1, 1929, and

Whereas, Any further increase in the price of gas will cause great hardship to a vast number of our citizens; therefore, be it

Resolved, That the City Council of Boston is unalterably opposed to the proposed new schedule of gas rates, as approved by the Public Utilities Commission, and is of the opinion that before any increase is put into effect the stockholders should bear their share of the burden in the form of reduced dividends, and be it further

Resolved, That the City Council of Boston asks a postponement of the adoption of the new rates and favors an immediate investigation into the gas and electric rates in our city.

Coun. RUBY also offered the following:  
Ordered, That his Honor the Mayor be hereby requested and authorized to employ experts to examine the books of the Boston Consolidated Gas Company, with the consent of the Public Utilities Commission, and, either by the Law Department or, if he deems it advisable, by other counsel, to appear before said commission, either in behalf of the city as a customer or in behalf of the citizens generally, or both, in opposition to any further increase in the price of gas in the City of Boston.

Coun. RUBY—Mr. President, I listened with interest to the order of Councilor Dowd, and voted for the order, for the creation of public sentiment, so that his Excellency, the Governor, may know the attitude of the people of Boston with reference to the proposed increase of gas rates.

But I do not believe that that alone is sufficient for the situation that has arisen. For three years the Consolidated Gas Company has endeavored to foist this increase in the price of gas on the citizenry of Boston, and has finally succeeded. The increase granted by the Public Utilities Commission, as stated by them, will be put as a burden on the poorer class of people who are gas users in Boston. The 50-cent meter charge under the new schedule of rates is to be paid by all those families in Boston who use less than 2,500 cubic feet, and in a statement published by the Public Utilities Commission it distinctly says that it has permission to charge that 50 cents so that it can become a carrying charge towards the handling of the bookkeeping system of the gas company, towards the maintenance of gas meters and gas meter readers, and towards the maintenance and repair of the pipe system. In other words, it says that the taxpayers in Boston and the gas consumers who use under 2,500 cubic feet must stand the burden of those who use over 2,500 cubic feet, so that those who use under \$3 worth of gas a month must pay the carrying charges for those who are fortunate enough to be able to use gas for their tremendous industries, for those who are fortunate enough to be able to use gas for heating their homes, for those who use thousands of cubic feet of gas, and the poor, unfortunate family that is trying to scheme and save will be compelled under this new increase of rates to pay those carrying charges.

It puts a gross increase of one cent per one hundred cubic feet of gas upon those who do not pay their bills in fifteen days, and, Mr. President, that in itself shows the unfairness of the increased rate, because it says to the family that of necessity uses the smallest amount of gas, "You must pay your bill in fifteen days, or the gas company can shut off your gas." Mr. President, it is all right for us to have that situation handed to us by the different grocers we may make our purchases from, or by the different clothing stores we may make our purchases from, because if they put a provision of that kind on us and we do not carry out that provision and they stop our credit, we can go to some other concern selling the same commodity. But the gas consumer must use gas served by one public utility, or he does not get gas at all, and for that reason that one cent charge becomes a tremendous burden on that family that does not get paid weekly. In our Soldiers' Relief Department today the unfortunate family that is enjoying soldiers' relief gets paid twice a month, and if by any action that payment is postponed beyond the fifteenth day, and the unfortunate wife or the poor mother cannot pay for the gas consumed in the previous month, one cent per one hundred cubic feet is added to help maintain the cost of that department.

I believe an investigation is proper at this time. The books of the Consolidated Gas Com-

pany, as well as other public utilities ought to be examined so that we may know whether they are losing money. And I say now, Mr. President, that this increase in gas rates is the forerunner of a request by the Edison Electric Illuminating Company to increase the price of electricity, and that they intend to go before the Public Utilities Commission, if no objection is made to the increase in gas rates, and try to put through another increase in electric light rates, and every time those rates are increased, they are never aimed at the large consumer who can well take care of his or her bill; they are aimed at the man who is scheming and saving.

Take here a few bills, in order to give you an illustration of what will happen. Here is one family that has used in a month 2,300 cubic feet. Their bill was \$2.76. Under the increased rate, assuming that that rate would be the same regardless of the fact that there is a 3-cent increase, there will be a 50-cent charge on that \$2.76, and 23 cents additional, if that bill were not paid within fifteen days.

To those of you who live in Boston, to those of you who live in Roxbury or the West End or North End of Boston, where there are no electric lights and where the struggling family is compelled to use gas, and puts the gas on at night only when it absolutely has to, the burden is going to be tremendous.

I could read several different bills where different families are using 2,100, 2,200, 2,300 and 2,400 cubic feet of gas; \$2.68 is their regular bill today. To that will be added the 50-cent service charge, and 24 cents additional if the bill is not paid within fifteen days. And the Public Utilities Commission tells us that the service charge is designed to cover the cost to the company of maintaining its pipes from the street main into the customers' premises, together with the meter, the reading of the meter and the keeping of accounts applicable thereto, and the sending out of bills to the customer for the amount due. That is to cover the cost of the property and service devoted exclusively to each individual customer, whatever his use of gas may be. The poor unfortunate family that is using less than 2,500 cubic feet will have to pay that. Is that fair to any group of people, or wouldn't the fair way be, if you must of necessity and fairly increase your rates, to increase them proportionately so that the rich as well as the poor would bear their proportionate share? Oh, no. As has been stated, the increase in gas rates hits the small consumer, and I hope, Mr. President, in addition to the order presented by the councilor from Ward 8, that this resolution may be adopted, so that his Honor the Mayor may immediately take such steps as are necessary to show the Public Utilities Commission that the Council of Boston objects to such an increase.

The several orders were passed under suspension of the rule.

#### ST. ANN STREET APPROPRIATION.

Coun MURRAY—Mr. President, I move at this time a reconsideration of the vote on taking from the Executive Committee the appropriation for the widening of St. Ann street.

President DONOVAN—This is the matter of recalling from the table the appropriation on St. Ann street.

Coun. BUSH—I make a point of order. This is not a recalling from the table. It would have to be recalled from the Executive Committee before it could be recalled from the table.

President DONOVAN—Recalling from the Executive Committee. The Chair stands corrected.

The question was taken and the Chair declared the motion to reconsider carried.

Coun. PARKMAN—Mr. President, I do not understand this procedure, because we have already voted not to recall this matter from the Executive Committee, and, as far as I know, we have not reconsidered that vote.

President DONOVAN—The question came on reconsideration, which the Chair put to the body.

Coun PARKMAN—I heard announcement that the vote had carried for reconsideration of this matter.

President DONOVAN—The Chair announced the vote. The question now comes upon recalling the matter from the Executive Committee.

Coun. BUSH—The motion should have been

to recall from the Executive Committee before it was taken from the table. You cannot take it from the table when it was left on the table by the Executive Committee.

President DONOVAN—The Clerk will call the roll upon the question of recalling the matter from the Executive Committee.

The Clerk called the roll with the following result:

Yeas—Coun. Arnold, Deveney, Fitzgerald, Green, Keene, Lynch, McMahon, Murphy, Murray, Ruby—11.

Nays—Coun. Bush, Dowd, Parkman—3.

The motion was carried.

President DONOVAN—The question comes on the passage of the order appropriating \$50,000 for St. Ann street.

Coun. PARKMAN—Mr. President, we have threshed this matter out all afternoon, and I see no reason whatever for reconsidering our action at this time. No argument whatever has been advanced here for reconsidering the action taken after full deliberation, and I am at a complete loss to understand why the members of this body have changed their vote. To my mind nothing has occurred in the discussion in this body or in the transactions of the Executive Committee which would occasion any members of this body to change their votes, and I do not understand the reason for it.

Now, when you get down to the merits of this proposition, it seems to me the Council ought to seriously consider whether they are going to reverse their action taken earlier this afternoon, for some reason that I do not know, and pass the appropriation for this street. So far as I have any knowledge—and I admit that my knowledge is not accurate,—to my knowledge no accurate plans have been presented to the City Council of the course this roadway is going to take, but it seems to be assumed, however, that the roadway is to go through the Arnold Arboretum. If that is the case, Mr. Chairman, I would like to point out to the Council the language of the agreement which the City of Boston and the Arnold Arboretum entered into for the use and control of the Arboretum as a public park. That agreement was signed December 30, 1882, and provided that the Arnold Arboretum should be used as a public park, and specifically provided that no public street or highway, and no steam or horse railway or construction for like purposes should be laid out through or over any part of the Arnold Arboretum, except in such place, if any, and in such manner as the Park Commissioners and the college shall approve.

Now, there is an express agreement, entered into by the City of Boston, good for a thousand years, I believe, if it is good for anything, prohibiting the construction of a street in that park. The college authorities and the city, presumably both parties acting in good faith, and each having confidence in the other, entered into a solemn agreement over forty years ago that no public street should be put through that park, except with the consent of the college authorities. And now we are going to treat that agreement like a scrap of paper, tear it to pieces and violate the solemn promise of the City of Boston. I cannot conceive of the City Council or the City of Boston taking any such action today. I cannot conceive of the members of this body, whom I know very well, and whom I have served with here for years, taking a vote to violate a solemn agreement by the City of Boston. It is beyond my belief that they will take any such action here today.

That park has been solemnly dedicated to the use of the public as a park, and not as any highway for trucks. It has been developed for park purposes. A large group of poplar trees forming part of the Arboretum collection will be taken by this street, if it is put through as proposed. Over 280 poplar trees in this collection will fall by the wayside. They cannot be transplanted. They form part of the collection of which the Arboretum and the City of Boston is so proud. You cannot begin whittling off the Arboretum here and there. Where are we going to stop? We have got to abide by the agreement entered into by the properly constituted authorities of the City of Boston with the college authorities, a solemn compact not to put a street through there without the approval of the college, and that approval, Mr. President, we have not got.

I therefore hope that this appropriation be defeated.

President DONOVAN—The Chair will call Councilor Ruby to the chair.

Coun. RUBY in the chair.

Coun. DONOVAN—Mr. President, in answer to the councilor from Ward 5, I want to say that the Chair had no mercenary motive in accepting a motion of reconsideration on the part of the councilor who represents West Roxbury or Jamaica Plain.

Coun. PARKMAN—Mr. President, I would like to state at this time that I had no such suggestion in my mind. In fact, such a suggestion was the farthest thing from my mind, and never would I make such a suggestion to the councilor.

Coun. DONOVAN—I want to thank the councilor from the Back Bay for his remarks, but I merely accepted the motion from the councilor from Jamaica Plain, with the one idea in mind that when he asked for reconsideration he had something in the back of his head that he could introduce here which might have a tendency to show us we were in error in our action this afternoon.

Coun. FITZGERALD—I want to state that my reason for voting for reconsideration was the fact that the Assistant Corporation Counsel claimed that he would furnish the councilor from Jamaica Plain with certain reasons, and I wanted to hear them.

I also feel that Councilor Parkman has given a very strong reason and has made a very strong argument. I for one do not believe in taking away any park grant or anything from the City of Boston, or in violating any agreement that the city may have entered into, but I believe the councilor should have the right to state whether or not he is on the right ground or not.

Coun. KEENE—I should like to say for the information of the councilors, in reply to Councilor Parkman, that I have no desire to take away from the Arnold Arboretum any part of that park which will in any way interfere with its cultivation or use by Harvard College, or take away from that park any part which might be of benefit to the public. But in consultation, or in conference, rather, with the Corporation Counsel in executive chamber he stated that a similar question had arisen where acts had provided for taking over existing ways and public and private lands, and it had been held that they gave the city the right to take by right of eminent domain, and consequently it was not necessary to procure approval as set out in the agreement.

Now, relative to the question which was raised in the executive chamber, the plan of the Metropolitan Planning Division does not contain any street extensions, but is a preliminary study, subject to revision, which was provided by Mr. Harriman, and we find that with the completed proposed plan it shows that the railroad location crosses South street twice, and the plan that we had in the executive chamber was not a full plan. It only showed part of the area which this road would cover. So that a point 1,000 feet northeast from the point where South street crosses the Providence and Boston street location would be the point which, under the proposed plan prepared by the Metropolitan Planning Division, is set out on the map in question. So that there is no ambiguity in the bill.

Now, it would appear to me that if the Legislature passed an act providing that this road should go over public or private land, and the Corporation Counsel states that under similar acts the same provision gave the city the right to take the land by right of eminent domain, then it would be a waste of time to go through the form of taking some formal action, where the Legislature had, in passing the act, given the city the express authority, without requiring any approval.

Consequently, if it is a much needed necessity, I cannot see any reason for delaying the time at which the preliminary step should be taken, and if the congestion exists, as has been shown by the evidence, it would seem to me that the quicker the Council took some action, the quicker we might relieve the congestion which exists.

Coun. DOWD—Mr. President, I realize there are but a very few minutes to say anything on St. Ann street, and I am of the opinion and am convinced that the Mayor of Boston has the votes and can deliver them whenever he so desires. The only question that should be considered by the members of this Council whether or not,

after spending \$1,100,000, or obligating themselves to do so, to the extent of 10 per cent for Centre street—whether or not they care to obligate themselves to spend \$750,000 more of the taxpayers' money.

There never has been any loan order that came into this Council that was rushed through with such accuracy and speed as this \$1,750,000. The Council accepted the act last Monday afternoon, and before we left the chamber the Mayor had the loan orders up here ready to be acted on.

You all heard what the City Auditor said at the executive meeting, and I think he is a pretty good judge and a shrewd gentleman when he is talking on city finances. He says what? He says there can be nothing possible but a great increase in taxes within the next few years if we are going to continue to spend money the way we are spending it at the present time.

I have no objection to any great public improvement, but I say that the citizens of East Boston, South Boston and Roxbury pay just as much taxes as the citizens who live in Roslindale, or on the Jamaica way, or in any other section. I say that the Southern Artery is not there for the convenience of the people of Dorchester. They have suffered more by it than any other individuals. These arteries are built for the maintenance and pleasure of those people living outside of Boston.

I cannot conceive of any possible reason why this Council should have spent or obligated itself to spend money on Centre street, and now should obligate itself to spend this money on St. Ann street. Just imagine, gentlemen. I do not believe that there are six or seven of the councilors here that know where St. Ann street is and still, without going out there to see the street in question, you want to obligate the taxpayers of the City of Boston to the tune of three quarters of a million dollars.

Why, there are residential streets in every section of Boston that are rotten and filthy, and you cannot get one street fixed by the present administration. Oh, no. They are not interested in single, individual streets, because they only cost \$8,000 or \$10,000. They are interested in millions. As I said here last Monday, go up to the Registry of Deeds and see what property has changed hands in the last six months.

You owe something to the people that have sent you to this Boston City Council. You do not owe everything to the Mayor of Boston. I do not believe any man here should vote just because Mayor Nichols desires him to vote for any given public improvement. You were sent here because the people whom you represent thought you had a voice and a vote of your own, and I say, in all fairness, that when the auditor says that the widening of Centre street will mean an increase of from 5 to 10 cents in the tax rate, then St. Ann street will mean an additional 3 or 4 cents. We have no right to spend the taxpayers' money to the tune of \$1,750,000—and before we get through it will be \$3,000,000.

Coun. PARKMAN—Mr. President, I do not believe that I understand this language the way that the councilor from West Roxbury does. He says that there is no ambiguity in the legislative act. The legislative act says that this proposed roadway shall cross the railroad tracks at a point a thousand feet northeasterly from the crossing of the railroad tracks with South street, and he says that the railroad tracks cross South street at two different locations. Well, if that is not ambiguous, Mr. President, what is? Which one of the two crossings is it?

But aside from that point, Mr. President—and I insist that it is ambiguous and in that shape of the legislation we should not take action under it—in the interest of fair play, this Council ought not to take the action which it seems to contemplate.

At the hearing before the Committee of the Legislature on Municipal Finance which was held on March 11—and I am quoting from the Boston Transcript of August 10—

“Representative Joseph C. White and Representative William M. McMorrow spoke strongly for both Centre street and the St. Ann street improvements, for which they also were petitioners. Senator Gaspar G. Bacon and Chairman William P. Long of the Boston Park Commission also were strong proponents of the measure.

“No mention of the proposed route of St. Ann street through the Arboretum was made during the hearing. There was a general understanding

that the bill, as it applied to St. Ann street, would mean reconstruction from a point at or near Asticou road to a point at or near the junction of Washington street and the overpass of the Boston and Providence Railroad, over private lands.

"Another proposal offered was to make a deflection where Stony Brook crosses Washington street and makes a connection with the existing St. Ann street."

But, Mr. Chairman at that hearing no mention was made of this road going through the Arnold Arboretum. In fact, there was another bill before the Legislature proposing specifically for the taking of Arnold Arboretum land, and that bill was given by the committee on municipal finance leave to withdraw, thus indicating apparently to the college authorities and those interested in the Arnold Arboretum that any danger of losing Arnold Arboretum land in this proposal was negligible.

Now, I have a letter here from the Keeper of the Arnold Arboretum, written to the Treasurer of Harvard University on August 7. He says:

"I have just received information through Mr. W. Furbush, of the Boston *Transcript*, to the effect that the proposed widening of St. Ann street, Jamaica Plain, involves the taking of a strip of the Arnold Arboretum parallel with the Dedham branch of the New York, New Haven and Hartford Railroad, which would mean the destruction of many valuable trees. I understand also that considerable progress has been made with this scheme, plans of which may be seen at the Street Commissioners' office at City Hall. No information whatsoever as to this proposed extension or the taking of the Arboretum property has reached this office, and we were utterly in the dark until Mr. Furbush called us on the telephone. For some unknown reason it would appear to be the policy of the city not to inform this institution of any matters, no matter how vital they may be to us."

Now, Mr. President, is that the attitude the City of Boston wants to take toward a great institution which is administered for the benefit of the public of Boston? This is not a case where the private interests of that institution are involved. By the agreement of 1832 the college authorities have taken over the Arnold Arboretum as custodians for the public of the City of Boston. Their interest is to preserve that property for the purposes for which it was intended, and for the purposes which were set forth in a solemn agreement entered into by the City of Boston and the college authorities at that time.

Now, Mr. President, in all fairness I ask this Council not to take hasty action today, action that disregards the interests of this institution which is administering this property for the City of Boston. I cannot for the life of me see how this body can take any other action than to defeat this appropriation. It is not a matter of extreme urgency. There is no public emergency involved; there is no public welfare involved. There is no famine, plague, fire, pestilence or any other act of God here which has to be guarded against. This is an improvement which can be made at any time, and the least this Council can do is to live up to the spirit of the agreement with the college authorities.

We all know what the term "scrap of paper" meant during the World War, when the German Emperor treated the agreement in regard to the neutralization of Belgium, in his own words, as a "scrap of paper," and he met the opprobrium of the whole civilized world, from which the German nation is still suffering. If the City of Boston treats that agreement as another scrap of paper, it will be asking for the same treatment that the world has given Germany.

Coun. MURRAY—Mr. President, may I say, in answer to the gentleman from the Back Bay, that out on Washington street, with traffic up and down the street, and with the Healey Playground on Washington street, it is nothing but a slaughter house for the women and children crossing the street.

He says there is no act of God impending. I want to say that the people in that district would look upon the widening of St. Ann street as an act of God. You cannot cross Washington street in safety, on account of the trucks going up and down the street. The people in the Back Bay have beautiful streets and parks. Why not give to the people of West Roxbury a chance to bring

up their children in a safe and sane manner? Washington street is a death trap to the people who live on Washington street. They have no rest at night, and they cannot cross the street in the daytime. It is nothing but a menace, and by putting through this appropriation for St. Ann street we will give some relief to the people of West Roxbury.

Coun. PARKMAN—Mr. President, I move that this appropriation be tabled.

The question came upon the motion of Coun. Parkman to lay the appropriation on the table. The question was taken and motion declared lost.

Coun. PARKMAN doubting the vote, the Clerk called the roll, with the following result: Yeas—Coun. Bush, Deveney, Donovan, Dowd, Fitzgerald, Parkman, Wilson—7.

Nays—Coun. Arnold, Green, Keene, Lynch, McMahon, Murphy, Murray, Ruby—8.

The motion was lost.

The question then came on the passage of the order.

Coun. MURPHY—Mr. President, some time ago, after the Legislature had passed the act providing the money for the widening of St. Ann and Centre streets, a public hearing was held in this room. Everybody was given an ample opportunity to register their protests for or against the legislative act. I made a special effort to be and was present at the hearing, and to my mind this room was crowded, and people from all walks of life, people from organizations in that district out there appeared before the committee of the Council, and it was the unanimous request that this sadly needed public improvement to take care of the outlying district of the West Roxbury section of Boston should be passed by this body.

Later on I received a telegram from one of eminence, who is not the Mayor of Boston, but who is one of God's ministers, Father Cummings, requesting that I vote for this sadly needed improvement. Later on, a deputy of Father McNamara, of a parish on Centre street, came before the Executive Council of this body, and I think they requested that immediate action be taken on this sadly needed improvement.

And I resent it when any member of this Council arises to his feet and makes the statement that the Mayor of Boston is directing what men are going to do in this body.

Again, today, before the Executive Committee of this body, the representatives of the Law Department of the City of Boston appeared and was asked the question from a legal standpoint: Was it legal for the City of Boston to take by eminent domain and construct St. Ann street? And the answer was "yes." Morally, he said, in answer to Councilor Parkman, who I know is sincere on this question, that there may be room for discussion, but legally none. Councilor Parkman disagreed with the representative of the Law Department.

But I am here advocating it today, because West Roxbury and the Hyde Park section are sadly in need of lanes for the traffic that allows the business or the great part of the business of Boston to come into our city. If we are to be a progressive city, if we are to foster and give employment to the unemployed, and further employment to those that are now employed, we have got to adapt ourselves—not to a seventeenth century method, but to the twentieth century method of transportation, which means that we have to have lanes and avenues leading into and out of our city that will allow those that work here, those that spend their money here and those that conduct their business here to come in and out of the city in the quickest possible way.

And I hope that the members of this Council will give that consideration to West Roxbury that they are crying for, and that they will vote to pass this order so that work can be started as soon as possible for the relief of the crying needs of that particular part of Boston.

Coun. WILSON—Mr. President, with reference to this particular loan order, I will not add at any great length to what I said last week. I want to state that in voting against this particular measure I have every sympathy with the councilor from the district, who naturally is putting up a very game fight for the passage of this particular act. I find it impossible, however, to vote for it today, and I point back to the fact that I asked in a motion last week that it be put over a reasonable time so that we might obtain more information.

I was impressed, but unfavorably impressed, by

the statement made in executive session to the effect that this particular matter would only mean 5 cents on this year's tax rate, and in view of the state of the streets in my own ward, which are coming along fairly, but not to such an extent that I cannot afford to vote almost \$2,000,000 for another district—and I frankly state that it means, in effect, 50 cents on every two-family house in the ward which I represent, and that being so, and much as I would have hoped to have seen this matter go over until later in the year, I must vote against it at the present time.

The question came on the passage of the appropriation order for \$50,000 for the widening of St. Ann street.

The Clerk called the roll with the following result:

Yeas—Coun. Arnold, Deveney, Donovan, Green, Keene, Lynch, McMahon, Murphy, Murray, Ruby—10.

Nays—Coun. Bush, Dowd, Fitzgerald, Parkman, Wilson—5.

The order was passed.

#### PLAYGROUND, GROVE HALL SECTION.

Coun. RUBY offered the following:

Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to include in any loan order providing for the establishing of playgrounds a sum sufficient to provide for a playground in the Grove Hall section of Ward 14.

The order was passed under a suspension of the rules.

#### ABATEMENTS OF TAXES.

Coun. BUSH offered the following:

Ordered, That the Board of Assessors be requested, through his Honor the Mayor, to furnish the City Council with the following information:

1. The number of applications received for abatements on personal property and real estate taxes.
2. The number of hearings held on such applications during the current year.
3. The total amount of requested abatements.
4. The number of abatements granted in the current year and their amounts.

Coun. BUSH—I introduced this order because of information which has come to me to the effect that abatements or applications for abatements have been filed with the Board of Assessors for a period of over eight months, and as yet no hearings have been held on those abatements. Widows have filed applications for abatements which under the law they are entitled to. The poor people whose property has been assessed in some cases much higher than its actual value have applied for abatements and as yet have been able to obtain no hearing on the same. A great deal of this property is now being advertised by the collector for sale, because of the inability on the part of the owners of this property to pay the taxes.

I am not referring to those taxes which are justly assessed, but I am referring to those applications for abatements which are justifiable and which in justice to the owners of that property should be granted.

Let me give this body an instance of such a just application. A man is in business on April 1 and is assessed on all his personal property in that business on April 1. On March 1 he fails in business and goes out of business entirely. He has no money to pay the taxes, yet he is compelled by the City of Boston to pay the full tax. He is entitled to an abatement, yet he is unable to obtain a hearing.

I can see no reason why the Board of Assessors have constantly failed and refused to grant these hearings, yet I know of cases where certain privileged interests have been permitted abatements on their taxes without any hearing whatsoever.

Furthermore, it is impossible for the collector not to sell the property over the heads of these owners for taxes unless the Board of Assessors does grant these abatements. He is compelled by the law to collect the full amount of the tax until and when the Board of Assessors takes action.

The only reason that I can see for holding up these abatements and for failure to act upon

them is to allow these abatements to go over into the next administration, which means that there will be some \$300,000 or \$400,000 or more which the next administration will have to contend with, simply because the borrowing capacity of the city can be increased by the larger assessed valuation which the board has been able to place upon the property.

I contend, gentlemen, that this is a very unjust attitude, and creates a great deal of injustice to the poor taxpayer, who cannot afford, or who can ill afford to pay the taxes which are being assessed against him, and I call upon the Council to pass this order, that we may have some information from the Board of Assessors as to how many hearings have been held in the current year, how many applications for these abatements have been filed, how many have been granted and the amounts in each case of such abatements and applications for such abatements.

Coun. FITZGERALD—Mr. President, I cannot let this opportunity pass without saying a few words on this vital question. It has been brought to my attention that many poor and worthy families have suffered under this system in vogue during the past year in the assessor's office, and that property for 1927 has been sold even after the assessors had granted abatements, because they were not approved by those higher in authority, and if it is so that the rich have been allowed to obtain abatements and the poor are discriminated against, it is an outrage and a crime in this enlightened city of ours.

Never have we been faced with such a situation as has come to pass. For nearly four years this body has sat silent at things that would not be tolerated in any other large city of the country.

Less than a year ago a man who was the standard bearer of the Democratic Party was bitterly assailed because he was supposed to represent the most vicious machine that was ever created in the history of the world. But on the other hand, if it was a machine, it was a machine that always guarded the interests of the poor and the oppressed, and certainly built up that great city.

I know of one or two cases at least where nothing was done. I have heard of where people came in and said, "We have been given notice by the constable, served upon us, that our property is to be sold." They went and talked with the officials, and they went away understanding that they had an abatement, and no abatement was granted.

It does not affect my district, but it does affect every other section of the city, and I say it is a crime and a shame the things they have got away with in the past four years. But there is a day of reckoning.

They talk about New York. Why, they have a law in New York, the Moorhead law, which causes investigations. When they found corruption in Queens, did Walker shut his eyes to it? When they found a corrupt bank commissioner appointed by a Democrat, they did not hesitate to clean house.

But, sir, the Legislature is all-powerful. In the past we have closed our eyes for good and sufficient reasons, maybe, but, sir, there will be an explanation, and it has got to come, and in this particular instance that department should be forced to treat the poor family, and not give to the landlords, not give to the great East Boston Land Company, not give to other big concerns, abatements in taxes, and force the poor widow. There are those who never heard the prattle of a child's voice, there are those of us perhaps who never knew what it is to be hungry, but we know there are people hungry, and maybe a woman may have a struggling husband who gets a small salary and would like to get an abatement. There are lots of sad cases brought to the attention of this board day after day and for the first time in the history of this great city those men's hands have been tied. Are they free men, or are they slaves? Why don't they assert themselves? We have had heads of departments who brought in their resignations to mayors and said, "We will do it this way, and if we don't do it that way, there is our resignation." A good public servant need not fear any mayor. The people of the city would rise up in arms in defence of a man who was doing his duty, and if he was cruelly treated there would be a day of reckoning for somebody. And they would not dare remove them. But in this case I have heard of a few raw cases. I know the head of that



department is an honest man, and a man who has given long and faithful service to this city and I do not think he is to blame. But wherever the blame is, it should be placed, and the responsibility should be placed, and it should not be allowed to go on any further.

I tremble for the future of this city; I tremble for the future of this Council, because it is my belief that if things continue the powers of this Council will be taken away. They will give us such an act as was passed when Quincy was Mayor, and which was repealed by the man who represented the district that I have the honor to represent. He had that act repealed, which took away from the city government the right to appropriate money. They have already taken away from the Council the powers they have given to the Street Commissioners. Because they have every right to say to the Council, "You have sat dormant and done nothing."

One or two of us cannot do it. Our voice may be raised here, but we are silent when it comes to the majority of questions, and in order that we might not incur the hostility of our fellow members, perhaps, or in order that we might live in harmony with our fellow members here, perhaps many of us have sat idly by. But, sir, as I said before on the floor of this Council, nothing was put over on me. I knew pretty well what was going on.

But, as I said, in this case Councilor Bush is right, and I cannot too strongly condemn their actions and before tomorrow they should proceed. The City Collector is not to blame, because I believe he is a man with a human heart and tries to treat everyone as they should be treated. But he is powerless. But, sir, something ought to be done, and if we here today can rouse public opinion we can bring these men, who are only concerned with certain things, to their knees and see that something is done for the general welfare of the people.

As Councilor Dowd well said, never before in the history of our city were the streets in the intown section of Boston in such a deplorable condition. I am about to introduce an order here, asked for by one who holds a responsible position to which he was appointed by the Governor of this Commonwealth, calling for the repaving of Nassau street, where such wonderful work has been done in the settlement house for the poor working girls of Boston.

The order was passed under suspension of the rule.

#### NEXT MEETING.

Coun. KEENE—I move Mr. President that when we adjourn, we adjourn to meet two weeks from today.

The motion was carried.

#### REPAVING NASSAU STREET.

Coun. FITZGERALD offered the following:  
Ordered, That his Honor the Mayor request the Commissioner of Public Works to repave Nassau street, Ward 3, with asphalt paving.

Passed under suspension of the rule.

#### LAND-TAKING AT BUNKER HILL AND MEDFORD STREETS.

Coun. GREEN offered the following:  
Ordered, That the City Planning Board be requested, through his Honor the Mayor, to submit a report to the City Council as to the advisability of taking land at the junction of Bunker Hill and Medford streets, Ward 2, for the purpose of relieving a serious traffic menace at this point.

Passed under suspension of the rule.

#### REPAVING RIVER STREET.

Coun. MURPHY offered the following:  
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave immediately, with smooth pavement, River street, from Washington street, Dorchester, to Mattapan square, Ward 18.

Coun. Murphy—Mr. President, on the order requesting the Commissioner of Public Works, through his Honor the Mayor, to resurface River street, I want to say a few words. Councilor Fitzgerald has well spoken about the disgraceful condition of the street that he has put in an order for, but I do not know whether any man in this body knows of a worse condition than that which prevails on River street, from Washington street to Mattapan square, at the present time. That street is paved with cobblestones, which are rising out of the ground from one end of the street to the other, making it practically impossible for traffic to pass over that highway.

At the present time we are spending \$1,400,000 as part of our hospitalization program, for one of the finest buildings that Boston has got, and those that are required to use River street, in order to visit those that are unfortunate enough to be confined with the plague of consumption, find it an impossibility, without some particular breakdown in their automobile or other means of conveyance that they use, getting there. It is nigh time that his Honor the Mayor and the Commissioner of Public Works woke up to this municipal disgrace.

Councilor Wilson, who adjoins my ward, and I were told that they were going to repave last year from Washington street in his ward to Standard street in my ward, and that this year the entire section to Mattapan square would be completed. Now we find, after watchful waiting, that the Commissioner of Public Works has discovered that he does not believe there is sufficient money to have the street repaved. And if this condition is going to exist through this next winter, there is only one thing for Councilor Wilson and myself to do, and that is to request the Police Department to close the highway in order to protect the safety of the general public. So I hope that both his Honor the Mayor and the Commissioner of Public Works will wake up to the realization and necessity of this public improvement from Washington street to Mattapan square.

Coun. WILSON—Mr. President, I cannot let this opportunity pass with reference to this particular order, which covers a street which runs all the way from Pierce square to Mattapan square, running both the wards of Councilor Murphy and myself.

A year ago the Mayor of Boston assured me, in the presence of the Public Works Commissioner, that at least two fifths of River street would be paved last year, and three fifths this year. Unfortunately, as some members of the Council may be aware, the dispute between the Eastern Massachusetts Railway and the Boston Elevated over the ownership of the rails, which finally ended in the payment of some \$90,000 by the Elevated to the Eastern Massachusetts, held up the work after the Public Works Department had torn up the first two hundred yards of track.

Be that all as it may, I agree with everything that Councilor Murphy has said. This particular street work is not merely a matter of public convenience, but a matter of public necessity. This particular street in the City of Boston has not been resurfaced for over forty years, and yet we are widening streets at a cost of \$1,650,000 through parks and other parts of the city. This street, I repeat, has not been resurfaced for over forty years, or within the lifetime of most of us in this room today, and as a result of the dispute between the two railroad companies last year the street car service has been stopped, and we are between the devil and the deep sea, if I may put it that way, because we have got neither a resurfaced street nor a street car line on an unsurfaced street, but we have got an unhappy medium between the two, a bus line of old, broken-down busses, trying the best they may to make the distance between Pierce square and Mattapan square in the Dorchester district.

I accordingly urgently second the motion that the order now offered by Councilor Murphy be adopted and trust that the Mayor will do something during the current year, since we apparently have some money, to improve conditions in this particular district.

The order was passed under suspension of the rule.

#### LOAN FOR FIELD HOUSE ON READVILLE PLAYGROUND.

Coun. MURPHY offered the following:  
Ordered, That the sum of twelve thousand

dollars be, and the same is, hereby appropriated, to be expended under the direction of the Park Commission, for the erection of a field house on the Readville Playground, Ward 18, as recommended by the Special Committee on Parks and Playgrounds, 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.

#### LOAN FOR PLAYGROUND, CLARENDON HILLS—METROPOLITAN HILL SECTION.

Coun. MURPHY offered the following:

Ordered, That the sum of thirty thousand dollars be, and the same is, hereby appropriated, to be expended under the direction of the Park Commission, for the purchase of land and construction of playground in the Clarendon Hills—Metropolitan Hill section of Roslindale, Ward 18, as recommended by the Special Committee on Parks and Playgrounds, 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.

#### LOAN FOR PLAYGROUND, RUGBY SECTION.

Coun. MURPHY offered the following:

Ordered, That the sum of thirty thousand dollars be, and the same is, hereby appropriated, to be expended under the direction of the Park Commission, for the purchase of land and construction of playground in the Rugby section of Hyde Park, as recommended by the Special Committee on Parks and Playgrounds, 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.

#### LOAN FOR FIELD HOUSE, ALMONT STREET PLAYGROUND.

Coun. MURPHY 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 grounds, etc., and the construction of a field house on the Almont Street Playground, as recommended by the Special Committee on Parks and Playgrounds, 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.

#### SIDEWALK ORDERS.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Columbia road, Edward Everett square to Dudley street, west side, Ward 7, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Coun. DEVENEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Fisher avenue (south side), from Parker street to Hayden 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.

Severally passed under suspension of the rule.

#### GRANOLITHIC SIDEWALK, COLUMBIA ROAD.

Coun. LYNCH 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 Columbia road, east side, from Edward Everett square to Dudley street, Ward 7.

Passed under suspension of the rule.

#### MOTION TO RECONSIDER ST. ANN STREET.

Coun. PARKMAN—Mr. President, I would like to move reconsideration of the vote by which the Council passed today the appropriation order for St. Ann street. I do that for this reason. I have done my utmost here today, either to table the order or to dispose of it in some other manner, but it seems to me that at least the Council should have no real reason for refusing a reconsideration, with the understanding that it be assigned to the next meeting.

The whole point of the situation, as it has come down today, is the fact that the college authorities would like the opportunity to be heard. Now, that is a fair and reasonable request. It is their property, a property which they are administering for the city, that is going to be taken for this new roadway, and it seems to me only fair that they should be consulted in the matter, particularly in view of the clause in the lease which I have pointed out. I therefore ask that the Council reconsider its action.

The question came on the motion for reconsideration. The question was taken and the Chair declared the motion lost. Coun. Parkman doubting the vote, the Clerk called the roll with the following result:

Yeas—Coun. Bush, Dowd, Fitzgerald, Parkman, Wilson—5.

Nays—Coun. Arnold, Deveney, Donovan, Green, Keene, McMahon, Murphy, Murray, Ruby—9.

The motion was lost.

#### LOAN FOR PLAYGROUND, DUNBAR AVENUE, DORCHESTER.

Coun. WILSON offered the following:

Ordered, That the sum of twenty-one thousand dollars be, and hereby is, appropriated, to be expended by the Park Commissioners for the purchase of land for playground purposes in the vicinity of Dunbar avenue, Ward 17, Dorchester, and for the construction of said playground, and that to meet the 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 of Boston to said amount.

Coun. WILSON—With reference to this particular order I would ask that it be noted that in June, 1928, I introduced a loan order for \$75,000, which was passed, as the one playground loan order of last year, unanimously by this particular body. The special committee on playgrounds, following the Mayor's veto of that order, without prejudice, has made its report favoring the purchase and construction of that playground, the first playground in Ward 17, Dorchester, the ward which I represent.

I have taken exactly the figures in the committee on playgrounds' report, namely, \$12,500, assessed land, one quarter of that amount over the assessment and under the statute one third of the total amount, which under the statute must be expended for construction, and in view of the fact that my last order for a larger amount was, as the one playground order last year, passed unanimously, to be vetoed by the Mayor without prejudice, waiting this report from the Playground Committee, and in view of the fact that I have taken the Playground Committee's own recommendation, and taken their figure to the penny, I would ask a suspension of the rules and the passage of the order.

The order failed of passage a two thirds vote being required, yeas 14, nays 0.

Coun. WILSON—I move a reconsideration, and ask that it be assigned for the next meeting.

The vote was reconsidered, and the order was assigned to the next meeting.

## SUFFOLK COUNTY COURTHOUSE.

Coun. WILSON offered the following:

Ordered, That the order for the acceptance of the legislative act, with reference to the Suffolk County Courthouse, be taken from the Executive Committee.

Coun. WILSON—Mr. President, the reason I offer this order today is, as I stated in the Executive Committee meeting, largely because of the fact that the Governor of the Commonwealth of Massachusetts, who was elected by the people of this Commonwealth and the Legislature, both Senate and House, of this Commonwealth, which were elected by the people, apparently thought that the courthouse proposition was of sufficient emergency to pass an emergency act which was signed on the 5th of June of this year.

Now, I appreciate much that was said in the Executive Committee session with reference to the fact that there is no congestion in the Suffolk County Courthouse. Of course, I cannot agree with that statement, and I am surprised that it should be made.

I am also aware of the fact that there may be some question whether Boston has sufficient home rule in this particular act, but the one thing that stands out furthest in my mind is that we should at least dispose of the act of the Legislature with reference to a Suffolk County courthouse, one way or the other.

We have needed a courthouse for a dozen, if not a score of years. I am inclined to believe that this act should be accepted, but whether the vote is in favor of the act or against the act, in view of the fact that the Governor of the Commonwealth and the Legislature considered it an emergency act, and in view of the fact that I, as a member of the bar and a member of the County Commissioners of Suffolk County Court consider it an emergency act, I want to see it passed or defeated. I should prefer to see it passed, but at least if it is defeated we trust that a new act will be drafted and presented to the Legislature, and we will not go another twenty-two odd years before the necessary improvements are made in the Suffolk County Courthouse.

Coun. RUBY—Mr. President, I appreciate that it is late in the afternoon, and I am sorry that some of the councilors have left without knowing that this matter would come up.

I do not believe this act, as presented to us by the Legislature, should be adopted. And I want to call to the attention of the President and of the Council, as I did in executive session, to the fact that \$4,000,000 of the \$5,000,000 appropriation are going to be borne by the City of Boston and by the taxpayers of this city. This is an unjust bill, so far as the taxpayers of Boston are concerned; and we who are interested in trying to keep the tax rate down must still bear in mind the statement made by the City Auditor this afternoon, in executive session, calling attention to the fact that \$1,210,000 are still due on the courthouse since 1885, which will not become ultimately due until 1939, after the payment of our share of the cost of construction of the new courthouse in Boston. The members must bear in mind the fact that we are asked to appropriate 80 per cent of the cost of that courthouse, when eight or nine branches of the state government are going to be housed in that courthouse. I refer particularly to the Supreme Court, the Land Court, and the Law Library, in which, as I said to the councilor from Ward 17 in executive session, not one of us who may be members of the bar has a right to place his foot, unless he is a member of that library, and unless he pays so much a year as a member of that library. And yet the City of Boston today is compelled to pay \$1,000 annually towards the maintenance of that library. It is a private institution, using a part of county property, which the City of Boston is compelled to pay for. The Commissioner of Probation, a state institution, is housed there; the Board of Pardon Commissioners it is intended under the act shall be housed there, and still we are asked to pay 80 per cent. It is unjust. They have no right to ask us to pay more than we paid in 1906, when there was an addition to the courthouse put up, when 66 2/3 per cent was paid for by the city in serial bonds, extending over a period of twenty years. We are asked to pay \$4,000,000 of this appropriation over a period of twenty years.

Our auditor, whose ability no one can question, tells us that if matters of this kind are allowed

to continue, if the Legislature continues to foist upon us the expenditure in this year or any year of money that will not be spent until a future time, that the tax rate of Boston must ultimately take a jump. For a purpose in which the city and its citizens get absolutely no consideration, we are asked today to spend \$4,000,000. That improvement may not be completed in five years, and still the tax rate from year to year will be increased necessarily because of this expenditure.

With all due respect to his Excellency, the Governor, who might have felt that the conditions at the courthouse needed remedying—and I might, for the sake of argument, even be willing to agree that certain parts of the courthouse are congested—but the City Hall in Boston is congested. There is not a man in this Council who will not admit that we have the worst City Hall in the country for a city of our size, and there has been no immediate cry for a new City Hall, which we need more, in my opinion, than an addition to the courthouse, which will cost \$5,000,000.

We are being taken advantage of, and simply because it is an emergency measure, Mr. President, is no reason why we should be asked to pay 80 per cent of the burden of this. And it is not 80 per cent. We pay 80 per cent outright, and then we pay our proportionate share of the other \$1,000,000 that will be assessed against the citizens of Boston out of the regular rate that we pay for the maintenance of Suffolk County. And I think we are justified, every member of this Council is justified, whether he be an attorney or not, in voting against the passage of this act, as it is before us, and I sincerely hope that those of us who cry out any time we can when there is a question of safeguarding the interests of the City of Boston, so that the tax rate may come down again, will stop and consider when the tax rate of Boston is proposed to be increased—not this year probably, but next year and several years thereafter, if we are compelled to pay over \$660,000 more than is just as our share for the addition to the Suffolk County Courthouse.

Coun. FITZGERALD—I move that this matter be postponed until the next meeting.

The question was taken, and the Chair being in doubt, the Clerk called the roll, with the following result:

Yeas—Coun. Arnold, Deveney, Donovan, Fitzgerald, Green, Murray, Parkman—7.

Nays—Coun. Bush, Dowd, Keene, Lynch, McMahon, Ruby, Wilson—7.

The motion was lost.

Coun. WILSON—Mr. President, on the question, which I do not understand, I must make some reply to the gentleman from Ward 14, very briefly. I find myself in the position of finding members of the City Council hesitating to vote for this particular matter because it will add to the tax rate of the City of Boston, and because Mr. Carven made certain statements in the executive committee meeting. Of course, I take all that Mr. Carven says as the words of an expert, and I am inclined to believe that even Mr. Carven would agree with me that it is much less dangerous and much better financing to vote \$4,000,000 for a Suffolk County Courthouse on a twenty-year loan order than it is to vote \$1,750,000, or, as the Planning Board estimates, well towards \$2,500,000 on a Centre street-St. Ann street widening, which is only a ten-year loan order, and no doubt Mr. Carven, the expert, with whom I agree, would also agree on that particular point.

I agree with much Councilor Ruby says with reference to this particular loan order. It might be improved upon. I agree with much of the criticism that has been directed against this act by members of the city government and by officials of Suffolk County. I agree with much of that, but I would raise two points at this time. In the first place, the men who should have made the fight for a better deal for Boston were the senators and representatives who represent Suffolk County and who represent the City of Boston up there on the hill, and it ought to be remembered that they are elected primarily from the City of Boston. And this I say to those that criticize this particular act of the Legislature, which has much in it that is subject to criticism—and I perhaps may be allowed to use a little slang of the street—that the time to squawk on any act of the Legislature, the time to put up a hullabaloo is when commissions are sitting in long summer months, when the Legislature is sitting day after day, when the measure is being framed, when it is passed by the House of Representatives and the Senate,

and signed by the Governor. That is the time to make the squawk, and not when it comes down here, as was done in the case of the East Boston Tunnel bill.

But whether you agree with me on these two points or not, I do say this: Do one thing or the other. Do not do as you did in the case of the East Boston Tunnel bill, which was defeated last year, perhaps for the best, leave it lying here on the table until the thirty-first day of December, when you are on your way to some New Year's party. Get rid of it this afternoon. It is an emergency matter. The Governor and the whole Legislature are either right or wrong. Perhaps they are right. They may be all wrong. But with all due modesty, I am inclined to believe that the members of the City Council or a majority of them, are not the only ones who are always right, and that being so, I say, bring this out today and pass it, or if you want to dispose of it, kill it, which will afford an opportunity to draw a new bill and start the long sad trail again. But do something. Because I fail to agree with those who say that the Governor is wrong, and the House of Representatives is wrong, and the Senate is wrong, and every juryman who ever sat up in those cooped-up rooms in the Suffolk County Courthouse is wrong, all the judges are wrong, the Register of Probate is wrong, and every officer in the courthouse is wrong, and the majority of us are right. And so I ask that this be pulled out today, and either passed or killed, and I say again, in the language of the street, "either fish or cut bait."

Coun. FITZGERALD—Mr. President, my purpose in asking that the matter be postponed was not to jeopardize the bill. I agree with the councilor who says that the time to make a fight was on the floor of the Legislature.

In 1922 we made a fight that was successful in getting the Legislature to take away from the Supreme Court the power of appointment of sheriffs and subordinate officers, and the control and custody of the courthouse but after the fight had been made and we won our battle, we found this year that the members from Boston bowed humbly down and allowed this bill to pass, taking away from the sheriff for the first time in the history the custody of the building.

But I find upon investigation that there was a bill introduced this past year in the Legislature creating five new court officers, and I assume that the Democratic members as well as the Republicans from Boston were busily engaged getting the act through, hoping they might name one of those five court officers, and they sacrificed all our home rule rights, and needless to say, with the large membership there, some of us must have been disappointed.

President DONOVAN—The question comes on the motion of Coun. Wilson to recall from the executive chamber the order with reference to the Suffolk County Courthouse.

The Clerk proceeded to call the roll.

Coun. RUBY—A question of information, Mr. President. Are we voting to recall it or voting on the act?

President DONOVAN—Voting to recall it.

Coun. RUBY—I will vote "Yes" to recall it.

Coun. GREEN—I desire to change my vote from "No" to "Yes."

The Clerk called the roll with the following result:

Yeas—Coun. Arnold, Bush, Deveney, Fitzgerald, Green Keene, Lynch, McMahon, Murray, Parkman, Ruby, Wilson—12.

Nays—Coun. Donovan, Dowd—2

President DONOVAN—The order is recalled, and the question comes on its passage.

Coun. RUBY—I move, Mr. President, that the act be rejected.

President DONOVAN—The motion is out of order. The question now comes upon the passage of the order.

Coun. DOWD—I think it is rather unfair, sitting this late in the afternoon, that any member or members of the Council should desire us to pass or reject a loan order for \$5,000,000. I believe that every member of the Council should be in his seat at such a time, when we are voting \$5,000,000 for anything. So I accordingly move you, sir, that the matter be laid on the table for two weeks.

The question was taken, and the Chair declared the motion carried.

Coun. WILSON doubting the vote, the Clerk called the roll, with the following result:

Yeas—Coun. Deveney, Donovan, Dowd—3.

Nays—Coun. Arnold, Bush, Fitzgerald, Green, Keene, Lynch, McMahon, Parkman, Ruby, Wilson—10.

The motion to table was lost.

The question then came upon the passage of the order. The Clerk called the roll, with the following result:

Yeas—Coun. Fitzgerald, Keene, Lynch, McMahon, Parkman, Wilson—6.

Nays—Coun. Arnold, Bush, Deveney, Donovan, Dowd, Green, Murray, Ruby—8.

The order was rejected.

Coun. PARKMAN—I move a reconsideration of that vote, and ask that it be assigned for two weeks from today.

The question came on reconsideration and the Chair declared the motion carried.

Coun. RUBY doubting the vote, the Clerk called the roll, with the following result:

Yeas—Coun. Bush, Donovan, Fitzgerald, Keene, Lynch, McMahon, Parkman, Wilson—8.

Nays—Coun. Arnold, Deveney, Dowd, Green, Murray, Ruby—6.

The motion to reconsider was carried and the order was assigned to the next meeting.

Coun. RUBY—I understand that a two-thirds vote is necessary on reconsideration. What is the decision of the Chair with reference to reconsideration?

President DONOVAN—That reconsideration prevails.

Coun. RUBY—That it only requires a majority vote for reconsideration?

President DONOVAN. The Chair so rules.

#### ADJOURNMENT.

Adjourned at 6.45 p. m., on motion of Coun. KEENE, to meet on Monday, August 26, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, August 26, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair.

Absent, Coun. Parkman and Mahoney.

## EXECUTIVE APPOINTMENTS.

Communications were received from the Mayor making the following appointments for the term ending April, 1930:

Constable: Augustus P. D'Arcy, 56 Brighton avenue, Allston.

Weigher of Coal and Measurer of Wood: Hazel F. Hill, for City Fuel Company, Mattapan.

Weigher of Goods: Stanley C. Munn.

Appointments severally laid over for one week, under the law.

## VETO—MORTON STREET LOAN.

The following was received:

City of Boston,

Office of the Mayor, August 20, 1929.

To the City Council.

Gentlemen,—I return herewith, without my approval and without prejudice, your order of August 5, 1929, providing for an appropriation of \$50,000 for completion of so-called Morton street extension, from Codman street to Washington street.

I am informed by the Commissioner of Public Works that at the present time there is sufficient money to construct that portion of Morton street between Washington and Druid streets. The portion between Druid and Codman streets has not yet been laid out by the Street Commissioners. The city is about to advertise the section between Washington and Druid streets.

The balance of the work in the opinion of the Commissioner of Public Works cannot be completed this year as there is insufficient time to install sewer and water services. For this reason it appears advisable not to include this section of the widening this year.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

## VETO—MEEHAN STREET PLAYGROUND.

The following was received:

City of Boston,

Office of the Mayor, August 20, 1929.

To the City Council.

Gentlemen,—I return herewith, without my approval, your order of August 5, 1929, relative to use for purposes of a mothers' rest and playground for small children the land taken for Stony brook sewerage works on the easterly side of Meehan street, between Rossmore road and Williams street, for the reason set forth in the attached communication signed by the chairman of the Park Department.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, August 12, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of August 10, with inclosure, order from City Council, that the Board of Park Commissioners be hereby authorized to use for the purpose of a mothers' rest and playground, parcel of land taken from Stony brook on the easterly side of Meehan street, between Rossmore road and Williams street.

As Franklin Park is within a short distance from this area, the Board of Park Commissioners deem it inadvisable to use this land.

Very respectfully yours,  
WILLIAM P. LONG,  
Chairman.

Placed on file.

## VETO—LOAN FOR AUTOMATIC SIGNAL LIGHTS.

The following was received:

City of Boston,

Office of the Mayor, August 20, 1929.

To the City Council.

Gentlemen,—I return herewith, without my approval and without prejudice, your order under date of August 5, 1929, providing for an appropriation of \$100,000 for automatic traffic signal lights.

If the borrowing power of the city permits, I shall resubmit this order at a later date, but as there are pending many projects calling for loan appropriations in a considerable sum I think it wise to defer action upon this particular matter at the present time.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

## GRANOLITHIC SIDEWALK, COLUMBIA ROAD.

The following was received:

City of Boston,

Office of the Mayor, August 26, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of August 12, 1929, relative to construction of granolithic sidewalk on Columbia road, east side, from Edward Everett square to Dudley street, Ward 7.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, August 15, 1929.

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 Commission be requested, through his Honor the Mayor, to provide for the construction of a granolithic sidewalk on Columbia road, east side, from Edward Everett square to Dudley street, Ward 7.

The present sidewalk is partly granolithic and partly brick. In a few places there are defects which will be remedied at once and if it is possible to comply with this request after the present plans for granolithic walks from Columbia Road Station to the Fens is completed, I will gladly do so.

Very respectfully yours,  
WILLIAM P. LONG,  
Chairman.

Placed on file.

## PLAYGROUND, GROVE HALL SECTION.

The following was received:

City of Boston,

Office of the Mayor, August 26, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department, in reply to your order of August 12, 1929, relative to establishing a playground in the Grove Hall section of Ward 14.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Park Department, August 15, 1929.

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 Board of Park Commissioners be requested, through his Honor the Mayor, to include in any loan order providing for the establishing of playgrounds a sum sufficient to provide for a playground in the Grove Hall section of Ward 14.

The Board of Park Commissioners will be pleased to study this request and if it considers that a playground is needed in this section, will look over the available sites and prices for same and consult with his Honor the Mayor.

Very respectfully yours,  
WILLIAM P. LONG,  
Chairman.

Placed on file.

#### POLLUTION OF NEPONSET RIVER.

The following was received:

City of Boston,  
Office of the Mayor, August 26, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Health Department, in reply to your order of August 5, 1929, relative to abating of menace to public health caused by filth in Neponset river.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Health Department, August 19, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Receipt is hereby acknowledged of your memorandum of August 9, calling attention to the order of the City Council of August 5, 1929, which reads as follows:

"Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to take immediate steps to abate the menace to public health caused by filth in the Neponset river."

Attached hereto is a special report of the Department of Public Health, State House, on House Bill No. 212, to the State Legislature, dated December, 1926.

Also attached is a copy of a communication received from Dr. George H. Bigelow, Commissioner of Public Health, under date of August 16, 1929, in which Doctor Bigelow calls attention to the report above referred to, and states in substance that the pollution of the Neponset river has been recognized as a matter which is not within the jurisdiction of the Boston Health Department to remedy and that, in accordance with the authority of the Legislature, an extension of the Metropolitan Sewerage System is in process of construction with a view to remedying the situation. The Boston Health Department is conducting an investigation along the Boston water front of the Neponset river in order to discover any possible nuisances which may come within the jurisdiction of this department to take cognizance of and to abate. It is to be recognized, however, that anything of this character is practically an inappreciable factor in the pollution of the Neponset river.

Yours respectfully,  
M. VICTOR SAFFORD, M. D.,  
Deputy Health Commissioner.

Placed on file.

#### TEMPORARY LOAN OF \$3,000,000.

The following was received:

City of Boston,  
Office of the Mayor, August 26, 1929.  
To the City Council.

Gentlemen,—At the request of the City Auditor, I am submitting herewith an additional temporary loan order not to exceed \$3,000,000 in the total in anticipation of the taxes of the current municipal year. Of the amount originally authorized by your honorable body, namely \$22,000,000, \$18,000,000 have been issued, and \$2,000,000 additional will be issued this week, leaving an available balance of \$2,000,000 for borrowing until taxes begin to be paid. This available balance is so small that as a precautionary measure the City Auditor suggests this additional authorization, and I respectfully recommend the adoption of the accompanying order and request that it be given its first reading today.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That to provide temporarily money to meet the appropriations for the financial year 1929, 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 three million dollars in the total, in anticipation of the taxes 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 taxes of the year 1929, and bear interest from their date until the same are made payable at such rate as the City Auditor, the City Treasurer and the Mayor may determine.

Referred to Executive Committee.

#### SALE OF OLD RESERVOIR LOT, HYDE PARK.

The following was received:

City of Boston,  
Office of the Mayor, August 26, 1929.  
To the Honorable City Council.

Gentlemen,—Inclosed please find an order for the sale of the old reservoir lot situated on a proposed extension of Milton avenue, Hyde Park, and being also partly in the town of Milton. This parcel of land has not been used for some time by the city and I am informed is not required by the Commissioner of Public Works for any present use.

Mr. Warren Freeman has made an examination of the property and recommends that the lot be sold at public auction at an upset price of seven thousand dollars.

I respectfully recommend the passage of the said order.

Yours truly,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That his Honor the Mayor be, and hereby is, authorized in the name and behalf of the City of Boston to sell at public auction at an upset price of seven thousand dollars all its rights, title and interest in and to a parcel of land with the buildings thereon situated partly in Hyde Park and partly in Milton in the Commonwealth of Massachusetts, on the northeasterly side of a proposed extension of Milton avenue, containing about 194,660 square feet of land; included in said sale and for the same consideration in so far as the city is legally able so to do, to sell the right and easement to pass and repass over the said proposed extension of Milton avenue, to and from the said above described premises in all ways and for all purposes for which passageways are ordinarily used in the City of Boston, the said right and easement to terminate when and if the said proposed extension of Milton avenue is laid out, constructed and accepted by the said City of Boston as a public street by the said City of Boston; and to execute and deliver in the name and behalf of the City of Boston a deed of the said premises and rights to the purchaser in form satisfactory to the Law Department of the said City of Boston.

Referred to Committee on Public Lands.

#### LEASE OF LAND ON WASHINGTON STREET.

The following was received:

City of Boston,  
Office of the Mayor, August 22, 1929.  
To the Honorable 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 Donald Gray a lease satisfactory in form to the Law Department, for a term of fifteen years, at an annual rental of one hundred fifty dollars, a certain parcel of land situated on the northerly side of Washington street, between land now or formerly owned by the heirs of John H. Dolan and land now or formerly owned by the Boston and Providence Railroad Corporation, in the West Roxbury district of said Boston, containing about two thousand five hundred fifty square feet of land, upon the consideration that no buildings shall be erected on said land and that the rights of the city to enter on and maintain its sewerage works in said land shall not be impaired, that said lease may be terminated by the said City of Boston at any time during the term

thereof by giving thirty days' notice in writing to the lessee or his legal representative of its intention so to do, and that any assignment of said lease shall be subject to the approval of the Commissioner of Public Works of the City of Boston.

The premises herein referred to is about thirty feet wide and was taken in fee by the City of Boston September 1, 1915, for the construction of Stony brook conduit and the conduit was constructed. The Commissioner of Public Works of the City of Boston in a letter dated August 13, 1929, states that the city has no real use for the land except for emergency purposes in case of a break in structure and recommends that the request of Mr. Donald Gray to lease the land be granted. The said commissioner has also stated that in his opinion an annual rental of one hundred fifty dollars would be an adequate price to be charged.

Yours very truly,  
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 Donald Gray a lease satisfactory in form to the Law Department, for a term of fifteen years, at an annual rental of one hundred fifty dollars, a certain parcel of land situated on the northerly side of Washington street, between land now or formerly owned by the Boston and Providence Railroad Corporation, in the West Roxbury district of said Boston, containing about two thousand five hundred and fifty square feet of land, upon the consideration that no buildings shall be erected on said land, that the rights of the city to enter on and maintain its sewerage works in said land shall not be impaired, that said lease may be terminated by the said City of Boston at any time during the term thereof by giving thirty days' notice in writing to the lessee or his legal representative of its intention so to do, and that any assignment of said lease shall be subject to the approval of the Commissioner of Public Works of the City of Boston.

Referred to Committee on Public Lands.

#### LOAN FOR LIBRARY REPAIRS.

The following was received:

City of Boston,  
Office of the Mayor, August 26, 1929.  
To the City Council.

Gentlemen,—I am in receipt of a request from the president of the Trustees of the Public Library that a supplementary appropriation of \$100,000 be made available for the purpose of finishing the work now being carried on at the library in the cutting off and capping the rotten piles under the Central Library Building in Copley square. This request is based on a report made to the trustees by the engineers in charge of the work and a copy of this report is herewith appended. I submit a loan order in the desired amount and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Library Department, August 22, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have the honor to submit to you a report made on August 5 last by Messrs. J. R. Worcester Co., and covering the work done in the cutting off and capping of rotten piles under the building of the Public Library in Copley square.

Messrs. Worcester Co. have advised that a further loan and appropriation be made of \$100,000 in order that the work can be carried to a successful conclusion. In view of the fact that the contractor's plant is now on the ground and that the present body of workmen has become experienced in work on this particular job it seems highly desirable that a new appropriation should be made available without undue delay in order that no suspension of the work may be necessary. The emergency determined by the trustees and referred to in my letter to you of May 13 still

exists and the work should be carried on without delay to its conclusion.

Respectfully yours,  
THE TRUSTEES OF THE PUBLIC LIBRARY  
OF THE CITY OF BOSTON,  
by GORDON ABBOTT,  
President.

Ordered, That the sum of \$100,000 be, and the same hereby is, appropriated, to be expended under the direction of the Board of Trustees of the Boston Public Library for Central Library Building, Foundation Improvements, etc., 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 to said amount.

#### APPROPRIATION FOR COURTHOUSE COMMISSION.

The following was received:

City of Boston,  
Office of the Mayor, August 26, 1929.  
To the City Council.

Gentlemen,—Under the provisions of chapter 56 of the Resolves of 1928, the County of Suffolk is required to pay to the Commonwealth of Massachusetts \$4,987.40. As there are no funds available for this payment, I recommend the adoption of the accompanying order.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$4,987.40 be, and hereby is, appropriated for payment to the treasurer of the Commonwealth, being two thirds of the amount expended under the provisions of chapter 56, Resolves, 1928, for an investigation by a special commission relative to additional accommodations for the courts and other activities now located in the Suffolk County Courthouse, and that the amount so appropriated be raised by taxation upon the polls and estates in the City of Boston.

Referred to the Executive Committee.

#### LOAN FOR SANATORIUM BUILDING.

The following was received:

City of Boston,  
Office of the Mayor, August 26, 1929.  
To the City Council.

Gentlemen,—I am in receipt of the attached request from the chairman of the Hospital Trustees in which he requests that an appropriation of \$100,000 be made available for changes in the power plant at the sanatorium in Mattapan. These changes have been recommended to the trustees by Professor Miller of Technology and the engineers in charge of the construction now under way at this institution. I submit herewith a loan order for the desired amount and recommend its passage by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Hospital Department,  
Boston, August 23, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—The trustees of the Hospital Department desire to enlarge the power plant at Mattapan in order that they may manufacture electricity, as recommended by Mr. Cushman, engineer for James H. Ritchie and Associates, and also by Professor Miller of the Massachusetts Institute of Technology. I am inclosing herewith a copy of a letter from James H. Ritchie and Associates, which explains in detail the reasons for desiring to make an installation for the manufacture of electricity, rather than purchase the same from the Edison Company. I am also inclosing a copy of a letter from Professor Miller, in which he strongly recommends the manufacture of electricity, instead of purchasing the same. As will be noted in the letter of James H. Ritchie and Associates dated August 22, an additional sum of \$100,000 will be required. Therefore, on

behalf of the trustees, I respectfully request that \$100,000 additional be appropriated for this purpose.

Yours respectfully,  
JOSEPH P. MANNING,  
President, Board of Trustees.

Ordered, That the sum of \$100,000 be, and the same hereby is, appropriated to be expended under the direction of the trustees of the Boston City Hospital, for Hospital Department, Sanatorium Division, New Buildings and Additions and Equipment and Furniture, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

**TRANSFER FOR TRAFFIC COMMISSION.**

The following was received:

City of Boston,  
Office of the Mayor, August 26, 1929.  
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the chairman of the Boston Traffic Commission in which he requests that an additional appropriation of \$17,080 be made available for the use of his commission for the balance of the year. I submit herewith an order providing for the transfer from the Reserve Fund of \$16,080 in accordance with this request and respectfully recommend adoption of this order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Boston Transit Commission,  
August 5, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—In order to carry out the program of work to be done by the Boston Traffic Commission for the balance of the year, I respectfully request the following \$17,080 additional appropriation be made available.

This total is segregated under eight budget items and is divided by groups as follows:

A-1, Permanent Employees.....	\$5,680 00
A-2, Temporary Employees.....	7,500 00
A-3, Unassigned.....	1,000 00
C-4, Motor Vehicles.....	1,300 00
C-7, Furniture and Fittings.....	350 00
C-9, Office.....	200 00
C-13, Tools and Instruments.....	1,000 00
D-2, Food and Ice.....	50 00
	<hr/>
	\$17,080 00

Very truly yours,  
WILLIAM A. FISHER,  
Commissioner.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Reserve Fund, \$16,080, to the appropriation for Boston Traffic Commission, A-1, Permanent Employees, Traffic Investigators, 10 (14) at \$1,500-\$1,600 per year, \$2,000; Chauffeur, 1 at \$1,600 per year, \$530; Inspector, 1 at \$2,000 per year, \$200; Mechanic, 1 at \$1,800 per year, \$450; Subforemen, 2 at \$1,800 per year \$900; Foremen, 2 at \$2,200 per year, \$1,100; Signal Maintenance Men, 1 (2) at \$2,000 per year, \$500; A-2, Temporary Employees, \$7,500; C-4, Motor Vehicles, \$1,300; C-7, Furniture and Fittings, \$350; C-9, Office, \$200; C-13, Tools and Instruments, \$1,000; D-2, Food and Ice, \$50.

Referred to the Executive Committee.

**DEPARTMENTAL TRANSFERS.**

The following was received:

City of Boston,  
Office of the Mayor, August 26, 1929.  
To the City Council.

Gentlemen,—I am in receipt of the attached requests for transfers within departmental appro-

priations and respectfully recommend their adoption 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 Health Department:

From the appropriation for A-1, Permanent Employees, Caretakers, Laborers, etc., 42 (41) at \$5 per day, \$679.52, to the appropriation for A-1, Permanent Employees, Caretakers, Chief, 1 (2) at \$2,000 per year \$679.52.

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, Temporary Home:

From the appropriation for C-7, Furniture and Fittings, \$25, to the appropriation for D-1, Office, \$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 Superior Court, Criminal Session:

From the appropriation for B-34, Jurors, \$2,500, to the appropriation for D-2, Food and Ice, \$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 Soldiers' Relief Department:

From the appropriation for F-8, State and Military Aid, Soldiers' Relief and Burials, \$37.11, to the appropriation for B-12, Bond and Insurance Premiums, \$37.11.

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 B-39, General Plant, \$200, to the appropriation for B-19, Removal of Ashes, Dirt and Garbage, \$100; B-21, Removal of Snow, \$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, Sewer Service:

From the appropriation for A-1, Permanent Employees, Inspector, Chief, 1 at \$2,200-\$2,300 per year, \$500, to the appropriation for A-2, Temporary, \$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 Works Department, Sanitary Service:

From the appropriation for B-14, Motor Vehicle Repairs and Care, \$1,000, to the appropriation for B-39, General Plant, \$1,000.

From the appropriation for B-15, Motorless Vehicle Repairs, \$800, to the appropriation for B-39, General Plant, \$800.

From the appropriation for B-20, Disposal of Ashes, Dirt and Garbage, \$2,500, to the appropriation for B-39, General Plant, \$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 Works Department, Paving Service:

From the appropriation for A-1, Permanent Employees, Rodman-Transitman, 1 at \$1,800 per year, \$181.14, to the appropriation for A-1, Permanent Employees, Rodmen, 5 at \$900 to \$1,600 per year, \$181.14.

From the appropriation for B-6, Hire of Teams and Auto Trucks, \$4,000, to the appropriation for B-39, General Plant, \$4,000.

From the appropriation for F-7, Pensions and Annuities, \$1,700, to the appropriation for F-11, Workingmen's Compensation, \$1,700.



Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Institutions Department:

From the appropriation for Long Island Hospital, A-1, Permanent Employees, Carpenters, 2 at \$1,100 to \$1,300 per year, \$150, to the appropriation for Long Island Hospital, B-16, Care of Animals, \$150.

From the appropriation for A-1, Permanent Employees, Carpenters, 2 at \$1,100 to \$1,300 per year, \$400; Dental Hygienist, 1 at \$1,300 per year, \$300; Internes, 6 at \$600 per year, \$400, to the appropriation for C-12, Medical, Surgical, Laboratory, \$1,100.

From the appropriation for A-1, Permanent Employees, Head Nurses, 34 at \$1,200 per year, \$500, to the appropriation for E-10, Electrical, \$500.

From the appropriation for A-1, Permanent Employees, Head Nurses, 34 at \$1,200 per year, \$1,000; Nurses, Supervisors, 5 at \$1,300 per year, \$1,300, to the appropriation for E-13, General Plant, \$2,300.

From the appropriation for Child Welfare Division, A-1, Permanent Employees, Visitors, 6 at \$1,400 to \$1,900 per year, \$180; Clerk and Stenographer, 1 at \$1,100 per year, \$70, to the appropriation for Child Welfare Division, D-5, Medical, Surgical, Laboratory, \$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 Public Works Department, Central Office:

From the appropriation for A-1, Permanent Employees, Clerks, 4 (3) at \$2,100-\$2,200 per year, \$96.03, to the appropriation for A-1, Permanent Employees, Clerks, 1 at \$2,200 (\$2,300) per year, \$32.01; Clerks, 2 at \$1,500 (\$1,600) per year, \$64.02.

Referred to Executive Committee.

#### PETITIONS REFERRED.

The following petitions were received and were referred to the committees named:

##### Claims.

Billings Field Garage, for compensation for damage to property at 2018 Centre street, caused by city car.

Mrs. Kate Bryant, to be reimbursed money taken from husband at police station.

Annie and Raymond Caliendo, for compensation for injuries caused by an alleged defect in Granite Avenue Bridge.

Melvin H. Coffin, for compensation for injuries caused by an alleged defect at 33 Bedford street.

Rev. Edward U. Conroy, for compensation for loss of overcoat at Deer Island.

T. A. Conroy, for compensation for damage to property at 19 Parker Hill avenue, caused by ash truck.

William J. Curran, to be reimbursed for work done at 4 and 5 Paulding street.

John J. Donovan, for compensation for loss of overcoat at Deer Island.

Guiseppe Giovino, for compensation for injuries caused by an alleged defect at 157 and 159 Cross street.

Lillian A. Gordon, for compensation for damage to property at 51 Cornhill, caused by open fire gate.

Samuel Gottlieb, for compensation for damage to automobile caused by an alleged defect at Lauriat street, Dorchester.

Walter J. Greenough, for compensation for injuries caused by an alleged defect in North Harvard street, Allston.

Mrs. James L. Lanagan, for compensation for injuries to baby caused by city men spraying trees.

Claire Larkin, for compensation for injuries caused by unguarded post hole.

Thomas A. Malloy, for compensation for damage to automobile by police automobile.

John Marino, for refund on building permit.

Elliot Mazur, for compensation for damage to property at 71 Albany street, caused by opening of water hydrant.

Bernard F. McGaffigan, for compensation for loss of overcoat at Deer Island.

New England Trust Company, for compensation for damage to sidewalk by sanitary truck.

Catherine C. O'Neill, for compensation for injuries caused by an alleged defect at 54 Berkeley street.

Mrs. William J. Porter, for compensation for injuries caused by an alleged defect at 73 Tremont street.

Violet M. Price, for compensation for loss of clothing at City Hospital.

Railway Express Company, for compensation for damage to truck by city truck.

Agnes Reidy, for compensation for injuries caused by an alleged defect at 184 West Eighth street.

Gervase E. Ridlon, for compensation for damage to automobile caused by an alleged defect in Morton street, Dorchester.

Madelyn E. Sargent, for compensation for injuries caused by an alleged defect at 146 Canal street.

Israel Saxe, for compensation for injuries caused by an alleged defect at 54 Chambers street.

Mrs. Theresa Stanulene, for compensation for injuries caused by an alleged defect in Boston Common.

John Stucynski, for compensation for damage to automobile caused by an alleged defect at 655 Dorchester avenue.

Marguerite E. Surette, for compensation for injuries caused by an alleged defect in City Hall Annex.

A. D. Taylor, for compensation for damage to automobile by city wagon.

Guiseppe Valardo, for compensation for damage to property at 15 Murray court, caused by defective sewerage pipes.

Wickham & Roe Company, for compensation for damage to wagon by city truck.

Executive Committee.

Petition of Mary Hurley to be retired under the provisions of chapter 765 of the Acts of 1914.

#### HEARINGS ON GASOLINE PETITIONS.

Notice was received from the Board of Street Commissioners of hearings on Wednesday, September 4, 1929, on petitions for storage and sale of gasoline, as follows:

Charles J. McAdams, 247 Concord street, Ward 1, 5,000 gallons.

Agnes T. Roche, 792 Adams street, Ward 16, 1,000 gallons.

Notice was received from the Board of Street Commissioners of hearings on Monday, September 9, 1929, on petitions for storage and sale of gasoline as follows:

Capitol Tire and Rubber Company, 1395 Columbus avenue, Ward 11, 6,000 gallons.

Jeremiah S. Connors, 573-583 Commonwealth avenue, Ward 5, 3,000 gallons.

Severally referred to the Executive Committee.

#### CONSTABLES' BONDS APPROVED.

The constables' bonds of John J. Miller and Joseph Weiner, having been duly approved by the City Treasurer, were received and approved.

#### TRACK LOCATIONS.

An order was received granting a track location to the United Drug Company on Forsyth street.

Orders were received granting locations to the Boston Elevated Railway Company on Blue Hill avenue, near Babson street, and on Blue Hill avenue, near River street, being the 70th and 71st locations.

An order was received granting a track location to the Eastern Massachusetts Street Railway Company on Blue Hill avenue at River street, being the 18th location.

Orders were received granting extensions of time to the Boston Elevated Railway Company in which to lay tracks under the 37th, 48th, 64th and 66th locations.

Severally placed on file.

## INCREASE IN GAS RATES.

A communication was received from Francis X. Coyne, relative to proposed increase in gas rates. Placed on file.

## COURTHOUSE ACCOMMODATIONS.

A communication was received from the Register of Probate relative to courthouse accommodations in Suffolk County. Referred to Executive Committee.

## REGISTRY OF DEEDS PAY ROLL.

The pay roll at the Registry of Deeds for the period from July 22 to August 17, 1929, piece work, and from August 16 to August 31, 1929, regular employees, amounting to \$8,732.51, was received and approved.

## TRAIN SERVICE, DORCHESTER RAPID TRANSIT.

Coun. SULLIVAN offered the following:

Ordered, That the Board of Public Trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, to restore the four-car train service on the Dorchester Rapid Transit line on Saturdays, which has recently been reduced to three cars.

Coun. SULLIVAN—For some esoteric reason, no doubt arrived at after profound study by efficiency experts and the blueprinting of many curves, and the consideration of peaks of travel and the alleged effects of automobile travel on week ends, the Boston Elevated has taken one car off the rapid transit trains on Saturday mornings, running three-car trains as against four cars on other days.

Business in Boston is carried on on Saturday forenoons as it is other days in the week, and there is no appreciable diminution in the number of people traveling intown to go to work and to patronize the stores.

No one seems able to fathom the reason for running one less car on Saturday mornings. The train is filled when it leaves Ashmont Station and there is no room for passengers picked up at intermediate stations without dangerous and indecent crowding.

The rapid transit trains running with four cars are crowded to the doors, and when only three are run to accommodate the same number of passengers, the resultant conditions are intolerable, and should be immediately corrected, to give those people that, unfortunately, have to work on Saturday, a chance to breathe God's fresh air.

Passed under suspension of the rule.

## LOAN FOR FRANCIS PARKMAN PLAYGROUND.

Coun. MURRAY offered the following:

Ordered, That the sum of \$16,000 be, and the same is, hereby appropriated, to be expended under the direction of the Park Commission, for a building on the Francis Parkman Playground, in Ward 19, 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 the said amount.

Referred to Committee on Finance.

## APPROPRIATION FOR TUBERCULOSIS EXPENSES.

Coun. RUBY offered the following:

Ordered, That his Honor the Mayor be requested to arrange to have made available, by transfer of funds or otherwise, the sum of \$23,000 originally provided in the budget for this year for the transfer and maintenance at state tubercular institutions, of citizens of Boston afflicted with tubercular.

Coun. RUBY—Mr. President, I was astounded the other day to learn from people who have come to me personally and to other councilors

seeking immediate relief, not for themselves but for persons afflicted with tuberculosis, that the available funds in the City of Boston for their transfer to state institutions, which are in part supported by city funds, had been exhausted. Only as late as last Friday I had a man come to me, the father of three children, who was compelled to take his wife, twenty-nine years of age, and children to one room in a rooming house in Arlington Heights, at a cost of \$10 a week, in order to take care of the mother of those children, because, as he was informed by the health authorities, there was no available money to send that poor, unfortunate woman to one of our institutions where there might be the possibility of a cure for her.

When the Committee on Appropriations met the early part of this year, we were given distinctly to understand that no money had been taken from the Health Department budget that it might be necessary to use during the coming year, and I was astounded to find out that—and I believe my information is correct, as I received it from Doctor O'Donnell, who has charge, as I understand it, of these particular patients—that when the budget was up for consideration before his Honor the Mayor and the Budget Commissioner, an amount in excess of \$20,000 was sliced from this particular item in the budget.

I believe that this particular item should never have been sliced, because, as you yourself, Mr. President, have had occasion to find out from an investigation of this particular matter, there are hundreds of unfortunate men and women walking the streets of Boston today who are a menace to the citizens of Boston, and should be housed in institutions, not only for their own sakes but for the benefit of the community.

I believe that when the Mayor is informed, if he has not already been informed, of this unfortunate situation, he will make it his business to immediately provide by transfer for the restoration of an amount equal to the amount originally cut from the budget, so that Doctor O'Donnell's department may continue to function and those poor unfortunates, who must of necessity leave their families because of being afflicted with tuberculosis, may be housed in proper institutions, to help cure them and to remedy the health conditions of the city.

It is unfortunate that a city such as ours should be compelled to say to those who seek medical service from us that we have not any available funds. There must be available funds found for such an emergency as this, and even if it meant not widening a street, and even if it meant building certain minor additions to city property, that money saved in those processes should be utilized immediately and placed at the disposal of the Health Commissioner for use in this emergency.

I hope that his Honor the Mayor will immediately see fit to call into conference those men of our state hospitals who are charged with the duty of taking care of these poor unfortunates, and that this fund may be immediately provided in the budget by such transfer as may be made.

Passed under suspension of the rule.

## REPAVING ADAMS 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 Adams street, from Eaton square to the railroad crossing at Fields Corner, Ward 15.

Coun. McMAHON—Mr. President, in regard to this order I have just introduced, I thought it would be an opportune time, while the Edison people have got all of Adams street tied up now and made into a one-way street while it is under construction, to introduce the order so that his Honor the Mayor and the Public Works Commissioner will see to it at this time that this order is taken care of, because it is one of the most traveled streets we have in Dorchester, and a very important artery, a continuation of Quincy street right to the southern artery, and I hope at this time it will receive your immediate action.

Passed under suspension of the rule.

#### LOAN FOR CONSTRUCTION OF GRANOLITHIC SIDEWALKS.

On motion of Coun. MOTLEY, the Council took up, under unfinished business, No. 2 on the calendar, viz.:

2. Ordered, That the sum of \$50,000 be, and hereby is, appropriated, to be expended under the direction of 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 August 5, 1929, the foregoing order was read once and passed, yeas 16, nays 3.

The order was read a second time and again passed, Yeas 17, nays—Coun. Dowling and Ward—2.

#### RELEASE OF LAND TO OLD COLONY TRUST COMPANY.

On motion of Coun. MOTLEY, the Council took up, under unfinished business, No. 3 on the calendar, viz.:

3. Whereas, By deed dated December 20, 1864, recorded with Suffolk Deeds, Book 857, page 299, the East Boston Company conveyed to the City of Boston certain sewerage rights reserved in a deed from it to Edwin Rice, dated October 19, 1854, and recorded with Suffolk Deeds, Book 674, page 191; and

Whereas, The City of Boston took for sewerage purposes certain land in East Boston, situate off Eagle square, East Boston, by an order of the Board of Aldermen of said City of Boston, approved by the Mayor of said City of Boston, May 18, 1892; and

Whereas, The Old Colony Trust Company, a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, trustee under the will of Abbie E. Rice, is the owner of a certain parcel of land situate in said East Boston, running from Eagle square, so called, to Chelsea creek, so called; and

Whereas, The said land thus owned by the Old Colony Trust Company, trustee as aforesaid, is subject to sewer rights conveyed to the said City of Boston by the deed of the said East Boston Company mentioned above; and

Whereas, The said land of the Old Colony Trust Company is also subject to the taking by the City of Boston for sewerage purposes as above set forth; and

Whereas, The City of Boston no longer needs for sewerage purposes and for public purposes a portion of the land thus owned by the said Old Colony Trust Company, trustee as aforesaid:

Now, therefore, it is hereby ordered, That the Mayor of said City of Boston be, and he hereby is, authorized, in the name and behalf of said City of Boston, in consideration of one dollar, to release to the said Old Colony Trust Company and its assigns, trustees as aforesaid, in form satisfactory to the Law Department of the City of Boston, all its right, title and interest to use for drainage and sewerage purposes the land conveyed by the East Boston Company to Edwin Rice as aforesaid, reserving and excepting, however, from said release the right of the said City of Boston to use for drainage and sewerage purposes all of that portion of the land conveyed by the said East Boston Company to said Edwin Rice, which is now being actually used by the said City of Boston for drainage and sewerage purposes, and also the right to use for drainage and sewerage purposes in addition to the land now being actually used for such purposes by the said City of Boston a strip of land contiguous to that portion of land now actually being used for drainage and sewerage purposes, which extends from Eagle square ninety-three and 70-100 feet to the land taken as aforesaid, so that the land thus reserved and excepted for said drainage and sewerage purposes for the said ninety-three and 70-100 feet shall be twelve feet wide, namely, six feet on each side of the center line of the existing drain or sewer, and also reserving and excepting from said release the right for drainage and sewerage purposes in all land within the limits of the above-mentioned taking, together with a strip of land twelve feet wide, extending from said land taken as aforesaid along the westerly boundary of the said land conveyed by the said East Boston Company to Edwin Rice as aforesaid

to tidewater. This conveyance is to be made on condition that the said Old Colony Trust Company, trustee as aforesaid, conveys to the said City of Boston by an instrument in writing, satisfactory to the Law Department of said City of Boston, the right to build, use and maintain sewerage works in a strip of land about twelve feet wide, extending from the end of said land taken as aforesaid to tidewater.

On August 5, 1929, the foregoing order was read once and passed, yeas 20, nays 0.

The order was read a second time and again passed, yeas 20, nays 0.

#### LOAN FOR CONSTRUCTION OF VEHICULAR UNDERPASS AT WASHINGTON STREET.

On motion of Coun. MOTLEY, the Council took up, under unfinished business, No. 4 on the calendar, viz.:

4. Ordered, That the sum of \$350,000 be, and the same hereby is, appropriated, to be expended under the direction of the Board of Street Commissioners, for the construction of a vehicular underpass, and other construction work upon or under Arborway at Washington street and streets adjacent thereto, and that to meet such 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 of Boston for the said amount.

On August 5, 1929, the foregoing order was read once and passed, yeas 18, nays 0.

The order was read a second time and again passed, yeas 20, nays 0.

#### LOAN FOR LOCKER BUILDINGS, AMERENA PARK AND PARIS STREET PLAYGROUND, EAST BOSTON.

President DONOVAN called up under unfinished business, No. 5 on the calendar, viz.:

5. 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 playground and locker buildings on Amerena Park and Paris Street Playground, East 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 of Boston to said amount.

On August 5, 1929, the foregoing order was read once and passed, yeas 17, nays 0.

The order was read a second time and again passed, yeas 18, nays—Coun. Dowling—1.

#### LOAN FOR POWER PLANT, HOUSE OF CORRECTION.

President DONOVAN called up, under unfinished business, 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 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 July 22, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

The order was read a second time and again passed, yeas 20, nays 0.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President DONOVAN called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor August 12, 1929, of Bernard Schwartz and Harry Caseley, to be Weighers of Coal; and D. W. Gerard, to be a Weigher of Goods.

The Chair appointed Coun. Green and Gallagher to receive, sort and count the ballots.

Whole number of ballots, 20; yeas, 20; nays, 0.  
The appointments were confirmed.

#### LOAN FOR PLAYGROUND, WARD 17.

On motion of Coun. WILSON, the Council took up, under unfinished business, No. 9 on the calendar, viz.:

9. Ordered, That the sum of \$21,000 be, and hereby is, appropriated to be expended by the Park Commissioners for the purchase of land for playground purposes in the vicinity of Dunbar avenue, Ward 17, Dorchester, and for the construction of said playground, and that to meet the 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 of Boston to said amount.

The order was read once and passed, yeas 20, nays 0.

#### ADDITIONAL POLICE, DIVISIONS 11 AND 19.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Police be requested, through his Honor the Mayor, to restore to authorized strength the personnel of Police Divisions 11 and 19, depleted by the recent transfers.

Coun. RUBY—Mr. President, in spite of the fact that in our new budget asked for 1929, the Police Department was provided with, I think, 150 additional men, to be used mostly intown for traffic purposes, I have information, which I understand is authentic, that Police Division 11, at Fields Corner and Police Division 19, on Morton street, have both lost eight men, notwithstanding the fact that both of these divisions are now under authorized strength, as a result of the recent transfers.

Coming at a time when transfers are being made, it seems inconceivable that the Police Commissioner, in his sound judgment, should deplete the outlying divisions so that men may be sent to intown divisions, and in that way leave divisions like 11 and 19 and possibly others far under authorized strength. I think it unfair, in view of the experience of recent years, when the police themselves have complained because they were obliged to patrol districts greater than was reasonable, that these outlying sections should still be handicapped because of a depletion, to permit the intown police stations to get above the required strength.

Three years ago we permitted 300 men to be added to the Police Department, and we were told at that time that 225 of those 300 were going to be used for intown traffic, and I believe when we approved the addition of 150 men last March we were told that 125 of them were going to intown traffic. I believe that those of us who live in outlying districts and want to see our respective districts safeguarded and properly policed, ought to voice our objections when at any time through transfers the depletion of the personnel of the police divisions in our sections occurs, and I hope that this order will pass so that the Police Commissioner may take cognizance of the fact that we absolutely protest against transferring men from divisions now undermanned into intown divisions, when those of us who live in the outlying districts will be prejudiced through those transfers.

Coun. WARD—This is the first time I ever knew that there was anything wrong in the Police Department. The councilor said that they have undermanned some of the station houses, but I do not think this is any place for an order of that type, since the Police Commissioner does not come under the city authorities, and I think that an order of that character should be drafted to advise the Governor, or a letter to the Governor might suffice.

We have heard in the past how ridiculous it seems to memorialize Congress and tell other bodies what they should do or should not do, so I am not going to vote on this order, because I do not think this is the proper place for it. If, as the councilor suggests, men are transferred from other divisions to Divisions 19 and 11, then other divisions might be undermanned. I think the proper procedure in this matter might be to advise the Governor that there is something wrong in the Police Department.

Coun. McMAHON—I cannot agree with the councilor from Roxbury on this particular police question. This spring when the order for 125 new men came in here, we had to pass on it before they got the money, so at that time I introduced an order in this Council to have them send 100 of those new men out to Dorchester. Instead of that, the Police Commissioner has seen fit in his last transfer to take eight men away from us out there. One district out in Dorchester has probably the longest beats of any to cover.

I think the order that the councilor from Ward 14 introduced, including my own station house, and his own, should pass. We need the men out there—not that we are so terribly bad out there, but the schools will start opening in two or three weeks, and we must have the policemen there to protect the children going back and forth to school. Instead of cutting down the men out there, we should be increasing the number. I am informed that with this transfer that went into effect last week we lost eight men, and, if that is the case, I do not see why we, as the councilors from that district, should not protest against it. I know when I first ran for office that was one of my cries, more police, which we got, and continued to get, and I don't think this would hurt the Police Commissioner, if it was brought to his attention, to show him that Dorchester is not going back, but is still growing, and that instead of taking eight men away from us he should be sending eight men out there. So I hope this order will pass.

Coun. SULLIVAN—I heartily indorse the order introduced by Coun. Ruby. I have at times requested policemen for different affairs out there, and the cry has always been that they are short. The captain's one cry has been that he has never had enough policemen, and, if the force of patrolmen they have at the present time is reduced, I do not think it is just to the district I represent, which is covered in part by the policemen from Station 9, and in part by the policemen from Station 11, and I hope this order will pass.

Coun. WARD—I would like to ask the councilor if he thinks that when Officer Garrett gets back they will have enough policemen? I understand he is on his vacation now.

Coun. SULLIVAN—I do not know Mr. Garrett. The councilor from Roxbury may be personally acquainted with him.

The order was passed under suspension of the rule.

#### LOAN FOR LOCKER BUILDING, DOHERTY PLAYGROUND.

Coun. FISH offered the following:

Ordered, That the sum of \$36,000 be, and the same is, hereby appropriated, to be expended under the direction of the Park Commission, for the construction of a locker building on the John H. Doherty Playground, as recommended by the Special Committee on Parks and Playgrounds, and that to meet such expense the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

#### GAS RATES.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to arrange for the appearance before the Department of Public Utilities at the rehearing on the proposed increased gas rates, on behalf of the consumers and the citizens of Boston, of a public utilities expert qualified particularly in the field of gas production and distribution.

Coun. DOWD—Mr. President, some two weeks ago the President appointed a committee to look into the proposed gas rates. That committee has met practically every day since then, and our work has been somewhat effective, because of the fact that the Governor called the chairman on the telephone the day he left for his vacation and informed me that if I would file a petition, with the names of twenty consumers, he would advise Mr. Attwell to reopen the hearings.

The Mayor of Boston has stated very frankly that he is absolutely opposed to an increase in gas rates, but I say to the people of Boston that if we

are not properly represented by an expert at the Public Utilities Commission, and if the present rate is allowed, then the blame should be put some place. The city should be represented, not by our Law Department, because the men of our Law Department are not able to combat the experts of the Boston Consolidated Gas Company, but I say we should spend \$50,000, if necessary, to combat this unjust increase. The Mayor of Boston says it is unfair, and it should not go into effect, but I say to him that the blame for the increase, if the City of Boston is not properly represented, should be laid where it belongs, at the door of the Mayor of Boston.

Coun. WILSON—Mr. President, with reference to this particular order, and particularly the recent inquiry concerning the recently allowed increase in the gas rates, I, in common with other members of the Council, cannot but agree that the movement which Councilor Dowd from Roxbury started two weeks ago has really brought the question to a focus, and whatever may be the public opinion, and however much many may desire now to crawl into the limelight, the fact remains that, in my belief, it was the motion and order of Councilor Dowd which obtained the favorable action on the part of the Governor just before he left for his vacation.

I believe now, as I believed two weeks ago, and as I believed months ago, when Councilor Murphy of Hyde Park introduced a similar order for the hiring of an expert, that the only way the City of Boston will get anywhere at the State House, unless the Public Utilities Commission decides to do its duty by the public whom it is supposed to represent, is to retain and send up there a public utilities expert who can prepare figures, not to convince the Public Utilities Department, because apparently they would have little effect on them, but at least to lay the figures out in cold print, under the glare of the noonday sun, so that the Public Utilities Commission would not dare to do otherwise than do away with the 50-cent charge and the other items that have been allowed. I do not assume that the figures that the experts produce at the State House will convince them, but I do believe that if proper figures were introduced they would not have the nerve to repeat and give an encore to the act they committed at the last hearing, because, for the life of me, I cannot understand how any commission supposedly representing the people of any community could allow an increase of rates to any public utilities company which is paying from 8 to 9 per cent annually. I could not conceive of such a thing. And when I read in the public press of the necessity for giving them some figures, in my opinion the only need of laying the figures on the table is to prevent them from doing in the future what they did in the past. As I have said, we guarantee a dividend to the Boston Elevated of a much less amount, and the rates that are paid by the savings banks are perfectly satisfactory, and to allow a public utilities company which is paying from 8 to 9 per cent in dividends an increase in rates is absolutely indefensible, and I believe that the order of Councilor Dowd should absolutely pass because under one of the provisions of the Boston City Charter we are powerless to initiate appropriations, our hands are tied, we cannot appropriate money to hire an expert; but I agree with Councilor Dowd and the other members of the committee that we should pass this order and absolutely demand that an expert be hired, and that an expert be hired by the Mayor, in whose power solely it rests to hire an expert and pay out the money.

With all due regard to the Corporation Counsel of the City of Boston and his various assistants that apparently represented us, unsuccessfully, at the original hearing, I do not see the particular object—though I hold no brief for or against the corporation counsel, and we all lose cases, even the corporation counsel—I cannot see the force of the argument that we should send the same man or same department or any other lawyer up there to give an encore to their former unsuccessful effort to hold down the rates. Accordingly, I warmly second the motion of Councilor Dowd, and feel that it should absolutely be passed upon, and that the Mayor should appropriate the money and send the order to us to hire this expert, and at once.

Coun. BUSH—Mr. President, in addition to what the chairman of the committee has stated, your committee made an examination as thoroughly as was possible, in the time and under the circum-

stances permitting, of the testimony before the Public Utilities Commission, which constituted over a thousand pages, and many facts were brought to light showing that the Public Utilities Commission had failed to give due consideration to various aspects of the question.

The committee that waited on the Mayor were very courteously received by him, but the Mayor showed every disinclination to engage an expert in public utilities for the City of Boston, and stated that he believed that the Assistant Corporation Counsel could adequately place the case before the Governor or before the Public Utilities Commission. As a matter of fact, while the Assistant Corporation Counsel assigned to serve the committee is in every respect a very able man, and could undoubtedly, if permitted the time and the effort necessary, present the case very ably before the Public Utilities Commission, nevertheless he himself admitted that there were so many other matters encroaching upon his time that it would be impossible for him to properly prepare such a case. He is at present engaged in two taxpayers' appeals, one on the water meters and one on the Tamworth street case, and he is kept very busy on those cases, and it would be practically impossible for him to properly prepare such a case as this.

Furthermore, although a very able member of the bar, he is not a public utilities expert. A public utilities expert should have some knowledge of the operation and maintenance of public utilities themselves, so as to be able to dig out the facts which would be necessary in order to prepare such a case. It developed in the course of the investigation by the committee that the Boston Consolidated Gas Company had charged off on their statements the cost of plants which they purchased but which they dismantled and put out of operation, and the pipe lines of which are lying in the ground unused. These sums are being charged off against plant equipment, and they obviously ought not to be charged off against plant equipment in an effort to obtain increased rates.

It further developed from the investigation of the committee—and this has not been given sufficient consideration by the Public Utilities Commission—that a penalty has been imposed upon the consumers of gas in the nature of one cent for each 100 feet of gas used, if the bill is not paid within fifteen days. Now, that is obviously nothing more than a penalty, because the gas company already has a club which it can hold over the head of the consumers if they do not pay their bills, inasmuch as it can shut off the gas at such a time as it finds the bill is not paid, and there is no need of placing a further penalty upon the consumer for nonpayment of his bill in any particular, stated time.

Coun. MURPHY—Mr. President, I arise at this time to amend the order.

Coun. MURPHY offered the following amendment:

#### Amendment.

And that said expert also represent the people of Hyde Park, who are consumers in the Dedham and Hyde Park Gas and Electric Company who were granted a rehearing before the Public Utilities Commission against the 50-cent service charge granted, to the end that they will be relieved of the 50-cents' service charge.

Mr. President, some time ago, as has been said on this floor, I introduced an order for the employment of a public utilities expert, for the sole purpose of having the people represented in the most intelligent manner at the hearings. That was not done.

In the recent weeks, Councilor Dowd has introduced an order, after the decision of the Public Utilities Commission was handed down, which granted a 50-cent service charge against the customers of the gas company, to take effect on October 1. His order was passed, and a committee of five was appointed from this Council for the purpose of making an investigation and having an interview with the Governor of the state. That was carried on day after day by the members of the committee. One of the days, or a part of one of the days, was consumed in a conference with his Honor the Mayor, and we strongly advised his Honor the Mayor that we did not need a lawyer; we needed a public utilities expert. However, he advised that in the meantime the Law Department of the City of Boston would take the matter up with the committee, in order

that they might frame their case to present to the Governor. The Governor, about to go on his vacation and knowing by the Press the wishes of the Council and the action of the committee, got in touch with the chairman of the committee and advised that twenty consumers of the Boston Consolidated Gas Company file a petition with the Public Utilities Commission for a rehearing. That action is open to the citizens of Boston who are consumers of the Boston Consolidated Gas Company, without the pressure of the Governor.

The people of Hyde Park, prior to this controversy, were faced with a similar situation. Without a single person from Hyde Park knowing what was going on in the Public Utilities Commission, a 50-cent service charge was granted and was put on the bills of the people of Hyde Park. We immediately petitioned, as we had a right to do, with twenty consumers, and had a rehearing. That rehearing was held, and it was largely attended by the people of Hyde Park, who unanimously protested against this steal by the monopolies from the pockets of the working people of Hyde Park, and we are waiting now for a decision, on the rehearing.

And that is the reason for my amendment, so that the people of Hyde Park, whom I am representing here, may have the same courtesy extended to them that we are extending to the gas consumers of Boston, to the end that we may stop this robbery that is going on right here in the City of Boston.

The amendment offered by Coun. Murphy was adopted.

The order, as amended, was passed, under suspension of the rule.

#### PLAYGROUND, WINTHROP, FAIRLAND AND MORELAND STREETS, WARD 8.

Coun. DOWD offered the following:

Ordered, That the sum of \$50,000 be, and the same is, hereby appropriated, to be expended under the direction of the Park Commission, for the purchase of land for playground purposes, situated at the junction of Winthrop, Fairland and Moreland streets, in Ward 8, 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 the said amount.

Referred to the Committee on Finance.

#### SHADE TREES, PARK VALE AVENUE.

Coun. DOWLING offered the following:

Ordered, That the Park Commission, through his Honor the Mayor, be requested to plant, at ordinary intervals, shade trees on Park Vale avenue, Ward 21.

Passed under suspension of the rule.

#### INCINERATION PLANT.

On motion of Coun. KEENE, the Council took up, under unfinished business, No. 7, on the calendar, viz.:

7. Ordered, That the sum of \$350,000 be, and the same hereby is, appropriated to be expended for the purchase of land if necessary and 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.

The question came upon the passage of the order, and the Clerk called the roll, with the following result:

Yeas—Coun. Arnold, Deveney, Donovan, Dowling, Fitzgerald, Gallagher, Green, Keene, McMahon, Deveney, Murphy, Murray and Wilson—13.

Nays—Coun. Bush, Dowd, Lynch, Ruby, Sullivan and Ward—6.

The order was rejected, fifteen votes in favor being required.

On motion of Coun. KEENE, the foregoing vote was reconsidered, and the order was assigned to the next meeting.

#### INSTALLATION OF LIGHT ON SYDNEY STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install a light on Sydney street, at the corner of Sudan street, Ward 13.

Passed under suspension of the rule.

#### TRAFFIC OFFICERS, SEAVER STREET AND BLUE HILL AVENUE.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Police be requested, through his Honor the Mayor, to assign traffic officers to duty at the junction of Seaver street and Blue Hill avenue.

Passed under suspension of the rule.

#### CONSTRUCTION OF MORTON STREET, FROM CODMAN STREET TO DRUID STREET.

Coun. WILSON offered the following orders:

Ordered, That his Honor the Mayor be, and he hereby is, respectfully requested to instruct the Board of Street Commissioners forthwith to lay out that portion of Morton street, between Druid street and Codman street, Dorchester.

Passed under a suspension of the rule.

Ordered, That the sum of \$40,000 be, and the same hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, for the laying out, widening and construction of Morton street, Dorchester, from Codman street to Druid street, and that to meet such expense the City Treasurer be authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Coun. WILSON—Mr. President, the second order, as you will note, is a long order, which I assume will require a roll call. In any event, I am going to ask for the suspension of the rule for this reason. This is a duplicate of a loan order which was introduced a month or so ago and passed by the Finance Committee, and brought back and passed by this body twice, and which has today been returned by the Mayor with his veto, without prejudice, under date of August 20, the Mayor stating that he returns herewith, without his approval and without prejudice, the order of August 5, providing for an appropriation of \$50,000 for the completion of the so-called Morton street extension, from Codman street to Washington street.

Of course, the loan order was a loan order directed to no such thing, it being a loan order for the taking and construction, not of that part of Morton street from Codman street to Washington street, but that part of Morton street from Codman street to Druid street, showing that the remarks which accompanied the original order either were not understood by the Mayor or failed to come to his attention.

He further stated in his veto message that the portion between Druid and Codman streets—and that is the portion to which I make reference—has not yet been laid out by the Board of Street Commissioners, and that the city is about to advertise the section between Washington and Druid streets; further, that the balance of the work, namely, that portion between Druid and Codman streets, probably cannot be completed this year, as there is insufficient time to install sewer and water services.

Now, with reference to those particular criticisms by the Mayor concerning this particular loan order, I tried to point out and tried to make clear that the reason I wished the particular loan order in question passed, which had to do with the district between Druid and Codman streets, and not between Codman and Washington streets, the entire stretch, was because the City of Boston had made a taking of Morton street in the direction of Blue Hill avenue, of some 70 or 80 feet, and it made a taking at Washington street, of some 70 or 80 feet, and it left this section between Druid and Washington streets, about 30 to 40 feet, making the entire Morton street proposition a joke, so far as completion of either end or both

ends is concerned; and more particularly for the reason that construction is already going on in this particular section and, as I understand it, building permits are being allowed by the Building Department still on the 30 to 40 feet street basis, and for that reason, even assuming that the city does not finish that section of Morton street, between Druid and Codman streets, at least I wish to insure an early enough taking to prevent the building of houses and the making of plans by the local builders which will cost the City of Boston a plenty if we do not finish the proposition now.

And with reference to the improbability of finishing the sewer work, when I read in the public prints with pardonable pride of the celerity and completeness with which one Gaddis, than whom I will admit there is no more competent contractor in the City of Boston, has in thirty-five days done over the whole stretch of Morton street, which has apparently worn out in less than the guaranteed five years, it did occur to me that if the city hired such a man as Gaddis, a man who has the facilities and some speed—and I have no interest in the Gaddis Company—if the city hired some contractor who will really do the work, and not put the contract in his desk drawer and go after another one, we might be able to put sewers in this Morton street in thirty-five days, and if the weather of today continues we will not have snow in that time.

So, in view of the fact that this particular loan order has already been approved by the Finance Committee and twice passed unaminously by the Council, and is now returned to us from the Mayor's office under a misapprehension, as shown by a reading of his letter, I shall ask for a suspension of the rule, rather than sending it back to the Finance Committee.

The rules were suspended, and the loan order was read once and passed, yeas 20, nays 0.

#### CORRECTION OF RECORD.

Coun. WILSON—Not that anyone ever reads the City Council minutes, or even the famous *City Record*, but in order that it may be at least correct, I wish to correct at this time, as a matter of record, one or two clerical errors that were apparently made in the August 12 minutes, perhaps due to the fact that I talked too fast, or did not say what I thought, I was saying. But, in any event, I would like to correct, as a matter of record, on page 282 of the City Council minutes, in the second column, line 46, which should read merely, "because" and not "and because," which makes no sense, and which was just the contrary of what I meant.

Also, on page 291, in the first column, line 38, there should, of course, be no reference to the county commissioners of the court, or such phraseology, but the word "court" should be left out.

And on page 291, in the second column, line 56, it should properly read: "On the opposition to this question, which I cannot understand."

President DONOVAN—The stenographer will note the several corrections as suggested by the councilor.

#### RECESS.

The Council voted at 3.30 p. m., on motion of Coun. BUSH, 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 DONOVAN at 4.10 p. m.

President DONOVAN then called Coun. RUBY to the chair.

#### EXECUTIVE COMMITTEE REPORTS.

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

1. On the message of the Mayor, and order (referred today) for various transfers in departmental appropriations—recommending that the orders ought to pass.

Report accepted and orders severally passed; yeas 16, nays 0.

2. On the message of the Mayor, and order (referred today) for a temporary loan of \$3,000,000—that the order ought to pass.

Report accepted; order read once and passed; yeas 15, nays 0.

3. On the message of the Mayor, and order (referred today) for the transfer of \$16,080 from the Reserve Fund to the Traffic Commission—that the order ought to pass. Report accepted; order passed; yeas 15, nays 0.

4. On the message of the Mayor, and order (referred August 5, 1929) for an appropriation of \$100,000 for street widenings and extensions under chapter 352 of the Acts of 1929, the Executive Committee submitted a report that the order ought to pass. Report accepted; order passed; yeas 16, nays 0.

5. On the message of the Mayor, and order (referred today) for an appropriation of \$4,987.40, for payment to the Treasurer of the Commonwealth—that the order ought to pass.

Report accepted; order passed; yeas 15, nays 0.

6. On the petition of Mary Hurley to be retired (referred today) the Executive Committee submitted a report recommending the passage of the following:

Ordered, That the Retirement Board for Laborers be hereby authorized and requested to retire, under the provisions of chapter 765 of the Acts of 1914, as amended by chapter 63 of the Special Acts of 1915, Mary Hurley, employed in the labor service of the City of Boston in the Park Department.

Report accepted; order passed.

7. On communication from the Registrar of Probate relative to accommodations at the courthouse, the Executive Committee submitted a report recommending that the same be placed on file.

Report accepted and communication placed on file.

#### FINANCE COMMITTEE REPORTS.

Coun. MOTLEY, for the Finance Committee, submitted reports as follows:

1. On the message of the Mayor, and order (referred July 1, 1929) for a loan of \$175,000 for Morton Street Bridge, the Committee on Finance submitted a report that the order ought not to pass.

Report accepted; order rejected.

Coun. MOTLEY offered the following:

Ordered, That the sum of \$175,000 be, and hereby is, appropriated to be expended under the direction of the Commissioner of Public Works, for Morton Street Bridge, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

2. On the message of the Mayor, and order (referred July 22, 1929) for a loan of \$135,000 for House of Correction, new buildings, the Committee on Finance submitted a report that the order ought not to pass.

Report accepted; order rejected.

Coun. MOTLEY offered the following:

Ordered, That the sum of \$135,000 be, and hereby is, appropriated to be expended under the direction of the Penal Institutions Commissioner for House of Correction, Deer Island, new buildings, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

3. On the message of the Mayor, and order (referred July 15, 1929) for a loan of \$300,000 for a new ferryboat, East Boston Ferry, the Committee on Finance submitted a report that the order ought not to pass.

Report accepted; order rejected.

Coun. MOTLEY offered the following:

Ordered, That the sum of \$300,000 be, and hereby is, appropriated to be expended under the direction of the Commissioner of Public Works for East Boston Ferry, two additional boats and other permanent improvements, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

## LEASE, OLD FRANKLIN SCHOOLHOUSE.

Coun. MOTLEY, for the Committee on Public Lands, submitted a report on the message of the Mayor, and order (referred December 3, 1928) for a lease of a portion of the old Franklin Schoolhouse—that the order ought to pass.

The report of the committee was accepted.

Coun. MOTLEY—Mr. President, this order that the Committee on Public Lands brought in here this afternoon is to lease a space at the Old Franklin School, near Dover street, which has been owned by the city for some years. The parties in question come in here to renew the lease and your committee on Public Lands has voted favorably upon it.

Coun. WARD—I do not want to reopen any old argument, but I think I am as intelligent as any member of this body, and I do not want to have to sit here in my chair and wait until an order is introduced by the chairman of some committee, and then have a slight explanation given. I have no criticism to make of anybody in this body, but I know that the majority of measures that are passed through this Council are acted upon down in the Mayor's office. I am not acquainted with Nichols, I never have been, and I am not taking any dictation from him, but it seems that there is an atmosphere prevailing around here that the Mayor says it is all right, and they have so many votes, and they vote right in line, and the order is passed through.

I am going to move that this order be put over for another week, in order to give me an opportunity to go down and ask men on the street, or ask somebody, what the order is about. I am utterly ignorant of what this order means, and I have been given no explanation, and I do not feel that I am called upon to vote on it this afternoon.

Chairman RUBY—The question comes on assignment to the next meeting.

Coun. MOTLEY—In answer to the gentleman who has just taken his seat, with regard to the different members up here taking orders from the Mayor's office, let me say this afternoon that your Committee on Finance did not take any orders from the Mayor's office when they reported back three of his pet orders, that they ought not to pass, and this order that has come in here is a regular form that comes in here every so often, every five years. There is a gentleman up there who has a store, and a legitimate business, and the Committee on Public Lands held a public hearing on it, and there was no opposition to it.

Coun. WARD—I do not care to prolong this, but incidentally, immediately after the committee's report, "ought not to pass," an order was put in for the same identical thing.

Coun. WILSON—Do I understand correctly from the chairman of the Public Lands Committee that this is merely a renewal of an old lease at the same rate?

Chairman RUBY—This is a renewal of an old lease, and this order has been pending, as I understand it, in the Committee on Public Lands, or in the City Council, since December, 1928.

The question came on assignment of the order for consideration at the next meeting of the Council. The motion to assign was rejected.

The order was read once and passed; yeas 15, nays—Coun. Ward—1.

RELEASE OF RESTRICTIONS, LAND,  
BOYLSTON STREET.

The Committee on Public Lands, submitted a report on the message of the Mayor, and order (referred July 22, 1929) releasing certain restrictions on a parcel of land on Boylston street, that the order ought to pass.

The report of the committee was accepted.

Coun. MOTLEY—This is an order that came before the Committee on Public Lands. It seems that sometime ago one Gordon Dexter formerly owned this property out there, and in this deed he put a restriction on it, giving the city some privileges and the duty of taking care of the roads that went into his property out there. Now, the city has no desire to take care of those roads, and they have taken the restrictions off.

Coun. SULLIVAN—Mr. Chairman, I would like to ask the chairman of the Finance Committee if the restrictions for that particular zoning district have been taken off.

Coun. MOTLEY—I am informed that they have been; and also the Park Department restrictions have been taken off.

Coun. WILSON—What part of Boylston street is this?

Coun. MOTLEY—Charlesgate East.

Coun. SULLIVAN—Mr. Chairman, I make a motion that it be assigned to the next meeting.

The motion to assign was defeated on a rising vote.

The question came on the passage of the order and the Clerk called the roll with the following result:

Yeas—Coun. Arnold, Donovan, Fitzgerald, Gallagher, Green, Keene, Lynch, Motley, Murphy, Murray, Ruby and Wilson—12.

Nays—Coun. Deveney, Dowling, Sullivan and Ward—4.

The order failed to pass, fifteen votes in favor being required.

On motion of Coun. KEENE the foregoing vote was reconsidered, and the order was assigned to the next meeting.

## SOLDIERS' RELIEF.

The Committee on Soldiers' Relief submitted a report recommending the passage of an order granting aid to soldiers and sailors and their families for the month of August, 1929.

Report accepted; order passed.

## SIDEWALK ORDERS.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along River street, from Washington street to Duxbury road, Wards 17 and 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. BUSH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Homestead street, from Harold street to Walnut avenue, 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.

Coun. GALLAGHER offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Raymond street, from Everett street to Franklin 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.

Ordered, That the Commissioner of Public Works make a sidewalk along Athol street, from Raymond street to Aldie 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.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Paul Gore street, from St. Peter street to 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.

Ordered, That the Commissioner of Public Works make a sidewalk along Florence street (left hand side), from Cummins Highway (east side) to Firth road, 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.



Coun. SULLIVAN offered the following:  
 Ordered, That the Commissioner of Public Works make a sidewalk along Julian street, from Blue Hill avenue to Howard avenue, 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.

Ordered, That the Commissioner of Public Works make a sidewalk along Dean street, from Judson street to Howard avenue, 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.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Morton street, from Harvard street 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.

Coun. DOWLING offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Washington street, from Monastery road to Brookline line, 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.

Severally passed, under a suspension of the rules.

#### EMPLOYMENT OF TEMPORARY PARK EMPLOYEES.

Coun. MOTLEY offered the following:

Ordered, That his Honor the Mayor be requested to provide by transfer from the Reserve Fund or other sources a sufficient sum of money to continue the employment of the temporary park employees.

Coun. MOTLEY—It seems that during the past week the Park Commission was forced to lay off a force of some eighty-five men. The reason given by the Park Commissioner is lack of funds, so I offer this order, hoping that the Mayor will recognize the fact that the Park Department needs help, and I think it is his duty to appropriate a sum sufficient to take care of those temporary employees.

Coun. SULLIVAN—I had a similar order here, but the councilor from Roxbury was submitting committee reports, and of course he took that advantage to put this order in. But I will say here that I have had a great many applications made to me at my home in regard to men being laid off on account of the lack of an appropriation for continuing the work, and these poor men figured that they would work until October 12, and they have arranged their family budgets and expenditures with the expectation that they would have this money coming in, and now their income has been cut off on the 21st of August. I hope this order will pass, and that the Mayor will give it consideration immediately, the same as we give other rush orders that come in here for our consideration.

The order was passed under suspension of the rule.

#### ADDITIONAL FINANCE COMMITTEE REPORTS.

The Committee on Finance submitted report that the following orders ought to pass:

1. Order referred June 3, 1929, for a loan of \$100,000 for additional land, Fallon Field.
2. Order referred April 15, 1929, for a loan of \$50,000 for bath house, Wood Island Park.
3. Order referred August 12, 1929, for a loan of \$12,000 for Readville Playground field house.
4. Order referred August 12, 1929, for a loan of \$25,000 for Almont Street Playground.
5. Order referred August 12, 1929, for a loan of \$60,000 for playground, fourth section, East Boston.

6. Order referred August 12, 1929, for a loan of \$30,000 for playground, Clarendon Hill section.

7. Order referred August 12, 1929, for a loan of \$30,000 for playground, Rugby.

8. Order referred August 12, 1929, for a loan of \$25,000 for Jefferson School Playground.

The reports were severally accepted.

Chairman RUBY—Unless there is objection, the question will be put on the passage of all orders on one vote. The Clerk will call the roll.

Coun. DOWLING—Mr. Chairman, I do not want to delay the proceedings, and I do not feel that any ideas of mine on these matters will guide any member of this Council except myself, but it seems an absurdity to me to pass, almost without any question and with no explanation offered by the committee submitting the orders, a number of individual orders for playground propositions which probably aggregate \$500,000. I haven't heard a single word about some of these matters, and it is not good business, and it is not fair to the Council, and it is not fair to the citizens, and it is nothing but politics, to pass, in a bushel basket, a lot of orders aggregating half a million dollars for playground purposes.

I can go out on the corners of my district and play politics, or I can come in here and play them, but, unless the chairman of the committee offers at least a reasonable excuse for the passage of orders of this kind, it seems to me that no member of the Council with good sense, or with any regard for his duty, or with any regard for the people who elected him, would vote "yes" on a collection of political orders of that kind.

And I simply make this statement, because I want to justify the vote which I shall make when the roll is called, and that is "no."

And that does not indicate my position on playgrounds. I am in favor of playgrounds, I am in favor of parks, I am in favor of bathing beaches, I am in favor of all those things, but I do not want them passed up to me like a parcel of feed to an elephant. I want to analyze such things.

Coun. WARD—I feel the same as Councilor Dowling feels on these several orders, and I would like to ask the chairman if he could postpone action for another week or two weeks, in order to give us some time to look at them.

Coun. MOTLEY—Mr. Chairman, I move that the several orders just read be assigned for consideration at the next meeting, and be printed on the calendar.

Coun. MURPHY—Mr. President, listening to the remarks of the councilor from Brighton, I want to say that there may be some truth in what he has said, if it is applied to the proper persons that he has in mind.

But I have orders in here for playgrounds, one to take care of that section of West Roxbury where there is not a single place for the children to play unless they play on the public highways and endanger their lives. There is an order in here calling for a playground in what is known as the Rugby section of Hyde Park and Mattapan, where today there is not a single bit of land provided for the recreation and safety of the children and, not only that, but for the better development of the morals of the older boys and girls that could be better entertained with a proper playground.

I have an order in here calling for \$25,000, which was the recommendation of this famous committee that we waited a whole year for, for the improvement of the Almont Street Playground, which today is nothing but a field, where the city has spent money, and now they are willing to recommend putting a building on it so that the children may have a place for their shoes or anything else they might want to leave there while they are playing games.

In the Readville section of Hyde Park, \$14,000 has been recommended, and I have put in orders so that there may be at this time an opportunity to make these improvements that I have pleaded for—not today, but have pleaded for all through my term of office, to the end that the playground facilities might be ample to take care of at least some of the needs of a large district, which is one sixth of the entire city of Boston.

By putting these orders over, I can see nothing but a delay that is unnecessary. If it were going to cost \$5,000,000, let alone \$500,000, for the recreation and comfort and morals of the children and youth of our city, I would vote without the flicker of an eye. Playing politics. You can call it politics if you want to. The American Government has got to have, in order to be progressive, two parties in politics, but I do not believe that

we should get to the stage in politics—at least I am not at that stage—where we should disregard the health of our children so that they may not be equipped with a strong body capable of protecting, if necessary, this great government and country of the United States.

I, therefore, hope, Mr. President, that the orders from my district and the orders from the other districts may be passed this afternoon, so that this Council will not have to hang its head in shame for depriving, even for a week, the children of Boston of proper playground facilities.

Chairman RUBY—The Chair will suggest to the councilor from Ward 18 that the suggestion of one week's delay, or until the next meeting, is simply because of the fact that the Chair does not see the votes necessary to pass the orders.

The question came on assigning the several orders for reconsideration at the next meeting of the Council.

Coun. DOWLING—Mr. Chairman, I suggest now that the Chair's explanation will not justify any feeling of pride on the part of the members of the Council, when they consider this thing. The fact that there are not enough members of the Council here today to pass upon the city's business does not reflect any credit on this Council. If I were not a member of this body today, and wanted to be a member of the next City Council, I would come into that gallery, and I would watch the performance of the men on this floor, and I would come into the Council. I have never seen in thirty years a Council like this. I have never seen so little attention paid to the city's business as I see paid to it by this Council. I am going to have no trouble coming back, and I am going to tell the people of my district how their city is run. And the people of the other districts ought to know that you can not get a quorum here to transact business. Most of us have little to do; some of us, and I am one of them, have enough to do, but I am able and I am willing to come here one afternoon a week in the interest of the people who elected me, and it is no credit to this Council that we cannot get enough members present any afternoon to pass on a matter, and the poor excuse offered by the temporary presiding officer for putting the matter over until next week does not reflect any credit on the Council.

Chairman RUBY—Might I suggest to the councilor from Ward 21 that the councilor from Ward 18, so far as I am personally concerned, has satisfied me that he needs all these playgrounds in his district, and were these matters voted on today I would feel no hesitancy in voting for them, because of the explanation offered by the councilor from Ward 18.

And I feel that the councilors who are here need make no apologies to any of the councilors for lack of attention to their duties, because I think whoever is in the chair can well take care of looking out for the interests of the Council's business.

Coun. DONOVAN—Mr. President, an erroneous impression might prevail, due to the remarks of the previous speaker, and I think personally that the previous speaker has taken an unfair advantage of my colleagues who have perhaps been called away today on business. I have not attended every meeting of the Council since I have been a member here for four years, but I have always attended to the city's business, and I do not think a statement of that kind by the gentleman from Brighton is warranted.

The question came on the assignment to the next meeting of the Council of the several orders reported upon by the Finance Committee. The question was taken, and the motion to assign was carried.

#### MOTIONS TO ADJOURN.

Coun. KEENE—May I at this time make a motion to the effect that when we adjourn today, we adjourn to meet September 4.

Chairman RUBY—Is there anything urgent during that week?

Coun. KEENE—From a poll of the Council, it seems to be the sentiment of a majority of the councilors that we meet on the 4th, because of the fact that Labor Day comes on Monday.

Chairman RUBY—I was going to suggest this; that when we adjourn, we adjourn to meet in two weeks, unless there is objection.

Coun. WARD—There is another thing, that poll of members. Who are the members they polled? I was not polled.

The question came on the motion of Coun. Keene that when the Council adjourn, it adjourn until September 4.

The question was taken, and the Chair declared the motion lost.

Coun. Murray doubting the vote, the Clerk called the roll, with the following result:

Yeas—Coun. Deveney, Donovan, Dowling, Fitzgerald, Gallagher, Green, Keene, Lynch, Motley, Murray, Ruby and Sullivan—12.

Nays—Coun. Ward and Wilson—2.

The motion was carried.

Chairman RUBY—The Council, when it adjourns today, will adjourn to meet on September 4.

#### REQUESTED STREET CONSTRUCTIONS.

Coun. MURPHY offered the following several orders:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Harvard avenue, Ward 18.

Ordered, That the Street Commissioners, through his Honor the Mayor, be requested to lay out and construct Bradstreet avenue, West Roxbury, Ward 18, as a public highway.

Ordered, That the Street Commissioners, through his Honor the Mayor, be requested to lay out and construct Delhi street, Dorchester, Ward 18, as a public highway.

Ordered, That the Street Commissioners, through his Honor the Mayor, be requested to lay out and construct Baldwin street, Hyde Park, Ward 18, as a public highway.

Severally passed under suspension of the rule.

President DONOVAN in the chair.

Coun. RUBY—Mr. President, I move that the motion made that when we adjourn today we adjourn to meet September 4 be reconsidered.

President DONOVAN—The motion is offered by Councilor Ruby that we reconsider the motion to adjourn until September 4. Are you ready for the question?

The question was taken, and the Chair declared the motion carried.

Coun. MURRAY—I doubt the vote, and ask for a roll call.

Coun. RUBY—Mr. President, may I rise to make a statement?

President DONOVAN—Councilor Ruby asks unanimous consent to make a statement.

Coun. MURRAY—I ask for a roll call.

Coun. DOWLING—May I respectfully ask the gentleman to indicate the nature of the statement he wants to make?

Coun. RUBY—It is with reference to the adjournment.

Coun. DOWLING—I have no objection.

Coun. RUBY—Mr. President, last year the then Assistant Clerk wanted to take a vacation, without being away from Council meetings but we did not adjourn. There is absolutely nothing on the calendar, and I haven't missed a meeting of this Council for four years. There is nothing on the calendar to bring us back on September 4. We can conveniently adjourn, to come back in two weeks from today, and satisfy those members of our official family and of the Council who are desirous of going away and coming back two weeks from today. Some of the members of the Council are going away over Labor Day and are not coming back. There is nothing to come back for on the 4th of September unless there are some personal orders that may come in, and I hope that the members who have felt that there may be some business to ransack on the 4th will reconsider, unless they feel that they have something of importance that they want to bring before the Council, so that a motion may be made that when we adjourn we adjourn to come back in two weeks from today. There is absolutely nothing on the calendar. We have disposed of everything today to take us through the next two weeks.

Coun. WILSON—Do I understand correctly that there are no laws, orders or other matters that could possibly take a second reading one week from today?

President DONOVAN—September 9th is the date for second reading.

Coun. MURPHY—Mr. President, there are orders that could take a first reading, or could be passed by this Council. We have playground orders in here that have been put over for a week, and now are going to turn around and put them over for two weeks more. I am not in favor of turning around and putting this meeting over. If we cannot hold a meeting on Monday, let us hold it on Tuesday.

President DONOVAN—I might say to Councilor Murphy that I am as vitally interested as he is, but if we meet on September 4 we will be meeting four or five days later than the regular meeting day of the Council, and I thought it was fitting at this time to entertain a motion for reconsideration.

Is there still doubt on the President's announcement of the vote on reconsideration?

Coun. MURRAY—I doubt the vote.

The Clerk called the roll, as follows:

Yeas—Coun. Donovan, Dowling, Green,—

Coun. MURRAY—I doubt a quorum being present.

Coun. DOWLING—I make a point of order, Mr. President.

President DONOVAN—Until the roll call is finished the gentleman is out of order.

The Clerk completed calling the roll as follows:

Yeas—Coun. Keene, Motley, Ruby, Ward and Wilson—8.

Nays—Coun. Murphy and Murray—2.

Coun. MURRAY—Mr. President. I doubt a quorum being present.

President DONOVAN—Eight votes being cast in the affirmative and two in the negative, less than a quorum voting, the motion is lost, and the Council stands adjourned.

Adjourned at 5 p. m. to meet on Wednesday, September 4, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Wednesday, September 4, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Murphy, Ward.

Coun. KEENE in the chair.

## JURORS DRAWN.

Traverse jurors were drawn in the manner prescribed by law, the Mayor absent, by Coun. SULLIVAN, viz.:

Thirty-six traverse jurors, Superior Criminal Court, First Session, to appear October 7, 1929:

Lyman W. Cowan, Ward 1; John P. Tyler, Ward 1; Abraham Louis Kroupchik, Ward 3; Chester G. O'Donnell, Ward 4; Demetrios Rouskis, Ward 4; William V. Tripp, Ward 4; Andrew F. Greeley, Ward 5; Frederick H. Perkins, Ward 5; Frank E. Horton, Ward 7; Henry J. Nye, Ward 10; James J. Crowley, Ward 11; Joseph H. Doyle, Ward 11; Herbert L. Hooker, Ward 11; Walter H. Leavey, Ward 11; Edward M. O'Rourke, Ward 11; Jacob M. Cohen, Ward 14; Bernard Hoffman, Ward 14; Max Hoffman, Ward 14; Harry Romey, Ward 14; William L. Collins, Ward 15; John C. Martin, Ward 15; Orrin Joseph Deseau, Ward 16; Robert Elliott, Ward 16; Alfred J. Gilbert, Ward 16; Thomas J. Kennedy, Jr., Ward 16; Alexander J. Lanergan, Ward 17; Daniel Falconer, Ward 18; Edward P. Gerhardt, Ward 18; George N. Andrews, Ward 19; Sydney T. Heap, Ward 19; Albert E. Taylor, Ward 19; John V. Smith, Ward 20; John G. Casey, Ward 22; Ralph H. Ranagan, Ward 22; John E. Thomas, Ward 22; John J. Walsh, Ward 22.

Thirty-one traverse jurors, Superior Criminal Court, Third Session, to appear October 7, 1929:

Bernard L. Donahue, Ward 2; John J. Geary, Ward 2; Abe Leventon, Ward 2; Fred Shank, Ward 3; Benjamin Hachey, Ward 5; William G. Johnson, Ward 5; George F. Kelley, Ward 5; Manuel Saphir, Ward 6; Hugh B. Barton, Ward 7; William C. Martin, Ward 7; Frederick W. Daley, Ward 11; Michael J. English, Ward 11; Gustave Olson, Ward 11; Maurice P. Flax, Ward 14; Israel Neitlich, Ward 14; Charles M. Ruemker, Ward 15; Lawrence B. Callahan, Ward 17; Lawrence DeCane, Ward 17; Harry F. Grover, Ward 17; George A. Lucas, Ward 17; Arthur S. Morse, Ward 18; John A. Taylor, Ward 19; George W. Cashen, Ward 20; Albert E. Clark, Ward 20; John T. Hosford, Ward 20; Olof A. Peterson, Ward 20; Winfield S. Wales, Ward 20; Frank C. Withington, Ward 20; Alphonso Wood, Ward 20; John J. Hall, Ward 21; Samuel McGuire, Ward 22.

Thirty-six traverse jurors, Superior Criminal Court, Fourth Session, to appear October 7, 1929:

James S. Flynn, Ward 1; Jacob Jacobs, Ward 1; Eugene P. Moynihan, Ward 1; James J. Walsh, Ward 1; Joseph H. Hughes, Ward 2; Charles H. Stevens, Ward 2; James D. Messina, Ward 3; Frederick J. Wilder, Ward 5; Jeremiah J. Collins, Ward 6; James L. Hughes, Ward 6; Joseph H. Roulo, Ward 6; George D. Crowley, Ward 7; John L. Gibbons, Ward 7; John F. Tansey, Ward 9; John G. Blatz, Ward 10; Michael Ward, Ward 10; John C. Duntlin, Ward 11; Thomas H. Leonard, Ward 11; Herman Baliczer, Ward 12; Morris Copelof, Ward 12; Alex Fisher, Ward 12; Benjamin Starr, Ward 12; Hugh McGourty, Ward 13; Israel H. Goldenberg, Ward 14; Charles F. Considine, Ward 15; Jeremiah J. Mahoney, Ward 15; Patrick J. Barry, Ward 16; William J. Kerwin, Ward 16; James J. Hooley, Ward 17; Lourens L. Battis, Ward 18; Richard Graham, Ward 18; Samuel W. Haskett, Ward 18; Charles

E. Lamb, Ward 18; Walter F. Pitts, Ward 19; Andrew J. Porter, Ward 19; William R. Curtis, Ward 21.

Thirty-six traverse jurors, Superior Criminal Court, Fifth Session, to appear October 14, 1929:

Thomas V. Coughlin, Ward 1; Thomas L. Johnson, Ward 2; Charles J. Lindsay, Ward 2; Bernard J. McFadden, Ward 2; Henry M. Strout, Ward 2; William E. Remick, Ward 3; Partick J. Kelley, Ward 4; Albert L. Tall, Ward 4; James F. Daly, Ward 6; Curtis A. Rowe, Ward 6; Edward J. Campbell, Ward 8; Frank G. Cressey, Ward 8; John J. Brearton, Ward 9; James Grant, Ward 10; Thomas G. Kirwin, Ward 10; William J. Bross, Ward 11; Orlando C. Beals, Ward 12; George P. Taylor, Ward 12; Walter R. Todd, Ward 12; Joseph N. Witkin, Ward 12; John R. Forgie, Ward 13; Morris Berger, Ward 14; Guy C. Rosemere, Ward 14; Patrick J. Coyne, Ward 15; Robert J. Julian, Ward 15; Richard F. Adair, Ward 16; Charles E. Hebert, Ward 16; Philip J. W. Schaefer, Ward 17; John J. Sullivan, Jr., Ward 17; Joseph T. Gallagher, Ward 19; Howarc M. Terhune, Ward 19; Chester C. Ziegler, Ward 19; John C. MacDonald, Ward 20; Harry N. Strickland, Ward 20; William W. Walton, Ward 20; John J. Zona, Ward 20.

Twenty-three traverse jurors, Superior Civil Court, First Session, October Sitting, to appear October 7, 1929:

John J. Flavin, Ward 1; Robert J. Gunning, Ward 1; Alphonsus D. O'Brien, Ward 2; Augustus Leverone, Ward 3; John Cohan, Ward 6; Cornelius O'Sullivan, Ward 6; John D. Gillis, Ward 7; Thomas F. Doherty, Ward 9; John J. Hantz, Ward 11; Bernard T. Murray, Ward 11; Alvah W. Gilman, Ward 12; Harry B. Glover, Ward 12; David M. Bloch, Ward 14; Frank H. Machon, Ward 14; Edward A. Lash, Ward 17; Charles Benker, Ward 18; John T. Bryett, Ward 18; James F. Hogan, Ward 19; Henry J. Keane, Ward 19; Maurice C. Proctor, Ward 19; Frederick P. Varney, Ward 19; Oscar R. Lundin, Ward 20; Frank Franz, Ward 22.

Twenty traverse jurors, Superior Civil Court, Third Session, October Sitting, to appear October 7, 1929:

John F. Graves, Ward 1; Harold Lister, Ward 3; Austin A. Cannon, Ward 10; Arthur T. Dolan, Ward 10; George W. Caverly, Ward 12; Frank C. Chapman, Ward 12; William H. Magrath, Ward 12; David Papert, Ward 12; Paul C. Buckley, Ward 14; Louis Cohen, Ward 14; Daniel Joseph Buckley, Ward 15; Henry L. Crignon, Ward 15; William Gwynn, Ward 15; William H. Hennessy, Ward 16; Anton Fred Larson, Ward 17; Fred D. A. King, Ward 18; Ernest P. Farnum, Ward 19; Calvin E. A. MacKenzie, Ward 20; Edward C. Wade, Jr., Ward 20; Charles H. Jones, Ward 22.

Nineteen traverse jurors, Superior Civil Court, Fourth Session, October Sitting, to appear October 7, 1929:

Frank L. Reardon, Ward 1; Harry F. Bradford, Ward 4; John J. Fleming, Ward 5; James H. Doherty, Ward 6; William P. Sheehan, Ward 6; James D. McKenzie, Ward 7; Joseph H. Connell, Ward 8; Edward J. Smith, Ward 10; Michael Fallon, Ward 11; Lewis H. Isaaca, Ward 14; Patrick F. Keating, Ward 15; Dennis Manning, Ward 16; Walter J. Ogar, Ward 17; James J. Dwyer, Ward 19; Edward Emms, Ward 19; John H. Lynch, Ward 19; John J. Tobin, Ward 19; Elmer C. Stratton, Ward 21; Thomas Hunt, Ward 22.

Twenty-two traverse jurors, Superior Civil Court, Fifth Session, October Sitting, to appear October 7, 1929:

Joseph L. O'Brien, Ward 2; Jacob Smith, Ward 3; Frank R. Twiss, Ward 6; John J. Mooney, Ward 7; Edward J. Devin, Ward 8; Roswell H. Ellsworth, Ward 10; James F. Keany, Ward 10; Joseph F. Kilmartin, Ward 10; Ignatius F. Korman, Ward 10; Joseph A. Waible, Ward 10; Henry F. Metzger, Ward 11; John H. Barkly, Jr., Ward 12; Samuel H. Cohen, Ward 12; Benjamin F. Rosen, Ward 12; Samuel Epstrin, Ward 14; Ferdinand J. Kiley, Ward 15; Chester C. Brett, Ward 17; Henry J. Calvert, Ward 17; Henry D. Orrok, Ward 17; Arthur T. Sullivan, Ward 17; James E. Earley, Ward 18; Henry A. Buff, Ward 19.

Twenty-five traverse jurors, Superior Civil Court, Sixth Session, October Sitting, to appear October 7, 1929:

Benjamin Bailey, Ward 1; Harry Barker, Ward 1; Daniel Coviello, Ward 1; Edmund Days Jones, Ward 1; James J. Morrin, Ward 1; Anthony Deviacqua, Ward 3; Michael J. Fahey, Ward 4; Charles E. Knight, Ward 4; Abraham Freedman, Ward 7; Thomas John Hayes, Ward 7; Hubert W. Turner, Ward 9; John J. Gordon, Ward 10; John J. Huley, Ward 11; Nathaniel M. Gilman, Ward 12; John J. Flynn, Ward 13; Richard McGlinchey, Ward 13; Fred J. Murphy, Ward 15; Pierce Ahearn, Ward 16; Frank L. Savage, Ward 16; Carl B. Boutelle, Ward 17; Charles A. Nelson, Ward 18; Guy W. Pease, Ward 18; C. Henry Miller, Ward 20; Joseph F. Lynch, Ward 21; William J. Downey, Ward 22.

Twenty-two traverse jurors, Superior Civil Court, Seventh Session, October Sitting, to appear October 7, 1929:

John F. Foster, Ward 1; Frederick A. Buckley, Ward 3; John B. Evens, Ward 3; John J. Gaffney, Ward 3; Charles T. Harrington, Ward 3; William John Carter, Ward 4; Joseph L. Banks, Ward 6; Thomas F. Clougherty, Ward 6; John J. O'Loughlin, Ward 7; Raymond A. Detry, Ward 9; Carl Henry Horsman, Ward 9; Joseph A. Maguire, Ward 10; Augustus DeCoste, Ward 11; Joseph M. Fisher, Ward 12; James J. Higgins, Ward 13; Howard F. Holt, Ward 13; Mark V. Lynsky, Ward 13; Joseph B. McNamee, Ward 13; John F. Black, Ward 17; Edward Maichie, Ward 19; George A. MacDonald, Ward 20; Samuel H. Seager, Ward 22.

#### SIGNAL LIGHTS, OLD COLONY AVENUE.

The following was received:

City of Boston,  
Office of the Mayor, August 30, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commission in reply to your order of August 5, 1929, relative to signal lights at various points on Old Colony avenue, Ward 7.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

August 27, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I am returning herewith City Council order dated August 5, 1929, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic signal lights at various points on Old Colony avenue, Ward 7."

In answer thereto I wish to say, that this commission is without funds to accomplish the desire of the City Council in this matter.

Very truly yours,  
WILLIAM A. FISHER,  
Commissioner.

Placed on file.

#### LOAN FOR POWER PLANT, CITY HOSPITAL.

The following was received:

City of Boston,  
Office of the Mayor, September 4, 1929.  
To the City Council.

Gentlemen,—I am in receipt of a request from the chairman of the City Hospital Trustees that an appropriation of \$43,000 be made available for the purchase of an additional generator to be installed at the Main Hospital power plant. This request is based on recommendations made to the trustees by the chief engineer of the hospital and the engineers in charge of the building program now under way at the hospital. These recommendations have been approved by Prof. Edward F. Miller of Technology.

In accordance with the request I submit herewith a loan order in the desired amount and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Hospital Department, August 23, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—Mr. Nelson, the chief engineer of the Boston City Hospital, as well as the engineer for James H. Ritchie and Associates, strongly recommend that an additional generator be installed at the Main Hospital. The architects, James H. Ritchie and Associates, estimate that the sum of \$43,000 will be required for this work. Before acting on the advice of the hospital engineer and the advice of Mr. Cushman, engineer for James H. Ritchie and Associates, the trustees requested Prof. Edward F. Miller of the Department of Mechanical Engineering of the Massachusetts Institute of Technology, for his opinion as to the necessity for this, and I inclose herewith a copy of his letter in which he strongly recommends it. I also inclose a copy of a letter from James H. Ritchie and Associates, in which they state that they estimate that the sum of \$43,000 will be required for this work.

Therefore, on behalf of the trustees, I respectfully request that the sum of \$43,000 be allowed by you for this purpose under chapter 237, an act authorizing the City of Boston to borrow and to raise by taxation money for hospital purposes.

Yours respectfully,  
JOSEPH F. MANNING,  
President, Board of Trustees.

Ordered, That the sum of \$43,000 be, and the same hereby is, appropriated, to be expended under the direction of the Trustees of the Boston City Hospital, for Power Plant, Improvements, etc., and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount. Referred to the Committee on Finance.

#### TRANSFER FOR BOSTON PORT AUTHORITY.

The following was received:

City of Boston,  
Office of the Mayor, September 4, 1929.  
To the City Council.

Gentlemen,—The establishment of the Boston Port Authority by the Legislature of this year was one of the most important legislative measures to be enacted in recent years. Under the terms of the measure authority is vested in the city to initiate and carry out plans looking toward the development of the port and the increase in the business done in the city and surrounding communities. The act provides that the Board may unify the terminal systems of the port and solve problems relating to wharfage, take steps to benefit the city in the matter of freight differentials and the equalization of ocean freight rates, matters in which the city has been vitally interested for years. The measure heralds a new movement, designed to bring back to the port of Boston the prestige it enjoyed when the clipper ships of Massachusetts, carrying Massachusetts products over the four seas, were known in every port of the world.

Under the provisions of the act the Board is authorized to expend not in excess of fifty thousand dollars, in any one year, for necessary expenses. I have been requested by the chairman of the Board to make available at the present time an appropriation of twenty-five thousand dollars. I accordingly submit herewith an order providing for such an appropriation and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$25,000 be, and the same hereby is, appropriated, to be expended under the direction of the Mayor, in accordance with chapter 229 of the Acts of 1929, for the necessary expenses of the Boston Port Authority, said sum to be charged to the Reserve Fund.

Referred to Executive Committee.

#### APPOINTMENTS BY THE MAYOR.

The Mayor submitted the following appointments, severally, for the term ending April 30, 1930, viz.:

Constables: Joseph Argenzio, 55 Park street,

Charlestown; Philip H. Spector, 17 Parkman street, Boston; Michael Francis Black, 8 Emrose terrace, Boston.

Weighers and measurers of wood: B. Bornstein, 102 Geneva avenue, Dorchester; S. Bornstein, 68 Linden street, Everett; Sara M. Tucker, 181 Woodrow avenue, Dorchester, all employed by the Everett Fuel Company at 311 Columbia road, Dorchester.

Laid over for one week under the law.

DEPARTMENTAL TRANSFERS.

The following was received:

City of Boston,  
Office of the Mayor, September 4, 1929.  
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, Bridge Service:

From the appropriation for A-1, Permanent Employees, Draftsman, senior, Design, 1 at \$2,500—\$2,600 per year, \$900; Drawtenders, 14 at \$2,000 per year, \$4,700; Drawtenders, First Assistant, 28 at \$1,800 per year, \$600, to the appropriation for A-2, Temporary Employees, \$3,200.

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 Park Department:

From the appropriation for B-6, Hire of Teams and Auto Trucks, \$2,000; E-12, Parks and Recreational, 2,000; to the appropriation for A-2, Temporary Employees, \$4,000.

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

John J. B. Barnwell, for compensation for damage to car by city truck.

William A. Hamilton, for refund on gasoline permit.

John Kearney, for compensation for injuries caused by city team.

Joseph P. Keefe, for refund on garage license.

Kesslen Shoe Company, for compensation for damage to car by city truck.

Hillard Kountze, for compensation for damage to property by employees of Water Department.

James Lydon, for compensation for injuries caused by an alleged defect at 16 Baxter street.

Isidor Margolin, for compensation for damage to wagon by city truck.

Katherine M. McMahon, for compensation for injuries caused by an alleged defect at 170 Norfolk avenue.

Richard Miller, for compensation for injuries caused by an alleged defect in Pershing road.

Neisner Brothers, Inc., for refund on refuse tickets.

Benjamin Rattenberg, for compensation for damage to automobile by city team.

Stoughton Lumber Company, for loss of rental on garage on account of improper grading of street.

William Thompson, for compensation for damage to automobile by city cart.

Eugene Violante, for compensation for damage to automobile by an alleged defect at 113 Chelsea street.

Nelson T. Brace, for compensation for damage to automobile caused by city sweeper.

William H. Seabrook, for compensation for damage to automobile caused by city team.

CONSTABLE'S BOND APPROVED.

The constable's bond of William Weingarten, having been duly approved by the City Treasurer, was received and approved.

HEARING ON JITNEY LICENSE.

Notice was received from the Public Utilities Commission of a hearing on September 18, 1929, at 12 o'clock noon, on the petition of the Eastern Massachusetts Street Railway Company for a license to operate motor vehicles from the corner of Hill Top street and Granite avenue, to the Ashmont Station.

Referred to the Committee on Jitney Licenses.

HEARINGS ON GASOLENE LICENSES.

Notice was received of the hearings before the board of Street Commissioners on Monday, September 16, 1929, on petitions for the storage and sale of gasoline, as follows:

Bethlehem Shipbuilding Corporation, Ltd, 276 Marginal street, Ward 1, 1,000 gallons.

Daniel R. McLean, 37-41 Warrenton street, Ward 3, 1,500 gallons.

Patrick J. Sullivan, 814 Huntington avenue, Ward 10, 2,000 gallons.

Thrift Tire Stores, Inc., 260 Commercial street, Ward 3, 1,000 gallons.

John Wornos, 239 Old Colony road, Ward 7, 2,000 gallons.

Referred to Executive Committee.

FIELD HOUSE, BARRY PLAYGROUND.

Coun. GREEN offered the following:

Ordered, That the sum of twenty-five thousand dollars be, and the same is, hereby appropriated, to be expended under the direction of the Park Commission, for the construction of a field house on the Barry Playground, in Ward 2, Charlestown, and 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 the said amount.

Referred to Committee on Finance.

BEACON, CITY SQUARE.

Coun. GREEN offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install a flashing beacon at City square, Charlestown, at the junction of Chelsea street.

Passed under suspension of the rule.

LOAN FOR EMMONS PLAYGROUND.

Coun. GREEN 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 purchase of land to be used as an addition to the Frederick D. Emmons Playground on Rutherford avenue, 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 Committee on Finance.

NEW JUNIOR HIGH SCHOOL,  
CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That the School Committee be requested, through his Honor the Mayor, to inform the City Council as to whether or not the construction of a new junior high school in Charlestown will mean the discontinuance of the Warren-Bunker Hill Primary School; also whether or not any land has been taken in the area bounded by Charles street, Charles Street place and School

house court, Charlestown, in connection with their program for school extension.

Passed under suspension of the rule.

#### PAINTED CROSSWALKS, CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to have crosswalks painted at all strategic points in Charlestown, particularly in front of the schools.

Passed under suspension of the rule.

#### PRINTING HANDBOOK "BOSTON STATISTICS."

Coun. GREEN 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.

#### UNEMPLOYMENT SITUATION, BOSTON NAVY YARD.

Coun. GREEN offered the following:

Whereas, Widespread publication having been given in the daily press of the negotiating of a government loan of \$5,500,000 by the Camden Shipbuilding Company, Camden, N. J., in furtherance of ship construction and repair work, such government loan having the support of senators and congressmen from the state of New Jersey because of the imminence of an extended period of unemployment among the employees of said Camden Shipbuilding Company, and

Whereas, Through the cessation of government work on the U. S. S. "Galveston" at the Boston Navy Yard large numbers of employees have been recently discharged, be it

Resolved, That the City Council go on record as petitioning, through his Honor the Mayor, and his Excellency the Governor, the senators and representatives in Congress from Massachusetts, the expeditious adjustment of the unemployment situation at the Boston Navy Yard, caused by the cessation of government work on the U. S. S. "Galveston."

Referred to the Executive Committee.

#### STATUE OF PAUL REVERE, CITY SQUARE.

Coun. KEENE offered the following:

Ordered, That the sum of sixty-five thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission, for the purchase and erection of a statue of Paul Revere in the park at City square, 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 Committee on Finance.

#### SIREN, CENTRE AND GREEN STREETS, WARD 19.

Coun. MURRAY offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to install a siren at the junction of Centre and Green streets, Ward 19, to warn pedestrian and vehicular traffic of the approach of fire apparatus.

Passed under suspension of the rule.

Coun. MURRAY for Coun. Murphy offered the several following orders:

#### REPAVING CANTERBURY STREET.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Canterbury street, Ward 18, with smooth paving.

#### REPAVING RUGBY ROAD.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Rugby road, Ward 18, with smooth paving.

#### PLANTING TREES, HILLVIEW AVENUE.

Ordered, That the Park Commission be requested, through his Honor the Mayor, to plant trees on Hillview avenue, Ward 18.

#### REPAVING BEACON STREET.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Beacon street, Ward 18.

#### GARBAGE AND ASHES COLLECTION, WARD 18.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to take whatever action may be necessary to insure the proper collection of garbage and ashes in Ward 18, by the contractor to whom this work was awarded.

#### WIDENING OF WOOD AVENUE.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to make a survey of the widening of Wood avenue, Ward 18, to sixty feet, from River street to Cummins Highway, and to report to the City Council the approximate cost of such widening.

#### ACCEPTANCE OF SEMINOLE STREET.

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

#### ACCEPTANCE OF RUTLEDGE ROAD.

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

#### ACCEPTANCE OF RUSKIN ROAD.

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

#### ACCEPTANCE OF ROANOKE ROAD.

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

#### TRAFFIC SIGNAL, CUMMINS HIGHWAY AND HYDE PARK AVENUE.

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install an automatic traffic control signal at the junction of Cummins Highway and Hyde Park avenue, Ward 18.

Severally passed under suspension of the rule.

#### ADDITIONAL LAND, ROGERS PARK.

Coun. GALLAGHER 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 purchase of additional land adjoining Rogers Park on the Washington street side and its improvement for park purposes, as recommended by the Special Committee on Parks and Playgrounds, 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 Committee on Finance.

LADDER COMPANY, OAK SQUARE FIRE STATION.

Coun. GALLAGHER offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to provide in the 1930 budget a sum sufficient for the equipment and maintenance of a ladder company at the Oak Square Fire Station, Ward 22.

Passed under suspension of the rule.

LAND FOR PLAYGROUND, WARD 3.

Coun. FITZGERALD offered the following:

Ordered, That his Honor the Mayor be requested to direct the Park Commissioners to confer with the State Department of Public Works and report to the City Council such legislation as may be necessary to secure for the city land for playground, bathing, or similar purposes which the said department is authorized to acquire, under the provisions of section 2, chapter 371, Acts of 1929.

Passed under suspension of the rule.

PRINTING OF FIRE INSURANCE RATES REPORT.

Coun. KEENE offered the following:

Ordered, That the Superintendent of Printing be hereby authorized to print an edition of 500 copies of the Fire Insurance Rates report and that the expense of the same be charged to the appropriation for city documents.

Further Ordered, That this edition shall be distributed under the direction of the City Messenger, and that any income received through such distribution be credited to the appropriation mentioned above.

Referred to Executive Committee.

PAINTED CROSSWALKS AT SCHOOL BUILDINGS, WARD 6.

Coun. MAHONEY offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to have crosswalks painted at all the school buildings in Ward 6.

Passed under suspension of the rule.

SIDEWALK ORDERS.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 127 and 129 Milton 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 edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Ordered, That the Commissioner of Public Works make a sidewalk along 15 Mather 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.

Severally passed under suspension of the rule.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 67 and 69 Wood-cliff street, Ward 13, in front of the estates border-

ing 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.

Placed under suspension of the rule.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Marcella street, from Highland street to Centre 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 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 Highland street from Marcella street to Centre 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 artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Severally passed under suspension of the rule.

Coun. MOTLEY—Mr. President, a point of information. Has there been any report received in regard to the employment of temporary employees in the Park Department?

Chairman KEENE—No report has been received, Coun. Motley, as yet. It is stated by the Clerk that it may be in the transfers, an order which is in and referred to the Executive Committee.

WIDENING BLUE HILL AVENUE.

Coun. RUBY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to submit to the City Council an estimate of the cost of widening Blue Hill avenue, from Seaver street to Canterbury street.

Passed under suspension of the rule.

CONCRETE BLEACHERS, FRANKLIN FIELD.

Coun. RUBY offered the following:

Ordered, That the sum of twenty-five thousand dollars be, and hereby is, appropriated, to be expended under the direction of the Park Commissioners for the erection of concrete bleachers in Franklin Field; 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.

FINANCE COMMITTEE REPORTS.

Coun. MOTLEY, for the Finance Committee, submitted reports as follows:

1. On the message of the Mayor and orders for a loan and a transfer for the Cottage Farm Bridge—that the same ought to pass.

Coun. MOTLEY—In regard to this order, under the provisions of chapter 497 of the Acts of 1921, it is necessary for the City of Boston to raise the sum of approximately \$575,000 as its share of the cost of construction of the Cottage Farm Bridge, and this amount has to be paid by the city, and your Committee on Finance recommends that the Council pass the order.

Coun. WILSON—Perhaps this is the same bridge that I once in a while ride over, but I personally would like to know a little more about the loan order. Is that the new bridge that was made up there, and what is the total cost, and what is the length of the term of the loan order?

Chairman KEENE—I think that is the amount which was apportioned by the Committee on Apportionment.

Coun. MOTLEY—It was, Mr. Chairman.

Coun. WILSON—The bridge was finished last year, you mean?

Chairman KEENE—Correct, sir.

Coun. WILSON—All completed, and the contractor has been waiting patiently for his money—the very same bridge?

Chairman KEENE—The state furnished the money, Councilor Wilson, and there was a committee of three appointed to apportion it.

Coun. WILSON—I mean all this information is not secret? There is no objection to our all knowing about it, is there?

Chairman KEENE—Absolutely not.

Coun. WILSON—What are the facts with reference to the bridge?

Chairman KEENE—Councilor Motley, can you answer the question?

Coun. MOTLEY—Mr. Chairman, according to the City Auditor, that amount has been assigned to the City of Boston to pay the Commonwealth of Massachusetts.

Chairman KEENE—Has the councilor been answered, sir?

Coun. WILSON—That gives me some information with reference to the \$600,000 loan order that we are supposed to vote on.

Coun. DOWLING—Mr. Chairman, for the purpose of clearing up the matter—and I think that it can be stated in a very few words—the Cottage Farm Bridge, running from the Cambridge shore to the Boston shore at about the point where the new LaSalle automobile plant was erected by Governor Fuller, is a new bridge that cost in excess of \$1,000,000. It was built by order of the Legislature. The Legislature provided that the cost of the bridge should be apportioned fairly between all of the towns and municipalities which use the bridge. The commission appointed for that purpose determined that Boston's share of the cost of that bridge was \$500,000. I recall that a little while ago Brookline's share was also apportioned, and there was some little controversy over it. But it is the bridge which the gentleman from Dorchester has in mind, the one over which he goes to visit his Alma Mater. It is a beautiful bridge, and is probably worth all the money it cost the state, and it is probably worth all the money that it will cost the city. Our share will be \$500,000. I haven't any other information, but I think that might perhaps satisfy the gentleman.

The order was passed, yeas 16, nays 0.

2. On the message of the Mayor and orders (referred August 12, 1929) for a loan of \$1,100,000 for Centre street, and for a loan of \$500,000 for St. Ann street—that the orders ought to pass.

The report of the committee was accepted.

Coun. RUBY—Mr. Chairman, I move that the matter be laid on the table until the next week, and assigned for consideration at that time.

Chairman KEENE—Coun. Ruby moves that the orders be assigned for next week.

Coun. WILSON—Mr. Chairman, I move that the matter lay on the table. I do not know which gets precedence, but I don't know why we should mark it for a certain day.

The question came on the motion for assignment at the next meeting of the Council.

The motion was lost.

Coun. DOWD—Mr. President, I voted against laying this matter on the table because I am absolutely of the opinion that a loan order for \$1,600,000 should be threshed out in the Council, and that the committee and the chairman should inform the people of Boston why the great rush on this great loan.

This loan order has been in this Council for one month, and not a meeting has been called during that month to discuss Centre street or St. Ann street. It is not a matter of \$50,000 or \$100,000; it is a matter of \$1,600,000. I received a notice yesterday afternoon that there was going to be a committee meeting at 12 o'clock, but no special reason was given why the committee meeting was called, and I defy anyone in this Council to name the time during the last three and a half years, when a huge project was before the Council, that the members of the committee were not notified of what was going on. On the Exchange street widening, every notice that we received mentioned Exchange street. Today at 12 o'clock the committee sat, four members of the committee, and they voted within twenty minutes, without any deliberation, without calling any assessors in, without calling in any real estate experts, to expend over a million and a half dollars of the city's money. But I wonder why the great rush in the expenditure of this money. There are not six members of this Council that know where St. Ann street is, and I personally can see no reason why at this time the taxpayers of Boston should be compelled to spend this huge amount of money, without the committee at least giving

the matter some deliberation. Does any councilor here believe that twenty minutes of their time is sufficient, in the expenditure of \$1,600,000?

They said at the time of the Exchange street hearing, "We will throw the doors open; we will invite the Finance Commission here; we will invite the Good Government Association here; we will invite every other organization in the City of Boston here, to give us a fair appraisal." Has this been done in this case? No. No one has been called in here. You don't know what land or whose land they are going to take. All we know is that the committee met at 12 o'clock and within twenty minutes, without any deliberation, approved of this order. I say there could not have been any deliberation, because nobody can discuss in twenty minutes an expenditure of \$1,600,000. If there was to be any question like there was on Exchange street, which widening was badly needed, then the light should certainly be shed on Centre street and St. Ann street.

I am not absolutely opposed to these orders, but I believe that as a member of this body and as a member of the committee, while I did not attend the committee meeting today, because I felt it was some small loan orders that were to be considered—I believe every man on this Council has a right to study and investigate St. Ann street and Centre street before he votes on them. Probably within a month or two from now the Finance Commission will say it was another great steal, and if they do say that, gentlemen, I say that the parties who steal are the members of the City Council who are allowing themselves to vote \$1,600,000 without any deliberation. I defy any man in this Council to show me where they deliberated or how they deliberated. There was not an expert real estate man called before the committee. The Board of Street Commissioners was not called up, nor was the Finance Commission nor the Good Government Association, nor the Chamber of Commerce, whom they desired on other committee hearings, called in. No one was called in and yet within twenty minutes they voted for that huge expenditure of money. I hope and trust that the members of this Council, in their wisdom, before they vote away the taxpayers' money, will see to it that they know what they are voting for.

Coun. GREEN—I would like to ask the councilor from Roxbury if he is not a member of the Committee on Finance, and if he was not notified that there was a meeting at 12 o'clock today.

Chairman KEENE—He so stated, Councilor Green.

Coun. GREEN—Then I would like to ask the councilor from Roxbury if he would be satisfied to have this order recommitted.

Coun. DOWD—Mr. Chairman, I certainly think that every member of this Council owes a duty to himself to have it recommitted. No man can vote \$1,750,000 of the taxpayers' money in twenty minutes.

Coun. GREEN—Mr. Chairman, I move that this order be recommitted to the Committee on Finance.

Chairman KEENE—Councilor Green, the Chair will state that there is a motion before the house, the motion of Councilor Wilson to lay upon the table.

The motion of Coun. Wilson to lay on the table was passed.

(Note: Here follows recess.)

Later in the session, on motion of Coun. MOTLEY, the orders were taken from the table and recommitted to the Committee on Finance.

3. On the order offered by Coun. Wilson (referred August 5, 1929) for a loan of \$40,000 for the laying out, widening and construction of Morton street—that the same ought to pass.

The report of the committee was accepted.

The question came on the passage of the order, and the same was passed: Yeas 18, nays 0.

4. On the order introduced by Coun. Murray (referred August 5) for a loan of \$150,000 for the construction of a tunnel under the railroad tracks at Forest Hills—that the same ought to pass.

The report of the committee was accepted, and the question came on the passage of the order. The order was passed: Yeas 19, nays 0.

5. On the order introduced by Coun. Parkman (referred August 5) for a loan of \$125,000 for automatic traffic signal system on Commonwealth avenue—that the same ought to pass.

The report of the committee was accepted.

The question came on the passage of the order

Coun. FITZGERALD—Mr. Chairman, I would like to have some information on the order. The reason I ask is because Councilor Parkman will be in the same predicament I am in, in the district I represent.

Coun. FITZGERALD—The reason I ask is because Councilor Parkman will be in the same predicament I will be in, in the district I represent. I understand that the distinguished chairman of this Traffic Board is a great engineer, and a man who has evidently received a lot of degrees from colleges, but I want to know, are they going to install these so-called signals on the sidewalk, like they have done on Cambridge street, the same as they have in a one-horse town. I don't know whether our distinguished colleague knows where they are going to be put on Commonwealth avenue, but that is what I understand they intend to do in the West End of Boston. I think before we proceed to appropriate this money we will have to find out a little more about it.

Coun. SULLIVAN—Mr. Chairman, some time ago there was an order reported to this Council for \$100,000 for suburban traffic signals in the outlying districts of Boston, and the Mayor vetoed that order, and now he comes in with a \$125,000 loan order for Commonwealth avenue. I believe Commonwealth avenue should have traffic signals, and I believe that the outlying districts as far as Massachusetts avenue and Columbia road should have traffic signals, and I think in justice to the people in that district, who pay taxes as well as people on Commonwealth avenue, it would be well for the Mayor to approve an order for \$100,000 for suburban traffic lights as well as to send in an order for \$125,000 for any particular street.

Coun. PARKMAN—Mr. President, this order is for traffic signals on Commonwealth avenue, which I believe is perhaps as logical a place to place these automatic traffic signal lights as there is in the city. That particular section is laid out in a rather regular fashion, compared to some other sections of the city, and the problem of spacing and timing these lights is an easier one there than anywhere else. Furthermore, it is an artery that is very largely used for automobiles entering the city. It is an improvement that cannot be said to be entirely for the benefit of the Back Bay section, but is for the benefit of all automobilists going in and out of the town. It is necessary, I believe, as an additional method of protection for the pedestrians crossing the various crossings from Arlington street to Governor square. The present system of through traffic, or through way system, works very well in one direction, but in the other direction it does not work so well, and is a source of danger to the pedestrians.

I have no information as to where these traffic signals would be placed. It was my understanding and belief that they would be placed in the center of the roadways, and the suggestion that they might be placed on the sidewalk is an entirely novel one to me. It seems to me that the order might be passed at this time—it has to take two readings—and in the meantime I will take it up with the chairman of the Traffic Commission and find out if any plans have been made as to the location of the signals. As a matter of fact, I have no means of knowing whether the order will be passed and signed, and the money finally appropriated and made available or not, but I do feel that this traffic signal system is a necessary system for the proper control of the traffic entering the City of Boston, and I therefore urge that it be passed at this time.

Coun. MOTLEY—Mr. Chairman, when your Committee on Finance passed this order, it had already passed an order previously for \$100,000 for suburban traffic signals in that section outside of Boston proper, but since that time his Honor the Mayor has seen fit to veto that act. I hardly think, even though the Council does pass this order here this afternoon, that the Mayor of Boston will sign this order for the councilor from the Back Bay section.

Coun. SULLIVAN—Mr. Chairman, in respect to the order for \$100,000 which was vetoed, and this order for \$125,000 before us today, I would ask the councilor from the Back Bay if he would care to recommit that to the committee so that we can get the information from the Traffic Commission in regard to where these lights will be placed.

Chairman KEENE—The councilor has already stated that the order must have two readings,

and in the interim you will be afforded an opportunity to get any information you desire. The Clerk will call the roll.

The Clerk called the roll, and the order was passed on its first reading, yeas 19; nays 0.

6. On the order introduced by Coun. Murray (referred August 26, 1929) for a loan of \$16,000 for Francis Parkman Playground Building—that the same ought to pass.

The report of the committee was accepted, and the question came on the passage of the order.

Coun. MOTLEY—I would like to have the councilor whose district that playground is in, explain that order.

Coun. MURRAY—The Francis Parkman Playground has been a playground for about fifteen years. The children up there have no facilities for changing their clothes; there are no shower baths, and there is no locker building there. It is one of those playgrounds that has been neglected for years and years, and the playground committee, after a survey, recommended \$16,000 for the construction of a building there, and that is the reason I introduced the order at this time.

The order was passed on its first reading, yeas, 18; nays 0.

7. On the order introduced by Coun. Dowd (referred August 26, 1929) for a loan of \$5,000 for the purchase of land for playground purposes, at Winthrop, Fairland and Moreland streets—that the same ought to pass.

The report of the committee was accepted.

Coun. MOTLEY—Mr. Chairman, this is one of the playground sites recommended by the special playgrounds' committee appointed by the Mayor, and I think the councilor from that district ought to say a word upon it.

Coun. DOWD—Mr. Chairman, the only statement I wish to make in presenting the order is that the Mayor's loan committee accepted that site, and on that ground alone I trust that the Mayor will see fit to sign the order.

The order was passed on its first reading, yeas, 19, nays 0.

Coun. PARKMAN—I would like to ask that unanimous consent be recorded on the vote on the previous loan order for the Francis Parkman Playground.

Chairman KEENE—The Chair hears no objection. The vote will be so recorded.

8. On the order introduced by Coun. Fish (referred August 26, 1929) for a loan of \$36,000 for Doherty Playground Locker Building—that the same ought to pass.

The report of the committee was accepted, and the question came on the passage of the order.

Coun. MOTLEY—Mr. Chairman, I am informed that this is also one of the improvements asked for by the special committee on playgrounds, and I ask that the councilor from that district give further information on that matter.

Coun. FISH—Mr. Chairman, that \$36,000 was recommended by the committee on parks and playgrounds for the John H. Doherty Playground one of the oldest and largest playgrounds in Dorchester and one of the most largely attended playgrounds in Dorchester.

The order was passed, yeas 19, nays 0.

Coun. MOTLEY—Mr. President, I move you, sir, that when this Council adjourn, it adjourn until next Monday. The reason that I am asking that is in order that the Park Commissioner and the Mayor of Boston may be here, so that the Council will have some information regarding the eighty-eight men who have been laid off in the Park Department.

Chairman KEENE—Councilor Motley, the Chair will state that it is not necessary to make a motion to that effect. We will meet Monday if no motion is made.

On motion of Coun. DEVENEY, the Council took up under unfinished business, No. 5 on the calendar, viz.:

5. Ordered, That chapter 368 of the Acts of 1929, entitled "An Act to Provide Additional Court House Accommodations and Facilities for the Courts and Other Officials in the County of Suffolk," be, and the same hereby is, accepted.

Coun. WILSON—With reference to that particular order for the acceptance of chapter 368 of the Acts of 1929 with reference to the new Suffolk County Courthouse, I will not repeat the remarks that I made under date of August 5 with reference to an immediate disposition of this particular order. And, of course, the arguments opposed to the adoption of the act are largely set out in Councilor Ruby's remarks under date of August 12.

I merely press at this time, as I have before, the adoption of this act, due to the fact that it was signed by the Governor, if I am correct, three months ago tomorrow, as an emergency act, and while there are many elements in that particular act that might be improved upon, we certainly cannot get away from the fact, but must bear in mind, that in the hearings of 1926 we had such authorities on the Suffolk County Courthouse as Sheriff Keliher, Register of Deeds Fitzgerald, Register of Probate Sullivan, Clerk Donovan of the Boston Municipal Court, Civil, the then District Attorney O'Brien, former assistant District Attorney Lavelle, and Mr. Cronin, Clerk of the Supreme Judicial Court, and other gentlemen who unanimously stated the necessity, back in 1926, for relieving the congestion at the Courthouse.

Naturally I am in favor of home rule for Boston, and I appreciate the strength of many of the remarks made by the gentleman from Dorchester, yet I think that perhaps a mountain is being made out of a molehill, although, as I said before, the act can be improved, when I bear in mind the fact,—and I believe the figures are correct, and the same proportion holds true today as it did in 1925,—for example, that the total taxable valuations in the City of Boston were \$1,862,842,700, or 94.3 per cent of the total, and taking the rest of Suffolk County, the combined property valuations of Chelsea, Winthrop and Revere totaled \$113,382,500, or 5.7 per cent of the total. So when the cry is raised even against an 80 per cent basis for Boston, out of a total of 100 per cent, if the same figures hold true today as held true three or four years ago, that, after all, certainly does not appear to be an inequitable basis.

But whatever disposition the Council makes of this matter, I do urge that we either defeat the measure or pass the measure today, in order that something definite may be done with reference to the Suffolk County Courthouse.

Coun. RUBY—Mr. Chairman, I did not think that this question was going to be presented at this late hour today, but I am perfectly willing that it be brought to an ultimate result, and that we take one step or another.

I am opposed to the acceptance of this act, because I believe that an unnecessary burden in the cost of the addition to this Courthouse will come upon the citizens of Boston. I will agree for the sake of argument that the Suffolk County Courthouse is congested, and I will agree that they can use more room than they have got today, but I cannot agree, Mr. Chairman, that because the Suffolk County Courthouse needs additional facilities for the housing of the Social Law Library, where even members of the bar of the City of Boston are not admitted free, although the citizens of Boston by an annual appropriation of \$1,000 help to maintain that particular part of the Suffolk County Courthouse—I cannot agree that the taxpayers of Boston should pay for it. And I do not believe that the taxpayers of Boston should pay for the additional space that the Supreme Court of the Commonwealth of Massachusetts needs, because it is not a Boston institution, and it is not a county institution, but is a part of the entire Commonwealth's institutions. And I do not agree that the citizens of Boston should pay for increased facilities for the Commissioner of Probation, manifestly a state officer, and I do not believe that the citizens of Boston should be compelled to pay in their tax rate for the increased facilities for the Land Court, primarily and principally a state institution, and I do not believe we should now be asking the citizens of Boston to pay an increase in future taxes for the housing of the Board of Poor Examiners, principally a state institution, and nothing else.

I want to remind you, Mr. Chairman, that the taxpayers of Boston are still laboring under a debt yet due of \$1,210,000, which is being paid off annually in serial payments, for that part of the Courthouse erected in 1885, on which there is still \$119,000 due, which does not mature until October of 1935, and on which we pay annually \$17,000. I want to remind you, Mr. Chairman, that on the addition of 1887 we still owe \$800,000, which will not mature until April, 1937, on which we are paying a sinking fund annually. I want to remind you, Mr. Chairman, that on the additions of 1892 we still owe \$100,000, which does not mature until July, 1938, on which we pay annually a sinking fund indebtedness. I want to remind you, Mr. Chairman, that on the last addition to the Courthouse in 1906, when we were asked to pay only 66½ per cent of the cost of that addition, we still

owe approximately \$192,000, which does not mature until 1939, on which we pay annually \$8,000 in March and \$12,000 in September, a total which the citizens of Boston are compelled to pay in their tax rate annually of \$1,210,000, the final amount of which will not mature until 1939.

And now the Legislature of Massachusetts is asking us to accept an act, \$1,000,000 of which we will be compelled to pay 26 per cent of, in round figures about \$260,000, which is a one-year debt, and if that amount is authorized next year by the Legislature we must in the next year's tax rate arrange for our share of that \$1,000,000, or \$260,000. That is not including the \$4,000,000 which we will be compelled to pay on our 80 per cent of the indebtedness. And those of you, Mr. Chairman, who were arguing increased taxes two or three weeks ago, when you were worried for fear that the Mayor would be compelled to increase the tax rate eight cents on a thousand—what will you say now to your constituents, if you vote for this \$4,250,000 expenditure, which will increase the future taxes of the citizens of Boston for something from which they will derive no benefit for four or five years to come, until this building is completed. We will be compelled to pay, Mr. Chairman, \$1,000,000 inside of a year. And I can give you figures, Mr. Chairman, that I have had prepared for me, on the Dock square and Faneuil Hall widening, the Kneeland street widening, the Morton street widening, and Oakland and Ashland street widening, and so forth down the line, where we have been compelled to increase the taxes of Boston thousands upon thousands of dollars, for improvements for which the present citizens of Boston have been compelled to pay but from which not one dollar's worth of enjoyment will come to them for several years.

On Oakland and Ashland streets, which were completed in 1926, we have been compelled to raise \$50,000 or 10 per cent of the \$500,000, because of the Legislature's desire to pin on the citizens of Boston this 10 per cent item, which we must immediately raise, for an improvement, the enjoyment of which the citizens who pay the expense will not have for years to come.

Within the last three weeks we have had to anticipate \$160,000 in this year's tax rate, and the plans for the improvement of St. Ann street and Centre street have not even as yet been made, and still the taxpayers of your district, Mr. Chairman, and of my district, will be compelled to pay for something that they or the city will not derive any benefit from for at least two or three years to come.

Now the Legislature is asking us to pass an act that will involve an expenditure by the citizens of Boston of 81 or 82 or more per cent of the cost of the building, and the only argument we have heard is that it is urgently needed. Well, I am willing, for the sake of argument, to agree it is urgently needed, but does that urgency mean that the citizens of Boston shall be compelled to pay the expenses of the state? Because that is what we are doing on this proposition. Five different departments will be housed in that building that have no more to do with Boston than with Hampshire, with Dukes, with Essex, with Middlesex or any other County, because they come to our Land Court in Boston. The Supreme Court of Massachusetts sits in Boston, and we are asked to pay for it, and so on down the line.

Mr. Chairman, I would not hesitate a minute to vote for this expenditure if we got a square deal, but simply because his Excellency the Governor, for whom I have the highest regard, has signed this bill because it was an emergency, in his opinion, and even though different officials in the Courthouse have seen fit to call me and ask me why I oppose it, and when I gave them the same argument that I am giving here, they told me I was justified, but still, as they said, it was the best the Legislature would do for us—that is no reason, Mr. Chairman, why we should vote for it this afternoon, because when the representatives and senators from Middlesex, from Essex, from Dukes and other counties in the Commonwealth, who have never had any regard for the City of Boston, or at least have never shown it, tell us that is the best they will do for us, I say, Mr. Chairman, that we should then be big enough to say to them, "We will wait until you give us a square deal, and then we will give you what we think you ought to get, but not at the expense of the taxpayers of Boston."

And I think, Mr. Chairman, although I had no intention of bringing this matter up, that under the circumstances, no member of this body is

justified in voting this expenditure of \$4,260,000 in ten year bonds, bonds that will mature in ten years, so that the present taxpayers will have to shoulder a burden for something that will probably be in existence 100 years for now, but which the present taxpayers of Boston will be asked to pay the entire cost of construction of within ten or fifteen years. I may have the wrong slant on it, but I cannot see how any member of this body can conscientiously obligate the City of Boston to pay for the construction of the addition to the Courthouse, even though he has to admit that it is an urgent emergency.

Coun. WILSON—Mr. Chairman, much as I personally like the councilor from the adjoining ward, I cannot let the opportunity pass to comment on several of the figures. And, of course, I regret to state that the pressure that was put on me was the pressure, not of any particular influence in the City of Boston, nor in Revere, but the pressure of the average man who serves as a jurymen at the Suffolk County Courthouse, the employees of Suffolk County who work there, in situations which would not be tolerated for one instant by the Board of Health in any office building in the City of Boston, and by the judges of the courts, in whom I have the highest confidence. Any pressure that has been brought on me has been brought on me by men whom I would be very glad to have bring pressure on me any day in the week.

There has been no particular pressure brought on anyone in this Council for the passage of this act. I would wish that the contrary were perhaps true.

And my interest in this Suffolk County Courthouse, direct or indirect, is not with reference to where it will go or who owns the land.

Now, with reference to the exact figures, when my brother spoke about the ten-year period he probably had in mind the Centre Street and St. Ann street loan, to which I want to make some reference, but if I read it correctly, the Suffolk County Courthouse act may extend the time for payment for at least twenty years, and is therefore in healthful distinction from the Centre street and St. Ann street act, with reference to which there seems to be such a rush, both with reference to the passage of the act and the paying of the money. That, if I remember correctly, is a ten-year loan order.

My brother referred to the fact that the people, the poor taxpayers of the City of Boston—and there are just as many in my ward as there are in his—the poor people and the poor taxpayers of the City of Boston will have in twenty years or less to pay some four million odd dollars. Of course, with reference to the Centre street and St. Ann street loan, which is favored apparently by practically the same interests in the city that are against any relief for the Suffolk County Courthouse—I say that to a large extent—the same poor taxpayers out in Dorchester and elsewhere are going to be asked to pay two fifths, or almost half of the same amount they are to pay for a new Suffolk County Courthouse, in one half the time.

So I will frankly admit, Mr. Chairman, that I am not greatly impressed with the argument that in twenty years the taxpayers of Boston will have to pay around \$4,000,000 towards a courthouse that everybody in Boston uses. That argument is advanced by the very same interests that urge the passage of the St. Ann and Centre street project, with reference to which the same taxpayers of Boston, in one half the time, will pay almost one half as much money as they paid for the courthouse. And I say that it is more to the advantage of the people of Boston to have a new Suffolk County Courthouse, that they have needed now for the past twenty years, than it is to put through a speedway for the people of Rhode Island and outlying sections.

So I regret to state that I cannot let those figures pass—and my figures were not prepared for me—and though I realize there are not the votes in this Council to pass it, because the majority of this Council have political allegiances which prevent their voting for it, though I realize this particular loan order will undoubtedly fail, I did not wish to see it fail, leaving unanswered the figures that have been presented.

Coun. RUBY—Mr. Chairman, I do not rise in any course of being disturbed by any of the property owners within any radius of the Courthouse, and if my friend from Ward 17 knows them, I would be pleased to be informed as to whom is desirous of selling land for the Suffolk

County Courthouse. But I do say this, that the same Legislature that forced on the citizens of Boston the expense for the Centre street and St. Ann street widening over a period of ten years is what I am kicking about. I believe that any improvement that is permanent ought to be spread over a longer period of years, and I want to thank the councilor from Ward 17 for criticizing at least that act of the Legislature which necessitates paying in ten years, as he has so nicely corrected me, for an improvement which, after it is completed, will last forever.

And it is no argument that we should now pass the Courthouse Act, because the Legislature in its kind wisdom has permitted a permanent improvement to stretch over a period of twenty years for the taxpayers of Boston. I brought out the other fact because the councilor from Ward 17 bemoaned the 8-cent increase in taxes three or four weeks ago, when he so vehemently pleaded for those two measures, which probably he was justified in feeling, in his own judgment, ought to have been defeated. But it is no argument that we are paying for them in ten years, because probably some who want to see improvements in Boston of a permanent nature would like to see these measures stretched over a period of twenty or thirty or forty years, as they rightfully should, but unfortunately the City Council, the citizens of Boston or some group of gentlemen that the councilor from Ward 17 refers to, whom he does not care to name, have no say over those amounts of expenditure, and we are of necessity forced either to accept the improvement or reject it as it is handed to us by the Legislature of Massachusetts. And I might say today that it is no fault of ours that the Dock square widening is over a period of fifteen years, the Kneeland street widening is over a period of fifteen years, and the Oakland and Ashland street widening is over a period of ten years. The Legislature imposed that obligation upon us, and not we who vote for these improvements, which we, in our humble judgment, think ought to be made in the City of Boston.

Coun. WILSON—Mr. Chairman, with reference to the gentleman from the adjoining ward, for whom, I repeat, I still have the highest personal regard, the thought occurs to me that perhaps if he were in the Legislature he might reform that frequently so erroneous body. But perhaps in the excitement of the argument he momentarily forgot Morton street, which is in his ward, and one of the main through arteries, when he spoke of a loan order for a street which would last forever, but I want to remind him that one of the main arteries, if not the main artery, in his ward lasted for a period of three or four years, and has just been resurfaced, resulting in some comment by the Finance Commission.

I do not want to be on record wrong with reference to the increase in the tax rate, but I want my position very clear, and it is this. I am perfectly willing to vote for a measure which will automatically mean an increase in the Boston tax rate, for a project such as the Suffolk County Courthouse, which, in my opinion, is 90 per cent, if not 80 per cent, as high as 90 per cent for the benefit of the people of Boston and the City of Boston, as against my opposition to a traffic artery towards Providence, Rhode Island, which, in my opinion, is not for the advantage generally of the people of the City of Boston, and certainly not for the benefit of the people of the district of the city which I represent.

Coun. RUBY—A question of information, Mr. Chairman. Will the councilor from Ward 17 answer a question?

Chairman KEENE—State the question.

Coun. WILSON—If it is not too hard.

Coun. RUBY—Would it surprise the councilor from Ward 17 if he were informed that 30 or more per cent of the cases tried in Suffolk Superior Court at Pemberton square, Boston, could by their venue be tried in other counties of Massachusetts?

Coun. WILSON—Mr. Chairman, answering that question, of course for the sake of argument accepting the figures as accurate, but only for the sake of argument, that may be so, but unfortunately the fact remains that 90 per cent of the witnesses and all the jurymen do come from the City of Boston.

Coun. SULLIVAN—I would like to ask the councilor from Ward 17 if he thinks right deep down in his heart that the apportionment of the cost of construction of this Courthouse is right?

Coun. WILSON—Well, Mr. Chairman, I do not think the members of the Council would be interested one way or another as to how I feel deep in my heart, or what my opinion of the figures is. I would be glad to see the state pay the entire expense, but very frankly I have yet to be convinced that approximately 80 per cent is an unfair charge upon the City of Boston, in view of the fact that the figures which I started with this afternoon show—and I stand ready to be corrected—that the taxable valuation of property in Boston runs 94.3 per cent, and 5.7 per cent for the rest of Suffolk County, including Chelsea, Revere and Winthrop; it will run as high as 95 per cent.

The question came on the passage of the order accepting chapter 368 of the Acts of 1928. The Clerk called the roll with the following result:

Yeas—Coun. Dowling, Fitzgerald, Keene, Parkman and Wilson—5.

Nays—Coun. Arnold, Deveney, Donovan, Dowd, Fish, Gallagher, Green, Lynch, Mahoney, McMahon, Murray, Ruby and Sullivan—13.

The order failed of passage.

#### PAINTING CROSSWALKS AT SCHOOL BUILDINGS, WARD 16.

Coun. FISH offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to paint crosswalks at all school buildings in Ward 16.

Passed under suspension of the rule.

#### REPAVING CARLTON 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 Carlton street, Ward 4; to make necessary sidewalk repairs on said street; and to repair the fence between said street and the railroad tracks.

Passed under suspension of the rule.

#### ERECTION OF LOCKER BUILDING.

On motion of Coun. MOTLEY, the Council took up, under unfinished business, No. 8 on the calendar, viz.:

8. Ordered, That the sum of \$25,000 be, and the same is hereby, appropriated, to be expended under the direction, of the Park Commission, for the erection of a locker building, grading, etc., on the Jefferson School Playground, Ward 10, 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. MOTLEY—Mr. President, in order that the minds of some of the members might be clarified in regard to these playgrounds, I am going to ask the councilor in whose district this playground is situated, to explain the situation.

Coun. DEVENEY—Mr. Chairman, this playground is located in my ward, and was purchased some six or seven years ago by the City of Boston, and at the time no improvements were made on it. At the present time there is on the playground a back-stop for the baseball diamond, and a certain amount of grading was done when the playground was purchased. Since then nothing has been done on this lot, and I have had quite a number of complaints from the people in the ward complaining of the fact that they have no provision for shower baths, and they want a first-class diamond laid out there, and some grading done, and it is for this reason that I am asking \$25,000 to make this a first-class playground.

The order was passed on its first reading, yeas 18, nays 0.

Coun. MOTLEY—Mr. Chairman, I move that No. 7 be taken from the calendar.

Chairman KEENE—The Chair would suggest, Councilor Motley, if there is no objection, that we take those playground orders and group them together, to save labor and the expenditure of time, being Nos. 6 to 13, inclusive, on the calendar.

Coun. MOTLEY—The reason I was taking them one by one was because of the fact that a

week ago one of the councilors was very indignant over the fact that I introduced them all in a bunch.

Chairman KEENE—The Chair hears no objection. The question comes upon the —

Coun. DOWLING—Mr. Chairman, the only objection I have is that I shall have to vote "No" on all of them. I do not imagine that any member of the Council regards my feelings in the matter at all, but if they were all offered jointly, I would have to vote "No," and therefore I would be recorded today, against my desire, as being in opposition to playgrounds. I do not want to delay the proceedings, but I suggest that you take up No. 7, as the councilor asks, which would be agreeable to me. I do want to make this one thing clear, Mr. Chairman, without too many remarks, that the purchase of vacant land for playground purposes in some of the districts is not much different from what it has been in mine. We buy vacant land in this city ostensibly for playgrounds, but I defy the twelve apostles to get the chairman of the Park Department to do a single thing on playgrounds that have been in the possession of the city for years. The fact that the gentleman from Ward 10 has just asked for \$25,000 for a locker building on a playground which is located in his district indicates that the Park Department has never had any purpose or desire to improve these playgrounds. We buy a vacant tract of land from somebody who is land poor, and we buy it at the expense of the city. Generally we buy it from people who are well-to-do, but hard to do, and the city goes in and gets the land, and we have what is called a playground, and it is not a playground.

I have in my district a playground where you cannot get a spade turned over from one year's end to another, where you cannot get a baseball diamond laid out for the boys, where you cannot get a hose to lay the dust with, where you cannot get a single thing. And to make an investment of \$100,000 or \$200,000 for the purchase of vacant land that belongs to your friend or my friend or some of our friends, merely to unload it on the city for a playground, is not in keeping with my idea of public service. And that is what I objected to last week, and that is what I object to now. I cannot vote in favor of an appropriation of \$100,000 for a playground in some part of Roslindale or West Roxbury that I know nothing about, and about which the councilor from the district offers no explanation, but I can vote \$25,000 for improving vacant land that is now called a playground. That is my objection, sir.

Chairman KEENE—The gentleman having made his position clear, if the Chair hears no objection we will vote on Nos. 6 to 13.

The Council then took up under unfinished business Nos. 6 to 13, inclusive, 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 Park Commission, for the construction of a new bath house at Wood Island Park, 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.

7. Ordered, That the sum of \$100,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the purchase and improvement of land adjoining Fallon Field as an addition to said field, 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.

8. Ordered, That the sum of \$25,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the erection of a locker building, grading, etc., on the Jefferson School Playground, Ward 10, 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.

9. Ordered, That the sum of \$60,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the purchase of land in what is known as the Fourth Section area of East Boston, and the grading, construction, etc., thereof as a playground, 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.

10. Ordered, That the sum of \$12,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the erection of a field house on the Readville Playground, Ward 18, as recommended by the Special Committee on Parks and Playgrounds, 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.

11. Ordered, That the sum of \$30,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the purchase of land and construction of playground in the Clarendon Hills-Metropolitan Hill section of Roslindale, Ward 18, as recommended by the Special Committee on Parks and Playgrounds, 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.

12. Ordered, That the sum of \$30,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the purchase of land and construction of playgrounds in the Rugby section of Hyde Park, as recommended by the Special Committee on Parks and Playgrounds, 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.

The question came on the passage of the several orders, being Nos. 6 to 13, inclusive, on the calendar, and the same were passed, yeas 16, nays—Coun. Dowling—1.

RECESS.

The Council voted at 3.15 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 Coun. KEENE at 4.15 p. m.

CONFIRMATION OF APPOINTMENTS.

On motion of the Chair, the Council took up, under unfinished business, Nos. 1 and 2 on the calendar, viz.:

1. Action on appointment submitted by the Mayor August 26, 1929, of Augustus P. D'Arcy, to be a Constable.

2. Action on appointments submitted by the Mayor August 26, 1929, of Hazel F. Hill, to be a Weigher of Coal and a Measurer of Wood and Bark; and Stanley C. Munn, to be a Weigher of Goods.

The Chair appointed Coun. Dowd and Mahoney to receive, sort and count the ballots.

Whole number of ballots, 17; yeas 17; nays 0. The appointments were confirmed.

EXECUTIVE COMMITTEE REPORTS.

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

1. On the message of the Mayor and order (referred today) for various transfers in departmental appropriations—recommending that the order ought to pass.

Report accepted and orders severally passed; yeas 19; nays 0.

2. On the message of the Mayor, and order, for an appropriation of \$25,000 for the Boston Port Authority—that the same ought to pass.

Coun. WILSON—Mr. President, of course I do not want to appear any more ignorant than any of the other members of the Council with reference to this Port Authority, which is undoubtedly a very necessary thing, and concerning which no doubt the members of this body who are also members of the Legislature have a vast amount of information, but very frankly I do not know much about the details of this legislative act or the workings of the Port Authority.

As I gathered, this particular loan order is one for \$25,000, to be taken from the Reserve Fund as a sort of emergency, the money to be utilized

to assist Boston and the surrounding communities despite our constantly expressed desire that we should only spend money for our own advantage, to which, however, I do not agree. But this particular order, it seems to me, ought to lay on the table, unless I am acting under a wrong impression, and unless all the members of the Council except myself are fully acquainted with all the details of this legislative act, and if there is no objection I move that it lay on the table.

Chairman KEENE—Does the councilor care to have the facts as outlined in the Mayor's message?

Coun. WILSON—I read the communication, which is very well worded and excellent literature, but it does not tell us about the legislative act, or how much it will require, or what the duties of this Port Authority are to be, nor have we even the wording of the act we are spending the money under.

The question came on the motion of Councilor Wilson to lay on the table; the question was taken and the motion agreed to.

3. On the resolution of Councilor Green (referred today) for the petitioning of Congress towards the adjustment of the unemployment situation at the Boston Navy Yard—that the same ought to pass.

The report of the committee was accepted. The question came on the passage of the resolution; the question was taken and the resolution passed.

SHOWER BATHS, CHARLESBANK GYMNASIUM.

Coun. FITZGERALD offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Park Commissioners to keep the shower baths opened in the Charlesbank Gymnasium, Ward 3, used by men and boys.

Coun. Fitzgerald—I am going to ask that the rules be suspended in this matter.

Coun. FITZGERALD—I am going to ask that the rules be suspended in this matter, and I shall not take a great deal of time, because I know the hour is late, but I found out to my amazement yesterday that the shower baths in the Charlesbank Gymnasium, as well as several of the other parts of the city, were shut down. Upon investigation I find that last Saturday several of the men employed temporarily in positions which were formerly occupied by permanent employees, who have since died or are on pension and whose places were never filled, were laid off, and I want to show the duplicity of somebody,—of the downright cowardice—I don't know just how to put it—in deliberately and cold-bloodedly laying these men off, and especially at a time when they are so badly needed in the parks and playgrounds. The City of Boston entered into a solemn contract with these men and told them they would be employed for six months and they have been ruthlessly thrown out of employment.

Not only that, but, in my opinion, there is absolutely no executive ability in that department. When they found that these bath houses were short of help, there were plenty of men, in my opinion, that they could have transferred. They could have taken one man from each place and have placed him in these places used especially by the poor people. Some of them were away enjoying themselves at summer resorts on their vacations. I knew some of them when they had very little. I knew some of them when they were knocking at the door and appealing to men in political life to put them in their places, but their hearts now have turned cold, and they have no regard for the poor any longer, no regard for the welfare of the people and the citizens of this city in general. They lack the milk of human kindness. They are cold, now that they are rich and powerful, now that they are occupying these positions that so many men are looking for. We all know how eager they were to get them. There is no excuse for it, any more, in my opinion, than ripping up the streets after they have been paved, after they have been asphalted, saying that they must lay cables, saying they must do this or that. Either it is due to corruption, or to collusion, or to stupidity, and the men in charge in proving themselves unfit, if it is ignorance and stupidity, should be removed, and if it is graft, corruption and collusion, they should be prosecuted. Only today I see Bowdoin Street ripped up, the main artery leading to the State House,

and within a few short weeks thousands of dollars were expended upon it. We were told that on Tremont street they had to do certain things, and we now find it is delayed until they can lay the pipes for the church over here. They knew it beforehand. Even on Charles street, the day before they were to pave it, I notified them that the Edison people were going to come in there, and they said they notified them several weeks ago and the Edison officer said, "We had no notice of it." I said, "Why allow this contractor to go in there?" But they proceeded just the same.

On this park situation, these men were supposed to work until the 15th of September, but for some reason they have been laid off. The chairman of the Park Commission told the Council at the last meeting that three weeks ago they so notified them. Look at the pictures in the paper this morning of those children clamoring to get in. I know my wife and family went away and enjoyed themselves over the holiday, and I know there are others who did the same, but I feel for those that cannot, and if the Mayor of this city is going to stand for this, there will be a day of reckoning. I would rather go out of office with something behind me than to have against me the prayers of the poor who, as the Good Book says, are always with us.

But something ought to be done, and I say now that if tonight those shower baths are not open in the district I represent I will not let it stand, but later on I will have my day in court. There are other sections affected by it, and it is a shame, an outrage and a crime, and it should be rectified.

The order was passed under suspension of the rule.

#### LOAN FOR TRAFFIC SIGNALS.

Coun. SULLIVAN 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 Traffic Commission for the installation of automatic traffic control signals in the suburban sections of Boston, and that to meet such expense the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

Referred to Committee on Finance.

#### PAINTING CROSSWALKS AT SCHOOLS IN WARD 19.

Coun. MURRAY offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to paint the crosswalks in front of all the schools in Ward 19 for the protection of the school children of the district.

#### TRAFFIC SIGNAL, SOUTH HUNTINGTON AVENUE.

Coun. MURRAY offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install an automatic traffic signal at the junction of South Huntington avenue, Centre, Boylston and Moraine streets, Ward 19.

Severally passed under suspension of the rule.

#### ANNUITY FOR CHILDREN OF LATE MRS. JOHN WATSON.

Coun. MAHONEY for Coun. Murphy offered the following:

Ordered, That his Honor the Mayor be requested to petition the Legislature, at its next session, for legislation to authorize the City of Boston to provide an annuity for the benefit of the children of the late Mrs. John Watson, who died while a patient at the City Hospital.

Referred to Executive Committee.

#### DIRECTION SIGNS, CITY AND SULLIVAN SQUARES.

Coun. GREEN offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to erect information and direction signs for vehicular traffic at City and Sullivan squares, Charlestown.

Passed under suspension of the rule.

Adjourned at 5 p. m., to meet on Monday, September 9, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, September 9, 1929.

Regular meeting of the City Council, Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Fitzgerald and Murphy.

## POLICE PERSONNEL, DIVISIONS 11 AND 19.

The following was received:

City of Boston,  
Office of the Mayor, September 9, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner, in reply to two orders of August 26, relative to the police personnel of Divisions 11 and 19, and to the assignment of traffic officers to duty at the junction of Seaver street and Blue Hill avenue.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

September 5, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mayor Nichols,—With reference to two orders of the City Council dated August 26, one in the matter of placing a traffic officer at the junction of Blue Hill avenue and Seaver street, and the other relative to the restoration to full strength of the personnel of Divisions 11 and 19, received from your office, I would say regarding a traffic officer being assigned to the junction of Blue Hill avenue and Seaver street, that Capt. James Laffey, commanding Traffic Division 21, is arranging to cover that post forthwith. This post has been left temporarily unattended during the vacation period of officers of this department.

As to the order regarding the personnel of Divisions 11 and 19 being depleted by transfers, I might say that both of these divisions at the present time have their full authorized strength; one hundred and twenty-eight patrolmen are assigned to Division 11, and eighty-nine patrolmen are assigned to Division 19. In November, 1922, there were ninety-two patrolmen assigned to Division 11, and fifty-seven patrolmen assigned to Division 19. Since that time an additional sergeant has been assigned to each of these divisions.

I am returning herewith, the original orders of the City Council, copies of which have been kept in this office for our files.

Very truly yours,  
HERBERT A. WILSON,  
Police Commissioner.

Placed on file.

## LIGHTS ON SAVIN HILL AVENUE AND SYDNEY STREET.

The following was received:

City of Boston,  
Office of the Mayor, September 9, 1929.  
To the City Council.

Gentlemen—I transmit herewith letter from the Commissioner of Public Works in reply to your orders of July 1 and August 26, 1929, relative to installing electric lamps on Savin Hill avenue and light on Sydney street.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
September 6, 1929.

To the Honorable the Mayor.

I return two orders from the City Council relative to street lighting in Ward 13, and report as follows:

Two additional arc lamps have been ordered placed on the portion of Savin Hill avenue, from Dorchester avenue to the station, and a 600-candle power mazda lamp has been ordered placed at

the corner of Sydney and Sudan streets. The Edison Company has been directed to make these installations as soon as possible.

Yours very truly,  
J. H. SULLIVAN,  
Commissioner of Public Works.

Placed on file.

## FOUR-CAR TRAIN SERVICE, DORCHESTER.

The following was received:

City of Boston,  
Office of the Mayor, September 9, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Boston Elevated Railway Public Trustees in reply to your order of August 26, 1929, relative to restoring four-car train service on Dorchester Rapid Transit Line on Saturdays.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Boston Elevated Railway Trustees,  
September 6, 1929.

Miss Ida Hibbard, Chief Clerk, Office of the Mayor.

Dear Madam,—Replying to your letter of August 29 with order of the City Council relative to restoration of four-car train service in the Cambridge Subway-Dorchester Tunnel on Saturdays, it has for several years been our custom to reduce Saturday service to meet traffic requirements due to closing of department stores and considerable curtailment in other business. With the reopening of department stores, however, it is planned to restore the four-car service beginning Saturday, September 7.

Very truly yours,  
EDWARD DANA,  
General Manager.

Placed on file.

## TREES ON PARK VALE AVENUE.

The following was received:

City of Boston,  
Office of the Mayor, September 9, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of August 26, 1929, relative to the planting of shade trees on Park Vale avenue, Ward 21.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, September 3, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of August 29 with inclosure, order from the City Council that the Park Commission, through his Honor the Mayor, be requested to plant, at ordinary intervals, shade trees on Park Vale avenue, Ward 21.

I regret exceedingly to inform you that the Park Department has no funds available at this time to do any planting, nor will it have any to do this planting in the fall, which is the proper time for same.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

## ARC LIGHT ON DORCHESTER AVENUE.

The following was received:

City of Boston,  
Office of the Mayor, September 6, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, in reply to your order of August 5, 1929, relative to the installation of an arc light on Dorchester avenue, at the foot of Old Colony avenue, Ward 7.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Works Department,  
September 4, 1929.

To the Honorable the Mayor.

In accordance with the request contained in the attached order of the City Council dated August

5, 1929, I wish to report that an arc lamp has been ordered installed on Dorchester avenue, Ward 7, at the foot of Old Colony avenue. The installation will be made as soon as possible.

Yours very truly,

J. H. SULLIVAN,

Commissioner of Public Works.

Placed on file.

#### EXECUTIVE APPOINTMENTS.

The following was received:

City of Boston,

Office of the Mayor, September 9, 1929.

To the City Council.

Gentlemen,—Subject to confirmation of your honorable body, I herewith appoint the following as weighers of goods for the term ending April 30, 1930:

John E. Benson, John Amerena, for William Culkeen & Sons Company, 20 Marginal street, East Boston.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Laid over under the law.

#### TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,

Office of the Mayor, September 9, 1929.

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 Boston Traffic Commission.

From the appropriation for A-1, Permanent Employees, Stenographers, 6 at \$1,600 per year \$439.60, to the appropriation for A-1, Permanent Employee, Clerk, 1 at \$1,400 per year, \$439.60.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Collecting Department, Water Division:

From the appropriation for A-1, Permanent Employees, Clerks, 2 at \$2,300-\$2,400 per year, \$1,446.66, to the appropriation for A-1, Permanent Employees, Deputy Collectors, 2 at \$2,400 per year, \$1,446.66.

Referred to the Executive Committee.

#### PETITIONS REFERRED.

The following petitions were received and referred to the Committee on Claims:

Estate of Alfred G. Baynton, for compensation for damage to property at 1215 Morton street, caused by falling tree.

James Cadegan, for compensation for injuries caused by an alleged defect in city yard, H street, South Boston.

James J. Devaney, for compensation for damage to car caused by police car.

Ethel W. Ellis, for compensation for injuries caused by an alleged defect at 1334 Commonwealth avenue.

W. G. Gilbert, for compensation for damage to property at 2 Sutherland road, caused by backing up of sewage.

Hendrick & Co., for compensation for damage to property at 38 Chauncy street, caused by broken water pipe.

Mrs. Lynn S. Hosea, for compensation for damage to clothing caused by oil on Edison street.

Samuel McCall, for compensation for damage to automobile by city truck.

Francis L. McGinness, for compensation for loss of clothes at City Hospital.

Pioneer Spa, for compensation for damage to property at 76 Bedford street, caused by bursting of water pipe.

David Sherman, for compensation for damage to property at 1461 Washington street, caused by police officer.

Mrs. Lillian Trabucco, for compensation for damage to coat at Orchard park.

Frank E. Williams, to be reimbursed for judgment brought against him on account of his acts as a fireman.

#### REGISTRY OF DEEDS PAY ROLL.

The pay roll of the Registry of Deeds from September 1 to September 15, 1929, inclusive, amounting to \$4,711.13, was received and approved.

#### GASOLINE LICENSES.

Notice was received from the Board of Street Commissioners of hearings on Monday, September 23, 1929, on the following applications:

Barrett Builders Supply Company, Inc., 19 Linden street, Ward 22, 1,000 gallons.

Norman J. Bonney, 658 Harrison avenue, Ward 8, 1,000 gallons.

Boston American, 803 Shawmut avenue, Ward 9, 2,000 gallons.

Philip McMorro, 326 Adams street, Ward 16, 1,500 gallons additional.

Najeeb N. Meshaka, 5332 Washington street, Ward 20, 5,000 gallons.

Packard Motor Car Company, 35 Malvern street, Ward 21, 2,000 gallons.

Referred to Executive Committee.

#### LOAN IN ANTICIPATION OF TAXES.

President DONOVAN called up under unfinished business, No. 1 on the calendar, viz.:

1. Ordered, That to provide temporarily money to meet the appropriations for the financial year 1929, 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 three million dollars in the total, in anticipation of the taxes 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 taxes of the year 1929, 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 August 26, 1929, the foregoing order was read once and passed, yeas 15, nays 0.

The order was given its second and final reading and passage, yeas, 18, nays 0.

#### LAYING OUT BEECHER 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 Beecher street, from Boylston street to Paul Gore street, Ward 19, as a public highway.

Passed under suspension of the rule.

#### LAYING OUT ST. PETER 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 St. Peter street, from Boylston street to Paul Gore street, Ward 19, as a public highway.

Passed under suspension of the rule.

#### LAYING OUT GOODRICH ROAD, 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 Goodrich road, Ward 19, as a public highway.

Passed under suspension of the rule.

PLAYGROUND, WARD 17.

Coun. WILSON called up under unfinished business, No. 3 on the calendar, viz.:

3. Ordered, That the sum of \$21,000 be, and hereby is, appropriated, to be expended by the Park Commissioners for the purchase of land for playground purposes in the vicinity of Dunbar avenue, Ward 17, Dorchester, and for the construction of said playground, and that to meet the 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 of Boston to said amount.

On August 26, 1929, the foregoing order was read once and passed, yeas 30, nays 0.

The order was given its second and final reading and passage, yeas 18, nays 0.

\$40,000 FOR MORTON STREET.

On motion of Coun. WILSON, the Council took up under unfinished business, No. 2 on the calendar, viz.:

2. Ordered, That the sum of \$40,000 be, and the same hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, for the laying out, widening and construction of Morton street, Dorchester, from Codman street to Druid street, 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.

On August 26, 1929, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second and final reading and passage, yeas 19, nays 0.

LEASE OF OLD FRANKLIN SCHOOLHOUSE YARD.

President DONOVAN called up under unfinished business, No. 4 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 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.

On August 26, 1929, the foregoing order was read once and passed, yeas 15, nays 1.

The order was given its second and final reading and passage, yeas 18, nays—Coun. McMahon—1.

REPAVING EAST SECOND STREET.

Coun. MAHONEY offered the following:  
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving East Second street, from K street to M street, Ward 6.

Passed under suspension of the rule.

BEACON LIGHT, SOUTH BOSTON PIER.

Coun. MAHONEY offered the following:  
Ordered, That the Park Commission be requested, through his Honor the Mayor, to install a beacon light at the end of the Head House Pier, South Boston, for the safety and convenience of yachts and other crafts entering Pleasure Bay.

Passed under suspension of the rule.

IMPROVEMENTS AT MARINE PARK.

Coun. MAHONEY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to make necessary general repairs at Marine Park Pier and the Public Landing, and to install additional drinking fountains along the beach at Marine Park.

Passed under suspension of the rule.

LOAN FOR INCINERATION PLANT.

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

6. Ordered, That the sum of \$350,000 be, and the same hereby is, appropriated, to be expended for the purchase of land if necessary and 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.

The order was passed, yeas 17, nays—Coun. Bush, Ruby—2.

SIDEWALK ON TOLMAN STREET, WARD 16.

Coun. FISH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Tolman street (both sides), from Neponset avenue to Norwood street, Ward 16, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

EXPENSES OF BOSTON PORT AUTHORITY.

On motion of Coun. ARNOLD, the Council took up the table No. 7 on the calendar, viz.:

7. Ordered, That the sum of \$25,000 be, and the same hereby is, appropriated, to be expended under the direction of the Mayor, in accordance with chapter 229 of the Acts of 1929, for the necessary expenses of the Boston Port Authority, said sum to be charged to the Reserve Fund.

The order was passed, yeas 20, nays 0.

SIDEWALK ON CHARLES STREET, WARD 15.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Charles street, from Dorchester avenue, to beyond Ditson 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.

Passed under suspension of the rule.

IMPROVEMENTS FOR HYDE PARK.

Coun. MURRAY, for Coun. Murphy, offered the following orders:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor to install an automatic control signal at the junction of West street and Hyde Park avenue.

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

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

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

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to provide settees on the grounds of the Municipal Building in Hyde Park, Ward 18.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Hyde Park avenue from Cleary square to Readville, Ward 18.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Lake street, Ward 18, with smooth paving.

Ordered, That the Commissioner of Public Works make a sidewalk along Arlington street (south side), from Hyde Park avenue to 300 feet easterly, 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 Clifford street, from East Milton street to Readville Trotting Park, 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 Lincoln street, from River street to Harvard 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.

Orders severally passed under suspension of the rules.

#### THOMAS J. McDONALD SQUARE.

Coun. WARD offered the following:

Ordered, That the space at the junction of Columbus and Massachusetts avenues, South End, be named Thomas J. McDonald square, in honor of the distinguished soldier of that name who was a member of Battery C, 101st Field Artillery during the World War and who died January 17, 1928, and that suitable signs be erected to designate same.

Referred to Executive Committee.

#### REPAVING OF PREBLE STREET, 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 pavement Preble street, Ward 7, also to construct granolithic sidewalks thereon.

Passed under suspension of the rule.

#### RECESS.

On motion of Coun. MOTLEY, the Council voted at 2.45 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 DONOVAN at 3.51 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

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

1. Report on order (referred today) that the space at the junction of Columbus and Massachusetts avenues, South End, be named Thomas J. McDonald square — that the same ought to pass.  
Report accepted, said order passed.

2. Report on order (referred September 4) to print an edition of 500 copies of the fire insurance rates report — that the same ought to pass.  
Report accepted, said order passed.

3. Report on order (referred September 4) that his Honor the Mayor be requested to petition the Legislature at its next session for legislation to authorize the City of Boston to provide an annuity for the benefit of the children of the late Mrs. John Watson — that the same ought to pass.  
Report accepted, said order passed.

4. Report on orders (submitted by the Mayor and referred today) for transfers within department appropriations (Boston Traffic Commission and Collecting Department, Water Division) — that the same ought to pass.  
Report accepted, said orders passed, yeas 17, nays 0.

#### COPIES OF TRAFFIC REPORT FOR MEMBERS.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to furnish each member of the City Council for distribution, ten copies of the Professor McClintock Traffic Report, the expense of the same to be charged to "City Documents."

Coun. WILSON—Mr. President, the reason of the introduction of that order at this time is because of information received in the Executive Committee, which we assume is accurate, to the effect that there is a large number of these reports available in the Street Commissioners' office, which have not been sold or distributed. If that is the case, I can take care of the distribution through police captains and others in my district of some of these copies, and I believe their distribution will certainly prove of value.

The order was passed under suspension of the rule.

#### APPROPRIATION OF PARKMAN FUND INCOME.

Coun. PARKMAN, for the Committee on Parkman Fund, submitted a report on the order (submitted by the Mayor and referred August 5, 1929) recommending the passage of the same, as follows:

Ordered, That the sum of \$104,000 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:

Boston Common and Public Garden, improvements.....	\$30,000
Marine Park, improvements, etc.....	15,000
Franklin Park, improvements.....	50,000
Animals, birds, etc.....	5,000
Aquarium, improvements, etc.....	4,000

Report accepted, order passed, yeas 17, nays 0.

#### RELEASE OF PRIVATE WAY, SOUTH BOSTON.

Coun. MOTLEY, for the Committee on Public Lands, submitted a report on order (referred February 18, 1929) to release the city's rights in a certain parcel of land situated on Washington avenue — that the same ought to pass.

Report accepted, order assigned to the next meeting.

#### 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, 1929.  
Report accepted, said order passed.

REPORT ON FIRE INSURANCE RATES.

Coun. McMAHON offered the following:

Ordered, That the report of the Mayor's Committee on fire insurance rates be printed as a public document, and that each member of the Boston City Council be furnished with five copies, without charge.

Passed under suspension of the rule.

SIDEWALK ON WALWORTH STREET.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Walworth street, from South street to Belgrade avenue, Ward 20, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

SIDEWALK ON FLORENCE STREET.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Florence street (north side), from Cummins Highway to Firth 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.

THE NEXT MEETING.

Coun. KEENE—Mr. President, I move that when we adjourn today it be to meet two weeks from today, at 2 p. m.

Coun. Keene's motion was carried.

ADDITION TO FREDERICK D. EMMONS PLAYGROUND.

Coun. GREEN offered the following:

Ordered, That the sum of sixty-five thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission, for the purchase of land to be used as an addition to the Frederick D. Emmons Playground on Rutherford avenue, 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 the city to said amount.

Referred to the Committee on Finance.

Adjourned at 4 p. m., on motion of Coun. MURRAY, to meet again on Monday, September 23, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, September 23, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Murphy.

## APPOINTMENTS OF WEIGHERS OF GOODS.

The following was received:

City of Boston,

Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—Subject to the confirmation of your honorable body, I appoint the following named persons to the position of weigher of goods.

William Sheppard, John Donovan, James Fuddy, all employed by Richards & Co., Inc., Battery Wharf, Boston.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Laid over a week under the law.

## APPOINTMENTS OF CONSTABLES.

The following was received:

City of Boston,

Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—Subject to the confirmation of 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, 1930:

William E. Castaldo, 56 Prince street, Ward 3; Maurice Levine, 73 Erie street, Ward 14; Joseph Frederick Ecker, 7 Adams circle, Ward 11; James McDonough, 395 Shawmut avenue, Ward 9.

Yours truly,

MALCOLM E. NICHOLS, Mayor.

Laid over a week under the law.

THOMAS J. McDONALD SQUARE—  
VETOED.

The following was received:

City of Boston,

Office of the Mayor, September 16, 1929.  
To the City Council.

Gentlemen,—I return without my approval your order of September 9, 1929, "That the space at the junction of Columbus and Massachusetts avenues, South End, be named Thomas J. McDonald square, in honor of the distinguished soldier of that name who was a member of Battery C, 101st Field Artillery during the World War and who died January 17, 1928, and that suitable signs be erected to designate 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.

## PRINTING INSURANCE REPORT—VETO.

The following was received:

City of Boston,

Office of the Mayor, September 17, 1929.  
To the City Council.

Gentlemen,—I am returning herewith, without my approval, your order of September 9, 1929, for printing as a public document the report of the Mayor's Committee on Fire Insurance for the

reason that I have already approved an order for printing 500 copies of the Fire Insurance Rates Report directing that the expense be charged to the appropriation for City Documents.

That part of the attached order referring to copies to be furnished gratis to the City Council, I will gladly approve if forwarded to me in a separate order.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

VEHICULAR UNDERPASS AT ARBORWAY,  
VETO.

The following was received:

City of Boston,

Office of the Mayor, September 10, 1929.  
To the City Council.

Gentlemen,—I return herewith, without my approval, but without prejudice, your order that the sum of \$350,000 be appropriated for the construction of a vehicular underpass and for other construction work upon or under Arborway at Washington street and streets adjacent thereto passed by your honorable body August 26 last.

I deem it wise to defer this matter until action is taken upon the Centre street and St. Ann street loan orders now pending before the City Council.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

VEHICULAR TRAFFIC SIGNS,  
CHARLESTOWN.

The following was received:

City of Boston,

Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commission in reply to your order of September 4, 1929, relative to erecting information and direction signs for vehicular traffic at City and Sullivan squares, Charlestown.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Boston Traffic Commission,  
154 Berkeley Street,  
September 10, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council September 4, 1929:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to erect information and direction signs for vehicular traffic at City and Sullivan squares, Charlestown."

We are now making a study of locations where informational and directional traffic signs are needed. City square and Sullivan square are among the locations where we expect to erect signs in the immediate future.

Respectfully yours,

WILLIAM A. FISHER,  
Commissioner.

Placed on file.

TRAFFIC SIGNAL, WEST STREET AND  
HYDE PARK AVENUE.

The following was received:

City of Boston,

Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commission in reply to your order of September 9, 1929, relative to installing automatic traffic control signal at the junction of West street and Hyde Park avenue.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Boston Traffic Commission,  
154 Berkeley Street,  
September 21, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council September 9, 1929:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to

install an automatic traffic control signal at the junction of West street and Hyde Park avenue."

I wish to advise that this commission is without funds at present to accomplish the work requested in the above City Council order. However, we have prepared plans for the erection of a warning sign at this intersection.

Respectfully yours,  
WILLIAM A. FISHER,  
Commissioner.

Placed on file.

#### TRAFFIC SIGNAL, WARD 19.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commission in reply to your letter of September 4, 1929, relative to installing traffic signal at junction of South Huntington avenue, Centre, Boylston and Moraine streets, Ward 19.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

—  
Boston Traffic Commission,  
154 Berkeley Street,  
September 10, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council September 4, 1929:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install an automatic traffic signal at the junction of South Huntington avenue, Centre, Boylston and Moraine streets, Ward 19."

This commission is without funds at the present time to erect automatic traffic signals.

Respectfully yours,  
WILLIAM A. FISHER,  
Commissioner.

Placed on file.

#### TRAFFIC SIGNAL, CUMMINS HIGHWAY AND HYDE PARK AVENUE.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commission in reply to your order of September 4, 1929, relative to installing automatic traffic control signal at junction of Cummins Highway and Hyde Park avenue, Ward 18.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

—  
Boston Traffic Commission,  
154 Berkeley Street,  
September 10, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council September 4, 1929:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install an automatic traffic control signal at the junction of Cummins Highway and Hyde Park avenue, Ward 18."

This commission is without funds at the present time to erect automatic traffic signals.

Respectfully yours,  
WILLIAM A. FISHER,  
Commissioner.

Placed on file.

#### PAINTING CROSSWALKS IN CHARLESTOWN.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commission in reply to your

order of the 4th instant relative to having crosswalks painted at all strategic points in Charlestown.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

—  
Boston Traffic Commission,  
154 Berkeley Street,  
September 10, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council September 4, 1929:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to have crosswalks painted at all strategic points in Charlestown, particularly in front of the schools."

We are now engaged in painting crosswalks in the vicinity of school buildings throughout the City of Boston. It is our purpose to paint first those crosswalks at the most dangerous locations. It will be impossible for us to paint the crosswalks at all the school buildings in the City of Boston during the present year, but I have given orders that all available employees be assigned to this work, to complete as many as possible.

Respectfully yours,  
WILLIAM A. FISHER,  
Commissioner.

Placed on file.

#### PAINTING CROSSWALKS IN SOUTH BOSTON.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commission, in reply to your order of September 4, 1929, relative to having crosswalks at all school buildings in Ward 6, South Boston, painted.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

—  
Boston Traffic Commission,  
154 Berkeley Street,  
September 10, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council September 4, 1929:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to have crosswalks painted at all the school buildings in Ward 6, South Boston."

We are now engaged in painting crosswalks in the vicinity of school buildings throughout the City of Boston. It is our purpose to paint first those crosswalks at the most dangerous locations. It will be impossible for us to paint the crosswalks at all the school buildings in the City of Boston during the present year, but I have given orders that all available employees be assigned to this work, to complete as many as possible.

Respectfully yours,  
WILLIAM A. FISHER,  
Commissioner.

Placed on file.

#### BEACON, CITY SQUARE AND CHELSEA STREET.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commission, in reply to your order of September 4, 1929, relative to installing a flashing beacon at City square, Charlestown, at junction of Chelsea street.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

—  
Boston Traffic Commission,  
154 Berkeley Street,  
September 10, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council September 4, 1929:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install a



flashing beacon at City square, Charlestown, at the junction of Chelsea street."

The flashing beacon was erected in City square on September 9, 1929.

Respectfully yours,  
WILLIAM A. FISHER,  
Commissioner.

Placed on file.

PAINTING CROSSWALKS IN WARD 19.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commission in reply to your order of September 4, 1929, relative to painting crosswalks in front of all schools in Ward 19 for protection of school children.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

—  
Boston Traffic Commission,  
154 Berkeley Street,  
September 10, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council September 4, 1929:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to paint the crosswalks in front of all the schools in Ward 19 for the protection of the school children of the district."

We are now engaged in painting crosswalks in the vicinity of school buildings throughout the City of Boston. It is our purpose to paint first those crosswalks at the most dangerous locations. It will be impossible for us to paint the crosswalks at all the school buildings in the City of Boston during the present year, but I have given orders that all available employees be assigned to this work, to complete as many as possible.

Respectfully yours,  
WILLIAM A. FISHER,  
Commissioner.

Placed on file.

PAINTING CROSSWALKS IN WARD 16.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commission in reply to your order of September 4, 1929, relative to painting crosswalks at all school buildings in Ward 16.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

—  
Boston Traffic Commission,  
154 Berkeley Street,  
September 10, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council September 4, 1929:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to paint crosswalks at all school buildings in Ward 16."

We are now engaged in painting crosswalks in the vicinity of school buildings throughout the City of Boston. It is our purpose to paint first those crosswalks at the most dangerous locations. It will be impossible for us to paint the crosswalks at all the school buildings in the City of Boston during the present year, but I have given orders that all available employees be assigned to this work, to complete as many as possible.

Respectfully yours,  
WILLIAM A. FISHER,  
Commissioner.

Placed on file.

TREES ON HILLVIEW AVENUE.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith communi-

cation from the Park Department in reply to your order of September 4, 1929, relative to planting trees on Hillview avenue, Ward 18.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

—  
City of Boston,  
Park Department, September 12, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of September 9 with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to plant trees on Hillview avenue, Ward 18.

Hillview avenue was formerly known as Hillside avenue. It would cost about \$35 per tree to do the planting and I regret exceedingly to inform you we have no money available for this purpose at the present time.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

BEACON LIGHT, HEAD HOUSE PIER.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of September 9, 1929, relative to installing beacon light at end of Head House Pier.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

—  
City of Boston,  
Park Department, September 18, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of September 16 with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to install a beacon light at the end of the Head House Pier, South Boston, for the safety and convenience of yachts and other craft entering Pleasure Bay.

At the present time, I have an order before the City Council for an appropriation from the income of the Parkman Fund to be expended for this purpose. As soon as it passes, I will immediately make arrangements to install the light.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

IMPROVEMENTS AT MARINE PARK PIER.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of September 9, 1929, relative to making necessary general repairs at Marine Park Pier and the public landing and installing of additional drinking fountains along the beach at Marine Park.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

—  
City of Boston,  
Park Department, September 18, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of September 16 with inclosure, order from the City Council, that the Park Commission be requested, through his Honor the Mayor, to make necessary general repairs at the Marine Park Pier and the public landing, and to install additional drinking fountains along the beach at Marine Park.

At the present time, I have an order before the City Council for an appropriation from the income of the Parkman Fund to be expended for this purpose. As soon as it passes, I will immediately start the contemplated repairs.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

SHOWER BATHS, CHARLESBANK  
GYMNASIUM.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of September 4, 1929, relative to keeping the shower baths open in the Charlesbank Gymnasium.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, September 10, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of September 9, with inclosure, order from the City Council, that his Honor the Mayor instruct the Park Commission to keep the shower baths opened in the Charlesbank Gymnasium, Ward 3, used by men and boys.

The baths in question have been kept opened until 8 p. m. during the summer season. With the closing of the athletic activities, there will be no further need of the shower baths being kept opened. In the event of a warm spell, of course, the department will allow of the necessary bathing.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

PLAYGROUND, WEST END.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Park Department in reply to your order of September 4, 1929, relative to legislation necessary to procure for city land for playground, bathing, or similar purposes under provisions of section 2, chapter 371, Acts 1929.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, September 12, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of September 9 with inclosure, order from the City Council, that his Honor the Mayor be requested to direct the Park Commissioners to confer with the State Department of Public Works and report to the City Council such legislation as may be necessary to secure for the city land for playground, bathing, or similar purposes which the said department is authorized to acquire, under the provisions of section 2, chapter 371, Acts 1929.

I beg to report that I have had a conference with the State Board of Public Works who inform me that the land in question is that adjacent to the Leverett street extension which contains about 85,000 feet and is assessed at \$4 a foot. There is no legislation needed to acquire this land.

Very truly yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

APPROPRIATION FOR GAS  
INVESTIGATION.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
To the City Council.

Gentlemen,—In connection with the petition filed by the city with the Public Utilities Commission protesting against the proposed revision in gas rates, it will be necessary to meet charges for expert services, stenographic services and other necessary and proper expenditures. I accordingly submit herewith an order providing for an initial appropriation of \$5,000 to cover such charges and recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$5,000 be, and the same hereby is, appropriated, to be expended under the direction of the Mayor, for the purpose of protesting the new schedule of gas rates before the Public Utilities Commission, said sum to be charged to the Reserve Fund.

Referred to Executive Committee.

DEPARTMENT TRANSFERS.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
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 Assessing Department:

From the appropriation for A-1, Permanent Employees, 3 Clerks at \$1,700-\$1,900 per year, \$870; Clerk and Stenographer, 1 at \$1,900-\$2,000 per year, \$76; F-14, Listing, \$325, to the appropriation for A-3, Unassigned, \$1,271.

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, 2 Clerks at \$1,300 per year, \$500; B-1, Printing and Binding, \$1,500; D-1, Office, \$25, to the appropriation for B-39, General Plant, \$2,000; C-16, Wearing Apparel, \$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 Fire Department:

From the appropriation for B-18, Cleaning, \$300; B-28, Expert, \$750, to the appropriation for B-35, Fees, Service of Venires, etc., \$300; D-5, Medical, Surgical, Laboratory, \$50; E-10, Electrical, \$700.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Hospital Department, Sanatorium Division:

From the appropriation for C-4, Motor Vehicles, \$100, to the appropriation for D-13, Chemicals and Disinfectants, \$100.

From the appropriation for C-5, Motorless Vehicles, \$118, to the appropriation for B-15, Motorless Vehicle Repairs, \$118.

From the appropriation for D-4, Forage and Animal, \$248.15, to the appropriation for B-10, Rent, Taxes and Water, \$248.15.

From the appropriation for G-2, Special Investigations, \$250, to the appropriation for B-10, Rent, Taxes and Water, \$68.50; B-4, Transportation of Persons, \$175; B-35, Fees, Service of Venires, \$6.50.

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 Public Welfare Department, Central Office:

From the appropriation for A-1, Permanent Employees, Visitors, 22 at \$1,600 to \$2,300 per year, \$20.75, to the appropriation for A-1, Permanent Employees, Engineer, 1 at \$39-\$40.50 (\$42) per week, \$20.75.

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 Soldiers' Relief Department:

From the appropriation for A-1, Permanent Employees, Visitors, 11 (12) at \$1,600 to \$2,000 per year, \$325.42, to the appropriation for A-1, Permanent Employees, Clerk and Stenographer, 1 at \$1,200 per year, \$325.42.

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-4, Motor Vehicles, \$100, to the appropriation for B-37, Photographic and Blueprinting, \$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 appropriation for A-1, Permanent Employees, Hospital Employees, 1 (13) at \$48 per week, \$608; Physicians, 3 at \$3,000 per year, \$140, to the appropriation for A-1, Permanent Employees, Hospital Employee, 1 at \$51 per week, \$748.

From the appropriation for A-1, Permanent Employees, Hospital Employees, 1 (4) at \$42 per week, \$532; Physicians, 3 at \$3,000 per year, \$134, to the appropriation for A-1, Permanent Employees, Hospital Employees, 12 (0) (1) at \$45 per week, \$666.

From the appropriation for A-1, Permanent Employees, Hospital Employees, 2 at \$34 per week, \$396; Physicians, 3 at \$3,000 per year, \$115, to the appropriation for A-1, Permanent Employees, Hospital Employee, 1 at \$35.50 per week, \$511.

From the appropriation for C-5, Motorless Vehicles, \$500, to the appropriation for B-15, Motorless Vehicle Repairs, \$500.

From the appropriation for G-4, Furnishing and Equipping, House Officers' Building, \$500, to the appropriation for D-13, Chemicals and Disinfectants, \$500.

Referred to Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named:

Claims.

Fannie Aronson, for compensation for injuries caused by an alleged defect in Palmer and Warren streets.

George C. Bougopoulos, for compensation for damage to property at 340 Centre street, caused by bursting of water hydrant.

James J. Brady, for compensation for damage to car by city team.

Blue Front Stables, for compensation for damage to horse and wagon by city truck.

Fred R. Butlers, for compensation for damage to car by city car.

J. A. Calder, for compensation for damage to car by city cart.

Peter Caruso, for refund on license for sale of merchandise.

Mrs. Ellen Caulfield, for compensation for damage to property at 272 Havre street, caused by defective catch-basin.

Henry Chisholm, for refund on building permit.

Joseph Christopher, for compensation for injuries caused by an alleged defect in North End Park.

Mary and James Coakley, for compensation for damage to car caused by an alleged defect in Belmel road.

Ethel C. Comee, for compensation for injuries caused by an alleged defect at Tremont and Winter streets.

A. C. Donovan, to be reimbursed for removal of tree from 3 Grayson street, Boston.

Charles G. Fallon, for compensation for damage to automobile by fire apparatus.

William Fenerty, for compensation for damage to automobile by city car.

Charles B. Flahive, for compensation for damage to car by city team.

William F. Flynn, for compensation for damage to automobile caused by an alleged defect in Brighton avenue, Allston.

Mrs. T. M. Gahan, for compensation for damage to property at 586 Tremont street, caused by water entering cellar.

Mrs. Thomas Gildes, for compensation for damage to fence at 43 Elmore street, by ashmen.

Mollie Halpert, for compensation for injuries caused by an alleged defect at 677 Atlantic avenue.

Herlihy Brothers, Inc., for compensation for injuries to horse caused by an alleged defect in Berkeley Street Bridge.

John Jacobson, for compensation for damage to car by city wagon.

Irving C. Keene, for compensation for damage to car by fire apparatus.

Josephine M. A. Kelley, for compensation for damage to car caused by an alleged defect in Walnut avenue, Roxbury.

Max Krinsky, for compensation for damage to car by city team.

Annette B. Lancaster, for compensation for damage to property caused by falling limb of tree.

Daniel L. McKinney, for compensation for damage to car caused by falling limb of tree.

Mary McMurray, for compensation for damage to property at 8 Melvinside terrace, caused by defective water system.

Rose A. Newman, for compensation for injuries caused by an alleged defect in Training Field, Charlestown.

Max Noran, for compensation for damage to automobile caused by an alleged defect in Tremont street.

Mrs. Elizabeth O'Brien, for compensation for injuries caused by an alleged defect at 1327 Tremont street.

Mildred Paige, for compensation for injuries caused by an alleged defect in Regent street.

Joseph Porter, for compensation for damages caused by patrol wagon.

Carolyn F. Richards, for compensation for damage to car caused by fire apparatus.

Gertrude Rogers, for compensation for injuries caused by an alleged defect in Cambridge street.

Charles W. Sharp, for refund on sidewalk license.

Stone Craft Company, for refund on unused refuse tickets.

Lena C. Strout, for compensation for injuries caused by an alleged defect in Marion street, East Boston.

Mrs. Frederick J. Wilder, for compensation for injuries caused by an alleged defect at South Station.

Virginia Zwicker, for compensation for injuries caused by an alleged defect in Boston Common.

Mrs. U. P. Archibald, for compensation for damage to property at 12 Melvinside terrace, caused by broken water pipe.

Mrs. Mary E. Murphy, for compensation for damage to property at 14 Melvinside terrace, caused by broken water pipe.

UNCLAIMED BAGGAGE.

New York, New Haven & Hartford Railroad Company, to sell on or about October 22, 23, 24 or 25, at Boston Freight Terminal, unclaimed baggage and other articles remaining in the possession of this company, and which has been regularly advertised as provided for in chapter 135 of General Laws.

CERTIFICATES OF APPOINTMENT.

Notice was received of the appointments by the Mayor of Thomas F. Ratigan, 90 Commonwealth avenue, and Joseph T. Zottoli, 26 Upland avenue, Dorchester, to be Overseers of the Public Welfare. Placed on file.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Commissioners of hearings to be given on that Board on petitions for storage and sale of gasolene, as follows:

September 30, 1929.

Curtis' Flying Service, 460 Maverick street, Ward 1, 2,000 gallons.

D. & D. Filling Station, 436 Dorchester avenue, Ward 7, 1,000 gallons.

James G. McGrath, 1395 Hyde Park avenue, Ward 18, 1,500 gallons.

The Morris Garage, 60 Brainerd road, Ward 21, 1,000 gallons.

Antonio Volante, 1612 and 1614 Hyde Park avenue, Ward 18, 10,000 gallons.

October 7, 1929.

Josephine M. Coughlin, 1735 Centre street, Ward 20, 3,000 gallons.

Clara E. Haley, 81 and 83 Chelsea street, Ward 2, 3,000 gallons.

Mills Transfer Company, 30 Sleeper street, Ward 6, 13,000 gallons.

Carrie Stone Murray, 3 Weld park, Ward 19, 3,000 gallons.

Alberto Todesca, 4415 Washington street, etc.,  
Ward 20, 10,000 gallons.

Referred to Executive Committee.

#### RAILWAY FOR MILTON CEMENT COMPANY.

A copy was received from the Board of Street Commissioners of order, approved by the Mayor September 6, granting permission to the Milton Cement Company to construct, maintain and use a single track railway for private use for transportation of freight by steam power upon and across Butler street, Dorchester district, from the tracks of the New York, New Haven & Hartford Railroad.

Placed on file.

#### WORK ON SCHOOL CONSTRUCTION CHARLESTOWN.

The following was received:

School Committee of the City of Boston,  
Administration Building,  
15 Beacon Street,  
Office of the Superintendent, Ninth Floor,  
September 19, 1929.

Mr. Wilfred J. Doyle, City Clerk,  
City Hall, Boston.

Dear Sir,—At Monday evening's conference the members of the School Committee received the order passed by the City Council at the meeting of September 4, 1929, as follows:

Ordered, That the School Committee be requested, through his Honor the Mayor, to inform the City Council as to whether or not the construction of a new junior high school in Charlestown will mean the discontinuance of the Warren-Bunker Hill Primary School; also whether or not any land has been taken in the area bounded by Charles street, Charles Street place and Schoolhouse court, Charlestown, in connection with their program for school extension.

The order was referred to the Superintendent for reply direct to the City Council.

Permit me now to report that there are five primary school buildings in the Warren-Bunker Hill district. No specific school is mentioned in the order referred. Consequently, I am unable to make definite reply to this question.

As to the taking of land in the area bounded by Charles street, Charles Street place and Schoolhouse court, Charlestown: At the meeting of the School Committee on March 15, 1926, an appropriation in the sum of \$5,200 was made for "addition to yard of Bunker Hill School," and the following the Superintendent advised the Schoolhouse Commission as follows:

"This appropriation is to make possible the purchase of inexpensive property in the rear of the Bunker Hill School adjoining the yard to increase the amount of play space per pupil."

Under this order of the School Committee all the property under private ownership on Charles Street place and Schoolhouse court, with the exception of the soap works, has been taken for school purposes by the Board of Street Commissioners, and the lot belonging to the city, which was under the jurisdiction of the Park Department, has been transferred to the School Department. These properties were not taken with the idea of school additions but were taken for the purpose of increasing the play space for the school children and in order to afford an adequate site for a standard elementary school if and when the Bunker Hill Schoolhouse shall be replaced.

Respectfully submitted,  
J. E. BURKE,  
Superintendent of Public Schools.

Placed on file.

#### CONSTABLE'S BOND APPROVED.

The constable's bond of Otto Kohl, 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 August 19 to September 14 and from September 16 to September 30, amounting to \$8,475.55, was received and approved.

#### SIDEWALK ON SPRUCE STREET, WARD 16.

Coun. FISH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Bruce street, from Ashmont street to Wrentham street, Ward 16, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones; under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

#### HOURS OF VOTING ON ELECTION DAY.

Coun. DOWLING offered the following:

Ordered, That the polls of the several voting places in the City of Boston at the city election on Tuesday, November 5, shall be opened at 6 o'clock a. m. and remain open until 8 p. m.

Coun. DOWLING—Mr. President, I introduced an order similar to this two years ago and it caused a lot of unnecessary debate. I can see no reason for wasting words on an order that calls for something which all the members of the Council want. Of course, the hours for voting at the city election should be as extended as possible, without putting undue hardship on the voters or the election officers. Ordinarily, without an order of this kind, the polls would be closed at 4 o'clock in the afternoon. That has been customary many years in the past. But I think we all feel—and I am perfectly satisfied as a candidate for re-election and as a citizen—that every voter in our districts should have an opportunity to vote at the coming city election. If I have been unfaithful to my trust or false to my convictions as a member of the City Council, it is only fair that every voter in my district should have an opportunity to vote against me. On the other hand, if the service I have rendered as a member of the Council has reflected credit on me or on the Council, it is but fair that every voter in the district should have the widest opportunity to vote for my re-election. There is no member of the Council who wants the polls closed at an earlier hour than eight in the evening. Some might want them opened until 10 but, of course, that would mean an undue and probably unnecessary hardship on the men and women who take charge of the election. I understand that for the first time—I am not sure that it is the first time, but in any event I understand this to be the case—the Election Commissioners have provided special election officers to assist the men and women who do the regular work on election day, and the extra services employed in that manner will relieve the men and women who have been working all day. I think the order is a fair one and a reasonable one. I think it is one that every member of the Council wants to see passed. But because—and I have to smile when I say it—there was such a hullabaloo when two years ago the order was introduced by myself, a Republican, although this is supposed to be a nonpartisan body and a nonpartisan city election, I have felt that perhaps I should say a few words at this time in offering it. In putting in this order for the late closing of the polls, I certainly wish to take no glory or credit away from members of the Council who happen to belong to a party other than that to which I belong. I do, however, hope that the order will pass, and without unnecessary debate.

The order was referred to the Executive Committee.

#### DISAPPROVAL OF PROPOSED PETROLEUM LICENSE.

President DONOVAN offered the following:

Ordered, That the granting of a license to the Boston Port Development Company for the storage and sale of petroleum products, such as fuel oils,

kerosene, gasolene and lubricating oils, at 100 Boardman street, East Boston, be, and the same hereby is, disapproved.

Referred to the Executive Committee.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Coun. KEENE called up, under unfinished business, Nos. 1 and 2 on the calendar, viz.:

1. Action on appointments submitted by the Mayor September 4, 1929, of Joseph Argenzio, Philip H. Spector and Michael F. Black, to be Constables.

2. Action on appointments submitted by the Mayor September 4, 1929, of B. Bornstein, S. Bornstein and Sara M. Tucker, to be Weighers of Coal and Measurers of Wood and Bark; and on appointments submitted September 9, 1929, of John E. Benson and John Amerena, to be Weighers of Goods.

Committee, Coun. Keene and Gallagher. Whole number of ballots 17; yeas 17, and the appointments were confirmed.

PLAYGROUND ORDERS, ETC.

President DONOVAN called up under unfinished business Nos. 5, 6, 7, 8, 9, 10, 11 and 12 on the calendar, viz.:

5. Ordered, That the sum of \$50,000 be, and hereby is, appropriated, to be expended under the direction of the Park Commission, for the construction of a new bath house at Wood Island Park, 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 September 4, 1929, the foregoing order was read once and passed, yeas 16, nays 1.

6. Ordered, That the sum of \$100,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the purchase and improvement of land adjoining Fallon Field as an addition to said field, 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 September 4, 1929, the foregoing order was read once and passed, yeas 16, nays 1.

7. Ordered, That the sum of \$25,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the erection of a locker building, grading, etc., on the Jefferson School Playground, Ward 10, 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 September 4, 1929, the foregoing order was read once and passed, yeas 18, nays 0.

8. Ordered, That the sum of \$60,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the purchase of land in what is known as the Fourth Section area of East Boston, and the grading, construction, etc., thereof as a playground, 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 September 4, 1929, the foregoing order was read once and passed, yeas 16, nays 1.

9. Ordered, That the sum of \$12,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the erection of a field house on the Readville Playground, Ward 18, as recommended by the Special Committee on Parks and Playgrounds, 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 September 4, 1929, the foregoing order was read once and passed, yeas 16, nays 1.

10. Ordered, That the sum of \$30,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the purchase of land and construction of playground in the Clarendon Hills-Metropolitan Hill section of Roslindale, Ward 18, as recommended by the

Special Committee on Parks and Playgrounds, 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 September 4, 1929, the foregoing order was read once and passed, yeas 16, nays 1.

11. Ordered, That the sum of \$30,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the purchase of land and construction of playgrounds in the Rugby section of Hyde Park, as recommended by the Special Committee on Parks and Playgrounds, 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 September 4, 1929, the foregoing order was read once and passed, yeas 16, nays 1.

12. Ordered, That the sum of \$25,000 be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission, for the improvement of grounds, etc., and the construction of a field house on the Almont Street Playground, as recommended by the Special Committee on Parks and Playgrounds, 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 September 4, 1929, the foregoing order was read once and passed, yeas, 16, nays 1.

On motion of Coun. MURRAY, the Council also took from the calendar, under unfinished business, the following orders:

16. Ordered, That the sum of \$50,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the purchase of land for playground purposes, situated at the junction of Winthrop, Fairland and Moreland streets, in Ward 8, 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 the said amount.

On September 4, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

17. Ordered, That the sum of \$36,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the construction of a locker building on the John H. Doherty Playground, as recommended by the Special Committee on Parks and Playgrounds, and that to meet such expense 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 September 4, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

18. Ordered, That the sum of \$16,000 be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for a building on the Francis Parkman Playground, in Ward 19, 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 the said amount.

On September 4, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

All the orders above were given their second and final reading and passage, yeas 18, nays 0.

Yeas—Coun. Arnold, Bush, Devaney, Donovan, Dowd, Fish, Fitzgerald, Gallagher, Green, Keene, Lynch, Mahoney, McMahon, Murray, Parkman, Ruby, Sullivan, Wilson—18.

Nays—0.

SIDEWALKS FOR WARD 19.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 796 Centre street, Ward 19, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, 6 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 23 Clive 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.

Ordered, That the Commissioner of Public Works make a sidewalk along 14 and 16 Dresden 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.

Orders severally passed under suspension of the rule.

#### TUNNEL AT FOREST HILLS.

On motion of Coun. MURRAY, the Council took up under unfinished business No. 14 on the calendar, viz.:

14. Ordered, That the sum of one hundred and fifty thousand dollars be, and hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, 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, 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 September 4, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

The order was given its second and final reading and passage, yeas 19, nays 0.

#### MONEY FOR BROOKLINE STREET-ESSEX STREET-COTTAGE FARM BRIDGE.

On motion of Coun. KEENE, the Council took up under unfinished business Nos 3 and 4 on the calendar, viz.:

3. Ordered, That the sum of \$570,000 be, and hereby is, appropriated, to be expended under the provisions of chapter 497 of the Acts of 1921 for Brookline Street-Essex Street-Cottage Farm Bridge, 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 of Boston to said amount, the same to be issued outside the limit of indebtedness.

On September 4, 1929, the foregoing order was read once and passed, yeas 16, nays 0.

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 Columbus Avenue Bridge, \$4,280.98, to the appropriation for Brookline Street-Essex Street-Cottage Farm Bridge, \$4,280.98.

On September 4, 1929, the foregoing order was read once and passed, yeas 16, nays 0.

The orders were given their second and final reading and passage, yeas 19, nays 0.

#### APPROPRIATION FOR MORTON STREET.

On motion of Coun. WILSON, the Council took up under unfinished business No. 15 on the calendar, viz.:

15. Ordered, That the sum of forty thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, for the laying out, widening, and construction of Morton street, Dorchester, from Codman street to Druid street, 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.

On September 4, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

The order was given its second and final reading and passage, yeas 21, nays 0.

#### APPROPRIATION FOR INCINERATION PLANT.

On motion of Coun. WILSON, the Council took up under unfinished business No. 19 on the calendar, viz.:

19. Ordered, That the sum of \$350,000 be, and the same hereby is, appropriated, to be expended for the purchase of land if necessary and 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 September 9, 1929, the foregoing order was read once and passed, yeas 17, nays 2.

The order was given its second and final reading and passage, yeas 18, nays—Coun. Bush, Ruby, Ward—3.

#### TRAFFIC SIGNAL SYSTEM ON COMMONWEALTH AVENUE.

On motion of Coun. PARKMAN, the Council took up under unfinished business No. 13 on the calendar, viz.:

13. Ordered, That the sum of one hundred and twenty-five thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Traffic Commission for the installation of an automatic traffic signal system on Commonwealth avenue, from Arlington street to Governor square, 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 September 4, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

The order was given its second and final reading and passage, yeas 21, nays 0.

#### RELEASE OF RESTRICTIONS ON BOYLSTON STREET.

On motion of Coun. PARKMAN, the Council took up assignment, No. 20 on the calendar, viz.:

20. Whereas, By an instrument in writing, dated December 30, 1912, and recorded with Suffolk Deeds, Book 3698, page 254, in which deed a description of the parcel of land hereinafter mentioned is set forth, Gordon Dexter, of Beverly, in the county of Essex, agreed to hold a certain parcel of land situate on Boylston street in Boston, subject to certain restrictions set forth in said instrument, so long as the roadways and walks laid out in said parcel should be maintained by the City of Boston as park roads; and

Whereas, The Board of Park Commissioners voted to accept said agreement; and

Whereas, By a vote passed July 15, 1929, the Park Department of the City of Boston voted to release said restrictions; and

Whereas, The Board of Zoning Adjustment voted to change the above described area from an R-65 (General Residence 65-foot height) district to an R-80 (General Residence 80-foot) district;

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, in form satisfactory to the Law Department, in consideration of one dollar, to release to Morris Bronstein of Boston, county of Suffolk, his heirs, executors, administrators and assigns, all right which the said City of Boston has to enforce the above mentioned restrictions.

Coun. McMAHON—Mr. President, I would like to have somebody explain No. 20.

Coun. PARKMAN—Mr. President, I have looked into this matter with the City Planning Board and the Board of Zoning Adjustment and I find, as is printed on the calendar, that the Board of Park Commissioners has considered it and acted favorably on the petition; the Board of Zoning Adjustment has considered it and acted un-animously in favor, and it requires apparently merely the consent of the City Council at the present time to make the release of the restrictions effective. The land affected by this proposed release is a small section fronting on the Fenway, up by Boylston street, where it comes into the Fenway, and is the only section in the entire

neighborhood which is subject to some of the old restrictions with regard to a 65-foot height. All the bodies who have had anything to do with it have unanimously agreed that these restrictions should be released in all fairness to the owner of this property. I have in addition seen letters from the various representatives of the district, and it appears that they are entirely agreeable to the release of the restrictions. I understand also that the Committee on Public Lands gave the matter a hearing and was unanimously in favor, as well as the other bodies that have passed upon it. I move, therefore, that the order be passed and that the restrictions be released.

The order was passed, yeas 16, nays—Coun. Deveney, Dowd, Fish—3.

RELEASE ON WASHINGTON AVENUE LAND.

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

21. 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 John J. Collins, the owner of a certain parcel of land situate on Washington avenue, a private way situate in that part of Boston called South Boston, for the consideration of one dollar, a release in form satisfactory to the Law Department of all right, title and interest said City of Boston has in and to the fee and soil of said Washington avenue; said instrument of release to affect only that part of said Washington avenue upon which the land of said John J. Collins abuts, reserving to the said city and its assigns the right to lay, use and maintain its sewerage works and water pipes in said Washington avenue.

The order was passed, yeas 20, nays 0.

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, 1929.

Report accepted, said order passed.

FINANCE COMMITTEE'S REPORT.

Coun. MOTLEY, for the Committee on Finance, submitted the following:

1. Report on order (referred September 4) for a loan of \$100,000 for the installation of automatic traffic control signals in the suburban sections of Boston, etc.—that the same ought to pass.

Coun. FISH—For where?

Coun. MOTLEY—For the section of Boston other than that in town,—in other words,—suburban Boston.

Report accepted, said order passed, yeas 19, nays 0.

2. Report on order (submitted by the Mayor and referred August 26) for loan of \$100,000 for Central Library Building, Foundation Improvements, and to be expended under the direction of the Public Library Trustees, etc.—that the same ought to pass.

Report accepted, said order passed, yeas 17, nays 0.

3. Report on orders (submitted by the Mayor and referred August 5) for loan of collectively \$1,600,000 (\$1,100,000 for Centre street and \$500,000 for St. Ann street), to be expended by the Board of Street Commissioners, etc.—that said orders ought not to pass, without prejudice.

Report accepted, said orders rejected.

4. Report on order (submitted by the Mayor and referred August 5) for loan of \$50,000, for new buildings and additions and equipment and furniture, to be expended under direction of the Institutions Commissioner for Long Island, etc.—that the same ought to pass.

The question came on the acceptance of the report and passage of the order.

Coun. MOTLEY—Mr. President, I was not present at a meeting of the Committee on Finance this week, so I am unable to tell why the Committee on Finance approved this action, but I am

going to ask those who were there to tell the Council why it should vote for \$50,000 for additional improvements at Long Island.

President DONOVAN—Do any of the members of the Committee care to explain to the body why the committee took that action on last Friday?

Coun. PARKMAN—Mr. President, I shall be glad to tell what I know about the matter. This \$50,000 is to put in a fuel-burning system which is up-to-date and very modern and will result, so we are told by the engineers who ought to know, in a saving of the entire cost of this \$50,000 in a period of not more than ten years. There are two large boilers down there now, I believe 84 inches, and there are three of 56 inches. The two 84-inch boilers were equipped with the pulverized system of burning coal when they were first installed. It was done at that time as more or less of an experiment. I asked the commissioner why the other boilers were not equipped at the same time with the new system, and he said that it was a new system and experiment, and that it was thought best to try the boilers on which it was tried first, as an experiment, to see how it worked. It has worked out very satisfactorily, and they propose now to equip the remaining three boilers with the \$50,000. Whatever we may think of the policy of going ahead with improvements in that manner, making two bites of a thing where only one might seem to be required, nevertheless it seems to have been now proven that this pulverizing system is successful and that it results in a substantial saving of coke. Therefore, I believe the \$50,000 additional ought to be appropriated at this time.

Coun. BUSH—Mr. President, I am unable to recall offhand at the present time the facts, and would like an opportunity to look them up, but it seems to me that last year or in the early part of this year we appropriated several times considerable sums of money, not only for new boilers, 56-inch and 84-inch boilers, but also for improvements of the power plant at Long Island. If this money is to be spent after a new plant has been put in there, and we are to replace the new plant, I think it is a scandalous waste of money. The plant must be functioning properly at the present time, and the mere fact that some economies may be developed in ten years, and with that possibility we are now being asked to spend \$50,000 I think represents a very short-sighted policy. In any event, I will appreciate the opportunity of acquainting myself further with the facts before I vote for this order, and I therefore move that the matter be laid on the table for one week.

Coun. MOTLEY—Mr. President, I think this order goes into effect on the 4th of October, and if we put it over for a week it will leave time for only one reading.

The motion to lay on the table was declared lost. Coun. Bush doubted the vote and asked for a rising vote. The Council stood divided, and the motion to lay on the table was lost, 3 to 9.

Coun. PARKMAN—Mr. President, I ask unanimous consent to make a statement.

President DONOVAN—Does the Chair hear any objection? (No objection was expressed.)

Coun. PARKMAN—Mr. President, while I would be the last man to deny to any member of this body the opportunity to investigate any proposed loan order, I voted against laying the matter on the table simply because a loan order requires two readings and that this loan order would go into effect on October 4 if action is not taken before that time. Therefore, I feel that the loan order should be given one reading today, and if during the course of the next two weeks the Council find that, in their opinion, the loan order should not pass, there will be then ample time to reject it on the second reading.

Coun. MOTLEY—Mr. President, I would like to ask the gentleman from the Back Bay, when the Institutions Commissioner was before the Committee on Finance, if he explained why, although the order provides \$50,000 for new buildings, additions, equipment and furniture, no furniture is talked of in the order?

The report was accepted and the order was given its first reading and passage, yeas 17, nays—Coun. Bush, Motley, Wilson—3.

5. Report on order (submitted by the Mayor and referred July 22) for loan of \$75,000 for Institutions Department, New Boat,—recommending the passage of the accompanying new draft:

Ordered, That the sum of sixty-nine thousand dollars be, and hereby is, appropriated, to be

expended under the direction of the Institutions Commissioner, for Institutions Department, New Boat, 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.

The question came on the acceptance of the report and the passage of the order.

Coun. BUSH—Mr. President, this order has been before the Council once before and was defeated. It seems from all the information we have been able to obtain and from the recommendations made by the Finance Commission and the report attached thereto, that this boat is a superannuated and decrepit old boat, eighteen years old, that has been re-equipped with new engines and new boilers. It is commonly stated on the street that that boat has been offered at private sale repeatedly for the sum of \$50,000 and that they could not find any buyer. It seems now that they are trying to unload it on the city for a sum in excess of what they were able to get for it from private buyers. If the city needs a new boat to facilitate the transfer of passengers and others between the mainland and the islands, then the city ought to be prepared to spend sufficient money to buy a new boat, which will last a considerable period of time. But the policy of spending such a sum of money as is proposed here, \$69,000, for a boat which is eighteen years old and which has been merely re-equipped—in other words, an old hull with new engines,—is one with which I cannot agree. The vibrations of the engines will probably strain the hull in a very short time and the boat cannot last very much longer, and the Institutions Department will then probably have an order put in again, in three or four years, for a new boat, on the ground that the old hull has opened its seams and cannot be used any more, in spite of the new engines that have been put into it. This is apparently an attempt on the part of private interests to unload an unsaleable boat on the City of Boston, and I, for one, refuse to be a party to it.

The matter was laid on the table, on motion of Coun. KEENE.

6. Report on order (referred September 4) for loan of \$12,500 for the construction of a field house on Charlestown Heights, in Ward 2, Charlestown, and to be expended under direction of the Park Commission, etc.—that the same ought to pass.

Report accepted, said order passed, yeas 18, nays 0.

7. Report on order (referred September 4) for a loan of \$25,000 for the construction of a field house on the Barry Playground, Ward 2, Charlestown, and to be expended under the direction of the Park Commission, etc.—that the same ought to pass.

Report accepted, said order passed, yeas 16, nays 0.

8. Report on order (referred September 4) for a loan of \$25,000, for the purchase of additional land adjoining Rogers Park on the Washington street side and its improvement for park purposes, to be expended under the direction of the Park Commission, etc.—that the same ought to pass.

Report accepted, said order given its first reading and passage, yeas 18, nays 0.

9. Report on order (referred September 4) for a loan of \$25,000 for the purchase of land to be used as an additional to the Frederick D. Emmons Playground on Rutherford avenue, Charlestown, to be expended under the direction of the Park Commission, etc.—that the same ought to pass.

Report accepted, order assigned to the next meeting of the Council.

#### RECESS.

The Council voted at 2.46 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 DONOVAN at 3.17 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

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

1. Report on order (referred today) that the granting of a license to the Boston Port Develop-

ment Company for the storage and sale of petroleum products, such as fuel oils, kerosene, gasolene and lubricating oils, at 100 Boardman street, East Boston, be, and the same hereby is, disapproved—that the same ought to pass.

Report accepted, said order passed.

2. Report on order (submitted by the Mayor and referred today) that the sum of \$5,000 be appropriated for the purpose of protesting the new schedule of gas rates before the Public Utilities Commission—that the same ought to pass.

Report accepted, said order passed, yeas 19, nays 0.

3. Report on orders (submitted by the Mayor and referred today) for transfers within departmental appropriations of the Assessing, Buildings, Fire, Hospital (Sanatorium Division), Public Welfare (Central Office), Soldiers' Relief, Medical Examiner Service (Southern Division), Hospital Departments—that the same ought to pass.

Report accepted, said transfer orders passed, yeas 20, nays 0.

Coun. RUBY in the chair.

#### ACCEPTANCE OF ALDEN PLACE.

Coun. MOTLEY 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, Alden place, from Green street to Ophir street, Ward 11. Passed under a suspension of the rule.

#### LOAN FOR UNDERPASS, ARBORWAY.

Coun. MOTLEY offered the following:

Ordered, That the sum of three hundred and fifty thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission for the construction of a vehicular underpass, and other construction work upon or under Arborway at Washington street and streets adjacent thereto, and that to meet such 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 of Boston to said amount.

Coun. MOTLEY—Mr. President, this is an order that the Mayor vetoed today, without prejudice, and I am introducing it in this new form, changing it so that it will not be carried through under the Street Commissioners but under the Park Commission. It has already had a hearing before the Committee on Finance and has already passed two readings here. Therefore, I ask unanimous consent to have it acted upon this afternoon.

The order was given its first reading and passage under suspension of the rule, yeas 15, nays 0.

#### SIDEWALK ON EVANS STREET, WARD 17.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 36 to 60 Evans street, inclusive, 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.

#### ADDITIONAL BOULEVARD LAMPS, WARD 7.

Coun. LYNCH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install four additional boulevard arc lamps on the street car reservation between Edward Everett square and Columbia square, Ward 7. Passed under suspension of the rule.

#### LABORERS AT SANATORIUM.

Coun. LYNCH offered the following:

Ordered, That the laborers employed at the



Boston Sanatorium, Mattapan, be granted a half holiday on Saturdays throughout the year.

Passed under a suspension of the rule.

LAYING OUT ORCHARD AVENUE.

Coun. MOTLEY, for Coun. Ward, 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 Orchard avenue, Forest Hills.

Passed under suspension of the rule.

PROPOSED UNDERPASS AT BELLEVUE RAILROAD STATION.

Coun. KEENE 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 an underpass from Centre street to Anawan avenue, Ward 20, under the tracks of the New York, New Haven & Hartford Railroad.

Passed under suspension of the rule.

CONSOLIDATION OF FIREHOUSES, CHARLESTOWN.

Coun. GREEN offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to consider the advisability of consolidating Ladder 9 and Engine 32, in the Charlestown District.

Passed under suspension of the rule.

PROPOSED LOAN FOR CENTRE STREET.

Coun. MURRAY offered the following:

Ordered, That under authority of chapter 248 of the Acts of 1929 the sum of \$1,100,000 be, and the same hereby is, appropriated, to be expended by the Board of Street Commissioners, for Centre street, and 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.

Referred to the Committee on Finance.

PROPOSED LOAN FOR ST. ANN STREET.

Coun. MURRAY offered the following:

Ordered, That under authority of chapter 248 of the Acts of 1929 the sum of \$500,000 be, and hereby is, appropriated, to be expended by the Board of Street Commissioners, for St. Ann street, 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 of Boston to said amount, the same to be issued outside the limit of indebtedness.

Referred to the Committee on Finance.

SIDEWALK ON ALMONT STREET.

Coun. MURRAY, for Coun. Murphy, offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Almont street (east side), from 240 to Itasca 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 gravel, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

SIDEWALK ON WEST NEWTON STREET.

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.

Adjourned, on motion of Coun. McMAHON at 3.45 p. m., to meet on Monday, September 30, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, September 30, 1929.

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

## EXECUTIVE APPOINTMENTS.

The following was received:

City of Boston,  
Office of the Mayor, September 30, 1929.  
To the City Council.  
Gentlemen,—Subject to confirmation of your honorable body I herewith appoint the following as weigher of the City of Boston for the term ending April 30, 1930:

Of Goods: Francis T. Adams, 349 Eighth street, South Boston, for Walworth Company, South Boston.

Of Coal: Thomas F. Gallagher, 101 Hudson street, Somerville, for North End Coal Company, 92 Lewis Wharf, Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Laid over a week under the rule.

## TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,  
Office of the Mayor, September 30, 1929.  
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 District Court of Chelsea:

From the appropriation for B-35, Fees, Service of Venires, etc., \$100, to the appropriation for C-7 Furniture and Fittings, \$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 Welfare Department Temporary Home:

From the appropriation for C-7, Furniture and Fittings, \$100, to the appropriation for D-8, Laundry, Cleaning and Toilet, \$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 Welfare Department, Wayfarers' Lodge:

From the appropriation for C-7, Furniture and Fittings, \$125, to the appropriation for D-8, Laundry, Cleaning and Toilet, \$100; C-13, Tools and Instruments, \$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 Institutions Department, steamer "George A. Hibbard" and launch "James J. Minot."

From the appropriation for A-1, Permanent Employees, Deckhand and Motor Operator, 1 at \$1,500 per year, \$200; Deckhands, 7 (6) at \$1,200-\$1,300 per year, \$700; Watchman, 1 at \$900 per year, \$700; D-3, Fuel, \$600, to the appropriation for B-39, General Plant, \$2,200.

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 Street Laying-Out Department:

From the appropriation for A-1, Permanent Employees, Laborers, 8 at \$1,500-\$1,600 per year \$1,690, to the appropriation for B-4, Transportation of Persons, \$1,250; B-35, Fees, Service of Venires, etc., \$300; B-28, Expert, \$40; C-10 Library, \$100.

From the appropriation for C-4, Motor vehicles \$250, to the appropriation for B-14, Motor Vehicle Repairs and Care, \$125; D-11, Motor vehicle, \$125.

Referred to the Executive Committee.

## CANCELLATION OF AIRPORT LEASE.

The following was received:

City of Boston,  
Office of the Mayor, September 23, 1929.  
To the Honorable the City Council.  
Gentlemen.—Enclosed find an order wherein the lease running from the Commonwealth of Massachusetts to the Airport Development Company is authorized to be cancelled and authorizing the payment of damages to the said company not in excess of \$15,000 on account of the damage to property which will be brought by the cancellation of the lease.

Mr. Long of the Park Department is of the opinion, I am informed, that the development of the airport requires the removal of the hangar which the above company has upon the property leased to it by the Commonwealth. The Commonwealth of Massachusetts assigned the said lease to the City of Boston. I am informed that it is necessary to remove the hangar referred to in order that the airport may be properly developed and in order that the regulations of the United States Department of Commerce may be complied with.

I recommend the passage of this order.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Whereas, by indenture made September 24, 1926, the Commonwealth of Massachusetts leased to the Airport Development Company, a Massachusetts corporation, a certain parcel of land situate in East Boston in the Commonwealth of Massachusetts and more fully described in said lease; and

Whereas, by lease dated August 10, 1923, the said Commonwealth of Massachusetts leased to the City of Boston certain premises for use as an airport situate in said East Boston and more fully described in said lease, which premises included the premises leased as aforesaid to the Airport Development Company; and

Whereas the said lease from the Commonwealth of Massachusetts to the City of Boston was made subject to the rights of the Airport Development Company and the said lease between the Commonwealth and the Airport Development Company was assigned to the City of Boston; and

Whereas it is expedient for the proper and necessary development of said airport that the said lease to the Airport Development Company be cancelled and terminated;

Now, therefore, it is Ordered, That the Park Department be and it is hereby authorized in the name and behalf of the City of Boston to cancel and terminate said lease from the Commonwealth of Massachusetts to the Airport Development Company; and it is further authorized to pay as damages on account of the cancellation of said lease and the consequent damage to property thereby a sum not exceeding \$15,000, to be charged to the appropriation for airport improvements.

Referred to the Committee on Public Lands.

## DEER ISLAND WALL.

The following was received:

City of Boston,  
Office of the Mayor, September 21, 1929.  
To the Honorable City Council.  
Gentlemen.—Inclosed please find order granting to the United States of America the right to enter upon land owned by the City of Boston at Deer Island and covered by a wall separating the land of the City of Boston from the land previously conveyed to the United States of America. Under

authority of an order of the Board of Aldermen a deed of certain land described more fully in said deed was on October 15, 1906, delivered to the United States of America. There was also in said deed an agreement that the City of Boston should build a wall separating the land thus conveyed to the United States of America and its remaining land. Following out the aforesaid agreement the said wall was built. Said wall is situated partly on land conveyed to the United States of America as above stated and partly on land owned by the City of Boston. The United States authorities are desirous that a grant be made to the United States of America permitting it to go upon the land of the City of Boston thus covered by the wall, as above stated, and make repairs to the wall. There is no objection in my mind why such a right should not be granted and I recommend the passage of the above order.

Respectfully submitted,  
MALCOLM E. NICHOLS, Mayor.

Whereas the City of Boston by deed dated October 15, 1906, and recorded with Suffolk Deeds, Book 3177, page 577, granted to the United States of America certain land situated on Deer Island in Boston Harbor in the Commonwealth of Massachusetts more fully described in said deed, and

Whereas the said City of Boston agreed and covenanted with the said United States of America in said deed to build a division wall between said land referred to in said deed and the remaining land of the City of Boston situated no said Deer Island, and

Whereas a division wall has been built and constructed by the said City of Boston between the land referred to as conveyed to the United States of America and the remaining land of the City of Boston on said Deer Island, and

Whereas said wall has been built partly on land conveyed as aforesaid to the United States of America and partly on the remaining land of the said City of Boston situated upon said Deer Island,

Now, Therefore, it is hereby Ordered, that the Mayor of the City of Boston be, and he hereby is authorized in the name and behalf of the said City of Boston in consideration of \_\_\_\_\_ dollars, in form satisfactory to the Law Department of the said City of Boston to grant to the said United States of America the right to enter upon the land of the City of Boston now occupied by said wall for the purpose of repairing and maintaining said wall so long as the said wall shall remain in its present position, subject, however, to any rights that the Commonwealth of Massachusetts may have in said land for sewerage or other purposes.

Referred to the Committee on Public Lands.

#### NEW CHILDREN'S WARD, CITY HOSPITAL.

The following was received:

City of Boston,  
Office of the Mayor, September 30, 1929.  
To the City Council.

Gentlemen,—The architects in charge of the building program at the City Hospital have completed plans for remodeling old Ward N into a children's ward to obviate the crowding of children in Ward I. These plans call for an estimated expenditure of \$30,000. In accordance with the provisions of chapter 237 of the Acts of 1928, I submit herewith two loan orders, one for an appropriation of \$15,000 within the debt incurring power, and the other for a similar appropriation outside the debt limit. I respectfully recommend adoption of these orders by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That under the authority of chapter 237 of the Acts of 1928, the sum of \$15,000 be, and the same hereby is, appropriated to be expended by the Trustees of the Boston City Hospital for Remodeling Old Ward N Building, 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 237 of the Acts of 1928, the sum of \$15,000 be, and

the same hereby is, appropriated to be expended by the Trustees of the Boston City Hospital for Remodeling Old Ward N Building, 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.

Referred to the Committee on Finance.

#### MORTON STREET RECONSTRUCTION— VETO.

The following was received:

City of Boston,  
Office of the Mayor, September 24, 1929.  
To the City Council.

Gentlemen,—I return herewith, without my approval and without prejudice, your order of September 9, 1929 providing for an appropriation of \$40,000 for the laying out, widening and reconstructing of Morton street from Codman street to Druid street.

In the opinion of the Commissioner of Public Works it is doubtful if the time necessary for preliminary work would leave opportunity this year for starting on construction. Therefore, it seems inadvisable to devote any portion of the city's borrowing this year to the foregoing purpose.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

#### ICE FOR DRINKING FOUNTAINS.

The following was received:

City of Boston,  
Office of the Mayor, September 30, 1929.  
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 summer season, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

#### SETTEES IN MUNICIPAL BUILDING, HYDE PARK.

The following was received:

City of Boston,  
Office of the Mayor, September 30, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Superintendent of Public Buildings, in reply to your order of September 9, 1929, relative to the providing of settees on the grounds of the Municipal Building in Hyde Park, Ward 18.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Public Buildings Department,  
September 20, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—Replying to the enclosed order of the City Council in which the Superintendent of Public Buildings be requested through his Honor the Mayor, to provide settees on the grounds of the Hyde Park Municipal Building, I wish to state that while they would undoubtedly be very beneficial to the community, there was no provision made for a feature of this nature in my annual budget of 1929.

Very truly yours,  
JOHN P. ENGLERT,  
Superintendent of Public Buildings.

Placed on file.

SALE OF TAMWORTH STREET.

The following was received:

City of Boston,  
Office of the Mayor, September 30, 1929.  
To the City Council.

Gentlemen,—I inclose herewith an offer from the Boylston and Tremont Corporation, in the sum of \$100,000 for the land formerly Tamworth street recently discontinued as a public way and now owned by the city.

This corporation proposes to build a twenty-six story tower office building with a theater on the main floor on the site now owned by the Hotel Touraine, Boston Young Men's Christian Union and other properties to be acquired by it, including the land now owned by the city in Tamworth street.

I am very much interested in this plan because I believe it will bring to the city increased taxable property and will help to build up that section of the city in the immediate vicinity of the proposed building.

I believe as Mayor in doing everything possible to encourage the construction of large buildings not only because it brings additional revenue in the way of taxes to the city, but affords an opportunity for the employment of large numbers of mechanics and laborers in the construction of the building and work for a large number of employees after the building is constructed. For these reasons I am very anxious to help in bringing about a realization of this project.

You will observe from the attached correspondence that this corporation originally made an offer of \$75,000 for the Tamworth street land, setting forth its plan to erect an office building and theater as expressed by me hereinbefore. Upon receipt of this offer I advised the corporation that in my opinion a larger consideration should be paid and the corporation thereupon suggested an advisory board to consider what would be a reasonable sum to pay the city for the land in question. I designated Mr. Amory Eliot, the corporation designated Mr. Richard deB. Boardman, and these two men chose Mr. Frederick J. Bradlee as a third member. This advisory board sent its report to me under date of September 26 suggesting that a fair consideration under all the circumstances of this case would be the sum of \$100,000. I submit this report to you herewith for your consideration.

May I suggest the advisability of holding a public hearing without delay to which public hearing you invite the representatives of the corporation, the advisory committee named herein and such other public officials as you believe will be of assistance to you in arriving at your conclusion.

For your further information I am inclosing herewith a photographic print of the building proposed to be erected.

In order that there may be no question that this land proposed to be sold by the city will not be used for any purpose other than for the erection of this tower building and theater, I call your attention to a clause in the final offer submitted by the Boylston and Tremont Corporation that when the conveyance is made the corporation will execute a suitable agreement in such form as may be approved by the Law Department for the reconveyance of the land in case the corporation fails to erect the tower building and theater.

The inclosures herein referred to are designated as follows:

- (a) First offer of the Boylston and Tremont Corporation under date of September 13, 1929.
- (b) The communication of the Mayor in reply thereto.
- (c) Reply of the Boylston and Tremont Corporation under date of September 14, 1929, suggesting advisory board.
- (d) Report of advisory committee under date of September 26, 1929.
- (e) Photograph print of architect's sketch of proposed tower building and theater.
- (f) Final offer of Boylston and Tremont Corporation under date of September 28, 1929.

In accordance with the foregoing, I recommend the passage of an order authorizing the conveyance of said land to the Boylston and Tremont Corporation.

Respectfully, yours,  
MALCOLM E. NICHOLS, Mayor.

(A.)

Law Offices of David Stoneman,  
31 Milk Street,  
Boston, September 13, 1929.  
To the Honorable Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—The undersigned herewith respectfully submits to your Honor, the following offer for a deed of all of the land now owned by the City of Boston, which was formerly Tamworth street, and which street was discontinued by an order of the Street Commissioners of the City of Boston, comprising about 4,270 square feet of land, to wit:

The undersigned will pay to the City of Boston for a deed conveying the title to said land free and clear of all encumbrances, the sum of seventy-five thousand dollars (\$75,000) in cash. In addition, as part consideration for said deed, the undersigned will also furnish to the City of Boston releases of all demands, satisfactory in form to the Corporation Counsel of the City of Boston, from all persons owning land abutting said Tamworth street and Lowell court, releasing the City of Boston from all claims or demands of whatever kind or nature, by reason of the discontinuance of said street as a street.

In connection with this offer, I would like to inform you officially that the undersigned is about to acquire all of the land at the corner of Boylston and Tremont streets running through to La Grange street, including the property owned by the trustees of the Touraine Hotel, Young Men's Christian Union, Fabyan Estate, and others, and planning to erect a twenty-six story tower building agreeable to the present building law of the City of Boston. This building will be of the latest modern architectural design, with stores on the street floor and offices above, which will include a 5,200 seat de luxe theater of the latest type, and will be the most beautiful and magnificent theater in the United States. The approximate cost of this enterprise will be \$10,000,000. It is planned by those interested in this project to begin construction of this building immediately upon the acquisition of the various titles comprising the lots of land involved.

Trusting that this offer will receive favorable consideration at your Honor's hands, I am,  
Very respectfully yours,  
BOYLSTON AND TREMONT CORPORATION,  
by DAVID STONEMAN, Attorney.

(B.)

BOSTON, September 13, 1929.  
Boylston Street Corporation, David Stoneman,  
Attorney,  
31 Milk Street, Boston.

Dear Sirs,—I am in receipt of your letter under even date and note your offer in the sum of \$75,000 in cash, with appropriate releases of all claims or demands against the city for a deed of all the land now owned by the City of Boston which was formerly Tamworth street and which street was discontinued by an order of the Board of Street Commissioners duly approved by me in my official capacity.

As Mayor of the city I am deeply gratified to be informed that your corporation has in contemplation the splendid undertaking which you describe, including the acquisition of sufficient property for the erection of a twenty-six story tower building with stores and offices and a 5,200 seat modern de luxe theater, which you plan to be the most beautiful and magnificent theater in the United States.

The willingness of your corporation to invest \$10,000,000 in a project of this magnitude may be taken as a mark of confidence justly to be placed in the splendid future of the City of Boston.

The modern building law enacted upon my recommendation makes possible this great enterprise as well as similar undertakings already begun.

As chief magistrate of the city I feel that it is my duty to cooperate with you in every possible manner for the furtherance of this project. The first step involves a consideration of the purchase price to be paid, and I am of opinion that under all the circumstances the city should receive a larger sum than the one which you offer in your letter.

Very truly yours,  
MALCOLM E. NICHOLS, Mayor.

(C.)

David Stoneman,  
31 Milk Street,  
Boston, September 14, 1929.

To the Honorable Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your letter of September 13th, and have noted its contents. I am grateful to your Honor for the very kind expressions contained in your letter and I trust that your expectations with respect to this splendid project will be more than realized and fulfilled. I am sure that the undertaking, when completed, will add greatly in wealth and prestige to our city.

Referring to the last clause in your letter as to the inadequacy of the price, I have this to say: I have made the offer in good faith, and taking all the circumstances into consideration, I think that the offer is not only fair but beneficial to the city of Boston. To further demonstrate our fairness in the matter, however, I am perfectly willing if it is your Honor's view that more money be paid to the city of Boston, that the matter be left to the decision of three disinterested appraisers, the highest grade of men that Your Honor can select in the city of Boston. We will select Mr. Richard DeB. Boardman to represent us, let the city appoint an equally high-grade real estate expert, and those two select a third. Whatever the decision of these appraisers, or a majority of them, may be, we will abide by. May I in this connection bespeak a reasonable expedition of this matter.

As your Honor doubtless knows from the newspapers, this project has been pending for several months and it has been extremely difficult for us to keep all the different interests in line, and it is becoming increasingly difficult to do so. I know that your Honor's duties as Mayor of the City of Boston are many and important but I do trust, that your Honor will give this your most speedy consideration in view of the circumstances.

Very respectfully yours,

BOYLSTON AND TREMONT CORPORATION,  
by DAVID STONEMAN, Attorney.

(D.)

Boston, September 26, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Your Honor,—An advisory committee as to the proper price to be received by the city for Tamworth street, consisting of one named by you, one named by the proposed purchasers, and a third named by them, reports as follows:

Since the city will receive approximately \$200,000 increased taxes per annum, if the purchasers' plans are carried out, we feel that the price to be received by the city for Tamworth street should be nominal as compared with the actual value of the land. Therefore, we think that a fair consideration is \$100,000.

Respectfully yours,

AMORY ELIOT,  
FREDERICK J. BRADLEE,  
RICHARD DEB. BOARDMAN,

[Appended and marked (e) was photographic of architect's sketch of proposed tower building and theater.]

(F.)

Law Office of David Stoneman,  
31 Milk Street,  
Boston, September 28, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—On Friday, September 27, 1929, Mr. Richard deB. Boardman informed me that the Advisory Committee appointed to consider the value of the land formerly Tamworth street, Boston, consisting of Mr. Amory Eliot, Mr. Frederick J. Bradlee and himself, had arrived at the unanimous decision that the Boylston and Tremont Corporation pay to the City of Boston the sum of one hundred thousand dollars (\$100,000) for said land. I have heretofore written your Honor that the Boylston and Tremont Corporation will abide by the decision of the Advisory Committee, or a majority thereof.

I herewith confirm this understanding with your Honor and state that the Boylston and Tremont Corporation will be ready to pay the sum of one hundred thousand dollars (\$100,000) upon a tender of a proper deed conveying to it the fee in said land.

I will also procure, as a part of this transaction, the leases of all demands from the abutting owners of the land off Tamworth street and Lowell court.

I will cause the Boylston and Tremont Corporation to enter into suitable agreements with the City of Boston, in such form as may be approved by the Law Department of the City of Boston, to reconvey said land to the City of Boston, upon repayment of the consideration, in the event that the Boylston and Tremont Corporation, for any reason whatsoever, fails to erect the proposed theater and office building as outlined to you in my previous letter.

May I again intrude upon your Honor to the extent of asking you to expedite this matter as much as possible? I realize that your recent illness had been unavoidable and has caused some delay, but it is getting extremely difficult to keep all the interests that are involved in this transaction in line.

Yours very truly,  
BOYLSTON AND TREMONT CORPORATION,  
by DAVID STONEMAN,  
Attorney.  
Referred to Committee on Public Lands.

#### PETITIONS REFERRED.

The following petitions were received and were referred to the Committee on Claims:

Joseph G. Barry, for compensation for damage to automobile by police wagon.

Abraham Cohen, for compensation for damage to car caused by an alleged defect in Rowe street, Roslindale.

Samuel Cohen Shoe Company, for refund on refuse tickets.

Cornelius Curran, for refund on license for sale of fruit, etc.

Sadie E. Flower, for compensation for injuries caused by an alleged defect in Tremont street.

Bertha E. Flynn, for compensation for damage to car caused by an alleged defect at 6 Elmira street, Brighton.

Max Gladstone, for compensation for injuries caused by city wagon.

Mary A. Mahan, for compensation for injuries caused by an alleged defect in Centre street, West Roxbury.

Stanley Maldonis, for compensation for injuries caused by an alleged defect in Franklin Park.

Walter A. Maloy, for compensation for damage to automobile by city truck.

G. Mazzeuco, for compensation for damage to property at 151A Humboldt avenue, caused by backing up of sewage.

Frank G. McCann, for compensation for damage to automobile by city cart.

Norah A. McCarthy, to be compensated for death of her son, Alexander, caused by defective railing in Norcross School.

Albert Sala, for compensation for damage to car by city cart.

Haskell Sharaff, for compensation for injuries caused by an alleged defect at 61 and 63 Normandy street.

Garabed Sharbagian, for compensation for damage to property at 88 Highland street, caused by break in water pipe.

Edith E. Smith, for compensation for injuries caused by an alleged defect at 12 Lowell street.

Mary Sullivan, for compensation for injuries caused by an alleged defect at 72 Prescott street.

D. M. White, for compensation for damages caused by spraying trees at 34 Raymond street, Allston.

#### GRANT TO EASTERN MASSACHUSETTS STREET RAILWAY COMPANY.

Notice was received from the Department of Public Utilities, under date of September 24, 1929, that the petition of the Eastern Massachusetts Street Railway Company for the granting of a license for the operation of motor vehicles for the carriage of passengers for hire in the City of Boston, from the corner of Hill Top street and Granite avenue to the Ashmont Station of the Boston Elevated Railway Company, in the Dorchester district, had been allowed.

Placed on file.

FIREMEN'S RELIEF FUND.

The annual report of the Treasurer of the Boston Firemen's Relief Fund, from September 1, 1928, to August 31, 1929, was received and placed on file.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President DONOVAN called up under unfinished business, Nos. 1 and 2 on the calendar, viz.:

1. Action on appointments submitted by the Mayor September 23, 1929, of William E. Castaldo, Maurice Levine, Joseph F. Ecker and James McDonough, to be Constables.

2. Action on appointments submitted by the Mayor September 23, 1929, of William Sheppard, John Donovan and James Duddy, to be Weighers of Goods.

The question came on confirmation. Committee, Couns. Gallagher, and Mahoney. Whole number of ballots, 14; yeas, 14, and the appointments were confirmed.

TRAFFIC OFFICERS, DORCHESTER AVENUE AND SOUTHERN ARTERY.

Coun. FISH offered the following:

Ordered, That the Commissioner of Police be requested, through his Honor the Mayor, to assign traffic officers to the corner of Dorchester avenue and the Southern Artery so that this dangerous intersection will be protected twenty-four hours daily.

Passed under suspension of the rule.

ACCEPTANCE OF HIGHWAYS, WARD 16.

Coun. FISH offered the following orders:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Minot place, Ward 16, as a public highway.

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

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

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

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

Orders severally passed under suspension of the rule.

ELECTRIC LAMPS, MARY HEMENWAY PLAYGROUND.

Coun. FISH offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to install electric arc lamps on the Mary Hemenway Playground, Ward 16.

Passed under suspension of the rule.

TRAFFIC SIGNS, PEABODY SQUARE.

Coun. FISH offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install illuminated traffic signs at Peabody square, Ward 16, to replace the present wooden arrows.

Passed under suspension of the rule.

CORRECTION OF AUTOMOBILE EXCISE TAX LAW.

Coun. RUBY offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to confer with the Tax Commissioner of Massachusetts on the matter of the automobile excise tax law, as to whether or not some method can be devised for correcting the present practise of compelling a person, who has exchanged an old automobile for a new one, to pay two or more entire taxes in one year.

Coun. RUBY—Mr. President, there has been called to my attention, and it has probably been called to the attention of every member of this body, that there is a duplication or possible duplication of bills received by individuals under the new excise tax law that has gone into effect this year. In many cases individuals have received two or more bills for automobiles which they have owned anywhere from one day to a month and under a ruling of the Assessors of the City of Boston, those people will be compelled to pay two or more taxes. If, for example, an automobile was purchased by an individual in January and sold in February, and then another one purchased in March and disposed of or exchanged in April, that individual is being compelled to pay two taxes for the entire year. I understand that that practice is not being carried out in any other city or town of the Commonwealth, and that the Tax Commissioner has ruled with reference to other cities and towns that the collector or the assessors have a right to abate the tax or assess a tax in amount proportionate to the time for which the individual has had the automobile. But in Boston our taxpayers are being compelled to pay for something that they do not have. I believe, therefore, it is the duty of the Assessors of the City of Boston and the Corporation Counsel to confer with Tax Commissioner Long in this matter. Having in mind the fact that the Tax Commissioner has made this ruling, with reference to other cities and towns and that in such cities and towns individuals are not being compelled to pay more than one excise tax or more than their proper proportion of the yearly tax, I certainly think the situation in the City of Boston should be remedied. I think here we should follow the same rule, so that this burden should not be imposed on our citizens. When the law was passed in 1928 it seems that there was not a provision put in to definitely cover the matter, but I find from looking over the law that there is a provision which gives the assessors the right to abate if in their judgment the abatement is just and reasonable. I understand that under the ruling of Commissioner Long the assessors have the right to proportionately abate the tax, but in the City of Boston it is not being done. The result is that our citizens are getting in many cases two or three bills, that under the law as interpreted by the Boston Assessors, if a man buys a car in January, for instance, and turns it in or sells it and buys another in February, he will have to pay two taxes, and if he gets another one in the same way on July 1 he pays one half on that particular car. So it is possible for an individual here to receive several such bills in one year, although he is using only one car at a time. I don't think that was ever the intention of the Legislature, and I certainly think that the ruling of the Tax Commissioner, as carried out in other cities, providing for abatement in such cases, should be carried out in our city as well as in every other city and town in the Commonwealth.

Coun. KEENE—Mr. President, I would like to cite a case along the line of what is suggested by my brother, a case that occurred in my own ward. A man had a car and turned it in for another car in March. He had an accident in June, in which the car was damaged, and it was necessary to turn it in and get a new car. He has three tax bills of the City of Boston and has been advised by the Tax Collectors of this city that they have no authority to abate the taxes.

Coun. WILSON.—Mr. President, supplementing what the other members have said, I will simply say that I am in hearty accord with the order that has been presented. I should be glad to know of at least one employee in the assessors' office, by the way, who can explain that law. My brother who produced the order apparently has had his experience in the office. I have had innumerable complaints from the taxpayers in the district I represent, about the working out of this law as

shown in the bills they have received, and when they go to the assessors' office, they are unable to find out just what the attitude of the assessors is. Apparently they go from one counter to another, and apparently the employees of the assessors' office do not understand the law. It seems to me a change should be made, as advocated by the gentleman from Ward 14; that the employees of the assessors' office also should be required to look over the law sufficiently so that men coming in may receive a courteous and efficient statement of the situation and know something about the tax law under which the assessors are trying to collect taxes.

Coun. McMAHON.—Mr. President, I am also in favor of the order which has been introduced this afternoon referring to the working out of the excise tax law in our city. I have had experience during the last week with excise taxes. I go over to the Assessors' Department, and cannot seem to find anybody in the Assessing Department who knows about the law. You go over to the assessors and try to get an abatement. You find that there have not been any abatements, and you cannot get any action. Nobody can give you any satisfaction. The State House has wished another new department on us in this city, the Excise Tax Department, but if any councillor goes there let him try to get some information from the assessing office about it. There is one gentleman in the department, at least, who seems to know something about it, but the rest of them know nothing about it. When you go into that department you will probably find six or eight people working there when there should be at least twenty-five to thirty-five people to attend to those who come in. You will find outside the counter people six or seven deep, trying to get some information, but when they leave they will know just as much as when they first went in there. It is high time that the members of this body took it on their shoulders to see that the Mayor will put in some help in the Excise Tax Department; also that the assessors shall be required to examine the new law in regard to automobile taxation so that they will know something about it, instead of the thing going on as it does at present. You go there to get information, and when you get there, there is nobody who can tell you what the situation is. So I would move or suggest that the president appoint a committee to wait on the assessors to find out what can be done under this new excise tax.

Coun. DOWD.—Mr. President, there is nothing the Council or the assessors can do in reference to the new excise tax. The law is very plain. The Legislature evidently knew what they were doing but evidently the Boston members of the Legislature were sleeping when the bill was passed. Let us put the blame where it belongs. It does not belong on the Board of Assessors or the members of the City Government. The blame rests entirely on the Boston members of the Legislature who were sleeping when the bill was put over.

The order was passed under suspension of the rule.

#### ACCEPTANCE OF EGREMONT ROAD.

Coun. DOWLING 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 Egremont road, Ward 21.

Passed under suspension of the rule.

#### PROPOSED TAX SALE FORECLOSURES.

The following was received:

City of Boston,  
The Finance Commission,  
September 30, 1929.

To the Honorable the Mayor and City Council,  
Gentlemen,—There are at the present time in the possession of the City of Boston a large number of tax deeds purchased by the city at tax sales. Some of these deeds are on large income-bearing properties. On August 12, 1929, this matter was called to the attention of the Mayor in a private report.

The taxes due on these parcels for the years 1910 to 1925, inclusive, amounted to \$221,928.12 on September 1, 1929. In addition there is also now due interest which amounts to many thousands more.

The commission drew off cases of unpaid taxes in the years 1910 to 1925 where indebtedness amounted to \$100 or over, and found that many persons in Boston have been enjoying their property for many years without payment of taxes. The commission calls your attention to the following typical cases:

A owns property on Dalton street, St. Botolph street, Payson street, Broadway, Commonwealth avenue and five parcels on Falmouth street. Taxes on some of these properties have not been paid since 1916, and at the present time A owes the city in excess of \$19,335.91. The city has not enforced its rights against this property, the owners have remained in possession of it tax free since that time.

Another case is that of Mr. B, who owned a large amount of property at the North End, now in the hands of a receiver appointed by the Bank Commissioner. No taxes have been paid on these properties for 1921, 1922, 1925, 1926, 1927 and 1928, and the present indebtedness to the city amounts to a sum in excess of \$43,927.83. The receiver of the property has been consulted by the commission and he states that if this case had been taken up prior to the present time, the matter would have been adjusted and the city in receipt of the whole or a part of the amount due. The receiver, after his visit to the Finance Commission office, paid to the City Collector the sum of \$5,000 on account.

Mr. C owes the City of Boston approximately \$3,196.38 for taxes on a building on Condor street which have remained unpaid since 1922.

D and E owe taxes from 1915 to the present time, except the years 1918 and 1919, amounting to approximately \$7,585, on a building on Commercial street.

F owes taxes from 1915 to the present time, amounting to approximately \$5,701.25, on property in Ward 18 and Ward 19.

G owes taxes from 1920 to the present time, amounting to approximately \$7,641.80, on property located in South Boston.

H of Elm Hill avenue owes taxes on her home, assessed for \$17,500, since 1921. The sum due is approximately \$3,633.55.

I and J owe the City of Boston taxes for 1925, 1926, 1927 and 1928, amounting to approximately \$4,692, on brick apartment property assessed at \$40,000 and located at Blue Hill avenue.

K owes the City of Boston \$11,023.89, approximately, for unpaid taxes for 1923, for land on Hanover street.

L owes the City of Boston \$6,353.36, approximately, for unpaid taxes from 1917 (except 1926), to the present date for land and buildings on Merriam street.

M of Garden street has not paid his taxes, approximately \$1,387.34, since 1920.

The name of N appears upon the books of the city as owing \$2,443.34 for taxes for the years 1915-20, on Bowdoin street, Ward 17, but investigation shows that the Collecting Department has an undeposited certified check for \$3,000 since April 14, 1924, to cover this indebtedness, but on account of a technical illegal assessment upon this property for the years 1908-16, the matter has remained unsettled and the city deprived of this revenue.

There are many other similar cases too numerous to set forth. The conclusion is unavoidable that these property owners have been exempted from taxation because of political influence. Under the law the tax collector has three remedies:

1. He may arrest the delinquent tax debtor.
2. He may sue the debtor in a civil action three months after the tax is payable.
3. He may sell the property for the amount of the tax.

Boston has not used the first two methods, but has relied entirely upon the sale. Once the sale has taken place and the city has acquired the tax title, the owner is thereafter undisturbed. The money due the city for tax deeds prior to 1927 can only be collected by the City Collector by arrest or suit, or by foreclosing the tax titles. The collector complains that the Law Department gives him no effective aid in these tax foreclosures, but he himself can arrest the delinquent taxpayers. The real responsibility, therefore, rests on him. If the City Collector used any one of these methods, a large amount of these taxes would be paid at once. Since these cases were called to the collector's attention, he has renewed his efforts to gather these accounts in and, according to a state-



ment given by him to the Finance Commission on September 26, 1929, he has received \$44,084.97.

In 1927 chapter 126 was passed, making mandatory upon cities and towns of the Commonwealth the institution of foreclosure proceedings for the purpose of disposing of tax deeds bid in by the city at tax sales. The act provides that the foreclosure proceedings shall be instituted by the City Treasurer two years from the date of the tax sale. The old law simply permitted the city to foreclose. It was rarely used. The amount of the tax deeds bought in by the city at the 1927 sale and unredeemed by the owners on September 1, 1929, is \$29,660.16. The number of deeds is eighty-seven. The date of the Boston tax sale in 1927 was September 8; accordingly, if the law is followed, foreclosure proceedings in Boston should take place as soon as practicable. When these foreclosure proceedings are terminated the city will have title to a large number of estates. The ownership of these properties will entail care and management and obtaining buyers for them. This new work will require the attention of some city department equipped to handle it.

The Act provides in section 3 that the city may make regulations for the possession, management and sale of the property. There is opportunity for unscrupulous officials to sell these properties at much less than their real value, unless an agency is established to manage them and to advise the city government as to their market value. Somerville has already taken twenty-five parcels by foreclosure and sold nineteen of them for not less than the assessed valuation, the difference between the indebtedness to the city and the price paid being transferred to a special fund called "Sales of City Lands." The City Treasurer manages and disposes of the property in Somerville, with the approval of the Mayor. In Medford the Mayor's office handles such sales.

There will be many legal questions to settle in disposing of these properties. The commission believes that the department to handle the sale, management and transfer of these properties is the Law Department. The City Treasurer has transmitted the list of these properties to the Law Department, but nothing will be done to complete the city's title unless your Honor provides the funds to carry on the work. No appropriation has thus far been made to take care of the cost of foreclosing these titles. The commission believes that it is important to deal with this question immediately. It again urges your Honor to submit an appropriation order to the City Council for this work, so that there may be no delay to impede these proceedings.

In addition to the money due the city for tax deeds, there was also outstanding upon the books of the City on September 1, 1929, \$273,410.23 for water rates for 1924 to 1928, inclusive. For these unpaid water bills the city since 1924 has a lien against the property of the debtor for a period of one year from October 1. Though the city has regularly filed in the Registry of Deeds notices of its liens against estates, they have not been enforced against the property. Chapter 391 of the Acts of 1923, section 42D, provides that unpaid water accounts shall be added by the collector to the annual tax bills. This mandate of the law has not been followed by the City Collector of Boston. The commission appreciates that there will be increased work on the collector in assembling these unpaid water bills and in inserting the amount due on the tax bills. As the law requires the collector to do this work, he should be charged with the responsibility for following the law. If additional clerks or additional outside clerical services are required, they should be provided. If these unpaid water accounts appear on the annual tax bills, the amount due the city for water would be collected much more rapidly and the large outstanding indebtedness would be reduced.

The commission recommends:

1. That an appropriation order be sent to the City Council to take care of the foreclosing of these tax titles.
2. That the Law Department be charged with the duty of managing, selling and transferring the estates taken over by the city at these tax sale foreclosures.
3. That the City Collector be directed to take further action against all delinquent tax debtors preceding the tax foreclosure list of 1927.
4. That the City Collector be directed to insert in the tax bills, after they are received from

the Assessing Department, the amount of unpaid water rates against each estate, as provided in chapter 391, Acts of 1923.

Respectfully submitted,  
THE FINANCE COMMISSION,  
by JOHN C. L. DOWLING,  
Chairman.

Placed on file.

#### MOTHERS' REST AND PLAYGROUND, MEEHAN STREET.

Coun. MOTLEY offered the following:

Ordered, That the Board of Park Commissioners be hereby authorized to use for the purposes of a mothers' rest and playground for small children the parcel of land taken for Stony brook sewerage works on the easterly side of Meehan street, between Rossmore road and Williams street, provided that said land shall not be used in such manner as to interfere with the maintenance or repair of said sewerage works or for any purpose which shall be disapproved by the Commissioner of Public Works.

Referred to the Executive Committee.

#### ADDITION TO EMMONS PLAYGROUND.

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

3. 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 purchase of land to be used as an addition to the Frederick D. Emmons Playground on Rutherford avenue, 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.

The order was recommitted, on motion of Coun. GREEN, to the Committee on Finance.

#### NEW INSTITUTIONS BOAT.

On motion of Coun. DOWLING, the Council took from the table No. 4 on the calendar, viz.:

4. Ordered, That the sum of sixty-nine thousand dollars be, and hereby is, appropriated, to be expended under the direction of the Institutions Commissioner for Institutions Department, New Boat, 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.

The roll was called, and the order failed of passage (a two-thirds vote being necessary), yeas 12, nays 5.

Yeas—Coun. Arnold, Deveney, Donovan, Dowd, Dowling, Gallagher, Green, Keene, Lynch, Mahoney, Murray, Ruby—12.

Nays—Coun. Fish, Fitzgerald, McMahon, Motley, Wilson—5.

Coun. WILSON—Mr. President, as a member voting in the negative, I move a reconsideration of our rejection of the order and that the order be placed on the calendar for our next meeting. Before voting finally on the order, I would like to obtain further information.

Coun. WILSON'S motion to reconsider and to assign to the next meeting was declared carried.

#### 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 President DONOVAN at 3.12 p. m.

#### EXECUTIVE REPORT.

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

1. Report on order (submitted by the Mayor and referred today) 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 summer season—that the same ought to pass.

Report accepted; order passed, yeas 17, nays 0.

2. Report on message of Mayor and orders (referred today) for various department transfers—that the orders ought to pass.

Report accepted, orders severally passed, yeas 17, nays 0.

Coun. RUBY in the Chair.

3. Report on order (referred March 25, 1929) that an annuity of \$600 be allowed and paid to the widow of John J. Fitzgerald, a member of the Police Department, who died from injuries received in the performance of his duties—that the same ought to pass.

Report accepted, said order passed.

4. Report on order (referred today) that the Board of Park Commissioners be hereby authorized to use for the purposes of a mothers' rest and playground for small children, the parcel of land taken from Stony Brook Sewerage Works on the easterly side of Meehan street, between Rossmore road and Williams street, etc.—that the same ought to pass.

Report accepted, said order passed.

#### REIMBURSEMENT OF FRANK E. WILLIAMS.

Coun. RUBY, for the Committee on Claims, submitted a report on petition of Frank E. Williams (referred September 9, 1929, to be reimbursed for expenses incurred on account of his acts as a member of the Boston Fire Department—recommending the passage of the accompanying order:

Ordered, That the sum of one hundred and fifty dollars be allowed and paid to Frank E. Williams for expenses 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, order passed.

#### LEASE OF WEST ROXBURY LAND.

Coun. MOTLEY, for the Committee on Public Lands, submitted a report on the order (submitted by the Mayor August 22 and referred August 26, 1929), for a lease to Donald Gray of a parcel of land situated on the northerly side of Washington street,—that the same ought to pass.

The report was accepted, and the order was assigned to the next meeting on motion of Coun. Motley.

#### MOTHERS' REST.

Coun. MURRAY offered the following:

Ordered, That the Park Commission be requested, through His Honor the Mayor, to purchase land in the vicinity of Lamartine and Green streets, Ward 19, to be used for a mothers' rest.

Coun. MURRAY. Mr. President, in introducing this order for a mothers' rest, I do so because the playground in my ward is at the upper end of the ward. The people at the lower end have no place for the mothers to rest or the children to play after school or evenings. I hope, therefore, that the Mayor will see fit to grant this request.

The order was passed under suspension of the rule.

#### SIDEWALKS ON CENTRE STREET, WARD 19.

Coun. MURRAY offered the following orders:

Ordered, That the Commissioner of Public Works make a sidewalk along 798-S02 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.

Ordered, That the Commissioner of Public Works make a sidewalk along Centre street from Ballard to Goldsmith streets (southerly side), 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.

Orders passed under suspension of the rule.

#### ACCEPTANCE OF CLARKSON STREET, WARD 15.

Coun. McMAHON 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 Clarkson street, between Quincy street and Hendry street, Ward 15.

Passed under suspension of the rule.

#### BOULEVARD LAMPS, SAVIN HILL AVENUE.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install boulevard type arc lamps on Savin Hill avenue, between Dorchester avenue and the Savin Hill rapid transit station.

Passed under suspension of the rule.

#### SIDEWALK ON OLNEY STREET, WARD 15.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Olney street (north side), from Richfield street 154 feet west, 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.

#### ACCEPTANCE OF HARLOW 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 Harlow street, Ward 13.

Passed under suspension of the rule.

#### PRINTING AND BOOKBINDING WEEK.

Coun. McMAHON offered the following:

An ordinance to amend chapter 40, section 15, of the Ordinances of the year 1925, of the City of Boston, by adding after the words, "Wages," in the third line of section 15 of said chapter 40, the following:

"No more than 44 hours shall constitute a week's work on all printing and bookbinding."

Referred to the Committee on Ordinances.

Adjourned at 3.19 p. m., on motion of Coun. MOTLEY, to meet on Monday, October 7, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, October 7, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent Coun. Bush and Dowd.

## JURORS DRAWN.

Jurors were drawn in the manner prescribed by law (Coun. RUBY presiding at the box in the absence of the Mayor), as follows:

Twenty-four traverse jurors, Superior Civil Court, First Session, October Sitting, to appear November 4, 1929:

Peter F. Judge, Ward 1; Robert W. McDonald, Ward 1; Frank J. O'Grady, Ward 1; John J. Reilly, Ward 2; Fred N. Williams, Ward 3; John M. Osborne, Ward 4; James J. Hegerty, Ward 6; James P. McHugh, Ward 6; Patrick J. Irwin, Ward 7; Thomas H. Cahill, Jr., Ward 8; Henry Schlichte, Ward 10; Thomas M. Igoe, Ward 11; George C. Hutchinson, Ward 13; Thomas S. Flaherty, Ward 13; Oscar P. Wallace, Ward 13; Samuel Rosenthal, Ward 14; George E. Keyo, Ward 15; William J. Farrow, Ward 16; Michael M. McCormick, Ward 17; Harold R. Smith, Ward 18; Jacob H. Mock, Ward 19; William J. Hall, Ward 20; Louis H. Hornow, Ward 20; Edward G. Black, Ward 21.

Twenty-six traverse jurors, Superior Civil Court, Second Session, October Sitting, to appear November 4, 1928:

Edgar M. Hamilton, Ward 1; William J. Ahern, Ward 2; Humphrey Hurley, Ward 2; John J. Collins, Ward 3; William Murphy, Ward 3; Charles T. Anderson, Ward 4; Frank J. Hilton, Ward 6; Thomas McCarthy, Ward 6; John J. O'Brien, Ward 6; Edward J. Lennon, Ward 8; Ralph W. Mayo, Ward 8; Frank B. Benson, Ward 10; Frederick C. Hunnefeld, Ward 11; Frederick Savage, Ward 13; Benjamin Carver, Ward 14; John Hayes, Ward 15; Timothy F. Slyné, Ward 16; Andrew Todd, Ward 16; Oscar L. Phelan, Ward 17; Daniel T. Crafey, Ward 19; Horace E. Dunkle, Ward 19; Samuel Goldberg, Ward 19; James P. A. Purcell, Ward 19; Frank H. Piper, Ward 20; John W. Quinn, Ward 22; James Sullivan, Ward 22.

Twenty-one traverse jurors, Superior Civil Court, Third Session, October Sitting, to appear November 4, 1929:

Herbert A. Grace, Ward 1; William J. Grant, Ward 1; John Mortimer, Ward 1; Frank Prav, Ward 1; Fred C. Poor, Ward 2; John D. Bluett, Ward 3; John A. Doyle, Ward 3; Roger C. Hatch, Ward 5; Frank L. Landers, Ward 6; Joseph E. Lee, Ward 6; Philip F. McCarty, Ward 6; Joseph P. Plevack, Ward 6; Michael J. Mulkerin, Ward 7; William H. Lennon, Ward 11; David Noonan, Ward 11; August Zepf, Ward 11; Joseph E. D. Silver, Ward 12; Abraham Sweet, Ward 12; Jacob Goldman, Ward 14; Francis J. O'Donnell, Ward 14; Joseph Michael Panetta, Ward 15.

Twenty-nine traverse jurors, Superior Civil Court, Fourth Session, October Sitting, to appear November 4, 1929:

David F. Berkeley, Ward 1; Jeremiah J. Hegarty, Ward 2; Henry M. Cutter, Ward 4; Harry W. Hayes, Ward 4; John F. Callahan, Ward 5; Joseph J. Conway, Ward 6; James F. Driscoll, Ward 7; Henry Bronkhorst, Ward 11; Patrick Lafey, Ward 11; Arthur J. Quigley, Ward 12; George L. Travers, Ward 13; Barnett Block, Ward 14; James J. Burns, Ward 15; Hugo W. H. Wellington, Ward 15; Frank W. Gately, Ward 16; Robert H. Hunter, Ward 16; William L. McAnaul, Ward 16; Frank X. Toomey, Ward 16; Francis T. Carey, Ward 17; James M. Clancy, Ward 17; John Keif, Ward 17; Robert A. Tandy, Ward 17; Leroy C. Holmes, Ward 18; Keith B. Hutchins, Ward 18; Edgar R. Lacouture,

Ward 20; Patrick H. Bradley, Ward 22; Robert Swartout, Ward 21; Herbert Guterman, Ward 21; Albert H. Russell, Ward 21.

Twenty-three traverse jurors, Superior Civil Court, Fifth Session, October Sitting, to appear November 4, 1929:

William M. Oliver, Ward 2; Timothy J. Mul-lane, Ward 3; George Ober, Ward 3; Logan S. Congaware, Ward 4; James C. Hickey, Ward 4; Lawrence J. Kenney, Ward 4; George W. Master-son, Ward 4; Herbert E. Patrick, Ward 4; John F. Goodwin, Ward 7; John F. Stout, Ward 7; Leo G. Fay, Ward 8; Charles P. McLaughlin, Ward 10; Bernard J. Starrs, Ward 10; Henry A. Lueth, Ward 11; Thomas W. Hoctor, Ward 12; Thomas C. Hassett, Ward 13; Thomas Francis Coughlin, Ward 15; William C. Donovan, Ward 15; Joseph B. Cunningham, Ward 16; Daniel J. Goggin, Ward 16; George F. Fellows, Ward 18; Wallace R. Hubbard, Ward 19; John H. North, Jr., Ward 20.

Eighteen traverse jurors, Superior Civil Court, Sixth Session, October Sitting, to appear Novem-ber 4, 1929:

John J. Carney, Ward 1; Charles F. Elkins, Ward 1; Abraham Smith, Ward 1; William F. Bovle, Ward 2; Richard J. Cullen, Ward 4; William H. Ford, Ward 4; Walter H. Kilham, Ward 5; John P. Parker, Ward 5; Frank L. Staney, Ward 7; John F. Silvey, Ward 9; Jere-miah Donahue, Ward 10; Charles H. Stiles, Ward 12; Patrick J. Sullivan, Ward 13; Harold S. Stern, Ward 14; Dominic F. Weafer, Ward 16; Edward F. Roach, Ward 17; Bernard H. Wickes, Ward 17; William J. Neville, Ward 18.

Twenty-eight traverse jurors, Superior Civil Court, Seventh Session, October Sitting, to appear November 4, 1929:

William J. Benner, Ward 2; Thomas P. Breslin, Ward 2; Charles V. Lawler, Ward 3; Joseph Miller, Ward 3; Benjamin B. F. night, Ward 3; John J. O'Connell, Ward 4; Laurence B. Larkin, Ward 6; Lawrence Griffin, Ward 10; Gaffney F. Howard, Ward 10; Max Goldblatt, Ward 12; Charles T. Williams, Ward 12; Louis Sklarsky, Ward 14; Frank I. Stanger, Ward 14; Alfred J. Columbus, Ward 15; Joseph O. Edwards, Ward 16; Henry W. Maginot, Ward 18; William C. Anderson, Ward 19; Frederick L. Brock, Ward 19; Harry T. Houghton, Ward 20; John T. Batchelder, Ward 21; Harry A. Cook, Ward 21; Joseph Lipson, Ward 21; Fred O. Mack, Ward 21; Henry Nutt, Ward 21; John F. White, Ward 21; James Alford, Ward 22; Cedric E. Bloomfield, Ward 22; Herbert H. Griffin, Ward 22.

Thirty-one traverse jurors, Superior Criminal Court, First Session, to appear November 4, 1929:

William A. G. Burke, Ward 1; Norbert James LaVoie, Ward 1; John Connors, Ward 2; Patrick H. Pury, Ward 2; William W. Pierce, Ward 3; William King, Ward 4; Adam Hope, Ward 6; Austin E. Livingston, Ward 8; Harold W. Cunn-ingham, Ward 9; William I. Fogarty, Ward 10; James A. Goode, Ward 10; William J. Gilligan, Ward 10; William F. Sheils, Ward 10; Edward J. Anderson, Ward 11; Harold G. Costa, Ward 12; Samuel Einstein, Ward 12; John K. Jurigian, Ward 12; John P. Doty, Ward 13; Edward W. Noyes, Ward 13; Maurice J. Baker, Ward 14; John J. Kelly, Ward 14; Michael D. Keene, Ward 15; John Reardon, Ward 15; Joseph G. Gormley, Ward 16; Timothy G. Henderson, Ward 16; Leo C. Graham, Ward 17; Bidkar J. Short, Ward 20; Jonathan Wilson, Ward 20; George L. Clift, Ward 21; Raymond L. Haggett, Ward 21; George A. Richardson, Ward 21.

Thirty-one traverse jurors, Superior Criminal Court, Fourth Session, to appear November 4, 1929:

Joseph Caton, Jr., Ward 1; Joseph C. O'Don-nell, Ward 1; Thomas Lynch, Ward 2; John J. Martin, Ward 4; Charles E. Robinson, Ward 4; Ludwig Eiseman, Ward 5; Arthur M. Jones, Ward 5; William E. Loring, Ward 5; Ralph D. Vesce, Ward 5; John J. Skierski, Ward 7; William F. Dacey, Ward 10; William B. Powers, Ward 11; Irving Windheim, Ward 12; David W. McManua, Ward 13; Dennis J. McMorrow, Ward 13; Owen F. J. Tucker, Ward 13; Joseph Louis Egelman, Ward 14; Abraham N. Kier, Ward 14; Frederick Fein, Ward 16; Louis B. Gillon, Ward 16; Ran-

dall J. Hurley, Ward 16; William Wilson, Ward 17; Sidney R. Rollins, Ward 18; Christian Torgersen, Ward 18; George E. Ehrenholm, Ward 19; Joseph W. Cullen, Ward 20; Norman P. Hall, Ward 20; George Robertson, Ward 20; Robert E. Lynch, Ward 21; Frederick Outraus, Ward 21; Willis W. Hitchcock, Ward 22.

Thirty-one traverse jurors, Superior Criminal Court, Fifth Session, to appear November 11, 1929:

Anthony Silva, Ward 1; Leopold Cincotti, Ward 3; Frank A. Mortali, Ward 3; Frederic C. Pike, Ward 3; Arthur Rabinovitz, Ward 3; Salvatore Sorbello, Ward 3; Albert E. Snowman, Ward 4; Walter B. Savage, Ward 5; Michael H. Donovan, Ward 7; James A. McDonald, Ward 7; Joseph L. Austin, Ward 9; Raymond R. Drysdale, Ward 9; Andrew A. Gibbs, Ward 9; Jacob Green, Ward 9; Ernest J. Eting, Ward 11; Patrick Shanahan, Ward 11; Walter C. Whitney, Ward 11; Harry A. Melendy, Ward 13; Frederick R. Walsh, Ward 13; Sidney Bell, Ward 15; Theodore J. Cobb, Ward 16; William H. Dunn, Ward 19; Harold R. Pugsley, Ward 19; Charles T. Allen, Ward 20; William E. Benson, Ward 20; John J. Macdonald, Ward 20; William H. Northwood, Ward 20; Arthur J. O. Pfoock, Ward 20; Leon C. Roby, Ward 20; Frank Feehan, Ward 21; Luther R. Funderburk, Ward 22.

#### APPOINTMENTS OF CONSTABLES.

The following was received:

City of Boston,  
Office of the Mayor, October 1, 1929.  
To the City Council.

Gentlemen,—Subject to the confirmation of 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, 1930:

William Peter McGuinness, 457 Cummins Highway, Ward 18; John J. Piscatelli, 183 Centre street, Ward 11; John Alphonus Manning, 703 La Grange street, Ward 20; Charles R. Mennella, 286 Chelsea street, Ward 1.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.  
Laid over a week under the law.

#### APPOINTMENTS OF WEIGHERS.

The following was received:

City of Boston,  
Office of the Mayor, October 2, 1929.  
To the City Council.

Gentlemen,—Subject to confirmation by your honorable body, I herewith appoint the following as weighers for the term ending April 30, 1930:

Of Coal: Frank Walsh, 61 Union street, Watertown, for the Pocahontas Fuel Company, Inc., Boston; Bartley T. Powers, for the United Ice and Coal Company, Inc., 1A Ellery street, South Boston; Ruth D. Grages for United Ice and Coal Company.

Of Beef: Kenneth R. Brown, 12 Quincefield street, Dorchester, for Fruit Dispatch Company, Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.  
Laid over a week under the law.

#### TOLL GATE TUNNEL—VETO.

The following was received:

City of Boston,  
Office of the Mayor, October 2, 1929.  
To the City Council.

Gentlemen,—I return herewith, without my approval, your order for an appropriation of \$150,000 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, for the same reason as set forth in my letter to you on May 28, 1929.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.  
Placed on file.

President DONOVAN at this point called Coun. Ruby to the chair.

#### MORTON STREET LOAN—VETO.

The following was received:

City of Boston,  
Office of the Mayor, October 2, 1929.  
To the City Council.

Gentlemen,—I return herewith, without my approval and without prejudice, your order of September 23, 1929, providing for an appropriation of \$40,000 for the laying out, widening and reconstructing of Morton street, from Codman street to Druid street, for the same reason as set forth in my letter to you under date of September 24, 1929.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.  
Placed on file.

#### PETROLEUM LICENSE, EAST BOSTON.

The following was received:

City of Boston,  
Office of the Mayor, October 2, 1929.  
To the City Council.

Gentlemen,—I am herewith returning without my signature the order passed by the City Council on September 23, 1929, disapproving the granting of a license for the storage and sale of petroleum products, such as fuel oils, kerosene, gasolene and lubricating oils, by the Boston Port Development Company, on the premises at 100 Boardman street, East Boston.

In returning this order without my signature, I in no way indicate whether I favor or disapprove the granting of the license in question. I do not wish to pass upon this question until the Board of Street Commissioners, the body charged with the duty of passing on matters of this kind, has expressed its official opinion either by voting in favor of the granting of the license or by disapproving the issuance of such permit.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.  
Placed on file.

#### LAND ADJOINING FALLON FIELD—VETO.

The following was received:

City of Boston,  
Office of the Mayor, October 4, 1929.  
To the City Council.

Gentlemen,—I return herewith, without my approval and without prejudice, your order of September 23, 1929, relative to an appropriation of \$100,000 for the purchase and improvement of land adjoining Fallon field, for the reason that the Committee on Parks and Playgrounds has not investigated this site but will be pleased to call an early meeting of the committee to look over the land adjoining the playground and will forward to your office the result of their recommendations.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.  
Placed on file.

#### TRAFFIC SIGNAL SYSTEM, COMMONWEALTH AVENUE—VETO.

The following was received:

City of Boston,  
Office of the Mayor, October 2, 1929.  
To the City Council.

Gentlemen,—I return herewith, without my approval and without prejudice, your order of September 23, 1929, providing for an appropriation of \$125,000 for the installation of an automatic traffic signal system on Commonwealth avenue, from Arlington street to Governor square.

In view of the many pending projects calling for loan appropriations in a considerable sum, I deem it wise to defer action upon this particular order at the present time. If later on the borrowing power of the city permits, I shall resubmit the order.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.  
Placed on file.

## WINTHROP STREET PLAYGROUND—VETO.

The following was received:

City of Boston,  
Office of the Mayor, October 4, 1929.  
To the City Council.

Gentlemen,—I return herewith, without my approval and without prejudice, your order for an appropriation of \$50,000 for the purchase of land for playground purposes situated at the junction of Winthrop, Fairland and Moreland streets, for the reason that the order makes no provision in this appropriation for the construction of a playground.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

## WOOD ISLAND PARK APPROPRIATION—VETO.

The following was received:

City of Boston,  
Office of the Mayor, October 3, 1929.  
To the City Council.

Gentlemen,—I am returning, without my approval, your order of September 23, 1929, in the sum of \$50,000 for the construction of a new bathhouse at Wood Island Park, as provision has already been made for this by an appropriation of \$75,000 approved by me on August 6, 1929.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

## PLAYGROUND, FOURTH SECTION—VETO.

The following was received:

City of Boston,  
Office of the Mayor, October 3, 1929.  
To the City Council.

Gentlemen,—I return, without my approval and without prejudice, your order of September 23, 1929, that the sum of \$60,000 be appropriated for the purchase of land in what is known as the Fourth Section area of East Boston for the reason that the Committee on Parks and Playgrounds recommended the purchase of a piece of land in the vicinity of Pope street which was assessed for \$8,900, and the sum requested is far beyond the recommendation of the committee.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

## FIRE SIGNAL, CENTRE STREET.

The following was received:

City of Boston,  
Office of the Mayor, October 2, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Fire Commissioner, in reply to your order of September 4, 1929, relative to the installation of a siren at the junction of Centre and Green streets, Ward 19, to warn pedestrian and vehicular traffic of the approach of fire apparatus.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Fire Department, October 1, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council of September 4, 1929: "Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to install a siren at the junction of Centre and Green streets, Ward 19, to warn pedestrian and vehicular traffic of the approach of fire apparatus."

In reply thereto I would say that an investigation has been made of this location and it was found the Engine House is only about one hundred and fifty feet from the corner. In the opinion of the Superintendent of the Fire Alarm Division the installation of a siren on the front of the house would serve as well as a horn at the corner of Centre and Green streets.

The cost of installation would be small and I have issued orders to have a horn placed on the fire station.

Yours very truly,  
E. C. HULTMAN, Fire Commissioner.

Placed on file.

## SALE OF JUNK, PENAL INSTITUTIONS DEPARTMENT.

The following was received:

City of Boston,  
Office of the Mayor, October 3, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Penal Institutions Commissioner relative to the sale of old material, and respectfully recommend the passage of the accompanying order.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the Penal Commissioner be, and hereby is, authorized to sell, after public advertisement, a quantity of junk belonging to the Penal Department valued at approximately \$900.  
Referred to the Executive Committee.

## PETITIONS REFERRED.

The following petitions were received and referred to the committees named:

## Claims.

Nathaniel Abrams, for compensation for damage to automobile by car of Division 5, Police Department.

Ralph Auciello, for compensation for personal injuries caused by fall at Cabot Street Bath House.

Magdalena Balekevicius, for compensation for damage to property at 86 Lincoln street, Brighton, caused by backing up of sewage.

Harry A. Clarke, for compensation for damage to automobile caused by alleged defect on Warren avenue.

Mrs. Maude E. Colby, for compensation for personal injuries and damage to clothing caused by alleged defect at 250 Atlantic avenue.

John F. Dowd, Jr., for compensation for damage to automobile caused by being struck by truck of Public Works Department.

Patrick F. Egan, for compensation for damage to automobile by wagon of Park Department.

Louis Epstein, for compensation for damage to property at 49 Theodore street, Dorchester, caused by water in cellar.

First Lithuanian Medical Episcopal Church, for compensation for damage to property at corner of Fourth and Atlantic streets, South Boston, by city truck.

Harold Harrison, for compensation for damage to automobile caused by alleged defect opposite Lorette and Spring streets, West Roxbury.

Adelaide C. McHugh, for compensation for loss of clothing at City Hospital.

John H. Miner, Superintendent, for refund on unused refuse tickets.

New England Company, for compensation for damage to automobile caused by being struck by truck of Public Works Department.

Rose M. Reynolds, for compensation for personal injuries due to an alleged defect in Park square.

William Francis Scanlan, for compensation for loss of money at City Hospital.

Ralph Serra, for compensation for personal injuries and damage to property by truck of Public Works Department.

Mary E. Stewart, for compensation for personal injuries and damage to clothing caused by alleged defect in front of 111 Summer street.

John J. Sullivan, for compensation for damage to property at 18 Belden street, Dorchester, caused by members of Fire Department.

Mrs. Mary Sullivan, for compensation for personal injuries caused by alleged defect near corner of Marion and Lexington streets, East Boston.

Mrs. Cora B. Watson, for compensation for damage to automobile by city truck.

Shirley Zoltrow, for compensation for personal injuries caused by alleged defect in front of 91 Poplar street.

## Jitney Licenses.

John Panold, for license to operate three motor vehicles between the intersection of Dearborn and Mall streets and the South Station.

## Executive Committee.

Boston National League Baseball Company, for renewal of license for Sunday sports on Braves Field.

## GASOLENE PETITIONS.

Notice was received from the Board of Street Commissioners of hearings of petitions for storage and sale of gasolene, as follows:

October 14.

Mary A. Higgins, 269 Boston street, Ward 7, 4,000 gallons.

October 21.

Constantinas A. Chironis, 436 Soldiers Field road, Ward 22, 5,000 gallons.

John C. Fisher, 2061 Centre street, Ward 20, 3,000 gallons.

Referred to Executive Committee.

## CONSTABLE'S BOND.

The constable's bond of James McDonough, having been duly approved by the City Treasurer, was received and approved.

## LOAN FOR LONG ISLAND IN FORCE.

The following was received:

City of Boston,  
City Clerk's Office, October 5, 1929.

To the City Council.

Gentlemen,—You are hereby notified that under the provisions of section 2 of chapter 486 of the Acts of 1909, the loan order of \$50,000 for Long Island, New Buildings and Additions and Equipment and furniture, recommended by the Mayor and filed with the City Clerk August 5, 1929, not having been rejected or withdrawn within sixty days after said date, was in force on October 5, 1929, as if adopted by the City Council.

Respectfully,  
W. J. DOYLE, City Clerk.

Placed on file.

## CITY ELECTION.

Chairman RUBY offered the following:

Ordered, That meetings of the citizens of this city qualified to vote for city officers to be held at the several polling places designated for the purpose by the Board of Election Commissioners on Tuesday, the fifth day of November, 1929, to give in their votes for Mayor, two members of the School Committee, and for one member of the City Council in each ward; also to give in their votes "Yes" or "No" in answer to the following question: "Shall an act passed by the General Court in the year nineteen hundred and twenty-nine, entitled 'An Act to establish a board of commissioners of school buildings and a department of school buildings in the city of Boston', be accepted?"

The polls at said meeting shall be opened at six o'clock a. m. and closed at eight o'clock p. m.

Ordered, That the City Clerk be directed to give notice of said meetings by publishing the same as required by law.

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 question to be voted upon at the City Election to be held on November 5, 1929.

Orders passed under suspension of the rule.

## 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 October, 1929.

Report accepted; said order passed under suspension of the rule.

## SALARIES OF PROBATION OFFICERS.

Coun. FITZGERALD submitted a report on the communication from the Justice of the Boston Juvenile Court, determining the salaries of Probation Officers of said court (referred April 29)—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 to date from June 1, 1929, be and the same hereby are approved, viz.:

Chief probation officer.....	\$2,900
Second male probation officer.....	\$2,600
Third male probation officer.....	\$2,500
Fourth female probation officer.....	\$2,360

Report accepted; order passed.

## FOURTH SECTION PLAYGROUND, EAST BOSTON.

Coun. DONOVAN offered the following:

Ordered, That the sum of fifteen thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Park Department for the purchase of land and construction of a playground in what is known as the Fourth Section area of East Boston, 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.

Coun. DONOVAN—Mr. President, I ask a suspension of the rule on this order, so that it may take its first reading today. The order is filed as a result of the prior order for a playground in the Fourth Section. In the order first introduced the amount was far in excess of the amount asked for by the Park Commissioners in their report. I therefore file this order today and ask a suspension of the rule for its passage.

The order was given its first reading and passage under suspension of the rule, yeas 19, nays 0.

## FIELD HOUSE, CHARLESTOWN HEIGHTS.

Coun. GREEN called up under Unfinished Business, No. 7 on the calendar, viz.:

7. Ordered, That the sum of twelve thousand five hundred dollars be, and the same is, hereby appropriated, to be expended under the direction of the Park Commission, for the construction of a field house on Charlestown Heights, in Ward 2, Charlestown, and 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 the said amount.

On September 23, 1929, the foregoing order was read once and passed, yeas 17, nays 0.

The order was given its second and final reading and passage, yeas 20, nays 0.

## FIELD HOUSE ON BARRY PLAYGROUND.

Coun. GREEN called up under Unfinished Business, No. 8 on the calendar, viz.:

8. Ordered, That the sum of twenty-five thousand dollars be, and the same is, hereby appropriated, to be expended under the direction of the Park Commission, for the construction of a field house on the Barry Playground, in Ward 2, Charlestown, and 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 September 23, 1929, the foregoing order was read once and passed, yeas 16, nays 0.

The order was given its second and final reading and passage, yeas 18, nays 0.

## REGISTRATION ADVERTISING.

Coun. WARD offered the following:

Ordered, That his Honor the Mayor be requested to transmit, through public advertising in the Boston newspapers, the fact that registration is open in all of the wards of the city, stating the hours that nonregistered citizens might be registered.

Coun. WARD—Mr. President, the City of Boston is without question the biggest corporation in the entire Commonwealth. All of the voters of Boston are the stockholders in this big corporation. I appreciate the fact that they have in the various wardrooms and public buildings a list of places and times when the unregistered voters may register, so that they can vote. But that is

not carried into all the homes in the entire city. There are thousands of people who have a desire to register, who are not informed as to when, where, or how they may register. That certainly holds true. I have no doubt every member of the body has had a number of citizens coming to him each day asking when and where he or she may register. Therefore, I hope that when this order is passed—and I certainly hope it will be passed under suspension of the rule—it will be advertised in the Boston papers, giving each citizen an opportunity to find out from the papers when and where he or she may register.

Chairman RUBY—The order will be referred to the Executive Committee.

Coun. WARD—Mr. President, I move a suspension of the rule that the order may be put upon its passage.

The rule was suspended and the order was passed.

#### HALF-HOLIDAY FOR CITY EMPLOYEES, ELECTION DAY.

Coun. SULLIVAN offered the following:

Ordered, That all heads of departments be requested, through his Honor the Mayor, to allow such employees as can be spared a half-holiday on election day, Tuesday, November 5, 1929, without loss of pay.

Coun. SULLIVAN—Mr. President, every four years we have an election for Mayor of the City of Boston, and if you come around City Hall on election day you will find the heads of departments missing, while the poor employees who have to struggle along are working out the full day, with possibly a half-hour off for voting. My object is simply to give to the employees of the department who can be spared the same half-holiday on election day that is taken by the heads of departments. I hope the Mayor will see fit to comply with my request.

The order was referred to the Executive Committee.

#### ADDITIONAL LAND NEAR ROGERS PARK.

Coun. GALLAGHER called up under Unfinished Business, No. 6 on the calendar, viz.:

6. 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 purchase of additional land adjoining Rogers Park on the Washington street side and its improvement for park purposes, 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 September 23, 1929, 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.

#### RELEASE OF RESTRICTIONS ON BOYLSTON STREET.

Coun. PARKMAN called up under Unfinished Business, No. 3 on the calendar, viz.:

3. Whereas, By an instrument in writing, dated December 30, 1912, and recorded with Suffolk Deeds, Book 3698, page 254, in which deed a description of the parcel of land hereinafter mentioned is set forth, Gordon Dexter of Beverly, in the county of Essex, agreed to hold a certain parcel of land situated on Boylston street in Boston, subject to certain restrictions set forth in said instrument, so long as the roadways and walks laid out in said parcel should be maintained by the City of Boston as park roads; and

Whereas, The Board of Park Commissioners voted to accept said agreement; and

Whereas, By a vote passed July 15, 1929, the Park Department of the City of Boston voted to release said restrictions; and

Whereas, The Board of Zoning Adjustment voted to change the above described area from an R-65 (General Residence 65-foot height) district to an R-80 (General Residence 80-foot) district;

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, in

form satisfactory to the Law Department, in consideration of one dollar, to release to Morris Bronstein of Boston, county of Suffolk his heirs, executors, administrators and assigns all right which the said City of Boston has to enforce the above mentioned restrictions.

On September 23, 1929, the foregoing order was read once and passed yeas 16, nays 3.

The order was given its second and final reading and passage, yeas 18; nays—Coun. Deveney—1.

#### LEASE OF WEST ROXBURY LAND.

Coun. MOTLEY called up under Assignments, viz.:

10. 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 Donald Gray a lease satisfactory in form to the Law Department for a term of fifteen years, at an annual rental of one hundred fifty dollars, a certain parcel of land situate on the northerly side of Washington street between land now or formerly owned by the Boston and Providence Railroad Corporation, in the West Roxbury district of said Boston, containing about two thousand five hundred and fifty square feet of land, upon the consideration that no buildings shall be erected on said land, that the rights of the city to enter on and maintain its sewerage works in said land shall not be impaired that said lease may be terminated by the said City of Boston at any time during the term thereof by giving thirty days' notice in writing to the lessee or his legal representative of its intention so to do, and that any assignment of said lease shall be subject to the approval of the Commissioner of Public Works of the City of Boston.

The order was passed, yeas 19, nays 0.

#### PLAYGROUND FOR GERMANTOWN SECTION.

Coun. KEENE 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 purchase of land and the construction of a playground in the Germantown section of West Roxbury, 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 Committee on Finance.

#### APPROPRIATION FOR CENTRAL LIBRARY FOUNDATION.

Coun. KEENE called up under Unfinished Business, No. 4 on the calendar, viz.:

4. Ordered, That the sum of \$100,000 be, and the same hereby is, appropriated, to be expended under the direction of the Board of Trustees of the Boston Public Library for Central Library Building, Foundation Improvements, etc., 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 to said amount.

On September 23, 1929, the foregoing order was read once and passed, yeas 17, nays 0.

The order was given its second and final reading and passage, yeas 20, nays 0.

#### FINANCE REPORTS.

Coun. MOTLEY, for the Committee on Finance, submitted the following:

1. Report on order (referred August 26) appropriating \$135,000, to be expended under the direction of the Penal Institutions Commissioner for the House of Correction, Deer Island, new buildings, etc.—that the same ought to pass.

Report accepted, said order passed, yeas 20, nays 0.

2. Report on each of the two orders (submitted by the Mayor and referred September 30) appropriating \$15,000, to be expended by the Trustees

of the Boston City Hospital for remodeling old Ward N building, etc.—that said orders ought to pass.

Report accepted, said orders passed, yeas 20, nays 0.

3. Report on order (submitted by the Mayor and referred September 4) appropriating \$43,000, to be expended under the direction of the Trustees of the Boston City Hospital for Power Plant, improvements, etc.—that the same ought to pass.

Report accepted, said order passed, yeas 20, nays 0.

4. Report on order (referred September 9) appropriating \$65,000, to be expended under the direction of the Park Commission for the purchase of land to be used as an addition to the Frederick D. Emmons Playground on Rutherford avenue, Charlestown, etc.—that the same ought to pass.

Report accepted, said order passed, yeas 20, nays 0.

#### TRAFFIC CONTROL IN SUBURBS.

Coun. SULLIVAN called up under Unfinished Business, No. 5 on the calendar, viz.:

5. Ordered, That the sum of one hundred thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Traffic Commission for the installation of automatic traffic control signals in the suburban sections of Boston, and that to meet such expense the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

On September 23, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

The order was given its second and final reading and passage, yeas 20, nays 0.

#### UNCLAIMED BAGGAGE, NEW HAVEN ROAD.

Coun. FITZGERALD, for the Committee on Unclaimed Baggage, submitted a report on the petition of the New York, New Haven & Hartford Railroad (referred September 23) for permission to sell unclaimed baggage, etc.—recommending the passage of the following:

Ordered, That the New York, New Haven & Hartford Railroad be authorized to sell at public auction, on or before November 15, 1929, the articles remaining unclaimed in the possession of said railroad in the City of Boston.

Report accepted; order passed.

#### REPAVING OF WALL STREET, WARD 3.

Coun. FITZGERALD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Wall street, Ward 3.

Passed under suspension of the rule.

#### FIRE HAZARDS AT ROBERT BRECK BRIGHAM HOSPITAL.

Coun. WARD offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to investigate the fire hazards at the Robert Breck Brigham Hospital, and to report back to the City Council, with recommendations to provide adequate protection from fire of the patients receiving treatment at that institution.

Coun. WARD—Mr. President, it has been brought to my attention during the past three or four months that there are certain irregularities at the Robert Breck Brigham Hospital. It has been brought to my attention that there is one door in that building that opens out in case of fire. It has been brought to my attention that the male help are sleeping in rooms with heavy grated windows that are kept locked and that corridors are unlighted all over the building; that there is only one good piece of fire hose in the building and that there never has been such a thing as a fire drill in the hospital, such as is

necessary in a hospital of that character. They have but one elevator at the Robert Breck Brigham Hospital, and in case something happens to the elevator there will be no means of carrying bedridden patients down and out. I think this matter should be looked into by the Fire Commissioner, because the authority for this information to my mind is a man of whom I am warranted in taking some cognizance. I am going to move a suspension of the rule and the passage of the order, so that the Fire Commissioner may go in there and determine what is needed for this institution.

The order was passed under suspension of the rule.

#### VEHICULAR UNDERPASS, ARBORWAY.

Coun. MOTLEY called up under Unfinished Business, No. 9 on the calendar, viz.:

9. Ordered, That the sum of three hundred and fifty thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission for the construction of a vehicular underpass, and other construction work upon or under Arborway at Washington street and streets adjacent thereto, and that to meet such 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 of Boston to said amount.

On September 23, 1929, the foregoing order was read once and passed, yeas 15, nays 0.

The order was given its second and final reading and passage, yeas 17, nays 0.

#### ELECTRIC ARC LIGHTS, WARD 13.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install electric arc lights at the corner of Crescent avenue and Newport street, and at the corner of Spring Garden street and Crescent avenue, Ward 13.

Passed under suspension of the rule.

#### SIDEWALK ON WAYLAND STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Wayland street, 44 to 64, 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 CENTRE STREET.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 803 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.

#### SIDEWALK ON POND STREET.

Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 194 Pond 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.



CONFIRMATION OF EXECUTIVE  
APPOINTMENTS.

Coun. RUBY called up under Unfinished Business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor September 30, 1929, of Francis T. Adams, to be a Weigher of Goods, and Thomas F. Gallagher to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Gallagher and Green. Whole number of ballots, 14; yeas 14, and the appointments were confirmed.

PLAYGROUND IN ROXBURY.

Coun. WARD, for Coun. Dowd, offered the following:

Ordered, That the sum of fifty thousand dollars be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the purchase of land and construction of a playground at the junction of Winthrop, Fairland and Moreland streets, Ward 8, 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.

SIDEWALK ON PERKINS AVENUE.

Coun. MURPHY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Perkins avenue, from Child street about 300 feet easterly, 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.

RELEASE ON WASHINGTON AVENUE.

Coun. LYNCH 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 of Boston to execute and deliver to John J. Collins, the owner of a certain parcel of land situate on Washington avenue, a private way situate in that part of Boston called South Boston, for the consideration of one dollar, a release in form satisfactory to the Law Department of all right, title and interest said City of Boston has in and to the fee and soil of said Washington avenue; said instrument of release to affect only that part of said Washington avenue upon which the land of said John J. Collins abuts, reserving to the said city and its assigns the right to lay, use and maintain its sewerage works and water pipes in said Washington avenue.

On September 23, 1929, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second and final reading and passage, yeas 16, nays 0.

RECESS.

The Council voted at 3.22 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 by President DONOVAN at 3.43 p. m.

EXECUTIVE COMMITTEE REPORT.

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

Report on order (submitted by the Mayor and referred today) for the sale of a quantity of junk belonging to the Penal Institutions Department, that the same ought to pass.

Report accepted; said order passed.

TRAFFIC SIGNAL ON CENTRE STREET,  
WARD 20.

Coun. KEENE offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to provide for the installation of an automatic traffic signal at the junction of the West Roxbury Parkway and Centre street, Ward 20.

Passed under suspension of the rule.

NEXT MEETING.

Coun. DOWLING—Mr. President, in view of the fact that next Monday is a religious holiday for a large number of people in this city, represented in this City Council by two members of that faith, I move that the next meeting of the City Council be held a week from tomorrow, instead of a week from today.

Coun. WILSON—Mr. President, I move to amend that when the Council adjourns it be to meet two weeks from today.

Coun. Wilson's amendment was declared carried.

Coun. MURRAY doubted the vote and asked for the yeas and nays. The Clerk called the roll, with the following result:

Yeas—Coun. Dowling, Mahoney, Parkman, Wilson—4.

Nays—Coun. Fish, Gallagher, Murray, Ruby, Sullivan—5.

Chairman RUBY—The roll call showing less than a quorum present, the Council stands adjourned to meet next Monday, at 2 p. m.

The Council stood adjourned at 3.47 p. m., to meet on Monday, October 14, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Boston, October 14, 1929.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Arnold, Bush, Murphy, Ruby and Wilson.

## JURORS DRAWN.

Jurors were drawn (Coun. Keene presiding at the box in the absence of the Mayor), as follows:

Thirty-one traverse jurors, Superior Criminal Court, Fifth Session, to appear November 12, 1929:

John J. Doherty, Ward 1; Lesser Leventhal, Ward 1; William E. Supple, Ward 2; Charles N. Poole, Ward 3; John N. Burk, Ward 5; Lincoln Wadsworth, Ward 5; Daniel Foley, Ward 6; James A. McDonald, Ward 7; Thomas F. Ker-rissey, Ward 8; James F. L. Smith, Ward 8; Michael J. Sullivan, Ward 8; Andrew A. Gibbs, Ward 9; John E. Kuhn, Ward 10; Arthur E. Walsh, Ward 10; Joseph M. Boyle, Ward 11; William E. Boyle, Ward 11; James B. Halligan, Ward 11; Charles R. McCarthy, Ward 11; Lewellyn Knowles, Ward 13; Robert A. Hurley, Ward 14; Benjamin Isaacson, Ward 15; Frederick J. Carey, Ward 16; Robert J. Gigger, Ward 16; Thomas F. McNulty, Ward 16; Martin G. Urlich, Ward 16; Frank P. Dannahy, Ward 17; Reginald L. Wilbur, Ward 17; Edgar T. Holmes, Ward 18; James W. Macdonald, Ward 18; Solomon C. Ross, Ward 18; Andrew Hutchinson, Ward 20.

## DEPARTMENT TRANSFERS.

The following was received:

City of Boston,  
Office of the Mayor, October 7, 1929.  
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 Fire Department:

From the appropriation for A-1, Permanent Employees, Vulcanizer and Assistant Storekeeper, 1 at \$5.50 a day, \$463, to the appropriation for A-1, Permanent Employees, Wheelwrights, 2 (1) at \$6.25 a day, \$463.

From the appropriation for C-4, Motor Vehicles, \$5,000, to the appropriation for B-14, Motor Vehicle Repairs and Care, \$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 Licensing Board:

From the appropriation for B-39, General Plant, \$5, to the appropriation for B-18, Cleaning, \$5.

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 Budget Department:

From the appropriation for A-1, Permanent Employees, Clerk, 1 at \$2,400—\$2,500 a year, \$475, to the appropriation for A-1, Permanent Employees, Stenographer, 1 at \$1,800 a year, \$375; D-1, Office, \$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 (Sanatorium Division):

From the appropriation for A-1, Permanent Employees, Assistant Superintendent, 1 at \$4,000 a year, \$340, to the appropriation for A-1, Permanent Employees, Coal Passer, 1 at \$30 a week, \$340.

From the appropriation for A-1, Permanent Employees, Nurses, Heads of Wards, 9 at \$1,140 a year, \$700, to the appropriation for A-1, Permanent Employees, Nurses, 32 at \$1,020 a year, \$700.

From the appropriation for A-1, Permanent Employees, Nurses, Male, 20 at \$480—\$600 a year, \$1,000, to the appropriation for A-1 Permanent Employees, Hospital Employees, 125 (not exceeding) \$1,300 a year, \$1,000.

From the appropriation for A-1, Permanent Employees, Pathologist, 1 at \$2,500 a year, \$525, to the appropriation for A-1 Permanent Employees, Engineers, 4 (5) at \$42—\$45 a week, \$525.

From the appropriation for A-1, Permanent Employees, Nurses, Night Supervisor of, 1 at \$1,350 a year, \$303.30, to the appropriation for A-2 Temporary Employees, \$303.30.

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 Division):

From the appropriation for A-1, Permanent Employees, Chauffeurs, Laborers, etc., 27 at \$5 to \$5.50 a day, \$350, to the appropriation for A-2, Temporary Employees, \$350.

From the appropriation for B-15, Cleaning, \$1,850.04, to the appropriation for B-5, Cartage and Freight, \$5; B-10, Rent, Taxes and Water, \$45.04; B-16, Care of Animals, \$250; C-13, Tools and Instruments, \$750; C-16, Wearing Apparel, \$350; D-4, Forage and Animal, \$350; D-5, Medical, Surgical, Laboratory, \$100.

From the appropriation for B-39, General Plant, \$1,925, to the appropriation for D-11, Motor Vehicle, \$1,500; D-4, Forage and Animal, \$350; E-10, Electrical, \$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 Public Works Department (Paving Service):

From the appropriation for A-1, Permanent Employees, Rodman-Transitman, 1 at \$1,800 a year, \$100, to the appropriation for A-1, Permanent Employees, Rodmen, 5 at \$90 to \$1,600 a year, \$100.

From the appropriation for B-6, Hire of Teams and Auto Trucks, \$3,250, to the appropriation for B-8, Light, Heat and Power, \$600; B-20, Disposal of Ashes, Dirt and Garbage, \$150; B-42, Repairing Streets, etc., \$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 Works Department (Bridge Service):

From the appropriation for C-17, General Plant, \$150, to the appropriation for C-4, Motor 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 Park Department:

From the appropriation for E-13, General Plant, \$850, to the appropriation for A-2, Temporary Employees, \$200; D-5, Medical, Surgical, Laboratory, \$100; D-16, General Plant, \$500; E-9, Machinery, \$50.

Referred to the Executive Committee.

## VETO OF ORDER, INCINERATION PLANT.

The following was received:

City of Boston,  
Office of the Mayor, October 2, 1929.  
To the City Council.

Gentlemen,—I return herewith, without my approval, your order for an appropriation of \$350 for the purchase of land if necessary and 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 three years.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.  
Placed on file.

#### VETO—MEEHAN STREET PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, October 3, 1929.  
To the City Council.

Gentlemen,—I return, without my approval, your order of September 30, 1929, relative to the use of the parcel of land taken for Stony brook sewerage works on the easterly side of Meehan street, between Rossmore road and Williams street, for a mothers' rest and playground, for the same reason as expressed in my veto on the same subject, under date of August 20, 1929.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.  
Placed on file.

#### PETITIONS REFERRED.

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

##### Claims.

Felix Barcella, for compensation for injuries received on ferryboat.

George M. Barrie, for compensation for damage to car by city car.

Louise Beddingfield, for compensation for injuries caused by an alleged defect at Tremont and Beacon streets.

Paul S. Griffith, for compensation for injuries caused by city truck.

Edward C. Hardy, for compensation for injuries caused by an alleged defect in Stuart street.

Mrs. Annie W. Hatch, for compensation for injuries caused by an alleged defect in Beverly street.

James McGovern, for compensation for damage to property at 156A South street, caused by fire truck.

Lionel Wyeth, for compensation for damage to car caused by an alleged defect in Pond street, Jamaica Plain.

Lawrence L. Callahan, for compensation for damage to car caused by an alleged defect opposite 566 LaGrange street.

Gentles Baking Company, for compensation for loss of horse bitten by dog with rabies.

Joseph Pava, for compensation for injuries caused by being struck by Schoolhouse Department auto, No. 513098.

##### Public Lands.

Eugene N. Siskind for removal of restrictions on land at 1759 and 1763 Washington street and 633 Massachusetts avenue.

#### NOTICE FROM SUPERIOR COURT, CRIMINAL SESSION.

Notice was received that jurors drawn October 7, 1929, to appear in fifth session of Superior Court for transaction of Criminal Business on November 11, 1929, are not to be summoned, for the reason that November 11 is a legal holiday and that a new venire has been issued, returnable November 12, 1929.

Placed on file.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings to be held on October 28, on petition for storage and sale of gasolene, viz.:

Max Beckerman, 1026 Columbus avenue, Ward 9, 2,000 gallons.

Helen B. Jones, 495 Massachusetts avenue, Ward 9, 4,500 gallons.

Edward G. Leighton, 220-228 Dorchester avenue, Ward 6, 5,000 gallons.

Abraham Shuman, 5 and 7 Lehigh street, Ward 8, 3,000 gallons.

Celia Snyder, 919 and 921 River street, Ward 18, 2,000 gallons additional.

Elmer F. Storm, 2-14 East Concord street, Ward 8, 3,000 gallons.

Wiggin Terminal, Inc., 427 Medford street, Ward 2, 12 gallons.  
Referred to the Executive Committee.

#### SOLOMON LEWENBERG SCHOOL.

The following was received:

City of Boston,  
School Committee, October 10, 1929.  
Mr. Wilfred J. Doyle,  
City Clerk, City Council.

Dear Sir,—The School Committee at the meeting held on Monday, June 4, 1928, received the order passed by the City Council at its meeting of May 14, 1928, requesting the School Committee to name the proposed junior high school in the Wellington Hill District, the Solomon Lewenberg School. This order was referred to the Committee on Naming of School Buildings—Mr. Edward M. Sullivan.

On February 28, 1929, Mrs. Jennie Loitman Barron introduced at the meeting of the School Committee a similar order which was in turn referred to the Committee on Naming of School Buildings—then Mr. Joseph J. Hurley.

On Monday evening of this week, the committee, by unanimous vote, passed the following order:

Ordered, That the new forty-room intermediate school building on Outlook street, Wellington Hill section, Edmund P. Tileston District, be named the Solomon Lewenberg Intermediate School in memory of Solomon Lewenberg, 1876-1922.

A graduate of the Boston Public Schools, Mr. Lewenberg gave splendid and unselfish service to the city and the Commonwealth, notably as a member of the Gas and Electric Light Commission, the Examining Board of the Boston Public Library and the Harvard Improvement Association.

Mr. Lewenberg's appointment by Governor Cox to the position of Register of Probate succeeded his distinguished service on the Gas and Electric Light Commission. His death, which occurred just two days before he was to take office as Register of Probate, terminated a life devoted to public service.

Very truly yours,  
ELLEN M. CRONIN,  
Secretary.

Placed on file.

#### CONFIRMATION OF APPOINTMENTS.

Notice was received of approval by the Commissioners of Civil Service of the following appointments:

Thomas F. Ratigan, as member of Board of Overseers of Public Welfare.

Joseph T. Zottoli, 26 Upland avenue, Dorchester, as member of Board of Overseers of the Public Welfare.

Placed on file.

#### FINANCE COMMISSION REPORT IN RE J. C. COLEMAN & SONS CONTRACT.

The following was received:

City of Boston,  
Finance Commission, October 9, 1929.  
To the Honorable the City Council,

Gentlemen,—On June 29, 1927, the Supreme Court of Massachusetts, in *Morse v. City of Boston*, decided that the contract of July 17, 1922, between the Park Department and J. C. Coleman & Sons Company, as purported to be amended by the agreement of August 8, 1924, was illegal and void and that payment to the contractor for material below the levels shown on the 1922 plan of Columbus Park was illegal as to the material furnished both before and after the execution of the amendment. The Court stated that "the amount of the over-payment need not be determined upon this petition." See *Morse v. City of Boston*, 260 Mass., at page 264.

While the Court perpetually enjoined the City of Boston and all its officers and agents from paying, directly or indirectly, to J. C. Coleman & Sons Company, any further sums of money under the contract of July 17, 1922, as purported to have been amended by the Agreement of

August 8, 1924, the contractor was left in possession of these illegal over-payments. The amount of these over-payments is approximately \$150,000.

On July 18, 1927, the Finance Commission addressed a report to the Mayor and City Council, setting forth this decision of the Supreme Court and recommending that proceedings be instituted immediately to recover from the contractor the full amount of the over-payments, as well as possible damages for not completing the contract. See Finance Commission's Reports, Volume XXIII, page 120. This advice was disregarded and no effort has been made by the city government to recover this money. On the contrary the commission has lately been advised that steps are being taken to have the Park Department approve further payment to the contractor on this contract, notwithstanding that, under the above decision of the Supreme Court, the city has a set-off for a much larger sum. The amount held by the city is \$29,028.82.

The last payment made by the city to the contractor was on May 29, 1924, so that the period within which the city may bring action will have expired by May 29, 1930.

The commission now repeats its recommendation that proceedings be instituted immediately by the city government to recover from the contractor this over-payment of \$150,000.

A similar letter is being sent to the City Council and to the Corporation Counsel.

Respectfully submitted,  
THE FINANCE COMMISSION,  
by JOHN C. L. DOWLING,  
Chairman.

Placed on file.

#### PAY ROLL, REGISTRY OF DEEDS.

The pay roll of Registry of Deeds, from October 1 to October 15, inclusive, to the amount of \$4,784.81 was received and approved.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Coun. KEENE in the chair.

Chairman KEENE called up, under unfinished business, Nos. 1 and 2 on the calendar, viz.:

1. Action on appointments submitted by the Mayor October 7, 1929, of William F. McGuinness, John J. Piscatelli, John A. Manning and Charles R. Mennella, to be Constables.

2. Action on appointments submitted by the Mayor October 7, 1929, of Frank Walsh, Bartley T. Powers and Ruth D. Grages, to be Weighers of Coal; and Kenneth R. Brown, to be a Weigher of Beef.

The question came on confirmation. Committee, Coun. Green and Gallagher. Whole number of ballots 11, yeas 11, and the appointments were confirmed.

#### ELECTION RETURNS.

Coun. DONOVAN offered the following:

Ordered, That the City Messenger be directed to make arrangements for receiving election returns on the day of the city election, and that Room 49 be opened on the evening of said day for the announcement of the returns, the expense attending the same to be charged to the appropriation for City Council, G-3, Election Returns. Passed under suspension of the rule.

#### APPROPRIATION FOR INCINERATION PLANT.

Coun. DOWD, for Coun. Wilson, offered the following:

Ordered, That the sum of three hundred fifty thousand dollars be, and the same hereby is, appropriated, to be expended for the purchase of land, if necessary, and 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.

Referred to the Committee on Finance.

#### SIDEWALK AT MILTON AVENUE.

Coun. DOWD, for Coun. Wilson, offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Milton avenue, 125 to 135, inclusive, 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.

#### SIDEWALK AT 66-70 CODMAN STREET.

Coun. DOWD, for Coun. Wilson, offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 66-70 Codman street, corner of Vera 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.

#### RESCINDING OF FIRE STATION LOAN.

Coun. FITZGERALD offered the following:

Ordered, That the order for a loan of \$350,000 for New Fire Station, West End district, building, passed by the City Council and approved by the Mayor December 12, 1928, be, and the same hereby is, rescinded.

Coun. FITZGERALD—Mr. President, in reference to this order I would like to say a few words. I find from reading one of the newspapers yesterday that we have finally got an explanation of the long delay in the construction of this so-called Central Fire Station in Bowdoin square. The Council has evidently been deceived. We were given to understand that when the appropriation of \$350,000 was made for the erection of this building that it would be a three-story building, which would contain the most up-to-date fire station in the country. Many members of the Council, no doubt, were influenced in their votes for the proposition by the idea that something would thereby be done for humanity's sake for the firemen who had been confined in the old firehouse there in addition to improving the fire apparatus situation in that part of the city. We now find, according to the Boston Post, which I have here before me—and as I don't find anything in reference to it in any other paper—that they are going to build a two-story building with the \$350,000, claiming that the eleven contractors who bid upon this proposition could not build such a proposition as was proposed for that amount of money.

Now, somebody was lax in this matter. Somebody had a finger in the pie, and there has been a lot of charges back and forth. As a matter of fact, this article says that Commissioner Hultman did not want to come to the Council because of the scandal that was occasioned when the Council cut the loan order for the site from \$400,000 to \$300,000. I didn't know that there was a scandal at the time. I certainly think it is high time, in the closing hours of this administration, when certain things need the light thrown upon them, that we should find out how some things really stand. At least the members of the Council should be given an opportunity to obtain some information. No doubt many members of the Council before the campaign is over will find charges and counter-charges made in regard to many things that have taken place in the last four years; and here is a statement in which certainly no consideration was given to the feelings of the members of this body, but we are simply told that they are going

to proceed to go ahead and do this, in spite of our understanding in the past. Of course, I don't know how far they have gone in this matter, and I don't know how much I can do here. But at least I am going to voice my sentiment. It seems strange now, at a time that is so close to the close of the administration, all this time should have been apparently wasted. Certainly something should have been done in the matter of properly housing the men, who are now in the building on North Grove street. We had been given to understand that some action should be taken, but there is a house that was built to house eight men, and they now have it arranged to house 60-odd men, who are sleeping on the floors, a condition almost intolerable. Certainly the commissioner must have had some knowledge of the situation, and what was proposed to be done, earlier than this. He must have known about the situation that we now see set forth in this newspaper article; his engineers and architects must have known that the proposed building that we were told about could not be built for \$350,000. They deceived us at that time as they have deceived us on other occasions this year. At least, we should have been given an opportunity to look into this matter, and at least the matter should have gone over until the next administration, having that administration handle the matter properly. Now, what can be done, I don't know. At least, I have done my part here. It is an outrage that the members of the Council have been deceived by the Fire Commissioner and others in authority. Of course, some of those who are going out with the present administration will live easy for the rest of their days. I am informed that one of them said at a banquet recently, "I am through, but I have enough to be comfortable." But there are many things that some of us in this body may have to be called upon to answer for, things upon which we have not been properly informed at all. This is one of those things, and I do not propose to let it go unnoticed without raising my voice in protest.

President DONOVAN in the chair.

President DONOVAN—If there is no objection, the order will be referred to the Committee on Finance.

Coun. KEENE—Mr. President, may I suggest that the Fire Commissioner be sent for in the Executive Committee meeting and that the matter be referred first to the Executive Committee—if the councilor does not object.

Coun. FITZGERALD—No, I don't object.

Coun. KEENE—I think this is a question that we might well take up in executive committee, and then refer it to the Committee on Finance. But it might be well to have the commissioner up there today.

There being no objection, the reference to the Committee on Finance was withdrawn and the order was referred to the Executive Committee.

#### BUILDING ON CHESTNUT HILL PLAYGROUND.

Coun. DOWLING offered the following:

Ordered, That the Park Commission, through his Honor the Mayor, be requested to advise the City Council as to the practicability of converting into the use of a locker building the dwelling now located on the Chestnut Hill Playground.

Coun. DOWLING—Mr. President, the Chestnut Hill Playground, in the extreme westerly section of my district, is a fine playground. There is located on it now, and has been located for a number of years, a dwelling formerly occupied by the foreman in charge of the park division in my district. For the last three or four months, at least, the building has been unoccupied. There is no locker building for the use of the young men who use the playground, no place that anywhere nearly accommodates them. It occurs to me that at least the basement of the building might be converted into a locker building, with showers, for boys participating in games. I hope the order will pass.

The order was passed, under suspension of the rule.

#### REVISION OF TELEPHONE RATES.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Corporation Counsel to petition the Commission of Public Utilities for a revision downward of the telephone rates, and the elimination of the service and installation charges.

Coun. DOWD—Mr. President, some six years ago, under the guise of an increase in telephone rates, the telephone company petitioned the Public Utilities Commission for an increase in their rates. Their rates were increased, but under another pretext there was a service charge and a charge for installation in homes, and the charge for telephone boards which we had never had previous to 1922. I want to bring to the attention of the Mayor the fact that in 1924 the stock of the telephone company was selling at 98, while today it is selling at 169. I want also to bring to the attention of the Mayor and of this body the fact that when the telephone company installs a telephone in your house, whether it takes one minute or one hour to install it, a charge of \$3.50 is made. I want to say that if your phone is turned off, a charge of \$2 is made to have your phone turned on. I say, in all fairness, that the people of Boston are entitled to some protection from these public utility corporations that go before the Public Utilities Board and get what they want, the people paying the cost. I don't believe there is any man in this body who can say that the telephone company is justified, when it goes into your house for ten minutes' work, to charge you \$3.50 for installing your telephone, and I think no member of the Board will disagree with me that the charge of \$2 for the minute and a half it takes to turn your phone on, after it has been turned off, is unjust. The mere fact that the telephone stock has increased in price 250 per cent in the last few years should encourage the Mayor to petition the Board for revision of the telephone rates downward.

The order was passed under suspension of the rule.

#### PROPOSED ACCEPTANCE OF MILTON STREET.

Coun. FISH 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 Milton street, from 902 Adams street to the rapid transit station, Ward 16.

Passed under suspension of the rule.

#### RECESS.

The Council voted, on motion of Coun. DOWLING, 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 Coun. KEENE at 3.17 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and orders (referred today) for transfers within departmental appropriations, recommending the passage of same with the exception of the order providing for the transfer of \$3,350 in the appropriations of the Public Works Department, Paying Service.

Report accepted and said orders passed, with the exception noted, yeas 16, nays 0.

2. Report on order (referred July 22) that under the authority contained in chapter 127, section 93, of the General Laws, there be allowed and paid from the appropriation for County of Suffolk in each year a sum not exceeding \$2,500, to provide moral and religious instruction in the Suffolk County Jail—that the same ought to pass.

Report accepted; said order passed.

3. Report on order (referred today) that the order for a loan of \$350,000 for new fire station, West End district, building, passed by the City Council and approved by the Mayor December 12, 1928, be, and the same hereby is, rescinded,—that the same is referred to the Committee on Finance.

Report accepted; said reference ordered.

## PLAYGROUND FOR WARD 8.

Coun. MOTLEY, for the Committee on Finance, submitted the following:

1. Report on order (referred October 7) for a loan of \$50,000 for the purchase of land and construction of a playground at the junction of Winthrop, Fairland and Moreland streets, Ward 8— that the same ought to pass.

Report accepted; said order given its first reading and passage, yeas 17, nays 0.

## TAKING OF EDISON ELECTRIC PLANT.

Coun. WARD offered the following:

Ordered, That his Honor the Mayor be requested to petition the Legislature at its next session for the enactment of such legislation as may be necessary to provide for the taking over of the Edison Electric Illuminating Company of Boston by the City of Boston, and its subsequent operation by the city.

Coun. WARD—Mr. President, this order is put in here pending an order that I am going to propose tomorrow, at the State House, for an investigation of the Public Utilities Commission and their action on the request of the Edison Electric Illuminating Company of Boston to split its stock. I desire to have an investigation to determine:

1. Why the commission has not required the company to reduce its rate to consumers.

2. Why the commission has allowed the company to sell stock at \$215 per share when, according to their own statement, the stock is worth \$169 a share.

3. An investigation of the transactions in the stock on the Boston Stock Exchange since the announcement by the company of the proposed split-up to determine who has profited by the decision of the Public Utilities Commission.

4. To report on the advisability of the City of Boston or the Commonwealth taking over the Edison Electric Company of Boston.

Mr. President, an editorial appeared in the Boston Post this morning which I am going to read in part. I believe every member of the Council is familiar with the contents of this editorial. It says:

"It makes little difference to the consumers of electric current in Greater Boston whether the Edison Company splits its stock or not. But it makes a great deal of difference how long the consumers must continue to pay a maximum rate of 8½ cents per kilowatt hour when consumers in other large cities get it as low as 5 and 5½ cents."

And, Mr. President, this brings up the point that in the city of Cambridge they get a rate of 5½ cents per kilowatt hour on electricity manufactured by the Edison Electric Illuminating Company of Boston in its plant in Boston, while in Boston itself the consumers must pay 8½ cents per kilowatt hour.

"The Public Utilities Commission scathingly arraigns the Edison Company for exorbitant rates, for the payment of dividends regardless of the necessity for proper depreciation charges, for the speculation in its stock which has carried the price to a point where it sold for more than twice what the commission calls its actual value."

The actual value, according to the Public Utilities Commission, is \$169 a share, and still they allow the Edison Company to pay dividends on the price they themselves have fixed of \$215 a share.

"That indictment of the Edison Company, however, carries with it an even stronger indictment of the members of the Public Utilities Commission."

Which is true, Mr. President.

"What have they been doing while the Edison Company have been collecting these high rates, paying dividends to the very limit of its earnings and neglecting to set aside proper sums for depreciation? All these things lie within the power of the Public Utilities Commission to correct. The commission has done nothing, at least publicly.

"The commission has compelled the reduction of rates in other cities."

That is, it has been done in the case of other companies than the Edison Company. The only company that the Public Utilities Commission has not gone after is the Edison Company. They are permitted to continue at an 8½-cent rate in Boston. Why shouldn't we, the citizens of Boston, know

the purpose of this? Is there somebody from Long Island coming in, somebody from Pittsburgh, with a permanent residence in Washington at the present time? Are they trying to depreciate the stock so that others may come in and purchase Edison stock? I think that is the purpose, and I think if the truth were known that is the reason why the Public Utilities Commission are fooling the citizens of Boston. The Public Utilities Commission have been playing a part. Somebody has been behind them, to see to it that this should be done, and that is the reason why I am going to file an order for an investigation at the State House tomorrow. The Public Utilities Commission have done nothing, absolutely nothing. They went to the Legislature a year ago and asked for permission to initiate hearings, and what have they done? There is not one instance where they initiated a reduction in the Edison rate. And what has the Mayor done? Mayor Nichols, with all his Goo-Goo connections, has done nothing to bring about a reduction, absolutely nothing to bring relief to the people of Boston. The only reductions were brought about by Mayor Curley and a Boston newspaper. I am going to read here from the Boston Blue Book,—and this is not a political speech. It is a Blue Book compiled by former Mayor Curley, and brings out what the Public Utilities Commission has done in the last two years, which is nothing.

"State Brigandage.

"During the past four years the City of Boston has been required, for the protection of the people, to extend a sum in excess of \$200,000 in combating unwarranted raids by state-created bodies. The law provides a penalty for interlocking directorates, yet one is permitted to function in the Commonwealth and escape the law—the Public Utilities Commission, which serves as a part of the interlocking directorates of many corporations."

That is, it says here, Mr. President, that the go-between between the public service corporations and the people is this body known as the Public Utilities Commission.

The City of Boston has appropriated to the present time \$75,000 for the employment of attorneys and experts in combating the increase in telephone charges sanctioned by the state-appointed Public Utilities Commission—a commission Mr. President, that is there to serve the people supposedly, and yet we in Boston must spend \$75,000 to combat these increases which are sanctioned by the Public Utilities Commission.

"The Telephone Company at the outset declared that \$1,000,000 additional revenue was all that would be necessary, but upon the discovery of the pliable and pusillanimous character of the Massachusetts Public Utilities Commission it increased its demand to \$9,000,000. Despite public protest and a bill filed in behalf of the city before the Interstate Commerce Commission and the Department of Justice, when justice was denied by the Massachusetts Public Utilities Commission, we are confronted with the sickening spectacle of the reappointment of a member of the Public Utilities Commission who voted in favor of the raid.

"The Edison Electric Illuminating Company, largely in consequence of the fight waged by a Boston newspaper and by the city, covering a period of six years, has made reductions in rates representing a saving to the taxpayers of more than \$3,500,000."

And not once during this fight for the people have the Public Utilities Commission taken the initiative although last year they obtained authority from the Legislature to do so.

Then, there is something here that it may be well to refer to, not of interest in this discussion alone, but certainly having a bearing on this question of the action taken in these matters by the Public Utilities Commission.

"The rapacity of the financial interests is responsible in a large measure for the increase in the tax rate in the cities and towns of the Commonwealth. Each year organized money, through the employment of highly skilled legal talent, shifts the burden of the cost of government upon the home owners until today more than 90 per cent of the total cost of government, representing a total in nation, state, cities and towns approximating \$11,000,000,000, is borne by the home owner and 10 per cent by the financial interest where ten years ago 25 per cent was borne by the financial interest and 75 per cent by the home owners.

"The home owners are without organization."

In this state, Mr. President, they have been without organization, but today the people are waking up. They have allowed these skilled attorneys to go into court and openly fool the people, and they are afraid, Mr Chairman, that this state is due for a turn-over, and when honesty comes into control of your government on Beacon Hill there will be an overturn in the Public Utilities Commission.

"The financial interests possess perfect organization and the most adroit and able of legal talent; and these two agencies, abetted by venal legislators and corrupt political machines, represent a force that must grow more destructive unless checked. This condition will continue so long as the American public are content to regard lightly the most important business in America,—the business of government. Government is as good as we make it, and as bad as we are willing to permit it by our neglect to become. In certain places in Massachusetts it has reached the putrid state, and today represents a challenge to the best that is in us to check the rapacity of the evil that today waxes fat and strong, unchecked."

This is taken from the Blue Book compiled by the former Mayor of Boston, Mayor Curley, who expended on this particular item huge sums of the city's money in an attempt to bring about a decrease in the Edison Electric Illuminating Company's rate. And it is not only a champion of the people like former Mayor Curley whom we find making this fight. We find other men who don't agree with the Public Utilities Commission. In fact, the Governor of this Commonwealth issued a statement today. He said that if the

Public Utilities Commission felt that they had to make the statement they have made, they have yet another duty to perform. What does the Governor mean? He means that the Public Utilities Commission have not finished with this case yet, that there is more for the Public Utilities Commission to do before it is a closed book. We know from the *Post* editorial this morning that in other cities of the Commonwealth the Public Utilities Commission have ordered decreases in the rates of other companies, but this choice company, the Edison Electric Illuminating Company, is allowed to do with the Public Utilities Commission what it will. I have presented this order to the City Council, Mr. President. I don't know whether there will be anything done about it or not during this present administration. I don't know whether a bill will be passed by the Legislature in harmony with the order I have introduced, but the City Council can at least go on record as favoring an investigation of this putrid Public Utilities Commission, do what it can to have something done in the matter on Beacon Hill in an effort to bring redress to the people of Boston who have suffered because of it.

Coun. KEENE—The order will be referred to the Legislative Committee.

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 passed.

Adjourned, on motion of Coun. FITZGERALD, at 3.50 p. m., to meet on Monday, October 21, 1929, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, October 21, 1929.

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

President DONOVAN called Coun. Keene to the chair.

Coun. KEENE in the chair.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments, for the term ending April 30, 1930:

Weigher of Coal: Daniel M. McLeod, for Ford Ice and Coal, 1006 Harrison avenue, Roxbury.

Weigher of Goods: Sidney Smith, 1 Empire street, Allston, for New York Central Railroad Company, lessee of Boston & Albany Railroad.

Constable: George Merwin Hughes, 19 Burney street, Roxbury.

Severally laid over a week under the law.

## PETITIONS REFERRED.

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

## Claims.

Abraham Bray, for compensation for damage to car by city team.

Bridget Burke, for compensation for injuries caused by an alleged defect at 73 Elm street.

Margaret A. Calnan, for compensation for damage to car by city truck.

Mr. and Mrs. Frank Frace and Arthur J. Maltais, for compensation for injuries caused by an alleged defect in Chelsea Drawbridge.

Peter F. Hayes, for compensation for damage to property at 5 and 7 Raymond street, Allston, caused by building sidewalks.

Henry McGrath, for compensation for damage to property at 36 Delle avenue, Roxbury, caused by city employees spraying trees.

A. Pearlman, to be reimbursed for money expended in locating sewer at 274 Seaver street, Roxbury.

Hugh Reichner, for compensation for injuries caused by an alleged defect in Fulton street.

Domville D. Sharp, for compensation for injuries caused by an alleged defect at 376 Albany street.

Mrs. Mary Sullivan, for compensation for injuries caused by city truck.

## Executive.

Petition of Gertrude Dolan DePetro for children under fifteen years of age to appear at Rose Croix Hall on October 30.

## STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings to be held November 4 on petitions for storage and sale of gasolene, viz.:

Boston Consolidated Gas Company, 200 Victory road, Ward 16, 1,000 gallons.

Commerce Security Association, 131-149 Far-ragut road, Ward 6, 3,000 gallons.

F. L. George, Inc., 78 and 80 Fairmount avenue, Ward 18, 2,000 gallons.

Joseph C. Magnet, 434 Baker street, Ward 20, 2,000 gallons.

Hugh C. Maguire, 49 South street, Ward 19, 4,000 gallons.

Referred to Executive Committee.

## INTEREST IN CONTRACTS.

Notice was received from Courtenay Guild of interest in contract of Anchor Linotype Printing Company, of which he is president, in contract awarded by Police Department in sum of \$50.

Notice was received from Joseph A. Tomasello, member of Board of Appeal, of interest in contract of A. G. Tomasello & Son, Inc., with City of Boston for grading and reshaping banks of Jamaica Pond, Olmsted Park. Severally placed on file.

## FINANCE COMMISSION REPORT ON SOLDIERS' RELIEF DEPARTMENT.

A report was received from the Finance Commission on the Soldiers' Relief Department. (This report was printed in full in the *City Record* of October 19, 1929.)

Placed on file.

## LOAN ORDERS AND LEASE.

On motion of Coun. DONOVAN, the Council took up under unfinished business Nos. 1 to 7 on the calendar, viz.:

1. Ordered, That the sum of \$43,000 be, and the same hereby is, appropriated, to be expended under the direction of the Trustees of the Boston City Hospital, for Power Plant, Improvements, etc., 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 October 7, 1929, the foregoing order was read once and passed, yeas 20, nays 0.

2. Ordered, That under the authority of chapter 237 of the Acts of 1928, the sum of \$15,000 be, and the same hereby is, appropriated, to be expended by the Trustees of the Boston City Hospital for Remodeling Old Ward N Building, 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 October 7, 1929, the foregoing order was read once and passed, yeas 20, nays 0.

3. Ordered, That under the authority of chapter 237 of the Acts of 1928, the sum of \$15,000 be, and the same hereby is, appropriated, to be expended by the Trustees of the Boston City Hospital for Remodeling Old Ward N Building, 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 October 7, 1929, the foregoing order was read once and passed, yeas 20, nays 0.

4. Ordered, That the sum of \$135,000 be, and hereby is, appropriated, to be expended under the direction of the Penal Institutions Commissioner for House of Correction, Deer Island, new buildings, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On October 7, 1929, the foregoing order was read once and passed, yeas 20, nays 0.

5. Ordered, That the sum of fifteen thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Park Department for the purchase of land and construction of a playground in what is known as the Fourth Section area of East Boston, 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.

On October 7, 1929, the foregoing order was read once and passed, yeas 20, nays 0.

6. Ordered, That the sum of sixty-five thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Park Commission for the purchase of land to be used as an addition to the Frederick D. Emmons Playground on Rutherford avenue, 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 the city to said amount.

On October 7, 1929, the foregoing order was read once and passed, yeas 20, 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 to execute and deliver to Donald Gray a lease satisfactory in form to the Law Department for a term of fifteen years, at an annual rental of one hundred fifty dollars, a certain parcel of land situate on the northerly side of Washington street between land now or formerly owned by the Boston and Providence Railroad Corporation, in the West Roxbury district of said Boston, containing about two thousand five hundred and fifty square feet of land, upon the consideration that no buildings shall be erected on said land, that the rights of the city to enter on and maintain its sewerage works in said land shall not be impaired, that said lease may be terminated by the said City of Boston at any time during the term thereof by giving thirty days' notice in writing to the lessee or his legal representative of its intention so to do, and that any assignment of said lease shall be subject to the approval of the Commissioner of Public Works of the City of Boston.

On October 7, 1929, the foregoing order was read once and passed, yeas 19, nays 0.

The orders were given their second and final reading and passage, yeas 17, nays 0.

#### IMPROVEMENTS FOR WARD 12.

Coun. BUSH offered the following orders:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway Mt. Pleasant street, Ward 12.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway Sixel street, Ward 12.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway May street, Ward 12.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Elm Hill park, Ward 12.

Ordered, That the Park Department be requested, through his Honor the Mayor, to regrade, reseed, and place in proper condition, the oval in Elm Hill park, Ward 12.

The orders were severally passed under suspension of the rule.

#### EAST BOSTON TUNNEL HEARINGS.

Coun. FITZGERALD offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Boston Transit Commission to hold public hearings before establishing the route of, or taking any lands for the approaches or entrances of, the East Boston Tunnel.

Coun. FITZGERALD—Mr. President, in connection with this order I wish to say a few brief words. Some time ago, this chamber was crowded with business men who came here from all over Boston advocating the passage of the so-called East Boston Tunnel. At that time the question was on acceptance

of the act, which was within the province of the City Council. Since that time very little has been done as far as the public are concerned, in relation to this matter, and I believe the time has arrived when on such an important question, involving millions and millions to be expended out of the city treasury, public hearings should be held, at which the citizens of this city should have a right to appear before the Transit Commission and state their views as to the best route on this side of the water and on the East Boston side. I do not believe these hearings should be held in secret. I understand that certain people, eminent reformers, men who boast that they love good government, who are always watching the treasury with an eagle eye and who are always ready to raise their voices if they think anything suspicious is occurring, have at the present time closed their eyes. Whether they are "in" or not I don't know, but I do know this, that a considerable amount of property has been conveyed in the North End of Boston, and I am informed that the engineers have their plans already and are prepared to strike at a moment's notice. I want to know why the delay in this matter? What is the reason why they have not proceeded? Is it because certain people in this city are clamoring and demanding that certain routes be followed, irrespective of what may happen in this city in the future? Is it desired to take a route that would be absolutely out of the way and that would not be accepted by any unbiased board of engineers? Mr. President, it is high time that the cloak of hypocrisy was torn from these eminent reformers, propagandists and fakirs, that the members of the Board should act according to their own consciences and not be influenced by people who come in here, as they go to Washington on army and navy matters, paid propagandists, trying to influence the action taken on matters which involve millions and millions of dollars. Mr. President, the meetings of the Board should be open to the public. My district is vitally affected. How the gentleman from East Boston feels I don't know, but I protest against their high-handed methods. If certain reformers in this city are about to rob the treasury, let it be known. Even now, at the present moment, we know that certain things are not going on right, and I believe it is the duty of his Honor the Mayor to do what he can to see that the commission open the doors, letting anybody go there to be heard. Certainly, if anything is wrong, the citizens of this city should know it. I believe the members of this City Council now have a duty, even far greater than in past years, to do what they can in this matter, passing the order after suspension of the rule and letting the citizens of Boston know that the City Council is awake and knows what is going on.

Coun. DONOVAN—Mr. President, I heartily coincide with some of the remarks of the previous speaker in regard to this matter. I, too, believe in the open-door policy with reference to such hearings, and I hope today that this order will pass under suspension of the rule.

The order was passed under suspension of the rule.

#### INVESTIGATION OF EDISON ELECTRIC ILLUMINATING COMPANY.

Coun. WARD offered the following:

Ordered, that his Honor the Mayor be requested to submit to the City Council an appropriation of \$50,000, or such other sum as he may consider necessary, for the purpose of employing an expert and making an investigation of the financial structure of the Edison Electric Illuminating Company, and the rates established by said company for light, heat and power in this city.

Coun. WARD—Mr. President, it is fair to assume that an appropriation of \$50,000 for the investigation of one of our large public service corporations must, to be justified, show a greater return to the people than the

\$50,000 we seek. The investigation of the Edison Electric Illuminating Company is one that is attracting the attention not only of the people of Boston, but the people of the entire Commonwealth. An investigation is necessary. This is evidenced by the action of the Governor in staying the hand of the Public Utilities Commission, and admitting, by injecting himself into this situation, that as servants of the people they have proven themselves unequal to their trust. It might be well to enlighten ourselves at this time on the purpose of the Commonwealth in creating the Public Utilities Commission, and the responsibilities to the Commonwealth of a public service corporation. The Public Utilities Commission is to serve as a mediary between the people and the public service corporations. The Public Utilities Commission has wantonly failed to recognize its duty to the public in that a public service corporation derives its franchise from the people under the laws of the Commonwealth that specifically permits them to continue in business without competition. This privilege, given to the Edison Electric Illuminating Company, also insists by law that the people of the state be treated fairly, and at the same time allow a fair return to the investor. The question, then, is, have the people of Boston benefited by any act of the Public Utilities Commission? The record of incompetence is an emphatic "no" to that question. This incompetence becomes more evident when you realize that the last Legislature granted to the Public Utilities Commission the power to initiate action for reductions in rates, and to the charge of incompetence may be added arrant indifference in their failure to have brought about a reduction in rates for the benefit of the consumer, from whom they received, from the Legislature, this added power which they sought. The people did not go up there and say that they wanted them to have it, but they themselves went to the Legislature and sought this power, and, having received the power to initiate action on rates, they have not used it. Boston, the metropolis of New England, too long has been the unfortunate victim of political patronage on Beacon Hill, and stands today unrepresented on this commission, which should be a protection against the piracy of public service corporations. It is fair to assume that in asking this body to appropriate \$50,000 of the people's money, there must be a return commensurate with the amount expended. Six hundred thousand dollars is the amount that Mr. Edgar, president of the Edison Electric Illuminating Company, declares will be saved to the people of Boston, in the announcement of the past week. It is significant that this announcement came simultaneously with my opening of this subject in this Council Chamber one week ago. So this subject is important to every member here and to the people of Boston. Whenever there has been a reduction in rates during the past eight years, it was brought about by the initiative of the former Mayor of Boston, James M. Curley. During his administration the rates were reduced from 11½ cents to 8½ cents per kilowatt hour, and no change was necessary in the dividend paid the stockholders. During the past four years there has been no reduction in rates, and recently the dividend was increased to \$13.40. Where has our Public Utilities Commission been during these four years of Republican reign in Boston, while across the river in Cambridge the rate is 5½ cents per kilowatt hour? My contention is that the members of this commission have failed, and that the Governor should remove them from office because of breach of public trust, and I call upon the Governor to remove them, and appoint to their places men who have the ability and capacity to match wits with the skillful and highly priced lawyers of the Edison Company, who care nothing for the people from whom they derive their business. Have we in Boston not suffered long enough? Have we not paid the top price to every large franchised corporation

doing business in the City of Boston? Is it not rather pitiful that the Board appointed by the Governor, with a very definite job on their hands, should continue in office, while the people of Boston pay outrageously large prices because of their inability to grasp the intrigue of this massive corporation. Does anybody here think that this organization, the Edison Electric Illuminating Company of Boston, does not loom as a plum and prize for the great power trust in America that represents \$100,000,000? Perhaps we need not be fearful of this organization, they say. Perhaps they will not come! But they have come here. They are right here in Boston, today. But a few weeks ago one great trust, headed by Andrew W. Mellon, Secretary of the Treasury, gained control of our gas company, and what may we expect from the Public Utilities Commission in their dealings with Mr. Mellon? Was the Public Utilities Commission equal to this situation? Did they seek to stop it? The International Paper and Power Company was bold enough to secretly acquire one of the Boston newspapers, and only through accident of publicity forced them to divest control and place it in the hands of the public, with Channing Cox, the former Republican Governor of Massachusetts, and the First National Bank, as its willing and pliable representatives. Channing Cox, the former Republican Governor of this state, was told, "Now, you take this in your name." But the International Paper and Power Company still own and control that Boston daily, and don't let them kid you. Is the present Public Utilities Commission equal to this situation? We have heard nothing from them. We all know, it is history, when they came here and purchased the Boston Herald, and nothing was said about it by the Public Utilities Commission. As always, they were sound asleep. If we are not alert, we shall probably discover that the present Public Utilities Commission will again be unequal to this task, and the Edison Electric Illuminating Company of Boston will pass into the control of those who have nothing in common with the people whom we here represent. The Public Utilities Commission has failed. I call upon his Excellency the Governor to replace them with men who will be equal to the task on Beacon Hill, and let us here in City Hall by the passage of this order initiate today an investigation of the company which supplies a necessity to those whom I represent—the people of Boston, that we, the members of the Boston City Council, represent, and I move, Mr. President, a suspension of the rule and the passage of this order.

The order was passed under suspension of the rule.

#### ACTION ON NEW FERRYBOAT.

Coun. DONOVAN—Mr. Chairman, I was about to present an order for \$300,000 for a purchase of a new ferryboat for East Boston. But I am informed by the chairman of the Committee on Finance that there is an order for that purpose now in the committee. One of the present boats will be obsolete within two weeks, and I am therefore going to ask the chairman of the Committee on Finance to call a meeting of the committee on that matter as soon as possible.

#### SIDEWALK ALONG MONASTERY ROAD.

Coun. DOWLING offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Monastery road, from Washington street to Union street, 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.

**BUS SERVICE IN WARD 4.**

Coun. ARNOLD offered the following:

Ordered, That his Honor the Mayor request the trustees of the Boston Elevated Railway to restore bus service on Columbus avenue to Lenox street, Ward 4.

Passed under suspension of the rule.

**REPAVING OF PEMBROKE 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 Pembroke street, Ward 4.

Passed under suspension of the rule.

**GLENVALE TERRACE, 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 Glenvale terrace, Ward 19, as a public highway.

Passed under suspension of the rule.

**SALARY OF LATE EDWARD S. McADAMS.**

Coun. MURRAY offered the following:

Ordered, That his Honor the Mayor be requested to petition the Legislature at its next session for the passage of legislation to enable the city to pay to the widow of the late Edward F. McAdams the balance of salary to which he would have been entitled had he lived and continued to hold his position until the end of the present financial year.

Passed under suspension of the rule.

**IMPROVEMENTS FOR WARD 18.**

Coun. MURPHY offered the following orders:

Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to include in the budget for 1930 a sum sufficient to provide for the installation and maintenance of a swimming pool at the Smith Field Playground.

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 Hyde Park section of Ward 18.

Ordered, That the trustees of the Boston Public Library be requested, through his Honor the Mayor, to establish a branch library in the Readville section of Ward 18, and if inexpedient to erect a building for this purpose that the trustees be requested to hire suitable quarters.

Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to include in the budget for 1930 a sum sufficient to provide for the establishment and maintenance of a playground in the Corriganville section of Ward 18.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Rugby road, Ward 18.

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to include in the budget for 1930 a sum sufficient to replace the present fire station at Mattapan square with a modern, up-to-date structure.

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to include in the budget for 1930 a sum sufficient to provide for the erection of a new fire station in the West Roxbury section of Ward 18.

Ordered, That the School Committee be requested, through his Honor the Mayor, to include in the budget for 1930 a sum sufficient to provide for the erection and maintenance of a new elementary school in the Corriganville section of Ward 18.

Ordered, That the School Committee be requested, through his Honor the Mayor, to include in the budget for 1930 a sum sufficient to provide for the erection and maintenance of a new elementary school in the Readville district of Ward 18.

Ordered, That the Park Department be requested, through his Honor the Mayor, to include in the 1930 budget a sum sufficient to provide for the establishment of a mothers' rest in the Mt. Hope section of Ward 18.

Ordered, That the Commissioner of Public Works make a sidewalk along Hyde Park avenue, in front of Nos. 880, 886, 890, 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 Metropolitan avenue, from Hyde Park avenue to High Rock 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 Elm street (both sides), from West street, to Arlington 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 Canterbury street (both sides), from Poplar street to Neponset 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.

Ordered, That the Commissioner of Public Works make a sidewalk along Mt. Hope street (both sides), from Hyde Park avenue to beyond 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.

Ordered, That the Commissioner of Public Works make a sidewalk along Beech street, 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.

Orders severally passed under suspension of the rule.

**TRAFFIC SIGNAL—HARVARD STREET.**

Coun. WILSON offered the following:

Ordered, That the Traffic Commission, through his Honor the Mayor, be, and said commission hereby is, respectfully requested to install a silent police post or such other light

or warning signal at the intersection of Harvard street and Washington street, Dorchester, as will make that traffic point reasonably safe for vehicles and pedestrians.

Passed under suspension of the rule.

#### ORDERS IN RE MORTON STREET.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners, through his Honor the Mayor, be, and the said Board hereby is, respectfully requested to make such immediate taking along the line of Morton street between Codman street and Druid street in Ward 17 as will insure the entire Morton street extension construction not being narrowed at that point.

Ordered, That his Honor the Mayor be, and he hereby is, respectfully requested to instruct the Board of Street Commissioners forthwith to lay out that portion of Morton street between Druid street and Codman street, Dorchester.

Passed under suspension of the rule.

#### APPROPRIATION FOR CONSTRUCTION OF MORTON STREET.

Coun. WILSON offered the following:

Ordered, That the sum of forty thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, for the laying out, widening and construction of Morton street, Dorchester, from Codman street to Druid street, and that to meet such expense the City Treasurer be authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the City to said amount.

Coun. WILSON—Mr. President, I am going to ask for a suspension of the rule on this particular loan order, which is an encore of the loan order already introduced into the Council three or four times and returned to us with the Mayor's veto, for reasons which up to date I am not able to follow. The Mayor's reiterated reason is that it is getting too late in the year for work upon this street. That shows that the reason for the loan order seems to be entirely misunderstood. My point is that the work on this particular section, between the two ends of a street widening, was authorized five years ago, that the time is certainly as ripe for its completion as for the completion of Centre street widening, and I am not asking that it be completed this year; simply that there may be a taking this year such as will prevent the erection of houses in the middle of a street widening authorized five years ago, and so that the city will thereby save thousands of dollars which would have to be expended if it became necessary this year not only to take land for the widening to complete the job but also to purchase and tear down four or five two-family houses in addition. So I move a suspension of the rule that this order may be passed, and so that that possibility may be avoided.

The rule was suspended and the order was passed, yeas 18, nays 0.

#### RECESS.

The Council voted at 2.32 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 2.57 p. m.

#### EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition of Gertrude Dolan DePetro for children under fifteen years of age to appear at Rose Croix Hall on October 30,—that permit be granted on usual conditions.

Report accepted; permit granted on usual conditions.

#### SANATORIUM BUILDING LOAN.

Coun. MOTLEY, for the Committee on Finance, submitted the following:

1. Report on message of Mayor and order for loan of \$100,000 to be expended under direction of the trustees of the Boston City Hospital, for Hospital Department, Sanatorium Division, New Buildings and Additions and Equipment and Furniture—that same ought not to pass.

Report accepted; order rejected.

Coun. MOTLEY offered the following:

Ordered, That the sum of \$100,000 be, and the same hereby is, appropriated, to be expended under the direction of the trustees of the Boston City Hospital, for Hospital Department, Sanatorium Division, New Buildings and Additions and Equipment and Furniture, 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.

#### 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, 1929.

Passed under suspension of the rule.

#### SHELTER NEAR CLEVELAND CIRCLE.

Coun. DOWLING offered the following:

Ordered, That his Honor the Mayor be requested to urge the Boston Elevated Railway to provide an adequate shelter for patrons of the Elevated system at the terminal of its Beacon street line in the vicinity of Cleveland circle, Ward 21.

Passed under suspension of the rule.

#### TRANSFER OF BOSTON SUBWAYS.

Coun. DOWD offered the following:

Resolved, That the Boston City Council go on record as opposed to the acceptance of section 8 of chapter 883 of the Acts of 1929, whereby the subways now belonging to the City of Boston are placed under the control of a Metropolitan District Transit Commission.

Referred, on motion of Coun. DOWD, to the Executive Committee.

#### HEALTH UNIT IN WARD 10.

Coun. DEVENEY 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 10.

Passed under suspension of the rule.

FIRE STATION ON PARKER HILL.

Coun. DEVENEY offered the following:

Ordered, That the sum of one hundred and twenty-five thousand dollars be, and the same hereby is, appropriated, to be expended under

the direction of the Fire Commissioner, for the purchase of land and construction of a fire station on Parker Hill, 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.

Adjourned, at 3.03 p. m., on motion of Coun. SULLIVAN, to meet on Monday, October 28, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, October 28, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Fish.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments, for the term ending April 30, 1929:

Constable: Thomas Cannizzaro, 177 K street, South Boston.

Weighers: Miss Celia Levy, 51 Goodale road, Mattapan, for Dorchester Coal Company, Inc., 187 Bernard street, Dorchester; Edward W. Meade 2 Longwood Avenue court, Roxbury, for Everett Fuel Company, 311 Columbia road, Dorchester. Severally laid over a week under the law.

## TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,

Office of the Mayor, October 28, 1929.

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 Fire Department:

From the appropriation for B-18, Cleaning, \$400, to the appropriation for B-4, Transportation of Persons, \$400.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Supreme Judicial Court:

From the appropriation for B-35, Fees, Service of Venires, Etc., \$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 Boston Traffic Commission:

From the appropriation for C-17, General Plant, \$2,500, to the appropriation for D-1, Office, \$500; E-13, General Plant, \$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 Public Works Department, Bridge Service:

From the appropriation for A-1, Permanent Employees, Drawtenders, Assistant, 93 at \$1,700 a year, \$1,500, to the appropriation for A-3, Unassigned, \$1,500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Hospital Department:

From the appropriation for A-1, Permanent Employees, Physicians, 5 (7) at \$1,000 a year, \$500, to the appropriation for B-15, Motorless Vehicles, \$500.

From the appropriation for A-1, Permanent Employees, Clerks, 21 (9) at \$24-\$27.50 a week, \$100; Laboratory Assistants, 8 (9) at \$1,300 to \$1,700 a year, \$300, to the appropriation for E-9, Machinery, \$400.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Library Department:

From the appropriation for B-39, General Plant, \$1,500, to the appropriation for B-28, Expert, \$1,500.

From the appropriation for C-17, General Plant, \$100, to the appropriation for C-5, Motorless Vehicles, \$100.

From the appropriation for D-10, Agricultural, \$200, to the appropriation for D-2, Food and Ice, \$200.

From the appropriation for E-13, General Plant, \$1,500, to the appropriation for E-1, Building, \$1,500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Collecting Department, Water Division:

From the appropriation for A-1, Permanent Employees, Clerks, 2 at \$1,800-\$1,900 a year, \$144, to the appropriation for A-1, Permanent Employees, Stenographer, 1 at \$1,000 a year, \$144.

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 Division:

From the appropriation for D-4, Forage and Animal, \$2,500, to the appropriation for B-15, Motorless Vehicle Repairs, \$2,200; B-39, General Plant, \$300.

From the appropriation for F-7, Pensions and Annuities, \$3,300, to the appropriation for B-39, General Plant, \$2,300; C-13, Tools and Instruments, \$1,000.

From the appropriation for F-11, Workingmen's Compensation, \$2,000, to the appropriation for C-13, Tools and Instruments, \$2,000.

From the appropriation for C-14, Live Stock, \$700, to the appropriation for C-13, Tools and Instruments, \$700.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriation for Hospital Department:

From the appropriation for A-1, Permanent Employees, Assistant Superintendent, 1 at \$5,000 a year, \$1,054.81; Physicians, 3 (4) at \$3,500 a year, \$535; Physicians, 5 at \$2,500 a year, \$600; Physicians, 2 (1) at \$2,100 a year, \$500; Physicians, 4 at \$1,500 a year, \$608; Technicians, 15 (16) at \$29.50 a week, \$600; Hospital Employees, 1 (4) at \$32 a week, \$603, to the appropriation for A-2, Temporary Employees, \$4,500.81.

From the appropriation for A-1, Permanent Employees, Hospital Employees, 1 at \$1,700 a year, \$200; Hospital Employees, 6 at \$1,550 a year, \$200; Carpenters, Painters and Plumbers, 16, at \$6 a day, \$200; Social Service Workers, 16 at \$1,200 to \$1,600 a year, \$1,000, to the appropriation for A-3, Unassigned, \$1,600.

From the appropriation for A-1, Permanent Employees, Hospital Employees, 13 at \$39-\$40.50 a week, \$5,900; Hospital Employees, 12 at \$33 a week, \$1,600, to the appropriation for C-7, Furniture and Fittings, \$7,500.

From the appropriation for A-1, Permanent Employees, Clerks, 18 at \$12 a week, \$100, to the appropriation for B-28, Expert, \$100.

Referred to the Executive Committee.

## TRAFFIC SIGNAL, WARD 20.

The following was received:

City of Boston,

Office of the Mayor, October 26, 1929.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commissioner, in reply to your order of October 7, 1929, relative to the installation of an automatic traffic signal at the junction of West Roxbury Parkway and Centre street, Ward 20.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Traffic Commission, October 11, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I am returning herewith City Council order dated October 7, 1929, which reads as follows: "Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to provide for the installation of an automatic traffic signal at the junction of the West Roxbury Parkway and Centre street, Ward 20."

In answer thereto I wish to say that this commission is without funds to erect automatic traffic signals. We are now preparing to erect warning signs at this intersection on Centre street. We have no authority to erect signs on West Roxbury Parkway, as it is under the jurisdiction of the Metropolitan District Commission.

Respectfully yours,  
WILLIAM A. FISHER, Commissioner.  
Placed on file.

#### TRAFFIC SIGNAL, WARD 16.

The following was received:

City of Boston,  
Office of the Mayor, October 26, 1929.  
To the City Council.  
I transmit herewith a communication from the Traffic Commissioner, in reply to your order of September 30, 1929, relative to the installation of illuminated traffic signs at Peabody square, Ward 16, to replace the present wooden arrows.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Traffic Commission, October 10, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston,

Dear Sir,—I return herewith the following order passed by the City Council September 30, 1929:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install illuminated traffic signs at Peabody square, Ward 16, to replace the present wooden arrows."

This commission will install reflecting type signs at Peabody square.

Respectfully yours,  
WILLIAM A. FISHER, Commissioner.  
Placed on file.

#### LAMPS FOR MARY HEMENWAY PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, October 26, 1929.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of September 30, 1929, relative to the installation of electric arc lamps on the Mary Hemenway Playground, Ward 16.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, October 9, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of October 7, with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to install electric arc lamps on the Mary Hemenway Playground.

I regret exceedingly to inform you that this department has no funds available for this purpose.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.  
Placed on file.

#### LAND FOR MOTHERS' REST, WARD 19.

The following was received:

City of Boston,  
Office of the Mayor, October 26, 1929.  
To the City Council.  
Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of September 30, 1929,

relative to the purchase of land in the vicinity of Lamartine and Green streets, Ward 19, to be used for a mothers' rest.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, October 9, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of October 7, with inclosure, order from the City Council that land be taken in the vicinity of Lamartine and Green streets to be used for a mothers' rest.

I will be very pleased to present this order to the Special Committee on Future Parks and Playgrounds at its next meeting to be held in the near future.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.  
Placed on file.

#### PETITIONS REFERRED.

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

##### Claims.

Lucy Accomando, for compensation for injuries caused by an alleged defect at 17 Lewis street.

Constance F. and Roger F. Austin, for compensation for damage to property at 51 and 53 Codman Hill avenue, Dorchester.

Back Bay Garage, for compensation for damage to property at 3 Maitland street, caused by city truck.

Mrs. H. J. Baker, for compensation for injuries caused by an alleged defect at Corey and Pomfret streets.

Antonio Bortone, for compensation for damage to car by city team.

Joseph Buda, for compensation for damage to property at 54 Marshfield street, Roxbury, caused by ash team.

Mary Curran, for compensation for injuries caused by an alleged defect in E street, South Boston.

Mrs. Dorothy Farettera, for compensation for injuries caused by city truck.

Mrs. John J. Farrell, for compensation for injuries caused by an alleged defect in Bunker Hill School yard.

Francis W. Gallagher, for compensation for loss of clothing at Deer Island.

Myles D. Halloran, for compensation for injuries caused by city truck.

Constance A. Keating, for compensation for damage to clothing caused by an alleged defect at 48 Strathmore road.

Harry J. Lionett, for compensation for damage to clothing caused by an alleged defect in Faneuil street.

Michael Luschiok, for refund on refuse tickets.

Catherine McGrath, for compensation for injuries caused by an alleged defect at Newbury street and Massachusetts avenue.

Fred D. McKone, for refund on sidewalk license.

Francis H. O'Donnell, for compensation for injuries caused by city truck.

James Roche, for compensation for damage to car caused by an alleged defect at 202 Columbus avenue.

William Smith, for compensation for damage to car caused by an alleged defect in Massachusetts avenue.

Spector's Market, for compensation for damage to truck commandeered by police.

Charles F. Sterling, Jr., for compensation for damage to car caused by an alleged defect at 47 Wrentham street.

Daisy D. Stripp, for compensation for injuries caused by an alleged defect in Summer street.

Waldorf Systems, Inc., for refund on refuse tickets.

Katharine Walkup, for refund on refuse tickets.

Mrs. Elizabeth Weare, for compensation for injuries caused by an alleged defect in N street, South Boston.

Melissa Welch, for compensation for damage to gloves caused by paint on sign-post on Avery street.

Oreste Zapatti, for compensation for injuries caused by city truck.



## Executive.

Petition of Florence E. Dolan for children under fifteen years of age to appear at Repertory Hall, November 22.

## MINORS' LICENSES.

President DONOVAN submitted report recommending granting of minors' licenses to twenty newsboys, twenty vendors and one bootblack, under usual conditions.

Report accepted; said licenses granted under usual conditions.

## REGISTRY OF DEEDS PAY ROLL.

The pay roll of Registry of Deeds, for piece work, from September 16 to October 19, A-2 and A-3; regular employees, October 16 to October 31, inclusive, to the amount of \$9,862.57, was received and approved.

## CONSTABLE'S BOND.

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

## STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings on Tuesday, November 12, on petitions for permits for storage and sale of gasolene, viz.:

Philip J. Berson, 871 River street, Ward 18, 3,000 gallons.

Mary Lee, 52-58 Henley street, Ward 2, 2,000 gallons.

James H. Riley, 104 Southern Artery, Ward 16, 4,000 gallons.

Referred to the Executive Committee.

## APPOINTMENTS BY GOVERNOR.

Notice was received from the Secretary of the Commonwealth of appointments by the Governor as follows:

## Board of Boston Port Authority.

Richard Parkhurst, Winchester, Mass.  
Charles E. Ware, Jr., Boston.

## Metropolitan Transit District Trustees.

Edward L. Logan, Boston.  
Abraham C. Ratchesky, Boston.  
Joseph Wiggin, Malden.  
Henry I. Harriman, Newton.  
Placed on file.

## APPOINTMENT OF JAMES H. FITZPATRICK.

Notice was received of appointment by the Mayor of James H. Fitzpatrick, 35 Round Hill street, Roxbury, as member of Board of Appeal.  
Placed on file.

## APPOINTMENT OF ROBERT J. BOTTOMLY.

Notice was received from the Mayor of appointment of Robert J. Bottomly, Esq., of 29 Greenough avenue, Jamaica Plain, as member of Board of Trustees provided for in act relative to transportation facilities in metropolitan district.  
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 contract of A. G. Tomasello with City of Boston.  
Placed on file.

## ORDINANCE IN RE SALARIES OF SEALERS OF WEIGHTS AND MEASURES.

Coun. DOWLING offered the following:

An Ordinance

Concerning the Salaries of Sealers of Weights and Measures.

Be it ordained by the City Council of Boston, as follows:

Chapter 3 of the Revised Ordinances of 1925 is hereby amended in Section 5, in the clause establishing the salaries in the Weights and Measures Department, by striking out the whole of said clause, and inserting in place thereof the following:

"The sealer of weights and measures, forty-five hundred dollars, the chief deputy sealer, three thousand dollars, and the eleven other deputy sealers twenty-eight hundred dollars each."

Referred to the Committee on Ordinances.

## REJECTION OF TRANSIT BILL.

Coun. FITZGERALD offered the following:

Whereas, It is provided in chapter 383 of the Acts of 1929, entitled "An Act Relative to Transportation Facilities in the Metropolitan District" that sections four to nine, inclusive, shall take effect upon the acceptance of section eight by the mayor and city council of Boston; and

Whereas, Said sections four to nine provide for the establishing of a metropolitan transit department to replace the Boston Transit Department and also provides for the transfer to the metropolitan transit district without compensation to the city of all the right, title and interest of the City of Boston in its tunnels, subways, and elevated extension; therefore be it

Ordered, That section eight of chapter 383 of the Acts of 1929 be, and hereby is, rejected by the members of the City Council of the City of Boston.

Coun. FITZGERALD—Mr. President, at the last meeting of the City Council the following resolve was introduced by Councilor Dowd:

"That the Boston City Council go on record as opposed to the acceptance of section 8 of chapter 383 of the Acts of 1929, whereby the subways now belonging to the City of Boston are placed under the control of a metropolitan district transit commission."

On motion of Councilor Dowd the resolve was referred to the Executive Committee. Now, my order goes a great deal farther than Councilor Dowd's resolution. I call the attention of the Council to different features of the act, and I believe it is the duty of the Council today to take action on this matter, under suspension of the rule in open chamber, and to reject this proposition. Without question this means that Boston loses all its rights and privileges as far as millions and millions and millions that have been expended in building of these tunnels and subways are concerned. I am also informed that at any time in the near future, after today or next year, when the new City Council comes in, they can still accept this act, but I don't think any Council will dare to do it in face of what will take place. Last week I introduced in this Council an order, which was passed under suspension of the rule, demanding that a hearing be held before the plans of the so-called East Boston tunnel were accepted, and then we find that his Honor the Mayor, who has been absent from the city some time, hurries back and after a long debate, which lasted until three o'clock in the morning, we are informed that he signed that order without giving the citizens of this city an opportunity to be heard. It is the first time in the annals of our city when such a thing has been done. The Charlestown subway, the Riverbank subway, the first subway that was ever put through here, were put through after public hearings were held, at which the assembled citizens had a right to give their opinions as to where the locations should be. But we find in this case that the action I have referred to was taken in the late hours of the night without a chance for assembling of citizens to express their opinions, acted upon in haste and railroaded through in direct violation of law and decency. And then we find in the newspapers the following morning that one Robert Bottomly is appointed as representative of the Mayor on this so-called commission, which virtually wipes out

the Boston Transit Commission, and that all these subways and tunnels are to be turned over in this way, and in future years they will probably be sold to some private individual for millions. For four years this City Council has given to this administration more support than any other administration has ever received. I have gone over the records of the administration of Mayor Matthews, with the Democrats in control of the city government, but the records show that they were continually fighting with him and against his measures and some important matters were never allowed to go through. Mayor Quincy, also, always faced a hostile city government, and it was the same with Mayor Peters and others. Mayor Curley had his troubles with the Council during his terms of office here. But this City Council has done everything that the administration desired, and yet many of the members now find themselves secretly opposed by the administration when they are up for re-election. After the members of the Council have done the bidding of the administration, it is secretly working against them and making trouble for them. That is so not with one or two, but with many members of the Council who thus in the dying moments of the administration find themselves paid back in this manner for the things they have done for the administration. It is simply a piece of paper, now that it is all over. Certain reasons are given, and we are told by the councilors, "Well, we treated them all right, and this is the result." That is what the members of the Council are up against. I believe we ought to suspend the rules today and reject the proposition. It ought to be done at once. Any member who has read the newspapers or who has taken the *City Record* and examined it the past week, looking at the map they have drawn of the proposed tunnel, will see that it is a crooked tunnel, 250 feet longer than it should be. It is not the plan of the Boston Transit Commission, but of Mr. Fay and of Mr. Harriman.—Mr. Harriman, from Newton, dictating to the citizens of Boston what they should do. Just look at it, Mr. President. There is a crooked tunnel, the most disgraceful thing ever put over in any civilized community, instead of a straight tunnel from end to end. A lot of people will not use it, or will be afraid to use it, and it will have to be covered with red lights. Why? Simply because they have taken a lot of property at the North End, for some reason. But, while such action cannot possibly be necessary for two years, they want to get the property now. The War Department have not even accepted the proposition, and still they propose to go through with it. Fred Fay, chairman of the City Planning Board, and Mr. Harriman, chairman of the Metropolitan Planning Division—it is their act. This act does not provide that they shall do so, but they have instructed the engineers of the Transit Commission to submit this proposition, and I believe in all fairness, before they are allowed to go farther, we should reject this proposition and show what the position of the members of the City Council on it is. In my opinion, that is the just and proper thing to do. This matter will be an issue before the week is over. Each member will be forced to face the issue whether he believes the tunnels and subways of the City of Boston should be turned over to the state. The week is young, and very soon the members of the Council will be called on to answer and give an account of their stewardship for the last two or four years. The question will be, how did you stand on this matter? If you reject the act, you can then simply reply that you voted it down, and I personally think that is the proper thing to do. Others may have a different viewpoint on it, and may feel that such action on their part will not affect them; but it seems to me the question is clear, and now is the time to act. At the last meeting action should have been taken. But, as I say, Councilor Dowd's resolution does not go far enough. My order calls for rejection of the act, and I move suspension of the rule and the passage of the order.

Coun. WARD—Mr. President, I move that the vote be taken by yeas and nays.

President DONOVAN—The action is on suspension of the rule.

Coun. WILSON—Mr. President, do I understand that I am restricted to speech on suspension of the rule?

President DONOVAN—No; go as far as you like.

Coun. WILSON—Well, I won't dare to do that! I am not sure of the wording of the order, and I

would like to know what we are voting upon before we vote. But I have listened with interest to the remarks of the gentleman from Ward 3 (Coun. Fitzgerald) in reference particularly to the misdemeanors of the Council in the last four years. I listened with particular interest because, as a representative of my ward, I have been numbered with the vicious minority, and he has stated that it is the majority who have made the mistakes he has referred to in the last four years. In reference to the East Boston tunnel, I was specially interested in the argument of the gentleman from Ward 3, particularly where he used the word "crooked" in regard to the tunnel—whether in a geographical sense or otherwise I don't know. But the thing that stands out in my mind in reference to this \$16,000,000 expenditure is the fact—which is a fact, if I understand correctly, although it is hardly believable—that this \$16,000,000 tunnel is to be restricted, so far as vehicles are concerned, to a width of 20 feet. I am no engineer, no expert on arithmetic, but I cannot for the life of me understand how any collection of engineers or any collection of men who supposedly know their business in a matter of this kind would for one moment advocate a \$16,000,000 tunnel between two heavily populated communities, in these enlightened days, with the width restricted to 20 feet. It would simply mean that if a large vehicle should break down and block the road, the tunnel would break down until things could be cleared. Having that in mind as well as the land-takings, the proceedings in regard to which would be endless, I do think the Council should go slowly before taking an active part in this expenditure of \$16,000,000, showing the people of Boston, who are putting up the money to build the tunnel, that we will not for one moment consider, or even tacitly agree, to the construction of a \$16,000,000 tunnel only 20 feet wide.

Coun. KEENE—Mr. President, it occurs to me that this is a question which requires careful investigation and consideration. Therefore, if there is no objection, I would move that it be laid on the table or assigned to the next meeting of the Council, in order that we may be able to look up the statistics and find whatever information is available to us in the consideration of the problem. I would move to lay the matter on the table.

Coun. WARD—Mr. President, I object to laying the matter on the table.

The motion to lay on the table was lost, and the question came on suspension of the rule.

Coun. WILSON—Mr. President, I now renew the request that the resolution be read again, so that a few of us may know what we are voting upon.

(The resolution was read.)

The question came on suspension of the rule for the passage of the resolution.

Coun. WILSON—Mr. President, I wish now I had pressed the request to have it read before Councilor Keene made his motion to lay on the table, because, although I oppose many features of this bill, and although I am against the manner in which action was rushed through last week, as pointed out by the councilor from Ward 3 (Coun. Fitzgerald), I feel even more deeply that any matter of this kind should not be acted upon hastily, without a chance to obtain some knowledge of the act as drawn. Certainly, I do not wish to give a curbstone opinion without personally reading the act, and I do not feel competent to stand here today and vote "yes" or vote "no" flat-footedly without some consideration,—although I am opposed to indefinite delay.

Coun. KEENE in the chair.

Coun. MOTLEY—Mr. President, if the gentleman from Dorchester does not know what the language of the act is, I will read it to him. Section 8 says:

SECTION 8. Upon acceptance of this section by the city of Boston, acting by the mayor and city council thereof, who are hereby authorized to accept the same in behalf of said city by filing a written acceptance thereof with the state secretary, all right, title and interest of the city of Boston in the Tremont street subway, so-called, the East Boston tunnel, the Washington street tunnel, the tunnel of the Cambridge connection, so-called, the Dorchester tunnel, the Boylston street subway, the East Boston tunnel extension, the Arlington street station, the Maverick square station and extension of the East Boston tunnel, the extension of rapid transit facilities in the Dor-

chester district, and in all subways, tunnels, stations, rapid transit facilities, and alterations, extensions, appurtenances and equipment thereof, and connections therewith, then existing or under construction, title to which is in said city, hereinafter called the "properties," shall by virtue hereof and of such acceptance be transferred to and vested in said district, subject to existing contracts for the use of the same by the Boston Elevated Railway Company, and the district in consideration thereof shall be obligated and bound to indemnify and hold harmless the city of Boston from any payment required on account of bonds issued or obligations incurred on account thereof, which are not met by rentals heretofore or hereafter received therefor, or the sinking fund or funds and accumulations thereof created under the various statutes authorizing the construction thereof, but nothing hereunder shall in any way affect the obligation of the city of Boston to pay as hereinafter provided its part of the expenses and obligations of the district, including those arising under this section, and also shall be obligated and bound to indemnify and hold harmless said city against the obligations of said contracts for use. Upon request by the trustees the treasurer of the city of Boston shall forthwith pay to the treasurer of the district all unexpended balances remaining from the sale of bonds issued under authority of the various acts authorizing the construction of the properties or issued for the purpose of providing funds for the construction, equipment, alteration, extension or improvement thereof, which amounts shall be used by the district for the purposes for which the same were issued or for completing the construction authorized by chapter four hundred and eighty of the acts of nineteen hundred and twenty-three.

The district shall be entitled to receive the rentals payable under the then existing or any future leases or contracts for use of said properties or extensions thereof and to enjoy and enforce all the rights of said city thereunder. In further consideration for such transfer the district shall be bound to pay to the city of Boston such amounts as are required to meet the interest upon all bonds of the city issued to pay the net cost of the properties so transferred as defined in the various acts authorizing their construction, and when the same is due, increased in each instance by one half of one per cent of the principal of the bonds upon which interest is due, which increase shall be paid into the sinking funds for said bonds in the same manner as provided by said acts with reference to the rentals now payable to the city. All rentals received by the district on account of said properties shall be used only for making said payments to the city or paid into a fund to be invested and reinvested but to be used for that purpose when and as needed or to pay the principal when due of any of said bonds for which the sinking fund held by the city is insufficient, but not otherwise. As any bonds of the city issued on account of the properties transferred fall due, if the amount available in the sinking funds is insufficient to pay the same the district shall pay to the city the amount of such deficiency, and the district may issue bonds in accordance with the provisions of section ten to provide the necessary funds therefor. When a sinking fund sufficient to pay all of said bonds has been accumulated payment of said increase of one half of one per cent shall cease. Any balance remaining in the sinking funds on account of said bonds after all have been paid shall be paid by the city to the district.

Coun. DONOVAN—Mr. President, I most strenuously will vote for the rejection of section 8. This is a direct slap at home rule in Boston. The City of Boston's outstanding debt today is some \$90,000,000, \$50,000,000 of which is in the rapid transit lines of our city. The City of Boston today pays 51 per cent of the expense of the metropolitan park system, and 53 per cent of the expense of the metropolitan sewers, in addition to what we pay for our own sewers. I say to you that we, as members of the City Council of Boston, representing the electorate of the City of Boston, have a duty to perform here today in this matter, and that duty is to reject this act unanimously, by voting for Councilor Fitzgerald's resolve.

Coun. WARD—Mr. President, I think this is one matter that merits and demands action here today, even if we have got to stay here all the afternoon or all night. This is a matter that

involves millions of dollars of the city's money. When the matter was being considered in the Legislature, we had a conference with the President of the Senate in regard to the matter, asking that a provision be included in the act whereby it should be accepted by the Mayor and City Council, as representing the city, before it became effective. The President granted the request, and that provision is included in the act. I have here a copy of the entire act, which I would like to read if members of the Council don't know what it is about. It is rather long. I am, however, going to exclude Section 8, which Councilor Motley has read.

Coun. McMAHON—Will the gentleman yield for a moment?

Coun. WARD—I will yield.

Coun. McMAHON—I would suggest now that we sent to the State House for enough copies of the act so that each member of the Council will have a chance to peruse it.

Coun. WARD—Mr. President, I suggested reading it, because it might save time. I don't know whether it is possible to get a number of copies of the act. I rather doubt if a sufficient number to go around can be obtained in the Document Room at the State House. But I do have here a copy of the act, which I am prepared to read, and if any member of the body does not understand it after the reading he can go over it and peruse it.

Chairman KEENE—For my personal information, is there any provision that if the titles are transferred to the state, they will assume any additional burden that the City of Boston might have to pay?

Coun. WARD—I don't believe so.

Chairman KEENE—That is the only question that occurs to me at the moment.

Coun. WARD—If the Chair would care to do it, we can have an expert go over this.

Coun. SULLIVAN—Mr. President, I would like to ask Senator Ward, if it remains as it is, in control of the city, does it make any more burden on the taxpayers?

Coun. WARD—I will answer that by saying that if I am permitted to read the act everybody will know as much about it as I do, because they will then understand that conditions that are incorporated in the act. I have a copy of the act here, although I haven't studied it so as to get it by heart.

"Section 1. The territory within and the inhabitants of the following cities and towns, to wit: Arlington, Belmont, Boston, Brookline, Chelsea, Cambridge, Everett, Malden, Medford, Milton, Newton, Revere, Somerville and Watertown, shall constitute a district or incorporated municipality."

Coun. WILSON—Mr. President, I would like to ask a question, although I wish to be courteous. Does the gentleman propose to read the whole twenty-three pages of the act?

Coun. WARD—With the exception of Section 8.

Coun. WILSON—Well, there are twenty-three pages, aren't there?

Chairman KEENE—The Chair would suggest that the gentleman read enough of each section so that we may get an interpretation of it.

Coun. WILSON—That is, the gentleman is to pass on the question of the interpretation, in giving a sketchy outline?

Coun. WARD—Mr. President, the only thing I would suggest is that the reading of this may save time for members of the Council, and I think we should be in a position to act today on an important matter of this kind, even if we have to stay here all night. This is one matter, I think, that thoroughly deserves consideration at this moment, and today.

Coun. RUBY—Mr. President, I was just going to ask if the councilor from Ward 3 would waive his motion to suspend the rule, so that this matter may be referred to Executive, and that some of us who are not as familiar with the twenty-three-page act as we would like to be may have a chance to scrutinize the act before we are asked to pass an opinion or a vote upon it?

(Coun. Fitzgerald indicated his willingness to withdraw his motion to suspend the rule and to allow reference to Executive Committee.)

Chairman KEENE—The councilor withdraws his motion, and the order will be referred to the Executive Committee.

Coun. McMAHON—Mr. President, as the councilor from the West End has very well expressed his views in regard to this tunnel —

Chairman KEENE—The Chair would rule that, the resolution having been referred to Executive Committee, it is not now a subject for debate.

Coun. WARD—May I ask, Mr. President, that the messenger be directed to get twenty-two copies of the act?

Chairman KEENE—That is a matter that can be taken care of in the Executive Committee.

#### PLANS FOR EAST BOSTON TUNNEL.

Coun. FITZGERALD offered the following:

Ordered, That the Finance Commission be asked to report immediately on the following:

First. Are the plans of the proposed East Boston Tunnel, as announced in the *City Record* of October 26, 1929, the best possible plans for the route of this tunnel?

Second. Is the tunnel straight enough for the most efficient handling of traffic?

Third. Are the portals and plazas at each end of the tunnel located in the most favorable location for the distribution of traffic?

Fourth. Are the plans of the tunnel laid out with the utmost economy and efficiency?

Fifth. That the Finance Commission be requested to make any other recommendations besides the above.

Passed under suspension of the rule.

#### LOAN FOR PLAYGROUND, WARD 8.

On motion of Coun. DOWD, the Council took up, under unfinished business, No. 3 on the calendar, viz.:

3. Ordered, That the sum of fifty thousand dollars be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the purchase of land and construction of a playground at the junction of Winthrop, Fairland and Moreland streets, Ward 8, 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 October 14, 1929, the foregoing order was read once and passed, yeas 17, nays 0.

The order was given its second and final reading and passage, yeas 19, nays 0.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Chairman KEENE called up, under unfinished business, Nos. 1 and 2 on the calendar, viz.:

1. Action on appointment submitted by the Mayor October 21, 1929, of George M. Hughes, to be a Constable.

2. Action on appointments submitted by the Mayor October 21, 1929, of Daniel M. McLeod, to be a Weigher of Coal; and Sidney Smith, to be a Weigher of Goods.

The question came on confirmation. Committee, Coun. Motley and Wilson. Whole number of ballots 14, yeas 14, and the appointments were confirmed.

#### OPPOSITION TO CHAPTER 383.

Coun. MOTLEY offered the following:

Whereas, Chapter 383 of the Acts of 1929 provide for the creation of a metropolitan transit district, the affairs of which are to be managed by the board of five trustees; and

Whereas, The board as constituted will be representative solely of the Republican party since four of the appointments are to be made by the Governor himself, and one by the Mayor of Boston, a Republican; and

Whereas, This commission, in the event of the acceptance of the bill, will be permitted extraordinary powers without proper protective checks; and

Whereas, Under the provisions of the bill the city will forfeit its direct control over its investment of fifty-three millions of dollars in the city subways; and,

Whereas, The commission as constituted may possibly spend in excess of one hundred millions of dollars; and

Whereas, The bill as drafted by the Legislature violates every principle of home rule; and

Whereas, The taking over of property of the City of Boston constitutes absolute confiscation not only of the rights of citizens in their property, but the rights of the municipality itself; therefore,

Be it Resolved, That the City Council hereby records its opposition to the acceptance of section 8, chapter 383, of the Acts of 1919.

Chairman KEENE—The Chair will have to rule the resolution out of order, it being similar to a resolution before the body.

Coun. MOTLEY—Mr. President, my purpose in introducing the resolution was that it might be brought into executive session, where it could be discussed, because, in my opinion, what is proposed here is only a steal from the City of Boston by the Republican party of Massachusetts. They want to take from Boston home rule, want to give to the state the power to take over all the subways and tunnels in the city. The state at the present time has control of the police force, has control of the Water Department—

Chairman KEENE—Councilor Motley, the Chair must rule the resolution out of order, because there is a similar resolution already before the body.

Coun. McMAHON—Mr. President, I move that when we go into executive session we send for the chairman of the Transit Commission, so that he may appear before us and make a statement in regard to this matter.

Chairman KEENE—The Chair would say that that motion should be presented to the executive session. But the City Messenger might possibly get in touch with Colonel Sullivan now, in order to save time.

#### TRAFFIC SIGNS, ELM HILL AVENUE.

Coun. BUSH offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to place suitable "Drive Slowly" signs on Elm Hill avenue, Ward 12, at each end of the Temple Mishkan Tefla Hebrew School.

Passed under suspension of the rule.

#### REPAVING OF ROACH 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 Roach street, Ward 15.

Passed under suspension of the rule.

#### SIDEWALK ON KINGSDALE STREET.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Kingsdale street, No. 22, 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.

#### TRAFFIC SIGNS FOR GLENWAY STREET.

Coun. RUBY offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to place suitable "Drive Slowly" signs on Glenway street, between Blue Hill avenue and Harvard street, Ward 12, at a proper distance on each side of the following schools: Sarah Greenwood School, Beth El Hebrew School, and William Endicott School.

Passed under suspension of the rule.

#### PROPOSED NEW INSTITUTIONS BOAT.

Coun. MOTLEY called up assignment, No. 4 on the calendar, viz.:

4. Ordered, That the sum of sixty-nine thousand

dollars be, and hereby is, appropriated, to be expended under the direction of the Institutions Commissioner for Institutions Department, New Boat, 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.

Coun. MOTLEY—Mr. President, some time ago his Honor the Mayor sent up an order calling for \$75,000 being expended by the Institutions Commissioner for a new boat. We held a hearing on that matter and reported back "ought not to pass," and I, as chairman of that committee, out of courtesy to the Commissioner of Institutions filed a new order. In the meantime your Committee on Finance held a hearing and reported back "ought to pass," I was not present on that day, but it has been on the calendar here now for some time. I have yet to hear any worthy argument in its behalf, and I hope the body this afternoon will kill it.

The order was rejected (15 votes being required for passage), yeas 11, nays 7:

Yeas—Coun. Arnold, Deveney, Donovan, Dowling, Green, Keene, Mahoney, Murphy, Murray, Ruby, Sullivan—11.

Nays—Coun. Dowd, Fitzgerald, Gallagher, Lynch, McMahon, Motley, Ward—7.

#### TAMWORTH STREET SITUATION.

Coun. WILSON—Mr. President, I rise to a question of personal privilege. I simply wish to make a suggestion to the messenger, asking that he send for a representative of the Corporation Counsel's office to appear before us in executive committee today. Back of the thirtieth day of September, 1929, we received a very urgent letter from the Mayor's office with reference to the Tamworth street situation, pointing out, if I remember correctly, the urgency with which we should hold public hearings and consider the advisability of closing that dead-end street. I am informed that the Corporation Counsel's office has some technical details that they are ironing out, and I would merely make the suggestion that a representative of that office be requested to come down here today, that we may know what progress is being made.

Chairman KEENE—Can the councilor suggest the assistant who is handling that matter, if he knows?

Coun. WILSON—I would not want to place the responsibility for delay of a month on any assistant.

Chairman KEENE—The messenger will call up the Corporation Counsel's office and ask if a representative of that office cannot appear before our executive session today in regard to that matter.

#### INFORMATION ON PROPOSED LOAN ORDER.

Coun. GREEN—Mr. President I would rise to a point of information. I would like to know what the status is of that loan order referring to the Charlestown Heights, reported out, as I understand, and properly drawn by the Clerk?

Chairman KEENE—It has not been returned as yet from the Mayor's office.

#### RECESS.

On motion of Coun. MURPHY, the Council voted, at 2.48 p. m., to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber at 4.56 p. m. and were called to order by Coun. KEENE.

#### SALE OF TAMWORTH STREET.

The following was received:

City of Boston,

Office of the Mayor, October 28, 1929.

To the Honorable the City Council.

Gentlemen,—I am herewith forwarding to your honorable body two orders in connection with the sale of Tamworth street by the City of Boston to the Boylston and Tremont Corporation.

By the terms of one order the city is authorized to convey to this corporation, its assigns or nominees, the land formerly known as Tamworth street and recently discontinued by order of the Board of Street Commissioners, for the sum of one hundred thousand dollars.

The other order contains authority enabling the Mayor to execute an agreement to be made by and between the Boylston and Tremont Corporation and the city, wherein this corporation agrees within three years to begin the erection of, on land formerly known as Tamworth street and other adjacent property, a mercantile building or structure, containing a theater with a seating capacity for not less than 4,500 persons. This corporation further will agree to furnish the city with a surety company bond in the sum of one hundred thousand dollars upon the condition that if the aforesaid structure is not begun within a period of three years, that in addition to the sum of one hundred thousand dollars, the consideration paid to the city for the grant of said Tamworth street, the said one hundred thousand dollars shall be paid to the City of Boston as liquidated damages.

Respectfully submitted,  
MALCOLM E. NICHOLS, Mayor.

Whereas, By an instrument in writing dated July 1, 1879, and recorded with Suffolk Deeds, Book 1470, page 332, Charles Francis Adams *et al.* conveyed to the City of Boston the fee in Lowell place, later known as Tamworth street and situated in Boston in the Commonwealth of Massachusetts, to be used as a public street; and

Whereas, By a resolve and order of the Board of Street Commissioners of the City of Boston passed in the year eighteen hundred and eighty the said Board of Street Commissioners took and laid out in behalf of the City of Boston, Tamworth street as a public street in the City of Boston; and

Whereas, By a resolve and order of the Board of Street Commissioners of the City of Boston, approved by the Mayor of the City of Boston on September 14, 1929, the said Tamworth street was discontinued as a public street; and

Whereas, The Boylston and Tremont Corporation, a corporation organized under the laws of the Commonwealth of Massachusetts, is desirous of purchasing from the City of Boston the land which was formerly Tamworth street, and erecting thereon and upon other land adjacent thereto a structure or building;

Now, therefore, it is Ordered, That the Mayor of said City of Boston, in consideration of one hundred thousand dollars to be paid to it by said Boylston and Tremont Corporation, its assigns or nominees, be, and he hereby is, authorized to grant and convey in the name and behalf of the said City of Boston to the said Boylston and Tremont Corporation, its assigns or nominees, by an instrument in writing satisfactory in form to the Law Department of the said City of Boston, all the right, title and interest whatsoever of the said City of Boston, in and to a certain parcel of land, formerly known as said Tamworth street, containing 4,270 feet square of land, more or less, and shown on a plan marked "City of Boston, Tamworth Street, Boston Proper, February 1, 1929, William J. Sullivan, Chief Engineer, Street Laying-Out Department," and on file in the office of said department. And the said Mayor is further authorized in the name and behalf of said city to execute and acknowledge said instrument in writing and to deliver said instrument to the said Boylston and Tremont Corporation, its assigns or nominees.

Whereas, By an instrument in writing dated July 1, 1879, and recorded with Suffolk Deeds, Book 1470, page 332, Charles Francis Adams *et al.* conveyed to the City of Boston the fee in Lowell place, later known as Tamworth street and situated in Boston in the Commonwealth of Massachusetts, to be used as a public street; and

Whereas, By a resolve and order of the Board of Street Commissioners of the City of Boston passed in the year eighteen hundred and eighty the said Board of Street Commissioners took and laid out in behalf of the City of Boston, Tamworth street as a public street in the City of Boston; and

Whereas, By a resolve and order of the Board of Street Commissioners of the City of Boston, approved by the Mayor of the City of Boston on September 14, 1929, the said Tamworth street was discontinued as a public street; and

Whereas, The Boylston and Tremont Corporation, a corporation organized under the laws of the Commonwealth of Massachusetts, is desirous of purchasing from the City of Boston the land which was formerly Tamworth street, and erecting thereon and upon other land adjacent thereto a structure or building;

Now, therefore, it is Ordered, That the Mayor of the said City of Boston be, and he hereby is, authorized in the name and behalf of the City of Boston to enter into an agreement with the said Boylston and Tremont Corporation wherein the said Boylston and Tremont Corporation agrees to begin the erection of, within three years from the date of the conveyance by the City of Boston to the Boylston and Tremont Corporation of the land formerly known as Tamworth street a mercantile building or structure containing a theater with a seating capacity for not less than 4,500 persons; and wherein the said Boylston and Tremont Corporation agrees to hold the said City of Boston harmless from all claims for damages caused by or in any way growing out of the said discontinuance of Tamworth street and growing out of the grant to the said Boylston and Tremont Corporation of the land formerly known as Tamworth street; and wherein the said Boylston and Tremont Corporation agrees to furnish the said City of Boston with a surety company bond in the sum of one hundred thousand dollars, which bond shall be upon the condition that the said Boylston and Tremont Corporation, in addition to the one hundred thousand dollars paid as consideration of said grant of the land formerly known as Tamworth street, shall pay to the said City of Boston the sum of one hundred thousand dollars as liquidated damages upon the failure of said Boylston and Tremont Corporation to perform the terms and conditions of the said agreement.

And it is further Ordered, That the Mayor of the City of Boston be, and he hereby is, authorized to execute and deliver the said agreement, which shall be satisfactory in form to the Law Department of the City of Boston.

The message and order were declared referred to the Committee on Public Lands.

Coun. MOTLEY—Mr. President, I rise at this time to say that on October 7 your Committee on Public Lands held a meeting to consider the message of his Honor the Mayor in regard to Tamworth street. At that time, I believe, it was the idea of his Honor the Mayor to have the Committee on Public Lands draw these two orders. But your Committee on Public Lands felt as though the Mayor, through the Law Department, should do that, and for that reason evidently these two orders have come in here this afternoon. At the hearings which we held, W. R. Peabody, Robert H. Gardiner, George H. DeBlois, W. H. Smart, Hugh Crane and Felix Rackemann, real estate men in Boston, appeared before your committee and all felt in favor of this proposition. At that executive session the Corporation Counsel was present and explained both orders to your Executive Committee. At the time of the hearing before the Committee on Public Lands it was the consensus of opinion among the parties that this was an opportunity for Boston to bring in a big organization which was going to invest between ten and fifteen million dollars. It meant also that if Tamworth street was abolished, both as a public and a private way, it would be of no use to the city, and that if the City of Boston sold this Tamworth street property to private interests it would bring into Boston increased revenue in taxes amounting to between \$200,000 and \$300,000 each year. It meant the erection of a building in Boston which would cost approximately \$15,000,000, and it would mean work for hundreds of men, and it would mean that in that section of Boston, near the corner of Boylston and Tremont streets, there would be a higher assessed valuation of property. Nobody appeared before your Committee on Public Lands to oppose this, and I think we should today pass these orders, because if we have any more hearings on the matter we will be just going over the same thing that we have already gone over. I ask, therefore, that the rule be suspended.

The orders were passed under suspension of the rule, yeas 18, nays 0.

Yeas—Coun. Arnold, Deveney, Donovan, Dowd, Dowling, Fitzgerald, Gallagher, Green, Keene, Lynch, Mahoney, McMahon, Motley, Murphy, Murray, Ruby, Sullivan, Ward—18.  
Nays—0.

#### NEW BUILDINGS, DEER ISLAND.

The following was received:

City of Boston,  
Office of the Mayor, October 28, 1929.  
To the City Council.

Gentlemen,—Under date of July 22, 1929, I submitted to your honorable body a loan order in the sum of \$135,000 for new buildings and the reconstruction of old buildings at the House of Correction, Deer Island. This order was reported back by the Finance Committee on August 26, 1929, with the recommendation ought not to pass—without prejudice. On the acceptance of this recommendation a loan order in the same amount was introduced by the chairman of the Finance Committee for new buildings at Deer Island. This order was passed by your honorable body on October 21, 1929, and approved by me two days after.

This subsequent order authorizes an appropriation for new buildings alone, hence it is impossible to expend under its provisions any amount for the reconstruction and alteration of buildings which were damaged by the fire of last July. Because of the unsafe condition of some of the buildings it was necessary to have this reconstruction work performed as an emergency. The contractor who performed the work cannot be paid until an appropriation in the proper form is authorized.

Under plans prepared by a competent architect the sum of \$80,000 will be required for the construction of new buildings. I am submitting herewith two orders, one providing for the rescission of the amount now authorized in excess of \$80,000 for new buildings, and the other providing for the appropriation of the amount so rescinded for the reconstruction and alteration of old buildings. I respectfully recommend adoption of these orders.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the right to borrow money for House of Correction, Deer Island, New Buildings, under loan order passed October 21, 1929, and approved by the Mayor October 23, 1929, 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.

Ordered, That the sum of \$55,000 be, and hereby is, appropriated to be expended under the direction of the Penal Institutions Commissioner for House of Correction, Deer Island, Reconstruction and Alteration of Buildings, etc., 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.

Coun. DOWLING—Mr. President, I move a suspension of the rule for a passage of the orders, for the reason that the matter has already been considered by the Council, has been passed upon by the Committee on Finance, and has once passed the Council. As I understand it, there is merely a little technical difficulty in the matter which concerns the auditor. The \$135,000 originally appropriated, as his Honor the Mayor states in the communication, allowed that much money for the reconstruction of old buildings. The two orders authorized by the Mayor merely allow the financial department of the city to separate the two items, one for the construction of new buildings and the other for the reconstruction of buildings destroyed by fire. For that reason, the Council, having already approved the matter, I move a suspension of the rule.

Coun. FITZGERALD—Mr. President, I don't know how the gentleman from Brighton arrives at that quick calculation, but I think we ought to have a little more consideration of the matter. As I understand it, this order provides \$55,000 additional. Am I right or wrong?

Chairman KEENE—You are wrong.

Coun. DOWLING—There is no additional money included in the orders.

Coun. FITZGERALD—For my benefit I would like to have the orders read again.

The orders were read and were then passed under suspension of the rule, yeas 19, nays 0.

#### EXECUTIVE COMMITTEE REPORTS.

Chairman KEENE, for the Executive Committee, submitted the following:

1. Report on preambles and order (referred today) that section 8 of chapter 353 of the Acts of 1929 be, and hereby is, rejected by the members of the City Council of the City of Boston,—that the same ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

Chairman KEENE—The legislation is rejected.

2. Report on petition of Florence E. Dolan (referred today) for children to appear at Reperatory Hall, November 22,—that permit be granted.

Report accepted; said permit granted on the usual conditions.

3. Report on communication from Mayor and orders for transfers within departmental appropriations (referred today),—that the same ought to pass.

Report accepted; said orders passed; yeas 19, nays 0.

#### QUARTERS FOR SILVER STAR CHAPTER.

Coun. ARNOLD offered the following:  
Ordered, That the Superintendent of Public Buildings be hereby authorized to provide suitable quarters in the building on Church street, near Fayette street, formerly used by the Fire Department, and to lease the same, for a period of five years at an annual rental of one dollar, to the Silver Star Chapter No. 3, Disabled American Veterans of the World War.

#### RENTAL TO WILLIAM F. SINCLAIR POST.

Coun. ARNOLD, for Coun. Parkman, offered the following:

Ordered, That the Superintendent of Public Buildings be hereby authorized to provide suitable quarters in the building on Church street, near Fayette street, formerly used by the Fire Department, and to lease the same, for a period of five years at an annual rental of one dollar, to the William F. Sinclair Post No. 250, American Legion.

Coun. ARNOLD—Mr. President, one of these orders comes by way of Mr. McCarthy, who is down in the auditor's office, the order being given to Councilor Parkman, who asked me to introduce it for him. About two years ago another Mr. McCarthy, who is connected with the Silver Star Post, had his eye on this particular building which is being given up by the Fire Department, in the interests of that post. There was at that time some question about the ownership of the building or the way the city gained control of the building, as having a bearing on whether it could be used for such a purpose or not. That being cleared up, the Superintendent of Public Buildings was asked to make the quarters ready, start towards getting ready, so that something might be done for this Silver Star Chapter of Disabled Veterans of the World War, the argument being that the disabled veterans have no home in the City of Boston, whereas others, the American Legion, the Veterans of Foreign Wars, and so forth, had quarters which have been granted them by the City of Boston. About the time when this was being consummated, another Mr. McCarthy, who is in the employ of the auditor's department, came to me in behalf of the William F. Sinclair Post of the American Legion. This is a City Hall Post, the members of the post being in the employ of the City of Boston. Now, here are two bodies who want the same portion of this particular building. I suggested a hearing before the Superintendent of Public Buildings, with the hope that they might arrive at some understanding among themselves. But I understand that there cannot be an assignment that will be satisfactory to both of them in any event. So when the petition came in for the City Hall Post, I thought it was time to file the other order. There is room, in fact, for two organizations in this building, but each of them wants the same assignment. They are both here, I believe they are both deserving, but there should be some way of settling the difficulty between the two. I believe that the Superintendent of Public Buildings must do that now, if both these orders come in here and are approved by this body.

Chairman KEENE—The Chair would suggest that the matter be referred to the Executive Committee and that the Superintendent of Buildings be invited in.

Coun. ARNOLD—That is agreeable to me.  
Both orders were referred to the Executive Committee.

#### WOOD AVENUE, WARD 18.

Coun. MURPHY offered the following:  
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, as a measure of public safety to remove immediately trees, stones and other obstructions from Wood avenue, Ward 18.

Coun. MURPHY—Mr. President, sometime ago I introduced an order in this Council requesting the Street Commissioners and his Honor the Mayor to widen Wood avenue in the interest of public safety. Nothing has been done since, and this morning, between the hours of eight and nine, a beautiful young girl around thirteen years of age was run over by an automobile there, and very badly injured. I am now introducing this order so that those who are responsible for such a condition on our public highways will wake up to a realization of the fact that the life of one beautiful little girl may possibly be lost through an accident at this place, and those guilty of the negligence that brought about that accident are responsible for it. I charge them now through this order to get on to themselves and to make this highway safe, in order that children using it to attend school in the morning may do so with at least some degree of safety. Let us stop these accidents that keep on happening every so often. The order was passed under suspension of the rule.

#### LAMP, FOURTH STREET.

Coun. LYNCH offered the following:  
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to place an additional electric arc lamp at the corner of Fourth street and Dorchester street, Ward 7.  
Passed under suspension of the rule.

#### RENOVATION OF FIELD HOUSE, CHARLESTOWN HEIGHTS.

Coun. GREEN offered the following:  
Ordered, That the sum of twelve thousand dollars be, and the same is hereby, appropriated, to be expended under the direction of the Park Commission, for the renovation of the field house at Charlestown Heights, shower baths and other improvements, 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.

#### NEXT MEETING.

It was voted, on motion of Coun. McMAHON, that when the Council adjourn it be to meet on Tuesday, November 12, at 2 p. m.

#### REMOVAL OF FENCE, WARD 20.

Coun. KEENE offered the following:  
Ordered, That his Honor the Mayor be requested to take up with the Metropolitan District Commission the matter of removing the fence which they have erected on Peak Hill road, Ward 20, at the entrance to the West Roxbury Parkway.  
Passed under suspension of the rule.

Adjourned, on motion of Coun. McMAHON, at 4.19 p. m., to meet on Tuesday, November 12, 1929, at 2 p. m.





## CITY OF BOSTON

## Proceedings of City Council

Tuesday, November 12, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Deveney and Keene.

## JURORS DRAWN.

Jurors were drawn in the manner prescribed by law—Coun. Ruby drawing the first five venire, and Coun. Wilson the remaining venires, viz.:

Thirty-one traverse jurors, Superior Criminal Court, First Session, to appear December 2, 1929:

William J. Cotty, Jr., Ward 1; Ernest M. Donaldson, Ward 1; Peter Salerno, Ward 1; John F. Flynn, Ward 2; Charles R. Barry, Ward 3; Frank A. Mortali, Ward 3; Salvatore Sorbello, Ward 3; John H. Robinson, Ward 4; Albert E. Snowman, Ward 4; William E. Maynes, Ward 6; John J. Murray, Ward 6; John L. White, Ward 7; Philip F. Leahy, Ward 8; Walter F. Munroe, Ward 8; Raymond R. Drysdale, Ward 9; James A. DeCourcy, Ward 10; Carl J. Fischer, Ward 10; Joseph J. Dorfman, Ward 13; Jeremiah F. Spillane, Ward 13; Sidney Bell, Ward 15; Joseph E. Curley, Ward 16; John H. Mara, Jr., Ward 16; Arthur G. Berghelm, Ward 12; Thomas Burns, Ward 11; John W. Fallon, Ward 17; Walter Russell, Ward 17; Daniel L. Dudley, Ward 18; Charles Quimby, Ward 18; James P. Kelley, Ward 19; Louis C. Schoenherr, Ward 19; John J. Macdonald, Ward 20.

Four traverse jurors, Superior Criminal Court, Second Session, to appear December 5, 1929:

Eugene V. McAuliffe, Ward 6; John E. Moran, Ward 6; Joseph P. Cincotta, Ward 13; Philip Rosenthal, Ward 18.

Thirty-one traverse jurors, Superior Criminal Court, Fourth Session, to appear December 2, 1929:

Frank Leveroni, Ward 1; George P. Dunn, Ward 2; Edward A. McCarthy, Ward 3; Thomas Sweeney, Ward 4; Robert Braun, Ward 5; Alfred G. Matless, Ward 5; Robert McKenzie, Ward 5; Charles J. Dailey, Ward 6; Frederick Koelsch, Ward 7; John J. Magner, Ward 7; James J. Bowen, Ward 10; Bernard J. McCabe, Ward 10; Justin Perkins, Ward 10; John C. Kelly, Ward 11; Robert H. Williams, Ward 11; Richard J. Coleman, Ward 12; Fred J. Holden, Ward 12; Samuel Kliman, Ward 13; James J. Gallivan, Ward 16; George H. Kaup, Ward 17; Harold J. McGrail, Ward 17; Frank L. McNamara, Ward 17; Andrew Haussler, Ward 20; Newman A. Horton, Ward 20; H. Elmer Strout, Ward 20; James A. Daniel, Ward 21; George E. Guindon, Ward 21; Wilfred C. Winters, Ward 21; Karl F. Berg, Ward 22; James Holian, Ward 22; Willis R. Still, Ward 22.

Thirty-one traverse jurors, Superior Criminal Court, Fifth Session, to appear December 9, 1929:

Thomas F. Corbett, Ward 1; Peter J. Larkin, Ward 1; James B. McCauley, Ward 1; Daniel L. Phillips, Ward 4; John J. Wynne, Ward 4; James W. Elliott, Ward 5; Donald F. Schaefer, Ward 5; Harry J. Laws, Ward 6; John W. Morrison, Ward 6; Richard J. Nagle, Ward 6; Patrick E. O'Toole, Ward 6; Francis D. Crimmins, Ward 7; Michael F. Laurence, Ward 7; Frank A. Chenette, Ward 8; Roscoe L. Wade, Ward 8; Sidney E. Bishop, Ward 9; George Warren, Ward 9; John E. O'Brien, Ward 11; Patrick Shanahan, Ward 11; Thomas J. O'Grady, Ward 13; Frederick R. Walsh, Ward 13; William T. Howell, Ward 14; Elias B. Sperling, Ward 14; Timothy C. Burke, Ward 16; Henry E. Sullivan, Ward 17; Ralph H. Gleason, Ward 19; Patrick Mahoney, Ward 19; Thomas W. Sizer, Ward 19; Veto C. D. Yandell, Ward 19; John Kinnear, Ward 20; Dennis P. Donovan, Ward 22.

Twenty-nine traverse jurors, Superior Civil Court, First Session, October Sitting, to appear December 2, 1929:

Albert W. Preshong, Ward 1; George A. Nelson, Ward 2; Daniel A. Normile, Ward 2; Louis Weiner, Ward 3; John J. Diggins, Ward 4; Joseph A. Rohan, Ward 4; Chester W. Ellis, Ward 5; James J. Garvey, Ward 7; Stephen F. Moroney, Ward 7; Francis A. Daly, Ward 10; William F. Innocent, Ward 10; Joseph E. Mooney, Ward 10; Chester A. Brown, Ward 11; Charles A. Garrity, Ward 11; James S. Jones, Ward 12; Simon Fredman, Ward 14; Abraham Goldstein, Ward 14; Edward J. Wheeler, Ward 15; Frank T. Kitts, Ward 16; John J. Cauty, Ward 17; Howard B. Ellis, Ward 17; Frederick J. Price, Ward 17; Harold B. Stuart, Ward 17; John E. Thoreson, Ward 17; Ernest Soldwalk, Ward 18; Fred A. Gilmore, Ward 20; Herman Charles Wittenaue, Ward 20; Frank M. Rogers, Ward 21; John Flaherty, Ward 22.

Twenty-seven traverse jurors, Superior Civil Court, Second Session, October Sitting, to appear December 2, 1929:

Robert R. Mosher, Ward 1; Michael A. McElaney, Ward 2; John D. Chisholm, Ward 3; Clarence A. Romeo, Ward 2; Fred W. Wood, Ward 4; Alvin E. Anderson, Ward 5; Willis W. Goldthwait, Ward 5; Alexander S. McLennan, Ward 5; Edward Hugh Logan, Ward 6; Denis Murray, Ward 6; William B. O'Hara, Ward 7; Thomas F. Greeley, Ward 11; George V. Ward, Ward 11; Daniel J. O'Connor, Ward 13; Joseph Maspero, Ward 14; Thomas J. Moore, Ward 15; James L. Barney, Ward 16; William H. Dasha, Ward 17; Edward Cunningham, Ward 20; Frederick W. Faxon, Ward 20; Daniel F. Miller, Ward 20; Benjamin R. Morley, Ward 20; Winthrop B. Studley, Ward 20; Frank Feehan, Ward 21; Lorne Winston Hudson, Ward 21; Victor M. Lewis, Ward 21; Joseph H. Tirrell, Ward 22.

Twenty-five traverse jurors, Superior Civil Court, Third Session, October Sitting, to appear December 2, 1929:

Gabriel P. Campbell, Ward 2; Martin J. Leggett, Ward 2; Edward F. O'Brien, Ward 2; James Connor, Ward 3; John W. Donovan, Ward 3; Joseph A. Langone, Ward 3; Arthur Rabinovitz, Ward 3; Tony Serio, Ward 3; John Carroll, Ward 5; Michael H. Donovan, Ward 7; Martin L. Nolan, Ward 10; Ernest J. Eting, Ward 11; Arthur E. Holme, Ward 11; Joseph Greenberg, Ward 12; Charles W. Newell, Ward 16; James Bolan, Ward 17; William L. Glavin, Ward 17; Patrick J. Sweeney, Ward 17; Charles E. Wyman, Jr., Ward 17; Louis C. Ayers, Ward 19; Walter Henderson, Ward 18; Leon C. Roby, Ward 20; Walter F. Buck, Ward 21; George W. Brown, Ward 22; Patrick J. Quinlan, Ward 22.

Twenty-two traverse jurors, Superior Civil Court, Fourth Session, October Sitting, to appear December 2, 1929:

Martin J. Conroy, Ward 3; James H. Fleming, Ward 6; Patrick A. Abban, Ward 7; Samuel Cohen, Ward 8; Eugene O'Keefe, Ward 8; Alfred W. Ray, Ward 9; George W. Rivers, Ward 9; Daniel J. Coffey, Ward 10; Frank J. McFugh, Ward 10; Joseph H. Essman, Ward 11; William E. O'Toole, Ward 11; Homer L. Thomas, Ward 12; Sigmund Wurf, Ward 12; John J. O'Brien, Ward 13; William P. King, Ward 14; Saul Isaacs, Ward 17; James Harvey Leary, Ward 17; Zeno J. Roper, Ward 17; Daniel J. Crowley, Ward 19; Edward A. Davies, Ward 22; John T. Newcomb, Ward 22; Edward R. Phillips, Ward 22.

Twenty-three traverse jurors, Superior Civil Court, Fifth Session, October Sitting, to appear December 2, 1929:

Michael J. Cashman, Ward 1; William F. Joyce, Ward 1; William J. Noonan, Ward 2; Jeffrey J. Dooley, Ward 3; Louis Henaut, Ward 4; Fred W. Kenney, Ward 6; Francis E. Murray, Ward 6; William J. Shea, Ward 6; Francis P. Burke, Ward 7; Patrick J. Collins, Ward 8; William H. McAuliffe, Ward 9; Cesare Re, Ward 9; Martin S. Broderick, Ward 11; Kenneth A. Ferguson, Ward 12; Edward A. Howard, Ward 13; Joseph F. Connelly, Ward 14; John J. Cunniff, Ward 14; Alfred F. Murphy, Ward 16; James V. Duffy, Ward 17; Paul C. Ryan, Ward 17; Edward J. Tately, Ward 18; Charles F. McCormick, Ward 19; Adolph Ehrenzeller, Ward 20.

Twenty-eight traverse jurors, Superior Civil Court, Sixth Session, October Sitting, to appear December 2, 1929:

Nicholas F. Leonard, Ward 1; Patrick X. Webb, Ward 1; Donnino R. Donnini, Ward 2; James J. Ripley, Ward 2; Charles Elliott, Ward 3; Frederic C. Pike, Ward 3; William Tierney, Ward 4; Joseph C. Beal, Ward 5; Peter J. Coan, Ward 6; Charles E. Coursey, Ward 6; Thomas J. Holland, Ward 6; William J. O'Neil, Ward 6; John F. Murphy, Ward 8; Raymond Deon, Ward 9; James S. Tremblay, Ward 9; Charles E. Goodwin, Ward 10; Hugh L. McMillan, Ward 10; Jacob Lighler, Ward 12; Lawrence J. Dorney, Ward 15; Patrick A. Goodman, Ward 15; Thomas Enwright, Ward 16; John D. Lyons, Ward 17; George S. Winsor, Ward 17; Alvin P. Johnson, Ward 18; Albert A. LeShane, Ward 18; A. Charles Saylor, Ward 19; John E. Holmes, Ward 22; Leslie M. Hook, Ward 22.

Twenty-three traverse jurors, Superior Civil Court, Seventh Session, October Sitting, to appear December 2, 1929:

Michael J. McGee, Ward 1; Thomas F. Birmingham, Ward 2; Edward H. Hogan, Ward 2; Sam Altman, Ward 3; George E. Dalrymple, Ward 4; Joseph H. Deardon, Ward 6; Lawrence E. Glover, Ward 9; Walter J. Gillis, Ward 11; James F. Gafney, Ward 13; Bartholomew J. Dacey, Ward 16; Joseph Hogan, Ward 16; James J. Connington, Ward 17; Lewis H. Dickey, Ward 17; John A. Campbell, Ward 18; Chester L. Crawford, Ward 18; Albert Holzer, Ward 18; Thomas J. Keenan, Ward 19; Herbert T. Pierce, Ward 19; John L. Day, Ward 20; Charles R. Haberstroh, Ward 20; Leander Payson, Ward 20; John A. Petersen, Ward 2; Nathan Elzholz, Ward 21.

Coun. RUBY in the chair.

#### VETO OF LOAN FOR ARBORWAY UNDERPASS.

The following was received:

City of Boston,  
Office of the Mayor, October 30, 1929.  
To the City Council.

Gentlemen,—I return herewith, without my approval but without prejudice, your order that the sum of \$350,000 be appropriated for the construction of a vehicular underpass, and other construction work upon or under Arborway at Washington street and streets adjacent thereto. As stated in my veto to you under date of September 10 upon an order of like character, I deem it wise to defer this matter until action is taken upon the Centre street and St. Ann street loan orders now pending before the City Council.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

#### VETO OF LOAN FOR CHARLESTOWN HEIGHTS FIELDHOUSE.

The following was received:

City of Boston,  
Office of the Mayor, October 30, 1929.  
To the City Council.

Gentlemen,—I return herewith, without my approval and without prejudice, your order of October 7, 1929, that an appropriation be made of \$12,500 for the construction of a fieldhouse on Charlestown Heights, in Ward 2, Charlestown, for the reason that there is already a fieldhouse at that place.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

#### VETO OF LOAN FOR EMMONS' PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, October 28, 1929.  
To the City Council.

Gentlemen,—I return herewith, without my approval and without prejudice, your order of October 21, 1929, relative to an appropriation of

\$65,000 for the purchase of land to be used as an addition to the Frederick D. Emmons Playground on Rutherford avenue, Charlestown, for the reason that the Committee on Parks and Playgrounds has not investigated this site but will be pleased to call an early meeting of the committee to look over the land adjoining the playground and will forward to your office the result of their recommendations.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.  
Placed on file.

#### IMPROVEMENT OF ELM HILL PARK.

The following was received:

City of Boston,  
Office of the Mayor, November 8, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of October 21, 1929, relative to the regrading, reseeding and placing in proper condition the oval in Elm Hill park, Ward 12.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, October 26, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of October 25 with inclosure, order from the City Council that the Park Department be requested, through his Honor the Mayor, to regrade, reseed and place in proper condition the oval in Elm Hill park, Ward 12.

The proper time to do this work is in the spring of the year. The department places all areas under its jurisdiction in proper condition with the coming of each spring.

I assure you that the oval in Elm Hill park will be cared for with the others.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.  
Placed on file.

#### TRAFFIC SIGNS, GLENWAY STREET.

The following was received:

City of Boston,  
Office of the Mayor, November 8, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commissioner, in reply to your order of October 28, 1929, relative to the placing of suitable "Drive Slowly" signs on Glenway street, between Blue Hill avenue and Harvard street, Dorchester, at a proper distance on each side of the Sarah Greenwood School, Beth El Hebrew School and the William Endicott School.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Traffic Commission, October 31, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council October 28, 1929:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to place suitable "Drive Slowly" signs on Glenway street, between Blue Hill avenue and Harvard street, Ward 14, at a proper distance on each side of the following schools: Sarah Greenwood School, Beth El Hebrew School and William Endicott School."

I have directed that "Caution, School Zone" signs be erected at the locations designated in the order.

Respectfully yours,  
WILLIAM A. FISHER,  
Commissioner.

#### TRAFFIC SIGNS, ELM HILL AVENUE.

The following was received:

City of Boston,  
Office of the Mayor, November 8, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commissioner, in reply to your order of October 28, 1929, relative to the

placing of suitable "Drive Slowly" signs on Elm Hill avenue, Ward 12, at each end of the Temple Mishkan Tefila Hebrew School.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Traffic Commission, October 31, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council October 28, 1929:  
"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to place suitable "Drive Slowly" signs on Elm Hill avenue, Ward 12, at each end of the Temple Mishkan Tefila Hebrew School."

I have directed that a "Caution, School Zone" sign be erected at the location designated in the order.

Respectfully yours,  
WILLIAM A. FISHER,  
Commissioner.

Severally placed on file.

**TRAFFIC OFFICERS AT DORCHESTER AVENUE AND SOUTHERN ARTERY.**

The following was received:

City of Boston,  
Office of the Mayor, November 8, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner, in reply to your order of September 30, 1929, relative to the assignment of traffic officers to the corner of Dorchester avenue and the Southern Artery, twenty-four hours daily.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Police Department, October 24, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mayor Nichols,—In the matter of the order of the City Council passed September 30, 1929, that the Police Commissioner be requested, through his Honor the Mayor, to assign traffic officers to the corner of Dorchester avenue and the Southern Artery so that this dangerous intersection will be protected for twenty-four hours daily, I would say that I have had this situation investigated by Deputy Superintendent Thomas F. Goode and Captain Michael F. Goff of Division 11 of this department.

Captain Goff has made arrangements to police this intersection at intervals necessary for the protection of school children, and at other times when traffic is heavy. It will be impossible for me to have this crossing policed for twenty-four hours daily because of the many other equally important points throughout the city which must be covered.

I am returning herewith original order of the City Council, copy of which has been retained for the files of this office.

Very truly yours,  
HERBERT A. WILSON,  
Police Commissioner.

Placed on file.

**SMITH'S FIELD PLAYGROUND.**

The following was received:

City of Boston,  
Office of the Mayor, November 8, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of October 21, 1929, relative to the providing of a sum sufficient to install and maintain a swimming pool at the Smith's Field Playground, in the budget for 1930.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, October 26, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of October 25 with inclosure, order from the City Council

that the Park Commissioners be requested, through his Honor the Mayor, to include in the budget for 1930 a sum sufficient to provide for the installation and maintenance of a swimming pool at the Smith's Field Playground.

The department has no outdoor swimming pools and is not in favor of them, due to the fact that they would be, in a great many cases, unsanitary.

Furthermore, this should be in the nature of a loan order.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.  
Placed on file.

**TRAFFIC SIGNAL AT HARVARD AND WASHINGTON STREETS.**

The following was received:

City of Boston,  
Office of the Mayor, November 8, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commissioner in reply to your order of October 21, 1929, relative to the installation of a silent police post, or such other light or warning signal at the intersection of Harvard street and Washington street, Dorchester.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Traffic Commission, October 30, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council October 21, 1929:

"Ordered, That the Traffic Commission, through his Honor the Mayor, be, and said commission hereby is, respectfully requested to install a silent police post or such other light or warning signal at the intersection of Harvard street and Washington street, Dorchester, as will make that traffic point reasonably safe for vehicles and pedestrians."

In reply thereto would say that this commission is without funds to erect traffic signals at the present time.

Respectfully yours,  
WILLIAM A. FISHER,  
Commissioner.

Placed on file.

**SALARY OF SUPERINTENDENT OF MUNICIPAL AIRPORT.**

The following was received:

City of Boston,  
Office of the Mayor, November 12, 1929.  
To the City Council.

Gentlemen,—Under the provisions of section two, chapter one, of the Ordinances of 1928, the salary of the Superintendent of the Municipal Airport was fixed at \$3,500 per annum. The activities of the airport have increased to such an extent that this salary is no longer commensurate with the duties and responsibilities of the position. I am informed that the present incumbent is the lowest paid airport superintendent in the country. Since his services have been highly satisfactory, I desire to increase the compensation of his position to \$5,000 per annum. I submit herewith an ordinance providing for this increase and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston.  
In the Year Nineteen Hundred and Twenty-nine, An Ordinance Concerning the Salary of the Superintendent of the Municipal Airport.

Be it ordained by the City Council of Boston, as follows:

Section 1. Section 2 of chapter one of the Ordinances of 1928 is hereby amended in the clause establishing the salary of the superintendent of the municipal airport by striking out the words "thirty-five hundred" and inserting in place thereof the words "five thousand."

Section 2. This ordinance shall take effect beginning with the first day of November, 1929.

Referred to the Committee on Ordinances.

SALARY OF SUPERINTENDENT OF  
MUNICIPAL PRINTING PLANT.

The following was received:

City of Boston,

Office of the Mayor, November 12, 1929.

To the City Council.

Gentlemen,—The municipal printing plant maintained and operated by our city is one of the most efficient establishments of its kind to be found in this country. The high grade of work performed in this plant is due in a large measure to the intelligent and energetic direction of the Superintendent of Printing. In my opinion, his present salary is not commensurate with the duties and responsibilities of his position. I consequently submit herewith an ordinance providing for an increase in the salary of the position from \$6,000 to \$7,500. I respectfully recommend adoption of this ordinance by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston.

In the Year Nineteen Hundred and Twenty-nine.  
An Ordinance Concerning the Salary of the  
Superintendent of Printing.

Be it ordained by the City Council of Boston, as follows:

Section 1. Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the superintendent of printing by striking out the words "six thousand" and inserting in place thereof the words "seventy-five hundred."

Section 2. This ordinance shall take effect beginning with the first day of November, 1929.

Referred to the Committee on Ordinances:

SALARY OF SUPERINTENDENT OF  
MARKETS.

The following was received:

City of Boston,

Office of the Mayor, November 12, 1929.

To the City Council.

Gentlemen,—The salary of the Superintendent of Markets has remained stationary for some years, and, in my opinion, is not commensurate with the duties and responsibilities of this position. In view of the increasing difficulties connected with this position and in order to provide an equitable and proper remuneration, I recommend the passage by your honorable body of the accompanying ordinance increasing the salary of the Superintendent of Markets from \$4,000 to \$5,000 per annum.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

In the Year Nineteen Hundred and Twenty-nine.  
An Ordinance Concerning the Salary of the Super-  
intendent of Markets.

Be it ordained by the City Council of Boston, as follows:

Section 1. Section five of chapter three of the Revised Ordinances of 1925 is hereby amended in the clause establishing the salary of the Superintendent of Markets by striking out the word "four" and inserting in place thereof the word "five."

Section 2. This ordinance shall take effect beginning the first day of November, 1929.

Referred to the Committee on Ordinances.

TRANSFER FOR PUBLIC CELEBRATIONS.

The following was received:

City of Boston,

Office of the Mayor, November 12, 1929.

To the City Council.

Gentlemen,—I am advised by the Director of Public Celebrations that an additional appropriation of \$1,500 will be necessary to cover the expenditures of his office for the balance of the current year. I submit herewith an order providing for the transfer of the desired amount from

the Reserve Fund and respectfully recommend adoption of the order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Celebrations, November 6, 1929.

Hon. Malcolm E. Nichols,

Mayor of Boston.

Dear Sir,—Having received information from the Auditing Department that there is not sufficient funds available to meet current expenditures of the Public Celebrations Department, I respectfully request a transfer of \$1,500 from some available fund in order to cover expenditures for the balance of the year 1929.

Yours respectfully,  
GEORGE H. JOHNSON, Director.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Reserve Fund, \$1,500, to the appropriation for Public Celebrations, \$1,500.

Referred to the Executive Committee.

ICE FOR DRINKING FOUNTAINS.

The following was received:

City of Boston,

Office of the Mayor, November 12, 1929.

To the City Council.

Gentlemen,—I am advised by the Commissioner of Public Works that because of the extreme warm weather during the past summer it was necessary to order and furnish greater quantities of ice for the public drinking fountains maintained by the city. Because of this fact an additional appropriation of \$650 is required to meet bills rendered for this item. I submit herewith an order providing for the transfer of the necessary amount from the Reserve Fund and respectfully recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,

Public Works Department, October 28, 1929.

To the Honorable the Mayor.

I respectfully request that an additional appropriation of \$650 be made from the Reserve Fund for ice furnished at drinking fountains during the year.

The original appropriation was \$5,500, but owing to the extreme warm weather it was necessary to ice the fountains more often.

Yours very truly,

JAMES H. SULLIVAN,  
Commissioner of Public Works.

Referred to the Executive Committee.

Ordered, That the Commissioner of Public Works be authorized to expend an additional sum of six hundred and fifty dollars for the purpose of furnishing ice for the public drinking fountains during the present season, said sum to be charged to the Reserve Fund.

TRANSFERS WITHIN DEPARTMENTAL  
APPROPRIATIONS.

The following was received:

City of Boston,

Office of the Mayor, November 12, 1929.

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, Central Office:

From the appropriation for A-1, Permanent Employees, Visitors, 22 at \$1,600 to \$2,300 a year, \$362.12, to the appropriation for A-2, Temporary Employees, \$362.12.

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-2, Temporary Employees, \$350, to the appropriation for C-7, Furniture and Fittings, \$350.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Central Office:

From the appropriation for C-4, Motor Vehicles, \$125, to the appropriation for B-14, Motor Vehicle Repairs and Care, \$75; B-39, General Plant, \$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 Hospital Department:

From the appropriation for C-2, Machinery, \$500; C-3, Electrical, \$3,000; C-5, Motorless Vehicles, \$500; C-9, Office, \$500; C-13, Tools and Instruments, \$1,000; C-16, Wearing Apparel, \$5,000; E-10, Electrical, \$500; E-13, General Plant, \$1,000; G-4, Furnishing and Equipping House Officers' Building, \$8,000, to the appropriation for D-5, Medical, Surgical, Laboratory, \$20,000.

From the appropriation for B-1, Printing and Binding, \$800; B-4, Transportation of Persons, \$300; B-5, Cartage and Freight, \$100, to the appropriation for D-1, Office, \$1,200.

From the appropriation for D-4, Forage and Animal, \$50; G-2, Special Investigations, \$500, to the appropriation for E-1, Building, \$550.

From the appropriation for A-1, Permanent Employees, Graduate Nurses, 65 (117) at \$85, to \$140 a month, \$20,000, to the appropriation for D-2, Food and Ice, \$20,000.

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, House of Correction:

From the appropriation for E-1, Building, \$2,000, to the appropriation for B-4, Transportation of Persons, \$100; C-12, Medical, Surgical, Laboratory, \$25; C-13, Tools and Instruments, \$525; D-8, Laundry, Cleaning, Toilet, \$250; D-1, Office, \$300; D-11, Motor Vehicle, \$400; D-16, General Plant, \$400.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Ferry Service:

From the appropriation for A-1, Permanent Employees, Deckhands, 26 at \$5.25 a day, \$1,100; Oilers and Firemen, 46 at \$6.50-\$6.75 a day, \$750, to the appropriation for A-3, Unassigned, \$1,100; F-7, Pensions and Annuities, \$750.

From the appropriation for C-13, Tools and Instruments, \$500, to the appropriation for D-16, General Plant, \$500.

From the appropriation for D-3, Fuel, \$6,500, to the appropriation for B-8, Light, Heat and Power, \$1,500; B-39, General Plant, \$5,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Lighting Service:

From the appropriation for B-8, Light, Heat and Power, \$10, to the appropriation for B-4, Transportation of Persons, \$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 A-2, Temporary Employees, \$100, to the appropriation for B-5, Cartage and Freight, \$100.

From the appropriation for B-3, Advertising and Posting, \$50, to the appropriation for B-13, Communication, \$50.

From the appropriation for D-1, Office, \$87, to the appropriation for C-9, Office, \$87.

From the appropriation for A-2, Temporary Employees, \$75, to the appropriation for D-8, Laundry, Cleaning and Toilet, \$75.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Hospital Department, Sanatorium Division:

From the appropriation for B-28, Expert, \$1,000; B-39, General Plant, \$5,000; C-7, Furniture and Fittings, \$1,000, to the appropriation for D-2, Food and Ice, \$7,000.

From the appropriation for D-1, Office, \$100, to the appropriation for C-12, Medical, Surgical, Laboratory, \$100.

From the appropriation for F-11, Workmen's Compensation, \$200, to the appropriation for D-16, General Plant, \$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 Institutions Department, Long Island Hospital:

From the appropriation for A-1, Permanent Employees, Nurses, Head, 30 (34) at \$1,030 a year, \$2,000, to the appropriation for A-1, Permanent Employees, Institution Employees, 144 (169) not exceeding \$1,200 a year, \$2,000.

From the appropriation for A-1, Permanent Employees, Nurses, Student, 65 (75) at \$600 a year, \$1,000, to the appropriation for B-39, General Plant, \$1,000.

From the appropriation for A-1, Permanent Employees, Nurses, Supervisors of, 4 (5) at \$1,300 a year, \$300, to the appropriation for D-8, Laundry, Cleaning, Toilet, \$300.

From the appropriation for A-1, Permanent Employees, Nurses, Supervisors of, 4 (5) at \$1,300 a year, \$100, to the appropriation for D-16, General Plant, \$100.

From the appropriation for A-1, Permanent Employees, Nurses, Student, 65 (75) at \$600 a year, \$1,000, to the appropriation for D-5, Medical, Surgical, Laboratory, \$1,000.

From the appropriation for A-1, Permanent Employees, Plumber, 1 at \$1,600 a year, \$500, to the appropriation for E-13, General Plant, \$500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Institutions Department:

From the appropriation for Long Island Hospital, A-2, Temporary Employees, \$1,000, to the appropriation for Steamer "George A. Hibbard" and Launch "James J. Minot," B-39, 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 Penal Institutions Department, Steamer "Michael J. Perkins":

From the appropriation for D-3, Fuel, \$836.19, to the appropriation for B-39, General Plant, \$836.19.

From the appropriation for C-11, Marine, \$150, to the appropriation for D-14, Marine, \$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 Penal Institutions Department, House of Correction:

From the appropriation for B-39, General Plant, \$2,000; C-16, Wearing Apparel, \$2,000, to the appropriation for D-3, Fuel, \$4,000.

From the appropriation for E-1, Building, \$2,000; E-10, Electrical, \$1,000, to the appropriation for D-2, Food and Ice, \$3,000.

From the appropriation for House of Correction, F-9, Care of Dependents, \$800, to the appropriation for Steamer "Michael J. Perkins," B-39, General Plant, \$800.

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-39, General Plant, \$7,200, to the appropriation for B-3, Advertising and Posting, \$150; B-12, Bond and Insurance Premiums, \$200; B-14, Motor Vehicle Repairs and Care, \$6,850.

From the appropriation for C-4, Motor Vehicles, \$3,000, to the appropriation for C-6, Stable, \$300; C-12, Medical, Surgical, Laboratory, \$75; C-13, Tools and Instruments, \$700; C-17, General Plant, \$1,925.

From the appropriation for D-16, General Plant, \$300, to the appropriation for D-17, Electrical \$300.

Referred to the Executive Committee.

#### APPROPRIATION FOR ELECTRIC LIGHT INVESTIGATION.

The following was received:

City of Boston,  
Office of the Mayor, November 12, 1929.  
To the City Council.

Gentlemen,—In connection with the petition filed by the city with the Public Utilities Commission for a revision in electric light rates it will be necessary to provide funds for the necessary and proper expenditures which will arise during the consideration of the petition. I accordingly submit an order providing for an appropriation of \$10,000 to cover such charges and recommend its adoption by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

Ordered, That the sum of \$10,000 be, and the same hereby is, appropriated, to be expended under the direction of the Mayor, for expert services, stenographic services, and other necessary and proper expenditures in connection with the petition of the city to the Public Utilities Commission for a revision in electric light rates, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

#### PETITIONS REFERRED.

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

##### Claims.

A. Jane Ainsworth, for compensation for injuries caused by an alleged defect at 9 Everett street, Hyde Park.

Black & Decker Manufacturing Company, for refund on refuse tickets.

Charles H. Conlin, for compensation for damage to car caused by an alleged defect in Columbus avenue.

Ida and Herbert Cooper, for compensation for injuries caused by an alleged defect at 1160 Blue Hill avenue.

Dennis Driscoll and John MacDonald, for compensation for damage to car and injuries caused by city team.

Kenneth English, for compensation for damage to car by city team.

Annie H. Farlow, for refund on interest on personal and real estate tax.

John W. Farlow, for refund on interest on personal tax.

John Gunn, for compensation for injuries caused by an alleged defect at 154 Terrace street.

Edith Harvey, for compensation for damage to property caused by fire hose at corner of Longwood avenue and Brookline avenue.

Mrs. Anna T. Hayes, for compensation for injuries caused by an alleged defect at High and Federal streets.

Joseph A. Heil, to be reimbursed for judgment brought against him on account of his acts as a fireman.

Margaret M. Maguire, for compensation for injuries caused by an alleged defect at 86 Manthorne road.

Ellen McCarthy, for compensation for injuries caused by an alleged defect at 1359 Columbus avenue.

Arthur McElwain *et al.*, for compensation for loss of clothing at Carter Playground.

Katherine McGowan, for compensation for damage to property at 198 Main street, Charlestown, caused by backing up of sewage.

Mary J. Murtha, for compensation for injuries caused by an alleged defect in Franklin Field.

Joseph T. O'Halloran, to be reimbursed for judgment brought against him on account of his acts while driving ambulance.

Cynthia E. Pike, for compensation for damage to car by city truck.

Allan E. Shaw, for compensation for damage to property caused by an alleged defect in Homestead street.

Dora Snyder, for compensation for injuries caused by an alleged defect in Glenway and Harvard streets.

Mabel E. Stearns, for compensation for injuries caused by an alleged defect at 466 Geneva avenue.

Bessie Tepper, for compensation for injuries caused by an alleged defect at 29 Gleason street.

Mary Thompson, for compensation for injuries caused by an alleged defect at Washington and Corning streets.

F. Edna Thorne, for compensation for loss of property at City Hospital.

Mildred Tutun, for compensation for injuries caused by an alleged defect in Charles street.

##### Committee on Jitney Licenses.

Petition of Boston Elevated Railway for permit to run buses, viz.:

Between South Station and junction of Clarendon street and Columbus avenue, over Atlantic avenue, Kneeland street, Stuart street, Clarendon street, Columbus avenue.

#### APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of Charles R. Mennelle, John J. Piscatelli, George A. Sparks and John J. Levy, having been duly approved by the City Treasurer, were received and approved.

#### PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds, to the amount of \$4,752.66 for regular employees, November 1 to 15, inclusive, was received and approved.

#### REPORT OF FINANCE COMMISSION.

The following was received:

City of Boston,  
Finance Commission, November 8, 1929.  
To the Honorable the City Council.

Gentlemen,—In reply to the questions contained in the order adopted by your honorable Council on October 28, 1929, we desire to make the following answers based, in large part, on an investigation made by our engineer.

1. The plans for the tunnel, as announced in the *City Record* of October 26, 1929, are not in our opinion the best possible plans for the route of the tunnel.

2. In the opinion of the Finance Commission if the tunnel were straight, traffic could be handled more efficiently and safely than in a tunnel that is curved.

3. It is our opinion that the portals and plazas at either end are not in the most favorable location for the distribution of traffic.

4. The plans have not progressed sufficiently to make it possible to give a complete answer to this question. However, the details so far available reveal the intention to take a tremendous area of valuable land to provide a traffic circle at the Boston terminal. In our opinion this would be an extravagant waste of the taxpayers' money, particularly in view of the fact that it is to serve a tunnel width of only 22 feet, providing for a single line of traffic each way.

5. Our investigation has revealed that the Transit Department originally prepared plans for a straight-line tunnel with the Boston terminal south of Hanover street, in the territory bounded by Hanover, Richmond, North and Cross streets, and the East Boston terminal at Havre and Porter streets. This plan, in our opinion, is very much to be preferred to the plan shown in the *City Record* of October 26.

Respectfully submitted,

THE FINANCE COMMISSION,  
by FRANK A. GOODWIN,  
Chairman.

Placed on file.

#### TRACK LOCATION, BOSTON ELEVATED.

Notice was received from the Board of Street Commissioners of granting of 72d location to Boston Elevated Railway, viz., double track in Harvard avenue, Brighton, and single track in Cambridge street, Brighton.

Placed on file.

## CLOSING OF TAMWORTH STREET.

Notice was received from the Board of Street Commissioners of order for discontinuance of Tamworth street from Boylston street to La Grange street.  
Placed on file.

## STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings on petitions for storage and sale of gasolene to be held as follows:

November 18.

Norman J. Bonney, 656 Harrison avenue, Ward 8, 1,000 gallons  
East Coast Aircraft Port, 70 Airport Road East, Ward 1, 12,000 gallons gasolene, 2,000 gallons fuel oil.

November 25.

William K. Bean, 135 Babson street, etc., Ward 18, 3,000 gallons.  
William C. Hanrahan, 91 and 93 Willow court, Ward 7, 1,000 gallons.  
John P. Riley, 100 Southern Artery, Dorchester, 4,000 gallons.  
Bethlehem Shipbuilding Corporation, 116 Border street, Ward 1, 1,000 gallons.  
Frank J. Wallis, 12 Beechwood street, Ward 14, 2,000 gallons.  
Referred to the Executive Committee.

## APPROVAL OF APPOINTMENT.

Notice was received of approval by the Commissioners of Civil Service of appointment of James H. Fitzpatrick, 35 Round Hill street, Roxbury, as member of the Board of Appeal.  
Placed on file.

## NOTICE OF HEARING.

Notice was received from the Department of Public Works of the Commonwealth of Massachusetts of hearing to be given on November 13 on petition of Abraham Shuman for license to drive piles and build foundations in tidewaters of Fort Point channel.  
Placed on file.

## SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee of Soldiers' Relief, submitted report recommending passage of order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of November, 1929.  
Report accepted; said order passed.

## BRANCH LIBRARY AT FOREST HILLS.

Coun. MURRAY 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 or suitable quarters at Forest Hills, Ward 19.  
Passed under suspension of the rule.

## GAS LAMP IN WARD 13.

Coun. SULLIVAN offered the following:  
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to replace the present gas lamp at the corner of Howard avenue and Julian street, Ward 13, with an arc light.  
Passed under suspension of the rule.

## RAYMOND L. SHAW PLAYGROUND.

Coun. DONOVAN offered the following:  
Ordered, That the Park Commission be requested, through his Honor the Mayor, to name the proposed new playground at the junction of Pope and Moore streets, East Boston, Raymond L. Shaw

Playground, in memory of said Shaw who was a veteran of the late World War and a past commander of Orient Heights Post 54 of the American Legion.

Passed under suspension of the rule.

## STREET LAMP AT MIDDLESEX AND CASTLE STREETS.

Coun. PARKMAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to locate a street lamp at the intersection of Middlesex and Castle streets, Ward 5.  
Passed under suspension of the rule.

## PAYMENT TO WIDOW OF STEPHEN L. MALONEY.

Coun. GALLAGHER offered the following:

Ordered, That his Honor the Mayor be requested to petition the Legislature at its next session for legislation to authorize the City of Boston to pay to the widow of Stephen L. Maloney, late secretary of the Health Department, the balance of the salary to which he would have been entitled had he lived and continued to discharge the duties of his office until the end of the present financial year.

Passed under suspension of the rule.

## BOULEVARD LIGHT, WARD 13.

Coun. FISH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install a boulevard light in front of 138 Park street, Ward 16.  
Passed under suspension of the rule.

## SAFETY ZONES ON HUNTINGTON AVENUE.

Coun. ARNOLD offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to mark safety zones on Huntington avenue, opposite the New England Conservatory of Music.  
Passed under suspension of the rule.

## MARKING OF ENTRANCES TO ALLEYS.

Coun. ARNOLD offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to mark with red paint the entrances to alleys leading from Gainsborough street, Ward 4.  
Passed under suspension of the rule.

## FENCOURT STREET.

Coun. ARNOLD offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Fencourt street, Ward 4, as a public highway.  
Passed under suspension of the rule.

## COMPLETION OF CONCRETE WORK, FENWAY ENTRANCE.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to hasten the completion of the concrete work on Hemenway street, at the entrance to the Fenway, Ward 4.

Passed under suspension of the rule.

## SIDEWALKS ON GAINSBOROUGH STREET.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repair the sidewalks on Gainsborough street, between the railroad bridge and St. Botolph street, Ward 4.

Passed under suspension of the rule.

## RECESS.

The Council voted, on motion of Coun. SULLIVAN, at 2.47 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. RUBY at 3.35 p. m.

## EXECUTIVE COMMITTEE REPORTS.

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

1. Report on communication from the Mayor and order (referred today) that the Commissioner of Public Works be authorized to expend an additional sum of \$650 for the purpose of furnishing ice for the public drinking fountains during the present season, said sum to be charged to the Reserve Fund,—that the same ought to pass.

Report accepted; order assigned to the next meeting.

2. Report on communication from the Mayor and order (referred today) that the sum of \$10,000 be appropriated, to be expended under the direction of the Mayor, for expert services, stenographic services and other necessary and proper expenditures in connection with the petition of the city to the Public Utilities Commission for a revision in electric light rates, etc.—that the same ought to pass.

Report accepted; order assigned to the next meeting.

3. Report on communication from the Mayor and order (referred today) that under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer \$1,500

from the appropriation for Reserve Fund to the appropriation for Public Celebrations—that the same ought to pass.

Report accepted; order assigned to the next meeting.

4. Report on communication from the Mayor and orders (referred today) for transfers within departmental appropriations—that the same ought to pass.

Report accepted; orders assigned to the next meeting.

## WILLIAM A. CAREY REST.

Coun. DONOVAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to name the Rest at the junction of Bennington and Saratoga streets, Ward 1, William A. Carey Rest, in memory of said Carey, a late veteran of the World War.

Passed under suspension of the rule.

## REPAVING OF PARKER STREET.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Parker street, Ward 4.

Passed under suspension of the rule.

## CHANGE OF REFUSE RECEPTACLES.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to substitute plain refuse receptacles for those containing advertising matter at the corner of Westland avenue and Hemenway street, Ward 4.

Passed under suspension of the rule.

Adjourned, on motion of Coun. WILSON, at 3.40 p. m., to meet on Monday, November 18, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, November 18, 1929.

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

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments for term ending April 30, 1930, viz.:

Weighers of Coal: Robert J. Thibodeau, for C. H. Sprague & Son Company, 10 Post Office square, Boston; William B. Harlow, 38 Milton avenue, Hyde Park, for William H. Harlow & Sons.

Weighers of Coal and Measurers of Wood and Bark: Anthony Budris, 36 Litchfield street, Brighton, for Batchelder & Felton Coal Company; George M. Hansen, 4448 Washington street, Rosindale, for Batchelder Brothers, 834 Massachusetts avenue, Boston.

Weighers of Goods: Joseph F. Shields, 353 Gardner street, West Roxbury, for George H. Noone Sand and Gravel Company, 253 Gardner street, West Roxbury; Albert E. Holmes, 21 Garfield avenue, Medford, for Linder & Co., 296 North Beacon street, Brighton.

Severally laid over a week under the law.

## SALE OF LAND ON BATH STREET.

The following was received:

City of Boston,

Office of the Mayor, November 18, 1929.

To the Honorable the City Council.

Gentlemen,—I am herewith forwarding to your honorable body two orders in connection with the sale of the following parcels of land which make up Bath street, namely, a certain parcel of land containing 929 square feet, shown on a plan entitled, "Plan of Land in Boston, Scale 8' to 1", May 23, 1929, Aspinwall & Lincoln, Civil Engineers," filed in the land registration office June 19, 1929, numbered 13639A, and filed with certificate of title numbered 26757 in the Suffolk Registry District of the Land Court; a parcel of land containing one hundred thirty-four and 6-10 square feet, shown on a plan of land entitled "Plan of Land in Boston, Scale 8' to 1", July 19, 1929, Aspinwall & Lincoln, Civil Engineers," filed in the land registration office August 23, 1929, numbered 13751A, and filed with certificate of title numbered 26758 in the Suffolk Registry District of the Land Court—by the City of Boston to the Water Street Company.

By the terms of one order the city is authorized to convey to this corporation, its assigns or nominees, the land stated above on Bath street for the sum of thirty thousand dollars (\$30,000).

The other order contains authority enabling the Mayor to execute an agreement to be made by and between the Water Street Company and the city wherein this corporation agrees within three years to begin the erection of, on land formerly known as Bath street and other adjacent property, a mercantile and office building. This corporation further will agree to furnish the city with a surety company bond in the sum of thirty thousand dollars (\$30,000) upon the condition that if the aforesaid building or structure is not erected within a period of three years that in addition to the sum of thirty thousand dollars (\$30,000) the consideration paid to the city for the grant of said Bath street the said thirty thousand dollars (\$30,000) shall be paid to the City of Boston as liquidated damages.

Respectfully submitted  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
In City Council.

Whereas, It is proposed that Bath street in the City of Boston be discontinued;

Now, therefore, it is Ordered, That in the event of such discontinuance the Mayor of the said City of Boston be, and he hereby is, authorized to grant to the Water Street Company, a Massachusetts corporation, by an instrument in writing satisfactory to the Law Department of said City of Boston, all the right, title and interest which the said City of Boston may have at the time of or after said street is discontinued in and to the following parcels of land which make up said Bath street, namely, a certain parcel of land containing 929 square feet, shown on a plan entitled "Plan of Land in Boston, Scale 8' to 1", May 23, 1929, Aspinwall & Lincoln, Civil Engineers," filed in the land registration office June 19, 1929, numbered 13639A, and filed with certificate of title numbered 26757 in the Suffolk Registry District of the Land Court; a parcel of land containing one hundred thirty-four and 6-10 square feet, shown on a plan of land entitled "Plan of Land in Boston, Scale 8' to 1", July 19, 1929, Aspinwall & Lincoln, Civil Engineers," filed in the land registration office August 23, 1929, numbered 13751A, and filed with certificate of title numbered 26758 in the Suffolk Registry District of the Land Court, upon the payment to the said City of Boston of thirty thousand dollars and upon the further consideration that the said Water Street Company shall, by an instrument in writing, satisfactory to the Law Department of the said City of Boston, agree to hold the said City of Boston harmless from all claims and demands for damages caused by or in any way growing out of said discontinuance, or growing out of this grant.

It is hereby further Ordered, That the said Mayor of the said City of Boston be, and he hereby is, authorized to sign said agreement in the name and behalf of said City of Boston.

Whereas, It is proposed that Bath street in the City of Boston be discontinued; and

Whereas, The Water Street Company, a corporation organized under the laws of the Commonwealth of Massachusetts, is desirous of purchasing from the City of Boston the land which was formerly Bath street and erecting thereon and upon other land adjacent thereto a structure or building;

Now, therefore, it is Ordered, That the Mayor of the said City of Boston be, and he hereby is, authorized in the name and behalf of the City of Boston to enter into an agreement with the Water Street Company, a Massachusetts corporation, wherein the Water Street Company agrees to begin the erection of, within three years from the date of the conveyance by the City of Boston to the Water Street Company of the land known as Bath street, a mercantile and office building; and wherein the said Water Street Company agrees to hold the said City of Boston harmless from all claims for damages caused by or in any way growing out of the proposed discontinuance of Bath street and growing out of the grant to the said Water Street Company of the land formerly known as Bath street, and wherein the said Water Street Company agrees to furnish the said City of Boston with a surety bond in the sum of thirty thousand dollars (\$30,000) which bond shall be upon the condition that the said Water Street Company in addition to thirty thousand dollars (\$30,000) paid as consideration of said grant of the land formerly known as Bath street shall pay to the City of Boston the sum of thirty thousand dollars (\$30,000) as liquidated damages upon the failure of the said Water Street Company to perform the terms and conditions of the said agreement.

And it is further Ordered, That the Mayor of the City of Boston be, and he hereby is, authorized to execute and deliver the said agreement which shall be satisfactory in form to the Law Department of the City of Boston.

Referred to Committee on Public Lands.

## LAND FOR ROBERT B. BRIGHAM HOSPITAL.

The following was received:

City of Boston,

Office of the Mayor, November 18, 1929.

To the Honorable the City Council.

Gentlemen,—Inclosed please find order authorizing the Mayor of the City of Boston, upon payment of \$34,800 to it, to grant to the Robert B.

Brigham Hospital for Incurables on Parker Hill, Roxbury, land on Parker Hill which was taken by the City of Boston for hospital and infirmary purposes.

The Robert B. Brigham Hospital for Incurables is a charitable institution and owns property adjacent to the city's property on Parker Hill. They are desirous of enlarging their property and have made an offer to the City of Boston of \$34,800 for the land described in said order.

I am informed that the city has no further use for this property and I am also informed that the Boston Real Estate Exchange has made an appraisal of this land for the city and has recommended a price to be paid for it of eighteen cents per square foot.

I recommend the passage of this order.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston.

Institutions Department, November 18, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—That portion of the property of the City of Boston in the control of this department located on Parker Hill, which it is now proposed to sell to the Robert Brigham Hospital, to wit, a parcel containing one hundred ninety-three thousand, three hundred fifty-nine (193,359) square feet abutting on property now owned by said Brigham Hospital, is no longer needed for any of the purposes of this department and I, therefore, recommend that the same be sold.

Respectfully yours,  
WILLIAM S. KINNEY,  
Commissioner.

Whereas, By an instrument of taking recorded September 12, 1924, with Suffolk Deeds, Book 4612, page 441, the City of Boston took for hospital and infirmary purposes a certain parcel of land situate on Parker Hill avenue in that part of said Boston, formerly Roxbury, and shown on a plan marked "City of Boston, Parker Hill Avenue, Roxbury, June 10, 1924, William J. Sullivan, Chief Engineer, Street Laying-Out Department"; and

Whereas, Said land is no longer needed for public purposes; and

Whereas, The Robert B. Brigham Hospital for Incurables, a Massachusetts corporation, is desirous of purchasing said land with the buildings thereon, to be used by it for hospital purposes;

Now, therefore, it is Ordered, That his Honor the Mayor of the City of Boston be, and he hereby is, authorized, upon the payment to the said City of Boston by the said Robert B. Brigham Hospital for Incurables of thirty-four thousand, eight hundred dollars (\$34,800) to grant in the name and behalf of said City of Boston to the said Robert B. Brigham Hospital for Incurables, its successors and assigns, by an instrument in writing, satisfactory in form to the Law Department of the said City of Boston, all its rights, title and interest in and to the following described premises, namely, a certain parcel of land situate in that part of Boston, formerly Roxbury, bounded and described as follows: Northeastly by Parker Hill avenue, four hundred eighty-five and 31-100 feet; southeasterly by land supposed to belong now or formerly to Eugene N. Foss, three hundred eighty and 90-100 feet; southwesterly by land formerly belonging to the said Eugene N. Foss and now the property of the City of Boston, two hundred fifty-nine and 70-100 feet; southwestly again by a common passage-way belonging to the City of Boston, twenty-five feet; and southwestly again by property now or formerly belonging to Eugene N. Foss, one hundred eighty-six and 60-100 feet; northwesterly by property belonging to the Robert B. Brigham Hospital for Incurables, two hundred seventy-four and 60-100 feet, containing 191,367 square feet of land, more or less, being the greater part of the property taken by the City of Boston as aforesaid.

Referred to Committee on Public Lands.

#### PETITIONS REFERRED.

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

#### Claims.

Annie Berman, for compensation for injuries caused by patrol wagon.

Harry A. Breen, for compensation for damage to car by patrol wagon.

Arthur Farrell, for compensation for injuries caused by defect in Bunker Hill School yard.

Thomas Flanzbaum, for compensation for injuries caused by an alleged defect in River street and Wood avenue.

Lilly L. Gooby, for compensation for injuries caused by an alleged defect in Broadway.

Mary Hourihan, for compensation for injuries caused by an alleged defect at 197 Heath street.

Herbert M. Kramer, for compensation for damage to car by truck of Public Works Department.

Ida M. Lowe, for compensation for injuries caused by police motorcycle.

Margaret McHale, for compensation for injuries caused by an alleged defect at 170 West Seventh street.

Josephine Politis, for compensation for injuries caused by an alleged defect at 316 Stuart street.

Agnes Schepis, for compensation for injuries caused by an alleged defect at 294 Broadway.

Ethel Sidofsky, for compensation for injuries caused by an alleged defect in State street.

Ella Splaine, for compensation for injuries caused by an alleged defect at 667 East Eighth street.

Terminal Fruit Company, for compensation for damage to property at 122 Commercial street, caused by breaking of water pipe.

Walworth-English-Flett Company, for refund on refuse tickets.

Martin F. Walsh, for compensation for damage to automobile caused by defect at gateway of South Department, City Hospital.

#### HEARING ON EAST BOSTON TUNNEL.

Notice was received from the Massachusetts Department of Public Works of hearing to be held before said department on November 20, 1929, at 2 p. m. on application to said department by Transit Department of the City of Boston for approval of plans for construction of vehicular tunnel between Boston proper and East Boston, as authorized by chapter 297 of the Acts of 1929.

Coun. FITZGERALD—Mr. President, I move that the matter be referred to the Executive Committee, and that Mr. Sullivan of the Transit Department and a representative of the Law Department be requested to appear before the committee.

Coun. KEENE—Mr. President, may I ask if it would not be well for a member of the Planning Board to be present, also?

President DONOVAN—The committee can ask for whoever they want, of course.

Coun. KEENE—I simply thought, considering the time necessary for notice, that we might save delay.

The matter was referred to the Executive Committee.

#### STORAGE AND SALE OF GASOLINE.

Notice was received from the Board of Street Commissioners of hearings on petitions for storage and sale of gasoline to be held December 2, viz.: Gladys T. Besarick, 39-47 Minot street, etc., Ward 3, 2,000 gallons.

John Varnos, 267 Old Colony avenue, Ward 7, 2,000 gallons.

Traverse Building Trust, 222 Stuart street, etc., Ward 5, 3,000 gallons additional gasoline, etc.

Referred to the Executive Committee.

#### NOTE ON SCHOOLHOUSE COMMISSION.

The following was received:

City of Boston,  
Board of Election Commissioners,  
November 18, 1929.

Wilfred J. Doyle, Esq.,  
City Clerk.

Dear Sir,—We certify that at the City Election held in the City of Boston November 5, 1929, that the vote on the question "Shall an act passed by the general court in the year nineteen hundred and twenty-nine, entitled 'An Act to establish a board

of commissioners of school buildings and a department of school buildings in the city of Boston, be accepted?" is as follows:

Yes.....	110,453
No.....	57,276
Blanks.....	50,653

Respectfully yours,

FRANK SEIBERLICH,  
PATRICK H. O'CONNOR,  
NINA M. GEVALT,  
JAMES J. MULVEY,

Board of Election Commissioners.

Placed on file.

**SIDEWALK ON VERMONT STREET.**

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Vermont street, No. 84, Ward 20, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Ordered, That the Commissioner of Public Works make a sidewalk along Vermont street, southeast side, from Mt. Vernon street to No. 84, 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.

Severally passed under suspension of the rule.

**LICENSE TO BOSTON NATIONAL LEAGUE BASEBALL COMPANY.**

Coun. LYNCH offered the following:

Ordered, That a license be granted to the Boston National League Baseball Company for outdoor football games on Sunday, November 17, and Sunday, November 24, 1929, between two o'clock and six o'clock p. m., on the premises at 32 Gaffney street, heretofore licensed for outdoor athletic sports on the Lord's Day.

Passed under suspension of the rule.

**RECESS.**

The Council voted at 2.22 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. KEENE at 4.03 p. m.

**EAST BOSTON TUNNEL HEARING.**

Chairman KEENE, for the Executive Committee, submitted the following:

1. Report on notice from the State Department of Public Works (referred today) of a hearing under the law by said department on November 20, 1929, at 2 p. m., on the application to said department by the Transit Department of the City of Boston for approval of plans for the construction of a vehicular tunnel between Boston proper and East Boston, as authorized by chapter 297 of the Acts of 1929 — recommending placing said notice on file.

Coun. FITZGERALD—Mr. President, it appears that the Council can do very little in reference to this proposed East Boston Tunnel, in view of the fact that the Council has accepted the act, and there is nothing in the act to now allow us to revoke our action or to stop the expenditure of money. The only thing the Council can do is to go on record as a matter of protest against the action of the body which will have the matter in charge. It appeared today from the remarks of Chairman Sullivan of the Transit Board that they complied with the request of his Honor the Mayor, who wrote them a letter stating that he desired them to approve certain

plans recommended by a board having nothing to do with the tunnel under the bill passed by the Legislature, a board that would merely supersede the Transit Department after certain preliminary action had been taken. Now it seems that the Transit Department, through fear of removal or fear of incurring the enmity of certain interests — whether the Mayor or members of the Metropolitan Planning Board, I don't know — agreed to the Mayor's request. Certainly it surprised me, and I guess it surprised other members of the Council, to find that they had complied with the Mayor's request in that matter, the chairman merely stating today that they had complied with the request in writing sent by his Honor the Mayor. But the fact remains, Mr. President, that a large amount of money is proposed to be expended for this proposed tunnel, and that the plans which have been signed are not plans that the Transit Board wanted, but plans of the Metropolitan Planning Board, and that the Transit Board simply complied with the request of the Mayor. It will now be left for the public to judge and for the members of this Council to judge what influence was brought to bear to get the Board to sign, upon the request of the Mayor, plans that they do not believe in. Now, Mr. President, this is a crooked tunnel, and there are going to be enormous land damages. I believe that this tunnel will cost in the vicinity of \$100,000,000. The Council, in the first place, was blackjacked—I suppose some may object to the term—into accepting the so-called tunnel act. Everybody knows that at the hearing a large number of people who appeared didn't have the least idea of or know anything about the proposed tunnel or what the tunnel meant. I think the proceedings, reported by our official stenographer, will show that some of those who appeared and were asked several questions in regard to the matter admitted that they had never read the act. But it was backed by propaganda and was pushed through, although it means, as even the chairman of the Transit Board admits, another tunnel at a later date. I suggested earlier a tunnel to South Boston, and it will have to come, Mr. President. Everybody knows that the place where it is proposed to run this tunnel is absolutely dead, that business is practically at a standstill. It should have been built to connect up with a place where it will help business, where industry is, where commerce is, where the future of the City of Boston is. South Boston is where our port business is, and this tunnel could have been run over to South Boston, terminating in a place where no large amount of money would have had to be expended for land-takings or for any property. But they chose to build it to East Boston. Any man who walks down through Hanover street, Fulton street, Cross street, any of the streets through that district, will find that things are absolutely going to rack and ruin. The market today is a dead issue, and in a year or two you will not find anybody to take leases in the market, nor in that district. It will simply be used for a parking space. And it is proposed now that we shall spend millions and millions for places to park automobiles. You don't have to be a college graduate, you don't have to be a person imported from California, to see how traffic is going in this town. Anybody here knows what conditions are and has intelligence enough to decide where there should be one-way and two-way streets, and where traffic should be or should not be shut off. They tell you now of ways in which money can be saved. Well, they knew perfectly well before this thing was saddled on the city what it meant and that it would cost an enormous amount. And they are now talking of saving by running the tunnel in such a way that it will not interfere with certain schoolhouses. Why, they have schoolhouses in East Boston today that are practically empty. There was a brand new schoolhouse built, a year after a parochial school was built, and the place is about empty. We are told that they couldn't run the line as proposed on account of schoolhouses in East Boston, but under the plan they are proposing they will spend fifty millions or more for land-takings. It cannot be otherwise. Why, one piece of property down there was bought for \$100,000, and the owner, a high-minded reformer representing one of the old-time families, put on it a first mortgage of \$200,000, then a second mortgage of \$150,000, which makes \$350,000, and then put on a third mortgage of \$65,000,

bringing the mortgages well above \$400,000. Then, of course, the Law Department will say that they will have to pay the amount of the mortgages, of course. That is only one piece. How many more pieces have such mortgages on? That is the sort of thing that we find here, Mr. President. But the fact remains that we approved a plan when we did not know what we were doing and, in this enlightened age, a plan for a crooked tunnel has been approved. The chairman of the Transit Board told our committee that the only proper tunnel was a straight tunnel, and yet the present Transit Board has approved of this crooked tunnel. I certainly have my doubts, however, whether this is the final solution. The matter can be brought before the Supreme Court and they can hold it up. The fact is, however, the way the matter stands now, that we will have a crooked tunnel for years to come, and this City Council will be criticized, although not to blame. The act had to be accepted by July 1. The members of the Legislature, who passed the act, men coming from outlying districts, and having no taxes to pay on the tunnel, left the citizens of Boston in this position, and provided that they should pay the bills. I felt at the time that the expense should be shared by the outlying districts, and I advocated a tunnel, also, which would be of benefit to the people of Brighton, West Roxbury, Charlestown, Hyde Park and South Boston. But, in spite of everything, this thing was rushed through in the dying hours of the administration. The chairman of the Transit Commission may say that he was not threatened with removal, but I ask, wasn't there a conference held, not within the confines of City Hall, but at the home of a citizen, which lasted until three o'clock in the morning, before the Board submitted finally? They may say that they were not threatened, but that was the talk of the town, and it seems that they then submitted. Of course, they may deny it, but the Finance Commission is now investigating the matter. I say that it is their duty, if necessary, to go to court with ten taxpayers and hold the thing up, even if it does mean the removal of a schoolhouse in East Boston.

Coun. DONOVAN—Mr. President, I am firmly convinced that the proposed tunnel should be built. I do believe that the plans of the Transit Department should have been accepted and that public hearings should have been held on the proposed location and approaches to the tunnel. But I would be remiss in my duty here as councillor representing the City of Boston if I did not take exception to the remarks of the gentleman from the West End. I think the gentleman misses the whole point, the whole idea, when he says that the tunnel should have gone over to South Boston. It was a tunnel to relieve traffic congestion. And when the gentleman speaks of schoolhouse conditions in East Boston, let me tell him the districts show that East Boston has more school children than any other section of the city, and that at the present time they are in dire need of schoolhouses. I might refresh the gentleman's recollection by saying that in 1925 and 1926, when we were both members of the Legislature, there was an act introduced for a bridge to East Boston, which was passed by the House and Senate and vetoed by the then Governor, Governor Fuller. As one of the representatives of East Boston, I carried on the fight for the bridge on the floor of the House, and we came within four votes of overturning the veto of Governor Fuller. But it was the four votes from Lomasney's ward that licked us in our intent to overturn the veto in 1925 and 1926. In 1928 and 1929 Lomasney continually fought the tunnel to East Boston. I don't blame the gentleman from Ward 3 (Coun. Fitzgerald) for carrying out the dictates of his leader, but when he speaks as he has spoken in regard to the proposed tunnel to East Boston he is entirely wrong.

Coun. FITZGERALD—Mr. President, I want to say that I was only too glad to vote to sustain the Governor on that veto, and I think I did a very proper thing. The fact is that at that time they abandoned the bridge and took up the tunnel project. I don't know that the gentleman understood me right in regard to my position on the tunnel I proposed at that time. I said that the tunnel should have been from South Boston to East Boston, and if the member from East Boston listened here to the chairman of the Transit Commission, he knows that that gentleman said that there must be another tunnel built in the future, and it will have to come from South Boston. The

entrance will have to be in South Boston. That was my argument, that the entrance to the tunnel should be in South Boston, saving a great deal of expense and better serving the interest of the public. At that time I talked with gentlemen representing the sections where land or buildings would have to be taken, and it was very clear that the property takings would cost very, very little. As far as Mr. Lomasney is concerned, he voted as he thought fit, and I voted as I thought fit. He voted as he thought was right, and I did the same. I am not here to defend him, nor is he called upon to defend me. I am not interested in land in the North End of Boston, in spite of the fact that I knew they were buying property there five or six weeks ago. People in my section of the city, if they wanted to be land grabbers, could have gone in and bought property in the North End, but we have no interest in it, although there was plenty of information around about it if we had desired to act in any such way. I would not wish to have anyone point at me in future years and say that I made money on a crooked tunnel.

Coun. DONOVAN—Mr. President, let me say to the gentleman from the West End that I have no mercenary or personal interest in land in East Boston to be taken by the city. My real interest is in advocating a tunnel for East Boston, as I stated in the first place. I think the gentleman must have misunderstood me. I am in favor of the first plan submitted by the Boston Transit Commission.

Coun. BUSH—Mr. President, it seems that I recall just about a year ago, when the Legislature passed an act for the East Boston Tunnel, providing for a tunnel commission to be appointed by the Governor. The City Council on one of the closing days of that year unanimously accepted that act. It was subsequently turned down by the Mayor of the city, who refused to accept the act on the ground that it would take away home rule from the City of Boston. He said at that time that the Boston Transit Commission, who had built something like \$50,000,000 of subways and tunnels in the City of Boston, were perfectly capable of planning and constructing the East Boston Tunnel, and that the power to plan and construct that tunnel should be in the hands of the Boston Transit Commission and not in the hands of a special transit commission to be appointed by the Governor. It was not quite apparent at that time that it was not entirely from a public spirited citizen and executive of the city that that opinion came forth, but it now seems quite apparent why the gentleman then refused to accept that act and insisted upon a new act being framed which gave the power to the Boston Transit Commission. At that time I stated that it was my opinion that the tunnel would probably be built cheaper by a tunnel commission appointed by the Governor than it would be subsequently by the Transit Commission. I will say that it is my opinion, which subsequent events have proven to be correct, I believe, that the Transit Commission themselves were conscientious men trying to work out the proper kind of a plan for the best interests of the City of Boston. Apparently the Mayor was not in accord with the Transit Commission from the point of view of the best interests of the City of Boston, but instead of that forced—and I use that word advisedly,—forced the Transit Commission to submit a plan of which they did not approve, and I state that I believe it was done from an ulterior motive. It certainly is very obvious to even a layman that a tunnel which is straight, which traverses the shortest distance between two points will be cheaper to construct than a tunnel which runs diagonally, perhaps, across the harbor to a greater length of several hundred feet, and which contains a curve with a radius of some 3,300 feet and extends several hundred feet beyond the approach originally planned by the Transit Commission. There isn't any question in the mind of any fairminded layman or engineer that the original plan of the Transit Commission is the best plan and that the plan finally accepted by the Mayor, approval of which by the Finance Commission was instigated by the Mayor, is not the best plan, is not best suited to the interests and the benefit of the inhabitants of the City of Boston. Unfortunately, it is impossible for this Council to now retract its acceptance of that act; in fact, it appears that the City Council has no authority whatever to interfere in the proposed construction of the East Boston Tunnel, and the only thing that the

City of Boston can do is merely express its disapproval of the action taken by the Mayor.

The report was accepted and the notice of hearing placed on file.

#### PASSAGE OF SUNDRY LOAN ORDERS.

Chairman KEENE—If there is no objection, the Chair will call up items Nos. 3, 4, 5, 6, 7 and 8 on the calendar.

The Council took up, under unfinished business, Nos. 3, 4, 5, 6, 7 and 8 on the calendar, viz.:

3. Ordered, That the Commissioner of Public Works be authorized to expend an additional sum of six hundred and fifty dollars for the purpose of furnishing ice for the public drinking fountains during the present season, said sum to be charged to the Reserve Fund.

4. Ordered, That the sum of \$10,000 be, and the same is hereby, appropriated to be expended under the direction of the Mayor, for expert services, stenographic services, and other necessary and proper expenditures in connection with the petition of the city to the Public Utilities Commission for a revision in electric light rates, said sum to be charged to the Reserve Fund.

5. Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer \$1,500 from the appropriation for Reserve Fund to the appropriation for Public Celebrations.

6. Orders making transfers in various department appropriations, as recommended by the Mayor November 12, 1929.

7. Ordered, That the right to borrow money for House of Correction, Deer Island, New Buildings, under loan order passed October 21, 1929, and approved by the Mayor October 23, 1929, be limited to \$80,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

Ordered, That the sum of \$55,000 be, and hereby is, appropriated to be expended under the direction of the Penal Institutions Commissioner for House of Correction, Deer Island, Reconstruction and Alteration of Buildings, etc., 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 October 28, 1929, the foregoing orders were read once and passed, yeas 19, nays 0.

8. Ordered, That the sum of forty thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, for the laying out, widening and construction of Morton street, Dorchester, from Codman street to Druid street, 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.

On October 21, 1929, the foregoing order was read once and passed, yeas 18, nays 0.

The orders were severally passed, yeas 22, nays 0.

#### PAYMENT OF AID TO SOLDIERS AND SAILORS.

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 November, 1929.

Report accepted; said order passed.

#### UNITED STATES RIGHT OF ENTRY ON DEER ISLAND.

Coun. MOTLEY, for the Committee on Public Lands, submitted a report, as follows:

1. Report on order (referred September 30) authorizing the Mayor in the name and behalf of the city to grant to the United States the right to enter upon the land of the city now occupied

by division wall on Deer Island for the purpose of repairing and maintaining said wall,—that the same ought to pass.

Report accepted, said order passed, yeas 22.

#### SALE OF TAMWORTH STREET BY THE CITY.

Coun. MOTLEY called up, under unfinished business, Nos. 9 and 10 on the calendar, viz.:

9. Whereas, By an instrument in writing dated July 21, 1879, and recorded with Suffolk Deeds, Book 1490, page 332, Charles Francis Adams *et al.* conveyed to the City of Boston the fee in Lowell place, later known as Tamworth street and situated in Boston in the Commonwealth of Massachusetts, to be used as a public street; and

Whereas, By a resolve and order of the Board of Street Commissioners of the City of Boston passed in the year eighteen hundred and eighty, the said Board of Street Commissioners took and laid out, in behalf of the City of Boston, Tamworth street as a public street in the City of Boston; and

Whereas, By a resolve and order of the Board of Street Commissioners of the City of Boston, approved by the Mayor of the City of Boston on September 14, 1929, the said Tamworth street was discontinued as a public street; and

Whereas, The Boylston and Tremont Corporation, a corporation organized under the laws of the Commonwealth of Massachusetts, is desirous of purchasing from the City of Boston the land which was formerly Tamworth street, and erecting thereon and upon other land adjacent thereto a structure or building;

Now, therefore, it is Ordered, That the Mayor of said City of Boston, in consideration of one hundred thousand dollars, to be paid to it by said Boylston and Tremont Corporation, its assigns or nominees, be, and he hereby is, authorized to grant and convey in the name and behalf of the said City of Boston to the said Boylston and Tremont Corporation, its assigns or nominees, by an instrument in writing satisfactory in form to the Law Department of the said City of Boston, all the right, title and interest whatsoever of the said City of Boston, in and to a certain parcel of land, formerly known as said Tamworth street, containing 4,270 square feet of land, more or less, and shown on a plan marked "City of Boston, Tamworth Street, Boston Proper, February 1, 1929, William J. Sullivan, Chief Engineer, Street Laying-Out Department," and on file in the office of said department. And the said Mayor is further authorized in the name and behalf of said city to execute and acknowledge said instrument in writing and to deliver said instrument to the said Boylston and Tremont Corporation, its assigns or nominees.

On October 28, 1929, the foregoing order was read once and passed, yeas 18, nays 0.

10. Whereas, By an instrument in writing dated July 21, 1879, and recorded with Suffolk Deeds, Book 1490, page 332, Charles Francis Adams *et al.* conveyed to the City of Boston the fee in Lowell place, later known as Tamworth street and situated in Boston, in the Commonwealth of Massachusetts, to be used as a public street; and

Whereas, By a resolve and order of the Board of Street Commissioners of the City of Boston passed in the year eighteen hundred and eighty the said Board of Street Commissioners took and laid out, in behalf of the City of Boston, Tamworth street as a public street in the City of Boston; and

Whereas, By a resolve and order of the Board of Street Commissioners of the City of Boston, approved by the Mayor of the City of Boston on September 14, 1929, the said Tamworth street was discontinued as a public street; and

Whereas, The Boylston and Tremont Corporation, a corporation organized under the laws of the Commonwealth of Massachusetts, is desirous of purchasing from the City of Boston the land which was formerly Tamworth street, and erecting thereon and upon other land adjacent thereto a structure or building;

Now, therefore, it is Ordered, That the Mayor of the City of Boston be, and he hereby is, authorized in the name and behalf of the City of Boston to enter into an agreement with the said Boylston and Tremont Corporation wherein the said Boylston and Tremont Corporation agrees to begin the erection of, within three years from the date of the conveyance by the City of Boston to the Boylston and Tremont Corporation of the land formerly known as Tamworth street, a mercantile building or structure containing a theater with a seating capacity for not less than 4,500 persons; and wherein the said Boylston and Tremont Corporation agrees to hold the said City of Boston harmless from all claims for damages caused by or in any way growing out of the said discontinuance of Tamworth street and growing out of the grant to the said Boylston and Tremont Corporation of land formerly known as Tamworth street; and wherein the said Boylston and Tremont Corporation agrees to furnish the said City of Boston with a surety company bond in the sum of one hundred thousand dollars, which bond shall be upon the condition that the said Boylston and Tremont Corporation, in addition to the one hundred thousand dollars paid as consideration of said grant of the land formerly known as Tamworth street, shall pay to the said City of Boston the sum of one hundred thousand dollars as liquidated damages upon the failure of said Boylston and Tremont Corporation to perform the terms and conditions of the said agreement.

And it is further Ordered, That the Mayor of the City of Boston be, and he hereby is, authorized to execute and deliver the said agreement, which shall be satisfactory in form to the Law Department of the City of Boston.

On October 28, 1929, the foregoing order was read once and passed, yeas 18, nays 0.

The question came on the second and final passage of the orders.

Coun. PARKMAN—Mr. President, I rise partly for information. Having to leave the meeting on October 28 early, on account of some legislative business, I was not present at the discussion that took place in the Council that day, and I have been endeavoring to find from the records the information I would like to find, but so far have been unable to do so. The point that interested me is this, that when this proposition was originally made to the Mayor of Boston, in the letter quoted in the Council minutes of September 30, it appears that the Boylston and Tremont Corporation, acting by David Stoneman, attorney, informed the Mayor officially that "this building will be of the latest modern architectural design, with stores on the street floor and offices above, which will include a 5,200-seat *de luxe* theater of the latest type, and will be the most beautiful and magnificent theater in the United States. The approximate cost of this enterprise will be \$10,000,000." Now, in the correspondence between the Mayor and the corporation it was suggested that a board of appraisers be constituted to appraise the value of Tamworth street, and in their report of September 26 they state as follows:

"Since the city will receive approximately \$200,000 increased taxes per annum, if the purchasers' plans are carried out, we feel that the price to be received by the city for Tamworth street should be nominal as compared with the actual value of the land. Therefore, we think that a fair consideration is \$100,000."

The point that interests me is that they state that this price received for Tamworth street is a purely nominal price compared with the actual value of the land, and that the only reason they recommend that as a fair price is that the city will receive approximately \$200,000 increased taxes per annum. Now, as I look at the language herein set forth, I can find no agreement in No. 10 on the calendar, that this building will be a 26-story office building containing a theater with a seating capacity of 5,200 seats, nor can I find any agreement that the taxable value of this property or the cost of the structure shall be \$10,000,000. In view of the fact that the city proposes to sell this street for only \$100,000, a purely nominal price, and that the reason for making it a nominal price is that the city will receive approximately \$200,000 in taxes, since that is the only reason why it is proposed that the city shall sell the property for a nominal price, I do not see why it is not included in the agreement that the building shall be of the nature, description and value referred to in the

original correspondence. If in fact they do contemplate adding \$10,000,000 to the taxable value of the city, why don't they bind themselves to do it in the agreement, because that is the only reason offered why the city should dispose of this street for such a nominal figure as \$100,000? Assuming the principle to be correct that the city should take a nominal price for or perhaps give away land in order to get additional taxable value, certainly in any agreement by which the city proposes to dispose of land in such a case for a nominal price it should be provided that the city is definitely to get that additional taxable value, and I find no such agreement here. We have been told a great deal about the urgency of the matter, as is usual in submitting orders of this sort, that there are reasons why the Council should pass it at once, but I don't see why I should vote in favor of a proposition to sell city property at a nominal price if we do not insist that the purchaser shall in fact add to the city's valuation, in this case \$10,000,000. That is the very reason why it is proposed to sell the land for a nominal price, and unless we bind the purchaser to that understanding which they expressed freely enough originally, I don't think the city should pass this order.

Coun. WILSON—Mr. President, I think perhaps the councilor is laboring under a little misapprehension in regard to the matter. As I understand it, when the original order came in—and I hold no brief for anybody in this matter—according to my idea it was a possible swap for an opportunity that might otherwise be to widen Tremont street at that point to its width across the street. But apparently there is no possibility of that. As I understand the original arrangement, I think Mr. Silverman came down to see the committee, stating that the proposed price was \$100,000, not stating to the committee that it was a nominal price, but the general understanding being that it would be a good bargain for the city to make, and I understand then that this agreement was signed by the Law Department, which appears on page 4 of the calendar, for the payment of \$100,000 for the land. I understand that the city receives \$100,000 outright for Tamworth street, and that there is an additional bond of \$100,000, that amount to be paid to the city as liquidated damages upon the value of the said Boylston and Tremont Corporation to perform the terms and conditions of the agreement to build a theater which will contain 5,200 seats and build the building as proposed, which will cost them, I understand, \$10,000,000. I think that is a matter that should be called to the attention of the councilor from the Back Bay.

Coun. PARKMAN—Yes, but the point I make is that the Boylston and Tremont Corporation goes into detail as to the type of the building to be erected, that it is to be such and such a building, containing a theater with so many seats, and the building to be of such a height, and that the approximate cost of the enterprise is \$10,000,000. Now, the appraisers, in appraising the value of Tamworth street, say that, "since the city will receive approximately \$200,000 increased taxes per annum, if the purchasers' plans are carried out, we feel that the price to be received by the city for Tamworth street should be nominal as compared with the actual value of the land. Therefore, we think that a fair consideration is \$100,000." Now, as I read that communication, this is a statement that \$100,000 is a nominal value to be set on the area in Tamworth street in view of the fact that the city will receive \$200,000 additional in taxes per annum. \$200,000 additional taxes per annum is \$30 on something over \$6,000,000; and when you come to look at the agreement on page 4 on the calendar, you will see that it simply provides that they will build "a mercantile building or structure containing a theater with a seating capacity for not less than 4,500 persons." I am not familiar enough with building, of course, to know what kind of structure they could put up, but I suppose it is conceivable that they could put up a theater with a seating capacity of not less than 4,500 persons, with a mercantile structure, for much less than the \$6,000,000 which would provide the additional \$200,000 per annum. But they were willing to state in the preliminary correspondence that they proposed to erect a 26-story building of the latest modern architectural design, at an expense of \$10,000,000, which would include a 5,200-seat *de luxe* theater. They simply state here that they will "build a mercantile building or structure containing a theater with a seating

capacity for not less than 4,500 persons." There is no mention of this 26-story building or of the theater containing 5,200 seats, and there is no definite binding agreement, therefore, that the city will receive the additional taxes per annum which the appraisers feel would make the price of \$100,000 reasonable.

Chairman KEENE—The Clerk will call the roll on the passage of items 9 and 10.

The orders in Nos. 9 and 10 on the calendar were given their second and final reading and passage, yeas 21, nays 1, Coun. Parkman voting nay.

#### REPORT OF COMMITTEE ON CLAIMS.

Coun. RUBY, for the Committee on Claims, to whom was referred November 12, 1929, petition of Joseph A. Heil for reimbursement for amount of judgment against him on account of his acts as a fireman on May 5, 1929, submitted report; recommending passage of the following order, viz.:

Ordered, That the sum of five hundred dollars be allowed and paid to Joseph A. Heil in reimbursement for the amount of a judgment against him on account of his acts as a fireman, said sum to be charged to the Reserve Fund.

Report accepted; order passed.

#### PROPOSED PURCHASE OF LAND IN WARD 17.

Coun. WILSON offered the following:

Ordered, That the sum of twenty-five thousand dollars be, and hereby is, appropriated, to be expended by the Park Commissioners for the purchase of land for playground purposes in the vicinity of Dunbar avenue, Ward 17, Dorchester, and for the construction of said playground, and that to meet the 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 of Boston to said amount.

Coun. WILSON—Mr. President, I will be very short. On August 5 the Special Committee on Playgrounds appointed by the Mayor reported back in reference to six or seven new playgrounds, setting several figures. They included a playground in Ward 17 and reached a figure of \$12,500—namely, the assessed value for three years, divided by three. I introduced a loan order, I believe, on the 12th of August, and it was shortly passed by the unanimous vote of the Council and eventually signed by the Mayor. I have had some talk and correspondence with the Park Commissioner, who must instruct the Board of Street Commissioners to make the taking. Unfortunately, I understand some of the land was originally owned by Harvard College and not assessed for many years, or assessed at too low a figure, and out of a clear sky the news comes that the assessed value for the last three years is \$12,500, \$12,500 and \$19,400. It is, therefore, necessary to pass a loan order not for \$21,000, as passed by the Council and signed by the Mayor, but for \$25,000. If that is holding the thing up, I want to know it, and therefore I am introducing this order at this time. I would say this, that in my opinion the city probably cannot purchase four or five acres of land in Dorchester anywhere else at that figure. But we will follow the figures approximately recommended by the Committee on Playgrounds, and this will allow us out there to have a taking made which the special committee has favored, the Mayor signed, and the committee unanimously favored. That being the history of the loan order, I would ask, if there is no objection, for a suspension of the rule and passage of the order at this time, due to the lateness in the year.

Chairman KEENE—The Chair would ask Coun. Wilson whether this would not add \$25,000 more to the order already passed, and whether the other order should be rescinded?

Coun. WILSON—What I want to get at is this. The other order has gone through, and I want the Park Commissioner or the Mayor to fish or cut bait. The Mayor can rescind the whole order. The only reason why I ask a suspension of the rule at this time is to have a definite understanding one way or the other.

The order was passed under suspension of the rule, yeas 20, nays 0.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Chairman KEENE called up, under unfinished business, No. 2 on the calendar, viz.:

2. Action on appointments submitted by the Mayor October 28, 1929, of Celia Levy and Edward W. Meade, to be Weighers of Coal.

The question came on confirmation. Committee—Coun. Dowling and Donovan. Whole number of ballots, 14, yeas 14, and the appointments were confirmed.

#### PROPOSED 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 lay out and accept as public highways the following streets in Ward 16:

Redwood street, Althea street, Clematis street, Lafield street, and that portion of Whitten street which is now unaccepted.

Passed under suspension of the rule.

#### SIDEWALK ON ROSEMARY STREET.

Coun. MOTLEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Rosemary street, between South street and New York, New Haven and Hartford Railroad, both sides, 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 suspension of the rule.

#### JUDGES FOR DORCHESTER DISTRICT COURT.

Coun. WILSON offered the following:

Ordered, That the Clerk of Courts of the Dorchester District Court be, and he hereby is, respectfully requested to provide in his 1930 budget such funds as will insure an adequate number of judges sitting in the sessions of the Dorchester District Court; and further

Ordered, That a copy of this order be forwarded to the Budget Commissioner.

Coun. WILSON—Mr. President, inasmuch as I am not taking up the time of many of the other members, I might explain in a few words this particular order, which concerns next year's budget. Of course, the Dorchester Court is located in the ward I represent. It is absolutely inadequately provided with extra sessions, having in mind the kind of extra work they are now being called upon to do out there, in connection with the opening of the Southern Artery and the additional police cases that will have to be handled. In the past, the clerk of the Dorchester Court, being a Dorchester man, has been too modest in setting forth the requirements of the court to the Budget Commissioner. I understand that the clerk now wishes an additional assistant in the Dorchester Court, and I merely ask at this time that he be requested to place his needs for 1930 before the Budget Commissioner, so that the Budget Commissioner may be advised that we really do need an additional assistant in that court.

The order was passed under suspension of the rule.

## PROPOSED INCREASE FOR PATROLMEN.

Coun. WILSON offered the following:

Ordered, That the Police Commissioner, through his Honor the Mayor, be, and he hereby is, respectfully requested to include in his budget for 1930 an adequate increase for patrolmen serving on the police force of the City of Boston.

Coun. WILSON—Mr. President, I introduce that order at this time having two points in mind. First, the captains received last year an additional \$500 per head. It strikes me that the men in the ranks, those who serve as patrolmen—and there are none such who are members of my family—should get proper recognition. Along

about February or March we will receive notice that it is too bad that certain requests have not been put in and have not previously been called to the attention of the department head. Therefore, in order that our action may be timely, I now offer this order, so that the Police Commissioner may consider the advisability of increasing the pay of the patrolmen of the City of Boston to an adequate amount in the 1930 budget.

The order was passed under suspension of the rule.

Adjourned, on motion of Coun. KEENE, at 4.45 p. m., to meet on Monday, November 25, 1929, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, November 25, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Bush, Deveney, Murphy and Ruby.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council his Honor the Mayor submitted appointments for the term ending April 30, 1930, as follows:

Constables: Henry C. DeAngelis, 186 Leviden street, East Boston; Lewis Weinstein, 27 Truxton street, Dorchester; Lewis C. Spears, 10 Mt. Pleasant avenue; Walter F. Hayes, 129 Roxbury street; Samuel Coulter, 215 West Selden street; Rudolph L. Trent, 48 Cabot street; Jacob A. Powell, 290 Cambridge street; Joseph A. Moreau, 17 Mechanic street; James S. Kiernan, 69 Minot street.

Weigher of Coal: Frederick J. Butts, 492 Quincy street, Dorchester, for Webber Coal Company, 1002 Harrison avenue, Roxbury.

Severally laid over a week under the law.

## ADDITIONAL \$5,000 FOR TRAFFIC SIGNAL LIGHTS.

The following was received:

City of Boston,

Office of the Mayor, November 25, 1929.

To the City Council.

Gentlemen,—I am in receipt of the attached request from the Traffic Commissioner that an additional appropriation of \$5,000 be made available for the installation of automatic traffic signal lights in the down-town area. The original appropriation of \$125,000 is now totally encumbered by contracts for the purchase of equipment, underground construction and erection of signal lights. The additional appropriation requested is to be used for the construction of a central control chamber which will house the electrical equipment to be used in the automatic control of the signal lights. The entire system cannot be put in operation until such a chamber is in operation, hence I submit for your approval an order providing for the appropriation of the necessary funds. I respectfully recommend adoption of this order.

Respectfully,

MALCOLM E. NICHOLS, Mayor.

Traffic Commission,

Boston, November 19, 1929.

Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—One hundred and twenty-five thousand dollars has been appropriated, by bond issue, for the purchase and erection of automatic traffic signal lights in the down-town area, known as Unit 1. In order to carry out the program it will be necessary for this commission to have available an additional \$5,000. We respectfully request that your Honor appropriate an additional \$5,000 to complete this work.

Respectfully yours,

WILLIAM A. FISHER, Commissioner.

Ordered, That the sum of \$5,000 be, and hereby is, appropriated from Special Fund, Sales of City Property, for Automatic Traffic Signal System.

Referred to the Executive Committee.

## ACCEPTANCE OF CHAPTER 368.

The following was received:

City of Boston,

Office of the Mayor, November 25, 1929.

To the City Council.

Gentlemen,—I submit herewith for your consideration chapter 368 of the Acts of 1929, en-

titled "An Act to Provide Additional Court House Accommodations and Facilities for the Courts and other Officials in the County of Suffolk."

This act was deemed of such importance that the Legislature attached thereto an emergency preamble setting forth its purpose as providing immediate relief against courthouse congestion in Suffolk County, which is seriously impeding the administration of justice. The act was therefore declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

This act has not been heretofore submitted by me to your honorable body but was taken up with the City Council on September 4, 1929, when it failed to receive a sufficient number of votes to secure its acceptance. The objections made against the act during the period of your consideration were mainly two-fold. First that of the three commissioners only one was subject to appointment by the Mayor of Boston, and secondly, that the apportionment of 20 per cent of the cost to be paid by the Commonwealth and 80 per cent by the City of Boston placed an unfair burden on the city.

I recognize the validity of these objections, but seriously doubt whether they are of sufficient weight to block so immediate and necessary a public undertaking.

Proposals of courthouse extensions have been for several years before the Legislature. I have always supported a measure to provide for such extensions and have devoted a great deal of time in the effort to secure an apportionment less burdensome than the one provided in the act.

Of course it is possible for the city to continue its effort for a new courthouse on an apportionment of cost different from that now provided, but experience does not justify the hope of success. Meanwhile, conditions have become less favorable for the administration of justice and for public safety and convenience.

I am in receipt of the strongest representations from both bench and bar impressing upon me facts which are universally recognized as pointing to the urgent need of immediate action. It is my opinion, therefore, that further delay would be unwise.

Another element is now presented in this situation; the desirability of proceeding with dispatch upon all business both public and private in cases like this so that employment and industry may be kept at a high level of activity. This feature of public business I have recognized in the administration of our city affairs. I believe it has been successful and should be continued. It is consequently my opinion that the present urgent need should be held paramount to all other considerations and I recommend the acceptance of the accompanying act.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Appended was a copy of the act referred to.

Coun. WILSON—Mr. President, with reference to that particular order, while naturally, as one of the few who voted for the acceptance of the act last August, I am interested in having it passed, I would like at this time, before reference to the Executive Committee,—as I assume it will go there—to point out that the emergency was just as strong on the 5th of August, when the Courthouse Act was originally introduced into this body and was turned down, as it is at the present time. I understand that under the law we can accept the act at any time before January 1, even though we have previously rejected it. In view of the fact that the emergency was just as urgent last August, and no more so, than now, I move that the matter be referred to the Executive Committee.

The message and order were referred to the Executive Committee.

## PETITIONS REFERRED.

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

Claims.

Max Appel, for compensation for damage to automobile by city truck.

Arborway Realty Corporation, for refund on building fee.

Ralph Auciello, for compensation for injuries caused by an alleged defect in Cabot Street Bath House.

Banspar Construction Company, for compensation for loss of certified check furnished with bid on contract.

James A. Barry, for compensation for injuries caused by an alleged defect at 142 Sutherland road.

Burton-Furber Coal Company, for compensation for damage to truck caused by an alleged defect in Stuart street.

Mary Conlon, for compensation for damage to car by police car.

Leo Corrado, for compensation for damage to coat on South Ferry.

Santo M. Farinello, for compensation for injuries caused by an alleged defect at 116 Fulton street.

R. Gasparello, for compensation for garbage barrels taken by ashmen.

Arthur J. Hartin, for compensation for injuries caused by an alleged defect in Wainwright Street Playground.

Malden Leather Goods Company, for refund on refuse tickets.

Marguarita Maniglia, for compensation for injuries caused by an alleged defect at 167 Hanover street.

Mary Mazzola, for compensation for injuries caused by an alleged defect in Porter street, East Boston.

Morris Miller, for compensation for damage to car by city truck.

Mrs. Agnes M. Murphy, for compensation for loss of hens killed by dogs.

Walter Nelson, for compensation for damage to car by city truck.

Katherine M. Owens, for compensation for injuries caused by an alleged defect in South street.

Joseph Pava, for compensation for injuries caused by city truck.

Standard Coal Company, for compensation for damage to car caused by an alleged defect in Tremont street.

Tristan Richards, for compensation for damage to car caused by an alleged defect at 758 Huntington avenue.

Waldorf Lunch Real Estate, for refund on refuse tickets.

Margaret Walsh, for compensation for injuries caused by city truck.

J. L. Wolbarsht, for compensation for damage to car by city truck.

Phoebe Rosenberg, for compensation for refund on sidewalk license.

David W. Barry, for compensation for damage to car by city truck.

#### CERTIFICATE OF PERSONS ELECTED.

The following was received:

Board of Election Commissioners.

Boston, November 22, 1929.

Wilfred J. Doyle, Esq., City Clerk, City Hall, Boston.

Dear Sir,—We certify that at the city election held in the City of Boston November 5, 1929, for the choice of Mayor for the term of four years that James M. Curley, 350 Jamaica way, was duly elected to said office.

We further certify that for the choice of one member of the City Council from each ward, for the term of two years, the following were elected from the wards as set forth against their names.

Ward 1, Timothy J. Donovan, 100 Bayswater street.

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

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

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

Ward 5, Laurence Curtis, 2d, 464 Beacon street.

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

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

Ward 8, John F. Dowd, 22 Greenville street.

Ward 9, Richard D. Gleason, 66 Highland street.

Ward 10, Leo F. Power, 12 Eldora street.

Ward 11, Edward L. Englert, 92 West Walnut park.

Ward 12, Herman L. Bush, 132 Seaver street.

Ward 13, Joseph McGrath, 9 Castle Rock street.

Ward 14, Israel Ruby, 102 Talbot avenue.

Ward 15, Francis E. Kelly, 24 Toplift street.

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

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

Ward 18, Clement A. Norton, 8 Austin street.

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

Ward 20, Joseph P. Cox, 176 Temple street.

Ward 21, James Hein, 1135 Commonwealth

avenue.

Ward 22, Edward M. Gallagher, 21 Oak Square

avenue.

We also certify that for the choice of two mem-

bers of the School Committee for the term of four

years the following were duly elected to said office:

Elizabeth W. Pigeon, 58 White street.

William A. Reilly, 99 Orchard street.

Respectfully yours,

FRANK SEIBERLICH,

PATRICK H. O'CONNOR,

NINA M. GEVALT,

JAMES J. MULVEY,

Board of Election Commissioners.

Placed on file.

#### APPOINTMENTS TO BOARD OF COMMISSIONERS OF SCHOOL BUILDINGS.

Notice was received from his Honor the Mayor of appointment of Francis D. Donoghue, M. D., 864 Beacon street, Boston, as member of Board of Commissioners of School Buildings provided for in section 1 of chapter 351 of Acts of 1929.

Notice was received from the School Committee of appointment of Richard J. Lane as member of above Board of Commissioners of School Buildings.

Severally placed on file.

#### NOTICE OF INTEREST IN CONTRACTS.

Notice was received from Z. Carleton Staples, junior master, Dorchester High School for Boys, of interest in text-book, "Factors of Economic Geography", sold to the City of Boston.

Notice was received from Joseph B. Egan, master, Harvard School, of interest in material known as "Uncle Jed's Character Chats" sold to City of Boston.

Severally placed on file.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings on petitions for storage and sale of gasolene to be held December 9, viz:

Capitol Tire and Rubber Company, 1401 Columbus avenue, Ward 11, 2,500 gallons.

Deerfoot Farm Company, 125 Halleck street, Ward 9, 1,500 gallons.

Eugene N. Foss, 3439 Washington street, etc.,

Ward 11, 2,500 gallons.

Improvement Realty Corporation, 3430 Washington street, Ward 11, 3,000 gallons.

William Lyndon, 41 Dalton street, Ward 4, 5,000 gallons.

Northlite Burner Corporation, 40 Hallet street, Ward 16, 42,000 barrels gasolene.

Referred to the Executive Committee.

#### SIDEWALK ASSESSMENTS.

Communications were received from the Commissioner of Public Works with orders attached assessing amounts to be paid by owners of record of estates bordering thereon for construction of sidewalks, viz:

	Half Cost.
Williams street, Ward 11.....	\$204 77
Pine street, Ward 18.....	706 34
Geneva avenue, Ward 14.....	3,596 07
Carolina avenue, Ward 11.....	1,655 31
Maple street, Ward 11.....	943 34
Cornell street, Ward 18.....	9,210 88
Cambridge street, Ward 2.....	253 19
Geneva avenue, Ward 15.....	76 14
Dana avenue, Ward 18.....	1,105 47
Dana avenue, Ward 18.....	21 00

Referred to the Executive Committee.

#### PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of Registry of Deeds for piecemeal from October 21 to November 16 and for regular employees from November 16 to November 30, amounting to \$8,956.29, was received and approved.

## SALARIES OF FIREMEN, SUFFOLK JAIL.

Coun. MAHONEY offered the following:

Ordered, That until otherwise ordered, the salaries of the officers and employees of the Suffolk County Jail be established and in accordance with the rates listed below, the same to be effective November 15, 1929:

Stationary firemen, \$41.50 per week.

Referred to the Executive Committee.

## RETURN OF ELECTION EXPENSES.

Coun. ARNOLD offered the following:

Ordered, That the Executive Committee be requested to inquire from the Election Commissioners the reason why the custom of mailing to candidates for election the blanks for making return of expenses which has been followed for many years, was discontinued at the last election.

Referred to the Executive Committee.

## CAR SERVICE PEABODY SQUARE.

Coun. FISH offered the following:

Ordered, That his Honor the Mayor request the Trustees of the Boston Elevated Railway to provide continuous car service throughout the day and up to midnight on the rapid transit extension from Peabody square to Milton.

Ordered, That his Honor the Mayor request the trustees of the Boston Elevated Railway to provide a more frequent schedule, to adequately provide for the needs of the service, of buses on the line running from Hilltop street, through Granite avenue, Southern Artery, and Dorchester avenue to Peabody square.

Severally passed under suspension of the rule.

## CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President DONOVAN called up, under unfinished business, No. 2, viz.:

2. Action on appointments submitted by the Mayor November 25, 1929, of Robert J. Thibodeau and William B. Harlow, to be Weighers of Coal; Anthony Budris and George M. Hansen, to be Weighers of Coal and Measurers of Wood and Bark; and Joseph F. Shields and Albert E. Holmes, to be Weighers of Goods.

The question came on confirmation of the appointments. Committee—Coun. Fitzgerald and Gallagher. Whole number of votes, 16, yeas 16, and the appointments were confirmed.

## RECESS.

On motion of Coun. GALLAGHER, the Council voted at 2.32 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 DONOVAN at 4.12 p. m.

Coun. MOTLEY in the chair.

## EXECUTIVE COMMITTEE REPORTS.

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

1. Report on order (referred today) that the Executive Committee be requested to inquire from the Election Commissioners the reason why the custom of mailing to candidates for election the blanks for making return of expenses which has been followed for many years was discontinued at the last election—that no further action is necessary.

Report accepted.

2. Report on order (referred today) establishing the salaries of stationary firemen at the Suffolk County Jail—that the same ought to pass.

Report accepted; said order passed.

3. Report on order (offered today) appropriations \$5,000 from Special Fund, Sales of City Property, for automatic traffic signal system—that same ought to pass.

Report accepted; said order passed, yeas 16, nays 0.

4. Report on communications from the Commissioner of Public Works and orders (referred today) assessing sums for sidewalk construction on certain streets—that said orders ought to pass.

Report accepted, orders laid on the table on motion of Coun. WILSON.

## LOANS FOR AUTOMATIC TRAFFIC SIGNAL SYSTEMS.

Coun. ARNOLD offered the following:

Ordered, That the sum of one hundred and twenty-five thousand dollars be, and the same hereby is, appropriated to be expended under the direction of the Traffic Commission for the installation of an automatic traffic signal system on Massachusetts avenue, from Tremont street to Harvard Bridge, and that to meet such expense 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.

Coun. ARNOLD—Mr. President, Councilor Parkman, I understand, has an auxiliary order, and I move that they both be acted upon at the same time.

Coun. PARKMAN offered the following:

Ordered, that the sum of one hundred and twenty-five thousand dollars be, and the same hereby is, appropriated to be expended under the direction of the Traffic Commission for the installation of an automatic traffic signal system on Commonwealth avenue, from Arlington street to Governor square, and that to meet such expense 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.

Coun. ARNOLD—Mr. President, I feel that the action suggested by the order I have introduced is very important and Coun. Parkman's order is also important in the same connection. Action has already been taken in regard to part of Commonwealth avenue, and the order I have introduced in regard to Massachusetts avenue includes part of Ward 5 that has not been in before. They are tied in together, Commonwealth avenue crossing Massachusetts avenue, as you all know. We have already appropriated \$250,000 for traffic signals, and these orders call for \$250,000 more. The Public Service Association, the Real Estate Association and others in Ward 4 are anxious that something should be done at the cross-sections of the streets that cross Massachusetts avenue. I believe the time is opportune for the establishment throughout the congested parts of Boston of automatic traffic signal systems, and I would ask a suspension of the rule that action may be taken upon these orders at this time.

Coun. WILSON—Mr. President, I do not want to oppose the gentleman from the Back Bay, but I hesitate on these orders for two reasons, when it comes to voting for suspension of the rule at the present time. First, these loan orders have not been here before, and second, because perhaps of very mild curiosity and possibly for other reasons, I would like to know what progress has been made with the traffic signal work on Washington and Tremont streets, which was supposedly to be partly installed by this time as a result of Professor McClintock's big report. I think this might be an excellent opportunity to find out what progress has been made under the first \$250,000 before we authorize the undoubtedly necessary expenditure of an additional \$250,000 in the Back Bay. Certainly, no immediate action is to be looked for, if we can judge anything from past performances.

The question came on suspending the rule for passage of the orders. The Chair, being in doubt, ordered a rising vote, and the rule was suspended, 9 to 3.

The orders failed of passage on roll call (a two-thirds vote, or 15, in the affirmative being necessary for passage), yeas 13, nays 3:

Yeas—Coun. Arnold, Donovan, Dowd, Fish, Fitzgerald, Gallagher, Green, Keene, Mahoney, Motley, Murray, Parkman, Ward—13.

Nays—Coun. Dowling, Sullivan, Wilson—3.

On motion of Coun. ARNOLD, the rejection of the orders was reconsidered, and they were assigned to the next meeting of the Council.

INFORMATION FROM OVERSEERS OF  
PUBLIC WELFARE.

Coun. WARD offered the following:

Ordered, That his Honor the Mayor be requested to advise the City Council as to how many cuts have been made by the Overseers of Public Welfare during the past four months in the allowances granted under the Mothers' Aid bill.

Coun. WARD—Mr. President, this matter has been brought to my attention, as well as to the attention of many members of the Council living in the poorer sections of our city where the residents are forced to go to the Overseers of Public Welfare to seek aid. At this time of the year, Mr. President, there have been cuts made by the Public Welfare Department under this act, amounting to 40 per cent,—at this time of year, when there are added burdens and expenditures for necessities of life and for proper care of our poor. I certainly do not believe the Mayor or any legislative department which can prevent it should allow such cuts to be made. It seems to me that there is an effort being made on the part of the administration to pillage the poor and make money for the grafters. I have seen the book that has been issued by the Mayor setting forth the great monuments left by this administration. I don't know of any greater monument that can be left than the making of proper provision for the care of the poor of this city. I therefore move a suspension of the rule and passage of the order, so that we may get an answer from the Mayor.

Coun. WILSON—Mr. President, I have listened with interest to Councilor Ward's remarks in regard to this department, and they have certainly struck a responsive chord in my own mind. Not long ago a man in my ward, married, thirty years of age, with a wife and with two of his four children, under four years of age, in bed sick, who has been out of work and who has worked three days out of the last six or seven in the city woodyard, spent this morning trying to get somewhere with that department and was tossed back and forth between one gentleman whom we will call "A" and another gentleman whom we will call "B" without any result, when he was merely trying to get money enough for the medicine that his doctor has prescribed for his sick wife and two children and coal to heat the house, and when his milk bill was in arrears for \$8 or \$9. It certainly appears to me that they need a shaking-up in the department, when that is all the help that a man in that situation can get for himself and his family from the Overseers of the Poor and their representatives.

Coun. GREEN—Mr. President, I might say that I am now waiting for Mr. O'Neil, secretary of the Council, to come in with an order that is being drawn for me concerning the Overseers of Public Welfare. I am proposing to ask the Board of Overseers to submit a list of the people in Charlestown who are now receiving aid from the Public Welfare Department, and I am going to have something to say on that order next week, because I believe favoritism is being shown not only in Charlestown but in other sections of Boston by that department. I agree with and subscribe to everything that Councilors Wilson and Ward have very well said in regard to this matter. I think an investigation of that department is needed, and needed badly, and I am proposing to start with Charlestown. If any favoritism is being shown in my district I want to know about it, and when I offer that order I am going to ask to have it passed under suspension of the rule.

Coun. McMAHON—In regard to the order which the councilor who has just spoken says he proposes to introduce, I doubt if it would be legal to have such a list produced and published. If I am not mistaken, it would be against the law to give such a list. So I would suggest, if the councilor has something in mind, such as he has referred to, that he had better introduce another order.

Coun. DOWD—Mr. President, I am very glad, even at this late date in the year, that the members of the Council are beginning to really realize that something is radically wrong with the Board of Overseers of Public Welfare. For the last two years I have introduced orders and fought for them on this floor, because of the fact that I felt that these people, instead of being simply furnished with grocery orders to be filled at the First National Stores, should be given money with which they could purchase milk and medicine. Members of the Council realize full well how Mr. Heller stood on this floor, and tried to justify what the Board had been doing in that matter, providing

for necessities of life in the way of grocery orders, to be obtained in that way, and nothing else. I realize, and other members realize, that in many cases grocery orders have been sold to Charlie Adams' National Stores at a big reduction, in order that these people may be able to purchase medicine or some other necessity. I certainly hope that before the Council passes the next loan order, of \$200,000, that will come before them in the next two weeks, we will send for the Board and have a distinct and pleasant understanding with them as to what they intend to do with the money. I don't think a member of the Council really believes that members of a family can exist on grocery orders alone. When the time comes that you are put out of your residence, they say to these people, "Show us the court order by which you are compelled to vacate, and we will start you anew and pay rent in a new flat." Wouldn't it be much better and cheaper for the taxpayers of Boston to pay the rent where they are now staying, so that they would not have to be put out? I say that the system of the overseers is absolutely rotten. The members of the Board meet once a week, and they are going on, as I say, issuing these grocery orders. When Mr. Heller appeared before the Executive Committee he made the statement that the First National Stores had been given only \$60,000 of grocery orders. I disputed him and said that the amount was \$180,000, and finally the auditor had to be sent for, and showed, taking the amount that had been given to the First National Stores for the last two years, that I was right. But the fact is that the executives down there simply sign bills and don't know what they are going for. There is only one capable man there, the secretary, and his hands are tied.

The order was passed.

Coun. GREEN offered the following:

Ordered, That the Overseers of Public Welfare be requested, through his Honor the Mayor, to submit to the City Council a list of persons receiving aid from said department living in Charlestown, together with the amounts.

Chairman MOTLEY—The order will be referred to the Executive Committee.

Coun. GREEN—Mr. President, I am going to ask that the order be passed under suspension of the rule.

Chairman MOTLEY—The Chair would state that he thinks that it would possibly be illegal for the Board to furnish any names.

Coun. GREEN—Mr. President, I would like to know if any ruling of that kind has ever been handed down to this body?

Chairman MOTLEY—That is why I am referring it to the Executive Committee, Mr. Councilor.

Coun. GREEN—Well, Mr. President, I don't like to wait a week. This is the Christmas season, and I want to relieve conditions as much as possible in my district. I don't feel like waiting a week, and I would like to have the Council take some action this afternoon. I question the ruling of the Chair.

Chairman MOTLEY—The question comes on sustaining the ruling of the Chair.

Coun. PARKMAN—Mr. President, I realize that this order refers to inhabitants of Charlestown but, nevertheless, it seems to me it involves a very important principle of public relief throughout the entire city, and I, for one, do not believe it is right to submit individuals now receiving aid from the city to the publicity involved if an order of this sort is put into effect. Individuals who unfortunately have to get help through the public authorities are entitled not to have that fact broadcasted to the world, but it should be kept confidential. While, as I say, the matter does apply under this particular order to Charlestown, I think it ought to be seriously considered by the Council from the point of view that it involves a principle affecting the entire poor of the city.

Coun. McMAHON—Mr. President, the intentions of the councilor from Charlestown I believe are absolutely 100 per cent, so far as what he wants to do are concerned. I probably feel as he does in regard to this general matter. But I personally believe, having myself had experience with the workings of the Department of Public Welfare, that instead of bringing out this publicity it is better to go down there and see things for yourself. To publish a list of those who are helped is not fair to the people getting relief from the

department. As Councilor Parkman has said, this not only involves Charlestown, but takes in the city at large.

Coun. GREEN—Mr. President, I would like to ask the gentleman from Dorchester a question. I would like to ask if the councilor from Dorchester ever desired that information as an individual?

Coun. McMAHON—Yes, I did. I have had experience with the Department of Public Welfare. I think you sat in here when Mr. Heller and the secretary and a visitor were here, and we were told at that time that they couldn't publish a list but that at any time they would gladly help any city councilor from any district in regard to matters in his district pertaining to public welfare. As for myself, in my past campaign, I was accused of taking welfare away from certain people. So if anybody has had experience with the work of that department, I think I have had it, and the reason why I am speaking as I do to the councilor is not because I do not sympathize with him in his position, but because of the reasons as presented to us why they should not be made public. As I say, when running for election, I was accused of certain things in connection with the work of that department, and I don't think anyone has had more experience with the work of the Public Welfare Department. I am opposed to asking for a list of those helped by the Public Welfare Department, as one member of the Council, and I would always vote against it. For one reason, I don't think it is fair to those receiving aid to let others know what they have received. I hope personally that the order will not pass.

Coun. GREEN—Mr. President, I am satisfied after listening to the councilors from the Back Bay and Dorchester to have my order referred to Executive Committee, because there is no intent on my part to exploit the misfortunes of the poor people of my district. All I am fighting for this afternoon is to get an even break for those who need aid. I do not believe some woman, simply because she is good looking, should receive \$22 or \$23, while another poor unfortunate with children receives but \$12 a week. What I would like to do is to receive information through this body that I cannot receive as an individual. I have people coming to my home day in and day out, night and day, with complaints in regard to this matter, and I am trying to straighten the thing out in the interest of those people. I want some advice from the Mayor and through this Council that will be of assistance. I am simply trying to relieve conditions in my district, and would be the last man to exploit the misfortunes of anybody.

The order was referred to the Executive Committee.

#### RESCINDING OF LOAN ORDER.

Coun. WILSON offered the following:

Ordered, That the loan order passed by the City Council September 9, 1929, and approved by the Mayor September 25, 1929, appropriating \$21,000 for the purchase of land for playground purposes in the vicinity of Dunbar avenue, Ward 17, Dorchester, be and the same hereby is rescinded.

Coun. WILSON—Mr. President, let me say—briefly, so that some of the boys will not saunter away—that this is simply an order which is put in with the idea of saving the City of Boston some money. It may possibly be claimed that there is a duplication of these orders for the Dorchester

district. I had passed last week to its first reading an order for \$25,000 with reference to this playground. The point has been raised that the order for \$21,000, passed earlier, should be rescinded. So I am sending these both along at substantially the same time, and, if there is no objection, I would ask that a vote be taken upon the passage of the order at this time.

The rule was suspended, and the order was passed, yeas 16, nays 0.

#### APPROPRIATION FOR WIDENING STANIFORD STREET.

Coun. KEENE offered the following:

Ordered, That the sum of five hundred thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Board of Street Commissioners, for the widening of Staniford street, between Cambridge and Green streets, Ward 3, 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. KEENE—Mr. President, I might state for the information of the Council that the West End Business Men's Association stated that they have waited upon his Honor the Mayor and presented their case, and they asked that I would present this order, requesting that they be heard before the Committee on Finance.

The order was referred to the Committee on Finance.

#### APPROPRIATION FOR WIDENING CAUSEWAY STREET.

Coun. FITZGERALD offered the following:

Ordered, That the sum of two 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 of Causeway street, between Nashua and Lowell streets, Ward 3, 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.

#### SIDEWALK ON ST. MARTIN STREET.

Coun. GREEN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along St. Martin street, from Bunker Hill street to Medford street, 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.

Adjourned, on motion of Coun. PARKMAN, at 4.43 p. m., to meet on Monday, December 2, 1929, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, December 2, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Deveney, Dowd and McMahon.

## PETITIONS REFERRED.

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

## Claims.

Harry A. Breen, for compensation for damage to car by police wagon.

Mrs. Ellen Carew, for compensation for injuries caused by an alleged defect in St. James street.

Michael F. Devine, for compensation for damage to property at 15 Osceola street, Hyde Park, caused by backing up of sewage.

Margaret Gorman, for compensation for injuries caused by an alleged defect at 177 London street, East Boston.

Edward J. Harkins, for compensation for damage to car by fire apparatus.

Harry Leffingwell, for compensation for damage to car by city team.

Edward P. Murphy, for compensation for injuries caused by an alleged defect in Cordis street, Charlestown.

Lillian A. Murphy, for compensation for injuries caused by an alleged defect at Beverly and Traverse streets.

Mrs. Nellie O'Toole, for compensation for injuries caused by fire apparatus.

Owners of tug "Saturn", for compensation for damages to tug caused by an alleged defect in Chelsea North Bridge.

John A. Reilly, for compensation for damage to car by ash truck.

David F. and Mary E. Reynolds, for compensation for expenses incurred in repairing drain at 12 Harvest street, Dorchester.

Charles H. Tighe, for compensation for damage to car by city cart.

Dr. Thomas V. Toohey, for compensation for damage to property at 37 St. Alphonsus street, caused by break in water pipe.

Philip Toscano, for compensation for damage to car by city wagon.

Frank T. Viles, for compensation for damage to property at 5 Warren avenue, Hyde Park, caused by backing up of sewage.

## Executive.

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

Herman Sulzer, Steinert Hall, December 15.

Mildred C. Sacco, East Boston High School Hall, December 1.

## RESIGNATION OF ELECTION COMMISSIONER.

Notice was received from his Honor the Mayor of resignation of Patrick H. O'Connor as Election Commissioner and designation of John D. Marks, a member of Board of Appeal, to be Election Commissioner pending appointment of permanent commissioner.

Placed on file.

## APPOINTMENT OF JOHN D. MARKS.

Notice was received of appointment by the Mayor of John D. Marks, 44 Quint avenue, Allston, to position of Election Commissioner. Placed on file.

## APPOINTMENT OF ARTHUR A. SHURTLEFF.

Notice was received of appointment by the Mayor of Arthur A. Shurtleff, 66 Mt. Vernon street, to position of Art Commissioner. Placed on file.

## LOCATION TO BOSTON ELEVATED RAILWAY COMPANY.

Notice was received from the Board of Street Commissioners of extension of time for completion of work of laying double track in Ashland street, West Roxbury; double track in Oakland street, Dorchester, and single track curve in Ashland street, etc., same being sixteenth location granted to Boston Elevated Railway Company.

Placed on file.

## COMMUNICATION FROM BOSTON BAR ASSOCIATION.

A communication was received from the Boston Bar Association urging acceptance of chapter 368 of Acts of 1929, relating to building of new courthouse.

Referred to the Executive Committee.

## APPROPRIATION FOR SOCIAL LAW LIBRARY.

Coun. WILSON 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.

## PROPOSED REINSTATEMENT OF ALFRED P. TONER.

Coun. WILSON offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the reinstatement of Alfred P. Toner as a member of the Fire Department.

Passed under suspension of the rule.

## CLERK OF COMMITTEES DEPARTMENT.

Coun. LYNCH offered the following:

An Ordinance Establishing the Clerk of Committees Department.

Be it ordained by the City Council of Boston, as follows:

Section 1. The clerk of committees department is hereby established, consisting of the clerk of committees, the assistant clerk of committees and secretary to the city council, the second assistant clerk of committees, and such other officers as may be provided for and added thereto by the city council from time to time. All of the employees of the department shall be officers elected by the city council. The present clerk of committees and the other officers in the department shall continue in office until their successors are elected by the city council.

Sec. 2. The clerk of committees shall be the head of the clerk of committees department and shall have charge of the subordinate officers thereof, who shall be under his direc-

tion and control except as otherwise hereafter provided by the city council. He shall act as clerk of all committees; shall make and keep proper records of the proceedings and votes of the committees; shall notify the members of committees of all meetings thereof; and shall perform such other official duties as may be required of him by the city council or any committee thereof.

Sect. 3. The clerk of committees shall have charge of the library known as the City Hall Reference Library; shall keep in said library a copy of all publications issued by the city; and shall, so far as possible, complete the said library by obtaining copies of publications formerly issued by the city.

Sect. 4. The expenditures of the department shall be paid from the appropriate items of the city council appropriations, subject to the approval of the president of the city council.

Sect. 5. This ordinance shall take effect upon its passage.

Referred to the Executive Committee.

#### CITY MESSENGER DEPARTMENT.

Coun. LYNCH offered the following:

An Ordinance Establishing the City Messenger Department.

Be it ordained by the City Council of Boston, as follows:

Section 1. The city messenger department is hereby established, consisting of the city messenger, the assistant city messenger, the second assistant city messenger, and such other officers as may be provided for and added thereto by the city council from time to time. All of the employees of the department shall be officers elected by the city council. The present city messenger and the other officers in the department shall continue in office until their successors are elected by the city council.

Sect. 2. The city messenger shall be the head of the city messenger department and shall have charge of the subordinate officers thereof who shall be under his direction and control except as otherwise hereafter provided by the city council. He shall have the care and custody of books and public documents printed for or by order of the city council and shall distribute the same subject to the direction of the committee on printing. He shall have the general care and custody of the flags, ropes and stakes, and shall rope off the streets or other public places for parades or other public events; shall, at such times as may be ordered by the city council, display the flags on City Hall and at public places for which no other provision is made; shall attend all meetings of the city council and all public hearings held by committees; shall provide the stationery and other supplies for the members of the city council; shall keep the accounts of the expenditures from the city council appropriations; and shall perform such other official services as may be required of him by the mayor, the city council or any committee thereof.

Sect. 3. The expenditures of the department shall be paid from the appropriate items of the city council appropriations, subject to the approval of the president of the city council.

Sect. 4. This ordinance shall take effect upon its passage.

Referred to the Executive Committee.

#### RECESS.

The Council voted, on motion of Coun. KEENE, at 2.18 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 DONOVAN at 3.05 p. m.

#### JURORS DRAWN.

Jurors were drawn under the law (Coun. Ruby and Bush officiating at the box successively, in the absence of the Mayor), as follows:

Thirty additional traverse jurors, Superior Civil Court, Seventh Session, October Sitting, to appear December 5, 1929:

Louis P. Grifone, Ward 1; Stephen P. Hutchings, Ward 1; Arthur J. O'Donnell, Ward 1; John Walsh, Ward 1; Louis C. Renfro, Ward 2; Edward O. Gray, Ward 3; Michael F. McGann, Ward 4; W. Alfred Watson, Ward 4; Francis Gray, Ward 5; Dennis F. O'Connor, Ward 7; James H. Butler, Ward 8; Daniel J. Curley, Ward 9; Henry W. Harrington, Ward 9; Thomas F. Walsh, Ward 10; Leopold W. Fuller, Ward 11; William Robertson, Ward 11; James Douglas, Ward 13; Isadore Harris, Ward 14; Joseph T. McCabe, Ward 16; Michael F. Murphy, Ward 16; William M. Fogg, Ward 17; Daniel Swartz, Ward 17; William R. Buchanan, Ward 18; Ernest H. Saunders, Ward 18; DeWitt C. Sixbey, Ward 20; George Epps, Ward 21; Ernest E. Hanson, Ward 21; Frank P. Hayward, Ward 21; Edward Kadets, Ward 21; James J. Waters, Ward 22.

Twenty-two grand jurors, Superior Criminal Court, to appear January 6, 1930:

Richard F. Walsh, Ward 1; Peter A. Dolan, Ward 2; Thomas J. Myers, Ward 2; Arthur Romeo, Ward 2; Daniel J. Farren, Ward 3; John J. Hale, Ward 3; Chester J. Austin, Ward 4; Raymond P. Fraser, Ward 4; Paul W. Dillingham, Ward 5; Jacob Green, Ward 9; Alfred Landry, Ward 10; Charles V. Stanley, Ward 10; William J. Hurley, Ward 11; Robert Norris, Ward 16; George B. Davis, Ward 17; William Housman, Ward 17; Daniel A. McInnis, Ward 17; John J. O'Connor, Ward 17; Robert Peterson, Ward 19; Alexander F. Hay, Ward 20; Edward F. Cavanaugh, Ward 22; Luther R. Funderburk, Ward 22.

Thirty-one traverse jurors, Superior Criminal Court, First Session, to appear January 6, 1930:

David A. Donahue, Ward 1; Anthony V. Profita, Ward 1; Alfred H. Reeve, Ward 1; Alexander D. Simons, Ward 1; William H. Brennan, Ward 2; Patrick Lombard, Ward 2; James F. Crellen, Ward 4; A. Barry Bacon, Ward 5; Jacob Klemens, Ward 5; Michael A. O'Reilly, Ward 6; William P. Cowan, Ward 7; John W. Kent, Ward 7; David Breen, Ward 11; William H. N. Bryant, Ward 11; William J. Governor, Ward 11; Edward F. Haley, Ward 11; Arthur R. McDermott, Ward 11; Patrick McDermott, Ward 11; Meyer Ruttenberg, Ward 12; Morris Schwartz, Ward 12; Charles E. Sherman, Ward 12; John J. Griffin, Ward 17; Olof Benson, Ward 18; Carl O. Geppert, Ward 18; Leonard A. Powell, Ward 18; George H. Buxton, Ward 20; Stewart R. Robertson, Ward 20; Willis W. Scott, Ward 20; Rudolph Strandberg, Ward 20; Harold E. Neal, Ward 21; John J. Linehan, Ward 22.

Thirty-one traverse jurors, Superior Criminal Court, Fourth Session, to appear January 6, 1930:

Albert J. Smith, Ward 1; Frederick W. Clement, Ward 2; Francis E. O'Brien, Ward 4; Arthur S. Conant, Ward 5; Leon Bosteels, Ward 6; Joseph A. Collins, Ward 6; Peter F. Conley, Ward 6; Charles H. McCarthy, Ward 6; Edward J. Murray, Ward 6; Edward F. Marshall, Ward 8; Edward L. Loveland, Ward 9; Thomas P. Beath, Ward 10; John J. Gavin, Ward 11; Walter E. Langley, Ward 13; John S. Booth, Ward 15; Walter L. MacMillan, Ward 15; George McCann, Ward 16; George W. Ougler, Jr., Ward 16; William C. Evers, Ward 17; Arthur J. Bigelow, Ward 18; David E. Hersee, Ward 18; Joseph M. Maxwell, Ward 18; Charles F. Cuneen, Ward 19; Jacob G. Elz, Ward 19; James E. Kelley, Ward 19; Michael Joseph Martin, Ward



19; Kenneth Moore, Ward 19; Edward H. Gibbons, Ward 20; James R. McCormack, Ward 20; Charles F. Nye, Ward 21; Joseph F. Kelly, Ward 22.

Thirty-one traverse jurors, Superior Criminal Court, Fifth Session, to appear January 13, 1930:

Ernest P. Caggiano, Ward 1; Joseph G. Crafts, Ward 1; Andrew B. Johnson, Ward 1; John J. McLaughlin, Ward 1; William J. Wallace, Ward 1; Francis J. Riordan, Ward 2; Nicholas J. Rowe, Ward 2; John L. Sullivan, Ward 2; James J. Crowley, Ward 4; Herbert L. Harmon, Ward 4; Joseph A. Dixon, Ward 6; John C. Hodges, Ward 6; Thomas J. Shannon, Ward 6; James M. Magner, Ward 7; Howard F. Clark, Ward 8; Samuel J. Thompson, Jr., Ward 8; Lewis H. Graham, Ward 9; Joseph McMillan, Ward 10; Philip C. Morse, Ward 10; John L. Woods, Ward 11; James P. Ford, Ward 11; Joseph E. Backoff, Ward 12; Paul E. Bishop, Ward 15; Henry R. Walmsley, Ward 16; Edward R. Walsh, Ward 16; Harry D. Sampson, Ward 17; Clarence C. Towner, Ward 18; Martin J. Kilroy, Ward 19; Karl Schmatzler, Ward 19; Maurice Greenman, Ward 21; Thomas H. Murphy, Ward 22.

Twenty-four traverse jurors, Superior Civil Court, First Session, January Sitting, to appear January 6, 1930:

Dennis F. Doherty, Ward 2; John T. Flynn, Ward 2; John J. Flaherty, Ward 13; Patrick J. O'Hare, Ward 6; Patrick O'Mara, Ward 6; Charles Duncan, Jr., Ward 8; Joseph P. Glynn, Ward 9; Henry M. Chamberlain, Ward 4; William H. Lavin, Ward 11; James J. Nyhan, Ward 11; William A. Howell, Ward 13; Edward I. Nuestadt, Ward 14; Joseph Koerber, Ward 15; Anthony J. Brown, Ward 16; Charles B. Daly, Ward 17; Herbert W. Dyer, Ward 17; George H. Borowski, Ward 19; William H. Dunn, Ward 19; Frank C. Meichsner, Ward 20; Paul Reimann, Ward 20; Hobert W. Turner, Ward 21; James M. Davies, Ward 22; John T. Foynes, Jr., Ward 22; Charles L. McKenney, Ward 22.

Twenty-six traverse jurors, Superior Civil Court, Second Session, January Sitting, to appear January 6, 1930:

Leonard W. Barnacle, Ward 1; Joseph E. Donahue, Ward 1; Michaelangelo Laurano, Ward 1; F. Erwin Cole, Ward 3; William H. Moss, Ward 3; Louis J. F. Porcella, Ward 3; Frederick G. Mitchell, Ward 4; Frederick H. Le Mere, Ward 5; Edward J. McInyre, Ward 5; Richard J. Hayes, Ward 7; Albert Morse, Ward 8; Peter A. Hoban, Ward 10; John J. Keilty, Ward 10; Arthur F. Lake, Ward 10; John McMaster, Ward 10; Patrick F. Hayes, Ward 11; Walter G. Whitney, Ward 11; Clayton P. Wilson, Ward 12; John B. Walsh, Ward 13; Hyman Markell, Ward 14; Nicholas J. O'Brien, Ward 16; Joseph D. Machado, Ward 17; James A. Doherty, Ward 19; William H. Manning, Ward 19; W. E. Spencer Deming, Ward 20; Alton H. Sherman, Ward 21.

Twenty-six traverse jurors, Superior Civil Court, Third Session, January Sitting, to appear January 6, 1930:

George A. Melanson, Ward 1; James O'Driscoll, Ward 1; Timothy J. Collins, Ward 2; Daniel Donoghue, Ward 2; Luigi Agrippino, Ward 3; Harry E. Adams, Ward 4; Joseph F. O'Neill, Ward 4; William Allen, Ward 5; Otto H. Schneiderhan, Ward 7; Lewis Polak, Ward 9; Albert S. Cano, Ward 10; Alexander McLellan, Ward 11; Leon Band, Ward 12; Louis M. Long, Ward 12; Oscar Omdahl, Ward 12; Edwin D. Rosenwald, Ward 12; Harry C. King, Ward 13; George W. Lally, Ward 13; John J. Ceurvels, Ward 14; Samuel S. Goldfarb, Ward 14; Arthur Kopelman, Ward 14; Hjabmar C. Larson, Ward 16; Thomas G. Cox, Jr., Ward 18; Peter A. Olson, Ward 18; Frank A. Kraft, Ward 19; Fred E. Bellows, Jr., Ward 20.

Twenty-four traverse jurors, Superior Civil Court, Fourth Session, January Sitting, to appear January 6, 1930:

Thomas M. Fitzpatrick, Ward 1; Michael G. Greene, Ward 1; George H. Wakefield, Ward 4; Frederick O. Watt, Ward 6; Thomas H. Gordon, Ward 8; George E. Cleary, Ward 10; Walter S. Eaton, Ward 12; Joseph A. Tighe, Ward 13; Charles R. Maddocks, Ward 14; James J. Murphy, Ward 14; Hyman Roseman, Ward 14; William L. Bradley, Ward 15; Chester G. Marshall, Ward 15; Charles A. Earle, Ward 17; James J. Magee, Ward 18; Maurice I. Miller, Ward 19; James A. Munroe, Ward 19; Frank E. Pugsley, Ward 19; Frank Oscar Stone, Ward 19; Karl F. Boegner, Ward 20; Paul G. Hudson, Ward 20; John F. Grant, Ward 21; John J. McCarthy, Ward 22; Andrew J. Walsh, Ward 22.

Nineteen traverse jurors, Superior Civil Court, Fifth Session, January Sitting, to appear January 6, 1930:

Joseph Costantino, Ward 1; Stephen H. Gagnon, Ward 1; Fred O. Green, Ward 1; Walter J. Geswell, Ward 2; David J. Connor, Ward 3; Azor P. Howe, Ward 4; James P. Shea, Ward 5; James L. Butler, Ward 6; Maurice F. Leahy, Ward 8; Robert E. Jones, Ward 10; William J. Davidson, Ward 11; Henry A. Thomas, Jr., Ward 11; William E. Saunders, Ward 13; Alfred J. Wallingford, Ward 13; Rubin Morris, Ward 14; Ernest E. Marr, Ward 15; Henry H. Burrows, Ward 16; George Melle, Ward 16; Clarence C. Dodge, Ward 18.

Nineteen traverse jurors, Superior Civil Court, Sixth Session, January Sitting, to appear January 6, 1930:

William A. McCormack, Ward 1; James L. Fessenden, Ward 3; John G. Campbell, Ward 5; John J. King, Ward 10; Edward D. O'Brien, Ward 5; Osborne R. Perry, Ward 5; Eugene F. Mullen, Ward 7; Joseph G. Murphy, Ward 8; Timothy J. Quinn, Ward 8; Howard P. Long, Ward 9; Robert L. Nichols, Ward 9; Louis J. Eldracher, Ward 10; William C. Aspacher, Ward 11; Frederick Finch, Ward 11; William A. Bradley, Ward 12; James O. Gorman, Ward 14; James B. Downing, Ward 15; John J. O'Neill, Ward 15; Walter W. Jeffrey, Ward 21.

Twenty-five traverse jurors, Superior Civil Court, Seventh Session, January Sitting, to appear January 6, 1930:

Orion G. Richards, Ward 1; William P. Sullivan, Ward 2; Thomas J. Buckley, Ward 4; Joseph E. Harling, Ward 4; Francis E. Sander, Ward 4; S. Parkman Shaw, Jr., Ward 5; Daniel F. Lynch, Ward 7; Daniel J. Donovan, Ward 8; Harry B. Crowley, Ward 9; Thomas L. Gately, Ward 11; David B. Levy, Ward 14; Mandell B. Locke, Ward 14; George J. Porter, Jr., Ward 15; Armand J. Querry, Ward 15; Francis J. Taylor, Ward 15; Emil Anderson, Ward 16; Edward C. Galvin, Ward 16; James Marshall, Ward 16; Frederick W. Pulster, Ward 18; Ernest J. Gallagher, Ward 19; Cecil B. Allen, Ward 20; Alwin Kleefeld, Ward 20; David Caldwell Vance, Ward 20; William S. Blake, Ward 21; Arthur E. Skillings, Ward 22.

#### WILLIAM A. CAREY REST.

The following was received:

City of Boston,  
Office of the Mayor, December 2, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of November 12, 1929, relative to the naming of the rest at the junction of Bennington and Saratoga streets, Ward 1, William A. Carey Rest, in memory of said Carey, a late veteran of the World War.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, November 19, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of November 15 with inclosure, order from the City Council that the Park Commission be requested, through his Honor the Mayor, to name the rest at the junction of Bennington and Saratoga streets, William A. Carey Rest, in memory of veteran of the World War.

This department has no rest at this point nor jurisdiction over any land at corner of Saratoga and Bennington streets. The nearest park property—a Mothers' Rest—lies between Saratoga and Bennington streets, in the vicinity of Moore street and is the present McLean Park, named in honor of a World War veteran.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

#### RAYMOND L. SHAW PLAYGROUND.

The following was received:

City of Boston,  
Office of the Mayor, December 2, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of November 12, 1929, relative to the naming of the proposed new playground at the junction of Pope and Moore streets, East Boston, Raymond L. Shaw Playground, in memory of said Shaw, who was a veteran of the late World War and a past commander of Orient Heights Post 54 of the American Legion.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, November 19, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of November 15 with inclosure, order from the City Council to name the proposed playground at Pope and Moore streets, East Boston, Raymond L. Shaw Playground in memory of veteran of World War.

It will be a pleasure for the Board of Park Commissioners to consider this request as soon as the land is taken for this playground. Plans for this taking are being prepared at the present time.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

#### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President DONOVAN called up, under unfinished business, Nos. 2 and 3 on the calendar, viz.:

2. Action on appointments submitted by the Mayor November 25, 1929, of Henry C. DeAngelis, Lewis Weinstein, Lewis C. Speare, Walter F. Hayes, Samuel Coulter, Rudolph L. Trent, Jacob A. Powell, Joseph A. Moreau, and James S. Kiernan, to be Constables.

3. Action on appointment submitted by the Mayor November 25, 1929, of Frederick J. Butts, to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Gallagher and Green. Whole number of ballots 12, yeas 12, and the appointments were confirmed.

#### PLAYGROUND, WARD 17.

Coun. WILSON called up under unfinished business No. 5 on the calendar, viz.:

5. Ordered, That the sum of twenty-five thousand dollars be, and hereby is, appropriated, to be expended by the Park Commissioners for the purchase of land for playground

purposes in the vicinity of Dunbar avenue, Ward 17, Dorchester, and for the construction of said playground, and that to meet the 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 of Boston to said amount.

On November 18, 1929, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second and final reading and passage, yeas 16, nays 0.

#### DIVISION WALL ON DEER ISLAND.

President DONOVAN called up, under unfinished business No. 4 on the calendar, viz.:

4. Whereas, The City of Boston by deed dated October 15, 1906, and recorded with Suffolk Deeds, Book 3177, page 577, granted to the United States of America certain land situated on Deer Island in Boston Harbor in the Commonwealth of Massachusetts more fully described in said deed; and

Whereas, The said City of Boston agreed and covenanted with the said United States of America in said deed to build a division wall between said land referred to in said deed and the remaining land of the City of Boston situated on said Deer Island; and

Whereas, A division wall has been built and constructed by the said City of Boston between the land referred to as conveyed to the United States of America and the remaining land of the City of Boston on said Deer Island; and

Whereas, Said wall has been built partly on land conveyed as aforesaid to the United States of America and partly on the remaining land of the said City of Boston situated upon said Deer Island;

Now, therefore, it is hereby Ordered, That the Mayor of the City of Boston be, and he hereby is, authorized in the name and behalf of the said City of Boston in consideration of one dollar, in form satisfactory to the Law Department of the said City of Boston to grant to the said United States of America the right to enter upon the land of the City of Boston now occupied by said wall for the purpose of repairing and maintaining said wall so long as the said wall shall remain in its present position, subject, however, to any rights that the Commonwealth of Massachusetts may have in said land for sewerage or other purposes.

On November 18, 1929, the foregoing was read once and passed, yeas 22.

The order was given its second and final reading and passage, yeas 17, nays 0.

Coun. MOTLEY in the chair.

#### TRAFFIC SYSTEMS.

Coun. ARNOLD called up assignments, viz.:

6. Ordered, That the sum of one hundred and twenty-five thousand dollars, be and the same hereby is, appropriated, to be expended under the direction of the Traffic Commission for the installation of an automatic traffic signal system on Commonwealth avenue, from Arlington street to Governor square, and that to meet such expense 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.

7. Ordered, That the sum of one hundred and twenty-five thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Traffic Commission for the installation of an automatic traffic system on Massachusetts avenue, from Tremont street to Harvard Bridge, and that to meet such expense 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.

The orders were passed, yeas 15, nays 3:  
 Yeas—Coun. Arnold, Bush, Donovan, Fish,  
 Fitzgerald, Gallagher, Green, Keene, Lynch,  
 Mahoney, Motley, Murray, Parkman, Ruby,  
 Wilson—15.  
 Nays—Coun. Dowling, Sullivan, Ward—3.

#### REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. RUBY, for Coun. Motley, for the  
 Committee on Public Lands, submitted the  
 following:

1. Report on message of Mayor and order  
 (referred November 18) authorizing the sale  
 to the Robert B. Brigham Hospital, upon pay-  
 ment of \$34,800, of land on Parker Hill—that  
 same ought to pass.

Coun. RUBY—Mr. President, for the in-  
 formation of those councilors who are not  
 familiar with this matter I will say that  
 this is a proposed sale by the City of Boston  
 of several thousand feet of land now owned  
 by the city on Parker Hill to the Robert B.  
 Brigham Hospital, who are desirous of adding  
 to their hospital certain area of buildings for  
 the use of free patients. The land was origi-  
 nally given to the City of Boston by the Bos-  
 ton Lodge of Elks during the war, and now  
 the City of Boston is selling a very small part  
 of that land to the Robert B. Brigham Hos-  
 pital for about \$34,000.

Coun. WARD moved that the order be laid  
 on the table. Declared lost. Coun. WARD  
 doubted the vote and asked for a rising vote.  
 The motion to lay on the table was lost, and  
 the question came on the passage of the order.

Coun. DOWLING—Mr. President, I don't  
 know in my four years of service here of  
 anything that bears a stronger suspicion of  
 being rushed through than this. I don't think  
 a single member of the Council outside of  
 the gentleman who offered the report of the  
 committee is at all familiar with it. I don't  
 know what the order means; I couldn't under-  
 stand it from the reading of it. Certainly  
 the gentleman who submitted the report of the  
 committee did not make it very clear to me  
 what the order proposes to do. As it is it  
 proposes to sell a large tract of land now  
 belonging to the city, I want to know some-  
 thing about it, and I think the least the  
 committee can do is offer a reasonable ex-  
 planation of it so that intelligent men may  
 be able to vote intelligently on a question of  
 so much importance.

Coun. WILSON—Mr. President, as a mem-  
 ber of the Public Lands Committee and as a  
 member of the committee who was present  
 at the hearing held last week in reference to  
 this particular order, I will say that this is  
 a proposed sale by the City of Boston, as I  
 gather, of some land which cost the city not  
 a nickel, the land having been given to the  
 city by the Elks after the war, if I am  
 correct, for the purpose of hospital use. So  
 the land in question stands the City of Bos-  
 ton nothing today. It is now proposed to  
 sell it to the trustees of the Peter Bent  
 Brigham Hospital.

Coun. WARD—Mr. President, I would like  
 to ask the gentleman a question. I think  
 we are being misinformed here. He said the  
 "Peter Bent Brigham Hospital"? I understand  
 that it is the Robert B. Brigham Hospital.

Coun. WILSON—Mr. President, I stand cor-  
 rected by the expert on hospitals. With that  
 amendment, I will say that the land is to be  
 used, as I understand is planned, for the  
 erection of additional buildings. The doctors  
 from that hospital and members of the board  
 in charge of the hospital appeared before the  
 committee. It occurred to members of the  
 committee, including the last speaker, Coun-  
 cilor Ruby and myself, that, in view of the  
 fact that the land cost the city nothing in  
 the first place, and in view of the fact that  
 this particular hospital is a semicharitable  
 institution, anyway, having in view also the

fact that the main purpose of building an  
 additional structure is to furnish additional  
 free beds, restricted to residents of Boston,  
 the City of Boston might well in its munifi-  
 cence give the land to this charitable institu-  
 tion. But the matter has been taken up  
 between the Mayor and the hospital, and the  
 hospital authorities have agreed to pay the  
 amount of \$34,000 for something for which the  
 city paid nothing. The committee, having in  
 mind all the facts, reported that the order  
 ought to pass. I trust that this explains the  
 matter in satisfactory detail to the gentleman  
 from Brighton.

Coun. WARD—I remember awhile ago that  
 the Council discussed a particular hospital  
 known as the Robert B. Brigham Hospital, and  
 an order was presented to look into the ques-  
 tion of whether such hospital was a firetrap.  
 The members of the Council who sat here  
 four years ago will remember, if I am correct,  
 that this parcel of land is the same parcel  
 of land that it was then proposed to use for  
 a chronic hospital on the mainland after  
 the past administration desired to bring to  
 the mainland the hospital on Long Island. I  
 presented at that time an order providing  
 \$1,000,000 for such a hospital on the mainland,  
 and some of you will remember the fight we  
 had on the floor of the Council when we  
 learned, after the consideration of that parcel  
 of land for a chronic hospital, that the idea  
 was to be discarded, and that they were going  
 to build the chronic hospital on Deer Island.  
 Now, at almost the last minute of the present  
 administration, an attempt is being made to  
 rush this order through. Not a member of  
 the Council, whether on the Committee on  
 Public Lands or not, knows what the purpose  
 of the order is, or why we should rush it  
 through at the last minute. I think the mo-  
 tion to lay on the table is very fair.

Coun. DOWLING—Mr. President, perhaps  
 the gentleman from Ward 17 (Coun. Wilson)  
 will give us some information, which I don't  
 think he purposely avoided giving us, but  
 which we have not received, in regard to  
 this matter. This is the hospital site, if I  
 am not mistaken, upon which the city paid  
 substantial damages or award to a contractor  
 who had a contract for the erection of the  
 hospital on this site. The gentleman has em-  
 phasized the fact that the site cost the city  
 nothing, but that is not exactly true. Cer-  
 tainly our knowledge in regard to the matter  
 at the present time is so small that I think  
 the suggestion that it lie over for a week  
 is perfectly reasonable. Why the rush? These  
 are the closing days of what I think has been  
 a neurotic administration, and I don't think  
 it will do any harm or damage to the city,  
 to the Mayor, to me or to the gentleman on  
 my left, if we are given an opportunity to  
 look into it a bit. I would like to know what  
 the proposition is, as the gentleman on my  
 left, with all his fluency, did not say anything  
 which would justify me in casting a "yea"  
 vote on this matter. I hope some opportunity  
 will be afforded to look into the thing, making  
 an intelligent inquiry.

Coun. BUSH—Mr. President, I would like to  
 ask this question,—what the amount of this  
 land is in square feet, the land mentioned  
 in the order?

Coun. DOWLING—Mr. President, I would  
 suggest, the chairman of the committee being  
 in the chair, that if the Clerk cannot furnish  
 the information, some other member of the  
 committee volunteer to furnish it.

Coun. PARKMAN—Mr. President, the order  
 is printed in full in the minutes of November  
 18, on page 381, and it appears that the  
 amount of the land is 191,367 square feet.

Coun. WARD—Mr. President, great stress  
 has been laid by one of the former speakers  
 on the fact that this particular hospital is a  
 charitable institution. I don't think anybody  
 can get into the Robert B. Brigham Hospital  
 without having money to pay. It is not a  
 charitable institution, to my way of thinking,

and I do not believe the city should give for a small price such a piece of land to a hospital of this character.

Coun. WILSON—Mr. President, I certainly do not care to speak at great length on this matter, although, due to your absence from the floor, I am promoted to the position of speaking for a committee of which I am not chairman. I did have the doubtful privilege of having attended the meeting of the committee that has been referred to. Many reputable people appeared before the committee and, in my opinion, showed every reason why this particular order should be passed, and, in fact, pointed out to the members of the committee that this was the first chronic hospital in the United States, that while it is not solely charitable, it is a semicharitable institution, one doing a great deal of work for the citizens of Boston, and one that might well expect to receive this particular land for a less amount than they agreed to pay for it. However, since some of the members of the Council in their all-pervading wisdom don't know about this particular hospital, and I do not claim to hold a brief for it, I have no objection to the order going back to the Committee on Public Lands, so that the twenty-two men in this chamber may have an opportunity, before they are called upon to vote in the City Council, to become educated in regard to this particular hospital. I certainly trust that they will learn something.

Coun. ARNOLD—Mr. President, this hospital to my mind fills a great place in hospitalization in the City of Boston. It is not an unusual thing in our experience to see ambulances rushing through our streets on acute cases, cases requiring immediate operations, but when it comes to a chronic case, a case where the sick person must be taken care of for the rest of his days, no one is rushing an ambulance in order to accommodate that case of illness. Away back in 1908 or 1909 money was left for the indigent sick of the people of Boston by Peter Bent Brigham. I took the position in the City Council at that time that it was not in accordance with the will that this munificent sum should be diverted so as to come under the control of a clinical school. Such action did not prevail during that year or for the few years succeeding, but finally you know what happened and how the Peter Bent Brigham Hospital is controlled. At the same time I was informed that Robert B. Brigham's will would provide a similar amount, which would be used really for a chronic hospital. That has been so applied. It is inadequate, and if any experience of mine will be of any use to the membership I would most sincerely urge that this order be adopted, so that more facilities may be available for the really chronic sick of our city, who are in dire need of such aid.

Coun. WARD—Mr. President, I don't think the average citizen of Boston could get into the Robert B. Brigham Hospital with a set of burglars' tools! It is hard enough to get into our City Hospital. But I don't believe the average citizen of Boston receives the treatment called for in the will of Robert B. Brigham. I certainly cannot see why this matter should be rushed through at this moment. As the councilor who is a member of the Committee on Public Lands has said, the twenty-two members of this body should get educated. That is all I want, to get educated on this particular legislation.

Coun. WILSON—Mr. President, in view of the present situation—

Chairman MOTLEY—The Chair would state that this order must take two readings with fourteen days intervening, and that during that time any member of the Council who so desires should be able to obtain all the information he wishes. The question now comes on the passage of the order.

Coun. WARD—Mr. President, I move that the order lie on the table.

Chairman MOTLEY—The motion is out of order. The Clerk will call the roll, the question being on the passage of the order.

The order was passed, yeas 15, nays 2:

Yeas—Coun. Arnold, Bush, Donovan, Fish, Fitzgerald, Green, Keene, Lynch, Mahoney, Motley, Murray, Parkman, Ruby, Sullivan, Wilson—15.

Nays—Coun. Dowling, Ward—2.

#### 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.:

Herman Sulzer, Steinert Hall, December 15.  
Mildred C. Sacco, East Boston High School Hall, December 1—recommending that leave be granted under the usual conditions.

Report accepted; leave granted under usual conditions.

2. Report on ordinances (referred today) establishing City Messenger Department and Clerk of Committees Department—that same ought to pass.

Report accepted; said ordinances passed.

3. Report on communication from Boston Bar Association (referred December 2) in favor of acceptance of act relating to new courthouse (chapter 368 of Acts of 1929)—that same be placed on file.

Report accepted; said communication placed on file.

Report on message of Mayor (referred November 25) recommending acceptance of chapter 368 of Acts of 1929 in re new courthouse—that no further action is necessary.

The question came on the acceptance of the report.

Coun. RUBY—Mr. President, I think the present situation ought to be made clear again, especially for the benefit of those who may be sitting in the galleries and who might have been misinformed as to what the Council might be able to accomplish by its action here today.

Coun. WILSON—Mr. President, I think perhaps the councilor, while going over his papers, did not hear the report read by the Clerk. As I understand it, all we have before us is the letter from the Mayor, and we are not passing on any order at the present time, one way or the other.

Coun. RUBY—Do I understand, then, Mr. President, that the vote taken in the Executive Committee was of no avail?

Chairman MOTLEY—The question comes on accepting the report of the committee, that no further action is necessary.

Coun. WARD—Mr. President, that means that the act is rejected?

Chairman MOTLEY—It means that we are simply voting on accepting the report of the committee that no action is necessary.

Coun. WARD—I see. Then, the action of the body in August stands now?

Coun. WILSON—Mr. President, might I suggest, so the Council may be less in doubt, that the message of the Mayor, on page 388, is accompanied by no order. I understand the action of the committee to be simply that no further action is necessary, there is no order before us, and we can adjourn and go home, unless some order is placed before us.

Coun. RUBY—Then, Mr. President, the vote we took in executive session was not a necessary vote? Am I correct or not?

Chairman MOTLEY—It was necessary.

Coun. RUBY—It was necessary?

Chairman MOTLEY—And the question now is on accepting that report.

Coun. RUBY—And I ask for the floor on that report, Mr. President.

Chairman MOTLEY—And the gentleman is entitled to the floor.

Coun. RUBY—Now, Mr. President, with all due respect to the councilor from Ward 17, that—

Coun. BUSH—Mr. President, it has been the custom here in the past, when a report is made by the Executive Committee on a matter that has been referred to the commit-

tee, for the Chairman or Clerk to read the order upon which the report "Ought not to pass" is based.

Chairman MOTLEY—There was no order before the Executive Committee.

Coun. BUSH—No order when the vote was taken?

Chairman MOTLEY—As the gentleman from Ward 17 (Coun. Wilson) has already stated, there was no order from the Mayor.

Coun. BUSH—Then, why was there a vote taken in the Executive Committee with reference to the passage of an order, when there was no order before the Council?

Chairman MOTLEY—The Chair, not being chairman of that committee, is unable to answer.

Coun. BUSH—Then, what is before the Council now?

Chairman MOTLEY—The report of the committee.

Coun. RUBY—Mr. President, I fully appreciate the misunderstanding on the part, I think, of every man who attended the executive session, that the information that some received was not the information that everybody received, and that is why the councillor from Ward 12, as well as myself, may not have fully understood the situation. But, lest there be misapprehension, I think it ought to be a matter of record at least that, regardless of what action may be taken by the Boston City Council with reference to any courthouse suggestion or order, the unemployment situation will not be helped or prejudiced one iota. I believe there is not a member of this body who would not vote to spend any reasonable amount of money which would alleviate even in the slightest degree the unemployment situation in Boston today. I feel that that statement ought to be made, because there is a misapprehension among the unemployed of Boston that if the City Council defeats the courthouse order in its present form it would be putting thousands of people out of an opportunity to earn a day's pay. Mr. President, as I stated in the executive session when this matter was voted on, the reason why some members of the Council are opposed to the passage of the courthouse order in its present form, is because of the fact that it imposes an unjustifiable burden, too much of a burden, upon the City of Boston. Our city is asked to pay too large a proportion of the amount involved in the present order for construction. If a new bill is presented in the Legislature in January, not in April, May or June, and the Legislature acts promptly upon the matter, passing a bill that would be just to the City of Boston, this Council would not hesitate a moment in alleviating the unemployment situation by accepting such a measure immediately. I might say that we passed the tunnel bill in August. We thought at that time that it was an emergency bill, presented for immediate consideration and action, and that as a result thousands upon thousands of people would immediately be put to work with the pick and shovel. But it is now the second of December, and no ground has as yet been broken in the construction of the tunnel. There is enough work that can be done by the City of Boston today to put thousands of people at work in different lines in which the city is interested. But we have defeated the courthouse order because the City of Boston is asked to pay 80 per cent of the \$5,000,000 plus 26 per cent of the other \$1,000,000. I hope the members of the Council who are interested will take into consideration the fact that if we spend that proportion of this money on this project it will mean the placing of a large additional burden on the taxpayers of this city. It means unjust discrimination against them. I want to make mention of this fact, because it is also recognized in the statement of Mr. Charles M. Rackemann, publicly printed in the press of this city. Representing the Boston Bar Association, he speaks for the passage of this courthouse act by the Council, in-

volving the expenditure of \$5,000,000, but in the same breath he makes the statement that while he agrees that the act is not a fair one to the City of Boston, he desires no action taken which would prejudice the proposed work on the building and feels that the City Council could get no better terms from the Legislature. I will not go into details, because it is hardly necessary, but I say that I believe the Legislature can be made to be fair in the matter. There is no question in my mind that no individual has the right to speak to the contrary so far as the Legislature of Massachusetts is concerned. I certainly believe they will be fair if a proper bill is presented to them. I only hope that those interested in the construction of this courthouse will immediately present a bill to the Legislature in January, and if his Excellency the Governor thinks that the bill is an emergency measure, he can get it passed, and then sign it, within a month. The City Council, then, in my opinion, will pass it immediately, if conditions are fair to us, and not one moment will be lost, so far as getting to work is concerned, or so far as relieving the unemployment is concerned. Work can then be proceeded with just as soon as the money is provided and weather conditions are favorable for it. For that reason, I trust that the action of the committee will be sustained by the body.

Coun. FITZGERALD—Mr. Chairman, I notice on page 388 of the minutes that the message of the Mayor and the order were referred to the Executive Committee.

Chairman MOTLEY—The Chair has already disposed of that question and will not enter into any further debate.

Coun. WILSON—Mr. President, I move the previous question.

Chairman MOTLEY—Coun. Wilson moves the previous question.

The main question was declared not ordered. Coun. WILSON doubted the vote, and a rising vote was taken, by which the main question was not ordered.

Coun. BUSH—Mr. President, I rise to a point of order. If, Mr. President, as the Chair has stated, no order was acted on in the committee, then there is no report of the committee for the Council to act upon.

Chairman MOTLEY—The gentleman's point of order is not well taken.

Coun. WILSON—Mr. President, I rise to a question of information.

Chairman MOTLEY—The question before the house is the acceptance of the report of the committee.

Coun. KEENE—Mr. President, I ask unanimous consent to make a statement.

Chairman MOTLEY—There is no necessity for unanimous consent.

Coun. KEENE—I am not asking the Chair in regard to the necessity, Mr. President.

Chairman MOTLEY—The gentleman will proceed.

Coun. KEENE—I would like to say for the information of the Council that a message came up from the Mayor's office and was referred to the Executive Committee, suggesting that the Council accept the act. If the members of the Council in Executive Committee had so desired they could have framed an order and passed it, and submitted it to the Council. There was no order accompanying the message.

Coun. RUBY—Mr. President, I rise to a question of information. During the absence of Councillor Bush and myself last week, as I read in Tuesday's papers, some matter was tabled by a vote of 9 to 7. Will the President kindly let me know what the order that was tabled in the Council was? I understood that there was an order.

Chairman MOTLEY—It was simply the message of the Mayor.

Coun. RUBY—Thank you, Mr. President.

Chairman MOTLEY—The question is on accepting the report of the committee.

The report of the committee was declared accepted.

Coun. FITZGERALD—Mr. President, I doubt the vote and ask for the yeas and nays.

Chairman MOTLEY—The vote is doubted. The question now comes on accepting the report of the committee that no further action is necessary.

Coun. DOWLING—Mr. President, I don't know now what it is all about, and I don't think I am dumber than other members of the Council. I hope I am not dumber than some of them seem to be. I don't know now, Mr. Chairman, what the question before this Council is. I don't know what a "yes" vote may involve or what a "no" vote may involve.

Chairman MOTLEY—The Chair will again state the question. The question comes on accepting the report.

Coun. DOWLING—What report?

Chairman MOTLEY—That no further action is necessary. The Clerk will call the roll.

The Clerk called the roll, and the report was accepted, yeas 11, nays 7:

Yeas—Coun. Bush, Donovan, Dowling, Fish, Gallagher, Lynch, Mahoney, Ruby, Sullivan, Ward, Wilson—11.

Nays—Coun. Arnold, Fitzgerald, Green, Keene, Motley, Murray, Parkman—7.

#### PROPOSED ACCEPTANCE OF CHAPTER 368.

Coun. FITZGERALD offered the following: Ordered, That chapter 368 of the Acts of 1929 of the Legislature of Massachusetts, relating to the Suffolk County Courthouse, is hereby accepted for and in the name of the City of Boston.

Chairman MOTLEY—The order will be referred to the Executive Committee.

Coun. WARD—Mr. President, I move a suspension of the rule that it may be placed upon its passage.

Coun. FITZGERALD—Mr. President, I don't know that any word of mine will have any effect in reference to this order. The members of the Council have already expressed their opinion, but I don't think the opportunity should go by for this order to be presented, so that there may be no misunderstanding. There seems to be some misunderstanding now. Many of the members of the Council understood that the message introduced by the Mayor carried with it an order. It seems that there was no order accompanying the Mayor's message. Therefore, the whole thing amounted to nothing. Now, in order that we may have an order before the Council, I have introduced this order that the act should be accepted. It is my opinion, no matter what the other members of the Council may think, that something should be done, that some action is needed. Some of the speeches made by members in executive session presented to us a most beautiful picture of the plot bounded by Beacon street, Tremont row and around by Howard street, and taking in the Houghton & Dutton building, Barristers Hall, the Pemberton Building and other buildings, pointing out what a beautiful monument might be made for the future. It was a great picture. I want members to understand that when a matter was before the Legislature the Democratic members of Boston voted against any attempt to change the features of the bill. They well knew what they were voting on up there when they sent it to the City Council for acceptance. There was no such amendment in the House, but that was placed on in the Senate through the efforts of Senator Bigney of South Boston. At that time Mr. Howard, who spoke as the financial representative of the Commonwealth, was willing that the State should pay only 6 per cent, although he finally compromised on 10 per cent. Finally, Mr. Shattuck, looking out as always for the best interests of the City of Boston, made it 20 per cent. It was pretty well known and

understood by many members of the Legislature interested in the matter that if the State paid 20 per cent it was paying no more than its just share. Now, don't think for a moment that members of the Legislature who are outside of Boston do not consider the interests of Boston. While many of them do not come from Boston they represent institutions which have a large amount of money invested in Boston, their business is located in Boston, and they are vitally interested in the welfare of the city. Although they may not have a voting residence here or a voice in our affairs, they are interested. And don't think that many of the people who may live in outside towns and cities, therefore, are going to allow millions and millions of dollars to be borrowed outside of the debt limit here without having something to say about it. If you think so, you have another thought coming to you. Now, the situation with regard to the courthouse is getting to be a disgrace. This is a matter that has been before the Legislature for seven years at least, in one way or another. There have always been certain questions that have suggested themselves in regard to it. One question has been, who should be on the commission? That has been the main bone of contention. Another question has been, who should draw the plans and have a finger in the pie? That has been a great question up to the present time. That was the question when I was in the Legislature, the question which has agitated the minds of members of the body; and it was through the efforts of certain men representing the City of Boston that increased power was given to the present sheriff of this county—

Coun. DOWLING—Mr. President, will the gentleman yield?

Coun. FITZGERALD—Not for the present, Mr. President. The result was that the sheriff of the county was given extraordinary powers, which he did not possess up to a few years ago. He could not appoint a scrubwoman, a watchman, without consent of the Supreme Court. But it was felt that the judges should be relieved of certain duties and after a long fight that power was given to the sheriff of the county. Extraordinary powers were given, but he never saw fit to use them. In connection with the courthouse there has also been the question of having separate quarters for the Registry of Deeds, a separate building for the Probate Court, other counties of the Commonwealth have such provision, the lawyers of the Commonwealth recognize their value, and the conditions existing in the City of Boston, Mr. President, are a disgrace. I don't know whether what I say will have any effect, but I do want to leave the thought with members of the Council that we need not think for a minute that if we defeat this bill we will get a bill that will be more favorable to the city at the hands of the Legislature, that we will beat the Legislature. The action of the Council in defeating this bill will demonstrate effectively to the members of the Legislature what they are up against. They will know full well what to do, then. They will say, "We cannot trust the City Council of Boston." Now, we have an unemployment situation, Mr. President. One of the members of the Council has said there will be no harm in letting this go over for another year. That will mean two years. These buildings surrounding the present courthouse are, a lot of them, old, ramshackle buildings. Go down on Howard street and along Cambridge street, that \$4,000,000 highway, only a speedway for automobiles, and look at conditions along the street. Just see the character of the buildings. We are going to have hundreds of thousands of people flocking in here this coming year and these old parts of Boston are a disgrace. Those buildings should be removed, and should be removed at once. The Legislature, as I said a moment ago, will take care that in the future the action taken will not be subject to our interference in any way whatever. They will simply put an act through themselves, so that there will be no misunderstanding. We

have had some misunderstanding here today in regard to this matter, because of the fact that there was no order appended to the Mayor's message. So I have now offered this order, and I am perfectly content with Councilor Ward's motion, that the rule be suspended for its passage.

Coun. DOWLING—Mr. President, the gentleman from Ward 3 (Coun. Fitzgerald) a moment ago intimated that one of the bones of contention in connection with this matter for some time past was that somebody wanted to have a finger in the pie. That is just as clear to me today as it is to the gentleman from Ward 3. That is one of the bones of contention, and it is a question of whose finger is going to be in the pie. Here it is proposed to appropriate \$5,000,000. That means architect's fees and, I believe, the regular amount, 6 per cent, which will mean a \$300,000 pie, right there. I had just as soon have the incoming administration cook that \$300,000 pie as the present administration, in its last days, because I think the longer it is cooking the better the job will be done.

The rule was suspended, and the question came on the passage of the order.

Coun. RUBY—Mr. President, I am not concerned as to whose finger will be in the pie. I was not concerned in August, when this bill first came to the City Council for action, and I am not concerned in that respect now. But I am concerned with the question of the burden that will have to be borne by the taxpayers of the City of Boston. In August, when this matter came before us and in September, when we took a vote on it, some members of the Council were apprehensive that if they voted for the measure it might hurt them in their campaign. I don't want to question the vote of any member of this Council, because I don't think any member of the Council at that time voted on the question with reference to the effect it would have on his ultimate election or defeat. The election is now over, and I cannot see any change in conditions affecting this bill now that were not apparent in the early part of September, with probably one exception or addition. The President of these United States in his wisdom has seen fit recently to ask all mayors and governors to promulgate constructive orders for employment in the cities and states of this country. That is the only new feature that has been interjected in this proposition. But, as I said before, I think it has no bearing on this question at all. So far as forecasting what the action of the Legislature in the future may be, I have not had the privilege or distinction of being a member of the Legislature, as the councilor from Ward 3 (Coun. Fitzgerald), who was privileged to be a member of both bodies, the City Council and the Legislature, at one time. But I cannot yet be made to feel that the Legislature of this Commonwealth cannot be brought to see the unfairness of this proposition. I am not concerned with the fact that next year's Legislature in its wisdom may not permit me to cast a vote one way or the other on the building of this addition to the Courthouse. I am, however, concerned with the present bill before us, as it affects the citizens of Boston, and that is the only thing which in my opinion should concern any councilor who has the interests of his constituency or district at heart. It is here proposed that Boston pay \$4,260,000 out of a \$5,000,000 proposition, for a building which will take in six distinct state departments. The Supreme Court of Massachusetts is not a county proposition; the Land Court of Massachusetts is not a county proposition; the Commissioner of Probation is not a county proposition; the Law Library is a distinctly private institution. No member of the City Council, whether he be a member of the bar or an ordinary individual can get access to that library unless he is a member paying his usual annual dues, in spite of the fact that the City of Boston annually pays \$1,000 towards the maintenance of that private law library, which has quarters in the Suffolk

County Courthouse; the Board of Bar Examiners is not yet housed in the Courthouse, but the act itself distinctly provides for the housing of the Board of Bar Examiners which passes on the admission to the bar of persons who apply for examination, and who come from all parts of the Commonwealth; and then there is the reporter of Supreme Court decisions. There are six distinct state institutions to be housed in the Courthouse, and we are asked to pay better than 82 per cent of the construction of it. Let me remind you, Mr. President, as I did in the Executive Committee, that we still owe for the additions to the Courthouse in 1885 \$119,000, which is due in October of 1935, and on which we are paying \$17,000 annually; and on the additions authorized under chapter 101 of 1887 we still owe \$500,000, which will not mature until April of 1937, on which we are paying sinking fund assessments. Under the Acts of 1892, chapter 288, we still owe \$100,000, which will not be due until July of 1938, and on which we make annual periodic payments; and on the last addition, of 1906, we still owe approximately \$192,000, which will not mature until September, 1939, on which we pay annually \$5,000 in March and \$12,000 in September, or \$20,000 a year. We still owe on the additions to the Suffolk County Courthouse \$1,210,000, and we are asked to burden the taxpayers of Boston with \$4,260,000 more; and in spite of the fact that never on any of these previous additions were we asked to pay more than two-thirds of the cost of construction. In 1906, the last addition, we paid 66 2-3 per cent, and I am willing to go on record today, if the good Legislature of 1930, in its sound judgment, passes another Legislative act which will require the City of Boston to pay 66 2-3 per cent, the City Council having the right to vote on acceptance of the bill, to say that I will vote for it the day when it comes into this Council. Even if it went to 70 per cent I would vote for it. That would still mean a saving to the citizens of Boston of \$500,000, and, as one of the editorials in one of the papers says, we ought not to haggle over details which are relatively unimportant as compared with the magnitude of the project. In my opinion, half a million dollars saved to the citizens of Boston would be quite an important item. I am not interested in the question of who will be on the commission, and I am not interested, if you please, in the question whether the appointment comes from his Honor the present Mayor of Boston or the Mayor who will take the oath of office on the sixth day of January. To me as a member of the City Council that makes no difference. But it does make a difference if we can save for the citizens of Boston \$500,000. I want to read to you, Mr. President, what Charles S. Rackemann says in a newspaper article on last Friday:

"The members of the Bar Association"—and he speaks for the Massachusetts bar, if you please,—“The members of the Bar Association Committee, of which I am chairman, think it is rather too much for the city to pay. We believe it would be fair for the city to pay two-thirds of the cost and the state one-third. We feel that the state should pay more than the act calls for, as the Supreme Court and the Land Court, which are to have quarters in the building, are both state functioning bodies.”

And then he goes on and says, however, that he does not think the Legislature will give us a better deal. Mr. President, I am concerned with a better deal, because that is what we should be concerned with, and I am not afraid that the Legislature will not give us a better deal if we can make them see that that is the only thing that is bothering us. I understand, if I am correctly informed, that his Honor the Mayor of Boston wanted the proportionate ratio placed at 75-25, the City of Boston paying 75 per cent, and I am given to understand that that was promised in committee and that then some one spilled the beans and we were told that we would

have to accept 80-20 or nothing. As I have stated before, if I felt for one minute that this meant furnishing at the present time employment to electrical workers, to carpenters, to masons or laborers, I would vote, even under the circumstances, for the 80-20 proposition, but I feel sure of the position I am taking here. I feel certain that if the Legislature wants to be fair with us, as we want to be with the citizens of Boston and of the Commonwealth, his Excellency the Governor or some member of the Legislature or some individual through a member of the Legislature, can introduce this very same bill, just changing the amount to be spent so that it will be fair to the citizens of Boston. I think I spoke in September of the feeling which has existed for some time that we are always being burdened in this city, that the Legislature has it in for Boston. Well, isn't this a wonderful time, Mr. President, for the citizens of Boston and for the representatives of this city in the Legislature, in the House and Senate to show to the Legislature that we want to work together with them and are asking in this matter for nothing but a square deal. Certainly we are not given a square deal when we are asked to spend \$4,260,000 out of a \$5,000,000 appropriation on a permanent improvement of this kind, which we are asked to pay for in fifteen or twenty years, and something from which the citizens of this city in the future will reap no corresponding proportional benefit. I referred in September to the Dock square, Kneeland street, Morton street widening, to the Oakland and Ashmont street and Centre street widening, involving amounts stretching over periods of ten, fifteen or twenty years, and which we are asked to provide for on that basis. Now, here is something that will last forever and that we of the present generation are asked to shoulder the burden of. I think the Legislature will be fair in this matter. I don't think that the gentleman from Ward 3, (Coun. Fitzgerald), even with his legislative experience, can say that this is just legislation so far as the City of Boston is concerned. I don't think we ought to be at all perturbed over what the Legislature will do. Of course, I, as a member of the bar, practising law in Boston, am willing to admit that an addition to the Courthouse is necessary. When records are referred to, however, even with the erection of the addition they could not be taken care of for years, if action is necessary at this time an order can be passed to meet that emergency. Even if work on this addition should proceed at once, what are they going to do in the matter of those important records for the next four or five years? So, if that is a thing that should be taken care of, if it is an emergency, it should be met at once by an appropriation for the purpose. Certainly emergency action so that the documents in the Registry of Deeds, in the Probate Court or the Superior Court, can be taken care of, could be had at once, without this kind of legislation. For that reason I trust we will do the same with this order today that we did in September,—reject the order and then call upon one of our colleagues, if you will, to present to the next Legislature, in January, a bill that will be fairer in the matter of the proportionate expenditure by the city and state in this matter than the bill now before us. Therefore, I hope the order will not pass.

Coun. WARD—Mr. President, I think I said everything I desired to say on this order in Executive Committee. I do not think that Boston is entitled to any such deal as has been given to it by the Legislature in this case, and I don't believe that we can get any worse treatment by applying to the Legislature next year. We are going to ask for something better, which I believe we are entitled to. I don't know what the Mayor's interest is in this matter now. He evidently wants to push it through at the last minute. We all remember last year his reference to a Christmas tree in regard to a matter that came before the body at that time. I think we all remember the words of the old Christmas jingle:

“Twas the night before Christmas  
and all through the house  
Not a creature was stirring not  
even a mouse;  
The stockings were hung in the  
chimney with care,  
In hopes that St. Nicholas soon  
would be there.”

That is the only interest that I believe the Mayor has in this particular order; that is the same poem that he recited to this Council a year ago, at Christmastime.

Coun. FITZGERALD—Mr. President, I don't know about the poem, but I do know, so far as the responsibility and control over the work is concerned, that under section 1 of the act one member of the commission is appointed by the Governor and one by the Mayor, and that under sections 2 and 3 the commission, subject to the approval of the Governor and the Mayor, have the entire responsibility, so far as land-takings and contracts are concerned, that the power is absolutely placed in the hands of the Governor and the Mayor and that they must both agree. So that the incoming Mayor will have absolute power to do as he sees fit and things will not be carried on unless they meet with his approval. So if you think the situation in that respect, so far as the plans, buildings and necessary work are concerned, are not satisfactory, you just read sections 2 and 3. There is no yes or no about it,—they must agree, and they are given the absolute power. So I don't think the councilor needs fear anything in that matter. But the only sensible argument made against the bill is as to the proportionate cost. We all agree absolutely that Boston should not pay as much as she is required to pay. But when you stop to consider it, for years the fight has been to have all these different departments in one building. It was the fight of the Democrats of Boston that kept the Supreme Court where it now is. They were willing and ready at any time to place the Supreme Court in the State House. We are the ones who are to blame—the Boston members, the Republicans and Democrats. So I think this matter ought to be clear to the understanding of all parties concerned. I will agree that the financial features should be better for the city, but we have this bill and we don't want to run any chances in the matter. I certainly don't want to have misrepresentations made, because if you had thoroughly read the bill you would find that the incoming Mayor has absolute power, has his hands on the throttle and can upset the works, if he wants to do so.

Coun. BUSH—Mr. President, the statement of the councilor from the West End (Coun. Fitzgerald) as to the power of the incoming Mayor over this matter, in construction and land-takings would be naive if it came from a novice in legislative experience; but coming from a gentleman with as much legislative experience as he has had, it is slightly misleading, I will put it, and nothing else. He knows as well as the rest of us that any contracts the present Mayor makes with reference to the proposition would be absolutely valid and could not be broken without a big lawsuit and heavy damages being paid by the city.

Coun. FITZGERALD—I reiterate, Mr. President, that the joint consent and approval of the Governor and the Mayor are necessary, and, in view of the controversy over the tunnel situation, I don't believe the Governor would attach his name to any proposition which smelled to the heavens, when he is to come up for re-election next year.

Coun. WILSON—Mr. President, I will not make any lengthy remarks on the question of the adoption or the rejection of this particular proposition, because the members of the body have to a large extent shown their hands and we know what their position is one way or the other. There is no sense in fighting windmills. The members showed their hands as long ago as the 4th of September last. The emergency act was passed on June 5, and it might have been brought before us during



the summer, but that was not done. It was not brought before us until August 5, and was not acted upon until September 4, when it was defeated in this Council. There is no question in the minds of most of us that the addition to the Courthouse is absolutely needed. Particularly do those members of the body who are members of the bar realize that fact. There is a feeling that the proportion which it is provided shall be paid by the City of Boston is unfair. Of course, it is no more an emergency matter now than it was earlier in the year. But I think we all do understand the situation and that we are all ready to vote upon it. We have the right under the law, of course, to accept the act up to the first of January. But I repeat that the emergency was known last June, when the act was passed as an emergency; and when the matter was brought before us earlier we got twenty-two copies of the act for the perusal of the members of the body. So we at least ought to understand the proposition. I can appreciate the point of view of the gentleman from the West End (Coun. Fitzgerald), who desires to put the Council on record one way or another on the matter at this time. I agree with the gentleman from the West End, and disagree with the gentleman from Roxbury. Of course, the question as to home rule, and whether Boston is getting a fair break or not, is only an alleged objection to the bill, when you come to boil it down. There are influences working in the city today against the present act, and to raise the question whether the present Mayor or the incoming Mayor with the Governor has the veto power as to the details of the bill is to cover up the issue. We all know what the situation is; I think we all understand it thoroughly, and we are wasting time here today. We have taken up a couple of hours of the time of the Council simply fighting windmills. The majority of the Council are on record in the matter, the Mayor has now interested himself and has shown a disposition to have action taken at once, and I move the previous question. I certainly regret that two hours of the time of this body has been taken up unnecessarily.

The question came on the passage of the order. The order failed of passage, by roll call, yeas 8, nays 10:

Yeas—Coun. Arnold, Fitzgerald, Green, Keene, Motley, Murray, Parkman, Wilson—8.

Nays—Coun. Bush, Donovan, Dowling, Fish, Gallagher, Lynch, Mahoney, Ruby, Sullivan, Ward—10.

#### FLOODING OF SKATING FIELD NEAR AQUARIUM.

Coun. MAHONEY offered the following:  
Ordered, That the Park Commission be requested, through his Honor the Mayor, to flood the skating field near the Aquarium, South Boston, in time for use during the Christmas school vacation.

Passed under suspension of the rule.

#### LEGISLATION ON FEES FOR LICENSES, ETC.

Coun. PARKMAN offered the following:

Ordered, That the Legislative Committee of the City Council be authorized to prepare and submit to the Massachusetts Legislature a petition accompanied by a bill providing that fees for licenses or permits in the City of Boston be fixed by the City Council with the approval of the Mayor.

Coun. PARKMAN—Mr. President, in 1927 the Budget Commissioner made a report to the City Council on an order introduced here on the subject of fees for licenses and permits in the City of Boston and recommended legislation which would give to the City Council and the Mayor the power to establish fees for such licenses and permits. The Budget Commissioner showed in that report that a very large number of fees are at the present

time established by statute and are practically obsolete, having been established years and years ago. The Council supported legislation in the Legislature of 1928 to that effect, and the Legislature referred the subject to a special commission. That commission has reported and has recommended that the cities and towns of the Commonwealth be given the right to establish a schedule of fees for licenses and permits, by ordinance. Not knowing, of course, what action the Legislature may take on that general legislation, it seems to me wise that the City of Boston should promote a special bill asking that authority be given to it to establish fees for licenses and permits, through the action of the Mayor and Council. I accordingly ask a suspension of the rule and the passage of the order.

The order was passed under suspension of the rule.

#### NEW COURTHOUSE.

The following was received:

City of Boston,  
Office of the Mayor, December 2, 1929.  
To the City Council.

Gentlemen,—The failure of the City Council this afternoon to accept chapter 368 of the Acts of 1929 providing for extensions to the Suffolk County Courthouse overlooks the extreme necessity of this important public improvement. I am therefore constrained once more to present this matter for your consideration in the sincere hope that you may act favorably upon it.

The deplorable conditions which are becoming worse in the Courthouse are a matter of common knowledge and ought to receive the attention which is made possible through this legislative act. Moreover, the acceptance of the act is in conformity with the program of the President of the United States to stimulate industrial and commercial activity and to relieve to the fullest extent possible the distressing conditions attending upon unemployment.

The City of Boston is distinguished throughout the entire country for the high quality of its skilled labor. In fact, it is one of the potent reasons why the City of Boston has maintained its high position in the business life of the nation. We have a community of business men the equal of any in the world and our per capita wealth is high, indicating ample resources for investment.

With skilled labor, a progressive business spirit and money to back them both, why should the City of Boston ever lag behind in the building of its public improvements? Why should it hesitate on so important an improvement as that which will relieve the uncomfortable, unhealthful and dangerous conditions which now prevail in the Suffolk County Courthouse? The courthouse is the place where one of the most important functions of civil government is carried out, namely, the administration of justice. It is obvious to all that this function is carried on under the most disadvantageous surroundings possible.

It is correct policy to carry on public work when the most labor is available. The President of the United States is absolutely sound in his contention that now is the time to make big plans for the future and the best proof that he is sound is the fact that from one end of the country to the other there has been a magnificent response. It is a response which indicates that all America is ready to back up with billions its confidence in the future prosperity of the country.

For the foregoing reasons I strongly urge the acceptance of this act.

Very truly yours,  
MALCOLM E. NICHOLS, Mayor.

Referred to the Executive Committee.

Coun. RUBY—Mr. President, I move a suspension of the rule for the passage of the order.

Chairman MOTLEY—The motion is out of order.

PUBLIC CONVENIENCE STATION,  
FRANKLIN SQUARE.

Coun. ARNOLD, for Coun. Dowd, offered  
the following:

Ordered, That the Park Commissioners be  
requested, through his Honor the Mayor, to

provide for the establishing of a public con-  
venience station in Franklin square.

Passed under suspension of the rule.

Adjourned, on motion of Coun. RUBY, at  
4.47 p. m., to meet on Monday, December 9,  
1929, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, December 9, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Keene.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted appointments for the term ending April 30, 1930, as follows:

Weigher of Coal: Neil MacGinnis, 24 Gardner street, Roxbury, for Webber Coal Company, 1002 Harrison avenue, Roxbury, Mass.

Constable: Michael DeCicco.

Severally laid over a week under the law.

## VETO OF LOAN FOR MORTON STREET.

The following was received:

City of Boston,

Office of the Mayor, December 3, 1929.

To the City Council.

Gentlemen,—I return herewith, without my approval and without prejudice, your order under date of November 18, 1929, providing for an appropriation of \$40,000 for the laying out, widening and construction of Morton street, Dorchester, from Codman street to Druid street.

I do not pass upon the merits of this order at the present time as I am advised by the Board of Street Commissioners that the same is not in proper form.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

## PETITIONS REFERRED.

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

## Claims.

Samuel Barsky, for compensation for damage to car by city truck.

Frank A. Bowen, for compensation for damage to car by city truck.

Florence Cianciolo, for compensation for damage to car by city truck.

Margaret Collins, for compensation for damage to clothing at City Hospital.

Mrs. G. S. Day, for compensation for collapse of boiler at 80 Gustine street, Dorchester, caused by shutting off water.

Carl Friedman, for compensation for injuries caused by city truck.

Mrs. Mabel Gannon, for compensation for damage to clothing at City Hospital.

Gilchrist Company, for rebate on license to sell automobiles.

Rose A. Goode, for compensation for damage to clothing at City Hospital.

Rose Landsberg, for compensation for damage to property at 358 Harrison avenue, caused by defective water pipe.

Laura Leland, for compensation for injuries caused by an alleged defect at 219 Tremont street.

Samuel Linkin, for compensation for damage to car by city truck.

Alexander J. Lord, for compensation for injuries caused by an alleged defect at 651 Washington street, Brighton.

Agnes M. McCarthy, for compensation for damage to car by city car.

Tercilla McCarthy, for compensation for injuries caused by an alleged defect at 186 Endicott street.

Charles A. McLucas, for compensation for damage to garage at 3 Maitland street, caused by city truck.

William L. Mulcahey, Jr., for compensation for injuries caused by an alleged defect in Wauppello road.

Joseph L. Murphy, for compensation for loss of clothing at City Hospital.

Nellie Noyes, for compensation for damage to clothing at City Hospital.

Thomas O'Callaghan, for compensation for damage to car by police car.

Anthony Orlandella, for compensation for loss of ash barrel taken by ashmen.

Agnes Reynolds, for compensation for damage to clothing at City Hospital.

Mrs. Catherine Sheehan, for compensation for injuries caused by an alleged defect in Auburn street.

Waite & Hannegan, for compensation for damage to truck by city truck.

James Woods, for compensation for damage to horse caused by an alleged defect at corner of Broadway and Albany streets.

## Special Committee on Jitney Licenses.

Petition of Boston Elevated Railway to run jitneys between Northampton street and Savin Hill Station.

## APPOINTMENT OF SCHOOLHOUSE COMMISSIONER.

Notice was received from Francis D. Donoghue and Richard J. Lane, Schoolhouse Commissioners appointed under chapter 351 of the Acts of 1929, of selection of Stephen W. Sleeper of 336 Beacon street, Boston, as third commissioner of said Board of Commissioners of School Buildings.

Placed on file.

## PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds amounting to \$4,779.73 for work from December 1 to 15, inclusive, regular employees, was received and approved.

## COMMUNICATION FROM BUILDING TRADES COUNCIL.

A communication was received from the Building Trades Council of Boston and vicinity in favor of acceptance of the Courthouse Act.

Placed on file.

## APPOINTMENTS BY THE MAYOR.

Notice was received of the following appointments by the Mayor, viz.:

Thomas F. Sullivan, 1736 Columbia road, South Boston, Transit Commissioner.

James B. Noyes, 186 Bay State road, Transit Commissioner.

Nathan A. Heller, 41 Howland street, Roxbury, Transit Commissioner.

Charles T. Harding, 54 Kenwood street, Dorchester, Street Commissioner.

William H. Taylor, 71 Farragut road, South Boston, Overseer of Public Welfare.

Severally 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.

## TRANSIENT VENDOR'S LICENSE.

The application of George W. Harper for transient vendor's license, accompanied by bond of National Surety Company, was received and placed on file.

## COMMUNICATION FROM SCHOOL COMMITTEE.

A communication was received from the School Committee in regard to new elementary schools in Readville and Corriganville sections of Ward 18.

Placed on file.

## CHELSEA COURT OFFICER.

A communication was received from the Justice of the District Court of Chelsea fixing the salary of Peter A. Kiernan, court officer, at \$2,200 per annum, to take effect January 1, 1930.

Referred to the Committee on County Accounts.

## STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings on petitions for storage and sale of gasolene to be held Monday, December 23, viz.:

Dorchester Real Estate Corporation, 1010 Morton street, etc., Ward 17, 3,000 gallons.

Anna Bell Shea, 109 and 111 Western avenue, Ward 22, 3,000 gallons.

Eva B. Zunner, 1 St. John street, Ward 19, 4,000 gallons.

Referred to the Executive Committee.

## PLAYGROUND LOAN, WARD 17

Coun. WILSON called up, under unfinished business, No. 2 on the calendar, viz.:

2. Ordered, That the loan order passed by the City Council September 9, 1929, and approved by the Mayor September 25, 1929, appropriating \$21,000 for the purchase of land for playground purposes in the vicinity of Dunbar avenue, Ward 17, Dorchester, be, and the same hereby is, rescinded.

On November 25, 1929, the foregoing order was read once and passed, yeas 16, nays 0.

The order was given its second and final reading and passage, yeas 15, nays 0.

## ORDINANCES IN RE SALARIES.

Coun. GREEN, for the Committee on Ordinances, submitted the following:

Reports on ordinances (referred November 12), that the same ought to pass, viz.:

Ordinance concerning salary of Superintendent of Printing, increasing same from \$6,000 to \$7,500.

Ordinance concerning salary of Superintendent of Municipal Airport, increasing same from \$3,500 to \$5,000.

Ordinance concerning salary of Superintendent of Markets, increasing same from \$4,000 to \$5,000

Reports accepted; said ordinances passed.

## ANNUITY TO WIDOW OF FLORENCE J. SULLIVAN.

Coun. GREEN offered the following:

Ordered, That an annuity of \$600 be allowed and paid to the widow of Florence J. Sullivan, a 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 Executive Committee.

## SIDEWALK ASSESSMENT ORDERS.

On motion of Coun. McMAHON the Council took from the table No. 3, viz.:

3. Ten orders levying assessments for the construction of sidewalks on Cambridge street, Geneva avenue, Williams street, Pine street, Geneva avenue, Dana avenue, Cornell street, Maple street, Dana avenue, Carolina avenue.

Orders severally passed.

## SALARIES IN PUBLIC WORKS DEPARTMENT.

Coun. MURRAY and MURPHY offered the following:

An Ordinance Concerning the Salaries of the Engineers in Charge of Divisions of the Public Works Department.

Be it ordained by the City Council of Boston, as follows:

Section 1. Section five of chapter three of the

Revised Ordinances of 1925 is hereby amended in the clause establishing the salaries of the commissioner of public works and the engineers in charge of divisions, by striking out the words "five thousand dollars" and inserting in place thereof the words "six thousand dollars."

Sect. 2. This ordinance shall take effect beginning with the first day of December, 1929.

Coun. MURRAY—Mr. President, I would like to have that ordinance referred to the Executive Committee.

President DONOVAN—Under the rules, ordinances are referred to the Committee on Ordinances. You make a motion that this be referred to the Executive Committee?

Coun. MURRAY—I do.

Coun. GREEN—Mr. President, I cannot understand why there should be such procedure on this ordinance. I think it ought to be referred to the Committee on Ordinances. I believe that is the usual and proper procedure. I move, therefore, that the ordinance be referred to that committee.

President DONOVAN—The ordinance will be referred to the Committee on Ordinances, unless the rules are suspended.

Coun. MURRAY—Then, Mr. President, I ask that the rules be suspended.

The motion to suspend the rules was declared lost. Coun. MURRAY doubted the vote. A rising vote was taken, and the motion to suspend the rules was lost.

The ordinance was referred to the Committee on Ordinances.

## TRAFFIC OFFICER AT WASHINGTON STREET AND COLUMBIA ROAD.

Coun. RUBY offered the following:

Ordered, That the Commissioner of Police be requested, through his Honor the Mayor, to assign a traffic officer at the junction of Washington street and Columbia road, Ward 14, especially during the hours that children are passing to and from school.

Passed under suspension of the rule.

## ARC LAMP AT WELLINGTON HILL STREET AND BLUE HILL AVENUE.

Coun. RUBY 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 Wellington Hill street and Blue Hill avenue, Ward 14.

Passed under suspension of the rule.

## WHITE WAY LIGHTING, CENTRE STREET.

Coun. DEVENEY 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 Centre street, Ward 10, from Lamartine street to Hyde square.

Passed under suspension of the rule.

## COASTING, EASTMAN STREET.

Coun. LYNCH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to include Eastman street, Dorchester, from Columbia road to Elder street, in the list of streets on which coasting is to be permitted during the present season.

Passed under suspension of the rule.

## ANNUITY TO WIDOW OF JOHN J. CREMIN.

Coun. DOWD offered the following:

Ordered, That an annuity of six hundred dollars be allowed and paid to the widow of John J. Cremin, late captain 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 SQUARE.

Coun. DOWD offered the following:

Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to install and maintain a convenience station at Franklin square, Ward 8.

Passed under suspension of the rule.

#### RECESS.

The Council voted at 2.20 p. m., on motion of Coun. GREEN, to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber at 2.45 p. m., and were called to order by President DONOVAN.

#### EXECUTIVE COMMITTEE REPORT.

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

1. Report on order (referred October 28) authorizing the Superintendent of Public Buildings to provide suitable quarters in building on Church street near Fayette street, and to lease same for period of five years at rental of one dollar yearly to William F. Sinclair Post No. 250, American Legion—that same ought to pass.

Report accepted; said order passed.

#### ANNUITY TO WIDOW OF FREDERICK W. GODBOLD.

President DONOVAN offered the following:

Ordered, That an annuity of six hundred dollars be allowed and paid to the widow of Frederick W. Godbold, 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.

#### WIDENING OF MORTON STREET.

Coun. WILSON offered the following:

Ordered, That the sum of \$40,000 be, and the same hereby is, appropriated, to be expended under the provisions of chapter 393 of the Acts of 1906, for the laying out, widening and construction of Morton street, Dorchester, from Codman street to Druid street, and that to meet such expense the City Treasurer be authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Coun. WILSON—Mr. President, a similar order has been previously passed twice by the Council and vetoed. I understand, on account of a clerical error. It provided that the work should be done by the Public Works Commissioner instead of the Street Commissioners under the Acts of 1906. I ask suspension of the rule and passage of this order at this time.

The order was given its first reading and passage, yeas 16, nays 0.

#### PAYMENT TO WIDOW OF JOHN H. MAHONY.

Coun. BUSH offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to enable the City of Boston to pay a certain sum of money to the widow of John H. Mahony.

Coun. BUSH—Mr. President, this is a resolution favoring the enactment of legislation for the payment of a sum of money to the widow of John H. Mahony, who served the city faithfully and well for a great many years, but who unfortunately

made his application for retirement within thirty days of the day of his decease and, therefore, it could not be acted upon. I believe that a brief summary of the life history of John H. Mahony would not be inappropriate to put into the records of the Council at the present time. He was born on the 17th day of March, 1869, and was educated in the public schools of the South End section of this city, graduating from the Dwight Grammar School in 1886. He attended Massachusetts Institute of Technology on a special course in regard to applied mechanics. He also took several evening courses at the Y. M. C. A. on concrete and structural steel design, and a course in reinforced concrete at Tufts College. He first entered the employ of the City Architect's office in 1887, as draftsman, this work chiefly consisting of planning and detailing public buildings; then, the office of the Building Department in July, 1892. His work here consisted of illustrating in detail the new building code, which had been recently passed by the Legislature. In June, 1895, he competed for and successfully passed the examination as building inspector, receiving the certification of the Civil Service Commission. In October, 1903, he was appointed supervisor of construction, again receiving the indorsement of the Civil Service Commission. He was, under this new position, given charge of the buildings and operations in twelve wards, and the control of six building inspectors. He continued in this capacity until 1911. He was then transferred from the Construction Division to the head of the Egress Division to fill the vacancy caused by the death of Mr. Levy W. Shaw. The work of this division included monthly examinations of theaters and moving picture halls, and semiannual examinations of all public buildings. He acted in the capacity of Deputy Building Commissioner under Mr. Arthur G. Everett, Patrick O'Hearn and Herbert A. Wilson. During this period of service he was brought in contact with practically all the architects, builders and real estate operators in the City of Boston. He was also connected with the office of District Attorney, being engaged in the drawing of plans, surveys, and giving expert testimony on all homicide cases tried by the Superior Court. In the year 1922 he was appointed by Ex-Mayor Curley as Building Commissioner and received the indorsement of the Civil Service Commission, which, at that time, was headed by the late Payson Dana. During his term of office as Building Commissioner he was also appointed Superintendent of Public Buildings to fill the vacancy caused by the death of Frederick Kneeland. He also served as chairman of the Schoolhouse Commission, filling in the vacancy which occurred by the retirement of Thomas P. Glynn. Upon the election of Malcolm E. Nichols, his resignation was asked for, both for the Building Commission and that as chairman of the Schoolhouse Commission. He was retained in the Schoolhouse Department in an advisory capacity as Superintendent of Construction for the present Schoolhouse Commission, the position which he held until the time of his recent death.

I ask a suspension of the rule and the passage of the resolution.

The resolution was passed under suspension of the rule.

#### CHRISTMAS BASKET FOR FAMILIES RECEIVING AID.

Coun. DOWD offered the following:

Ordered, That the Overseers of the Public Welfare be requested, through his Honor the Mayor, to provide a Christmas basket for each family which is receiving aid at the present time, in addition to their regular allotment.

Passed under suspension of the rule.

#### 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 residing in the City of Boston for the month of December, 1929.

Report accepted; said order passed under usual conditions.

WHITE WAY LIGHTING ON COLUMBUS AVENUE.

Coun. ARNOLD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in the budget for 1930 a sum sufficient to provide for a "white way" system of street lighting on Columbus avenue, from Arlington street to Massachusetts avenue, Ward 4.

Passed under suspension of the rule.

REIMBURSEMENT OF ARTHUR W. SIDES.

Coun. RUBY, for the Committee on Claims, to whom was referred July 15, 1929, petition of Arthur W. Sides for reimbursement for amount of execution issued against him on account of his acts as a police officer, February 16, 1925, submitted report, recommending passage of the following order:

Ordered, That the sum of three thousand two hundred fifty-six dollars and ninety-five cents (\$3,256.95) be allowed and paid to Arthur W. Sides in reimbursement for the amount of an execution issued against him on account of his acts as a police officer, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

RESTRICTIONS ON PARK FRONTAGES.

Coun. MAHONEY, for Coun. Lynch, offered the following:

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.

Coun. GREEN—Mr. President, I move that we now adjourn.

Coun. WARD—Mr. President, I move that the message of the Mayor, now in executive session, relative to the Suffolk County Courthouse, be taken from the Executive Committee.

Coun. WILSON—Mr. President, I move the previous question.

The main question was ordered, and the motion to adjourn was carried.

Adjourned at 2.55 p. m., to meet on Monday, December 16, 1929, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, December 16, 1929.

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

## APPROPRIATION FROM PARKMAN FUND.

The following was received:

City of Boston,  
Office of the Mayor, December 12, 1929.  
To the City Council.

Gentlemen,—As set forth in the accompanying communication the Park Commissioners plan to expend the income now available in the George F. Parkman Fund for improvements at Franklin Park and Boston Common. To permit the carrying forward of these plans I submit herewith an order providing for the appropriation of \$66,812.92, the balance now available in the fund. I respectfully recommend adoption of this order by your honorable body.

Respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, December 5, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to make a request on the City Council for transfer from the final balance for the year 1929 of the income from the George F. Parkman Fund of the following amounts, which are now available, for the purposes stated below:

Franklin Park Improvements: Addition to and reconstruction of the present garage at Franklin Park; additions to and fireproofing of wooden buildings in Franklin Park; addition to greenhouses; bituminous surfacing on roadway and yard adjacent to garage and administration building, etc. . . . . \$50,000.00

Our present garage, which was formerly the stable, is not large enough to care for our cars. Some of the trucks have to be left on the outside, and the Fire Department officials state that in case of a fire it would create a very dangerous condition.

The wooden buildings adjacent to the garage are obsolete and should be renovated and fire-proofed.

On account of the Tercentenary the additional plants needed cannot be grown in the greenhouses without providing at least one more greenhouse. Every available inch of space is now occupied.

The old macadam roadways and the yard are in a very bad condition and a new surfacing should be laid at once.

For the above reasons I am asking for the sum of \$50,000.

Boston Common, Granolithic Walks,  
Grading, etc. . . . . \$16,812.92

The Spruce Street Walk, one of the most used walks on the Common, is dangerous, and a number of accidents have occurred on account of the unevenness of the pavement. We have, also, a number of old brick walks, the bricks of which have been broken and are now in a dangerous condition and should be removed and replaced by granolithic or asphalt walks. On account of the past dry season a considerable amount of grading will have to be done to bring Boston Common up to what would be expected during the Tercentenary year.

Yours very respectfully,  
WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$66,812.92 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:

Franklin Park, improvements. . . . . \$50,000.00  
Boston Common and Public Garden,  
improvements. . . . . 16,812.92

Referred to the Committee on Parkman Fund.

Coun. RUBY in the chair.

## PUBLIC CONVENIENCE STATION IN FRANKLIN SQUARE.

The following was received:

City of Boston,  
Office of the Mayor, December 12, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of December 2, 1929, relative to the establishing of a public convenience station in Franklin square.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, December 5, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of December 3, with inclosure, order from the City Council that the Park Commissioners be requested to provide for the establishing of a public convenience station in Franklin square.

All convenience stations come under the jurisdiction of the Board of Health and I respectfully suggest that this order be forwarded to the Health Department.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

## SKATING FIELD NEAR AQUARIUM.

The following was received:

City of Boston,  
Office of the Mayor, December 12, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Park Department, in reply to your order of December 2, 1929, relative to the flooding the skating field near the Aquarium, South Boston.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Park Department, December 5, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I have your memorandum of December 3, with inclosure, order from the City Council that the Park Commission be requested to flood the skating field near the Aquarium, South Boston.

The area in the rear of the Aquarium will be flooded just as soon as the ground is fit for same. It must be borne in mind that this is a filled area and there has to be a certain amount of frost in the ground before the water can be turned on.

Very respectfully yours,  
WILLIAM P. LONG, Chairman.

Placed on file.

## FURNISHING FOR NEW MEDICAL PAVILION.

The following was received:

City of Boston,  
Office of the Mayor, December 16, 1929.  
To the City Council.

Gentlemen,—I transmit herewith an order in the sum of \$70,000 to provide for furnishing for the new Medical Pavilion in accordance with the request of the Board of Trustees of the Boston City Hospital. It is necessary to request this appropriation at this time so that the furnishings will be ready for installation when the building is turned over to the Hospital Department.

I respectfully recommend the passage of this order by your honorable body.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Hospital Department, December 11, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mr. Mayor,—At a meeting of the Board of Trustees held on December 6 it was voted to request your Honor that the sum of \$70,000 be appropriated to provide for furnishing the new Medical Pavilion. It becomes necessary to request this money now so that the Supply Department may have time enough to advertise contracts to purchase this equipment, in order that it may be ready to install as soon as the pavilion is turned over to the Hospital Department by the contractor.

I inclose herewith a list of the equipment necessary, to which has been added \$6,000 for items to be later selected by the physicians who will work in this building, and a small amount to provide for such articles of equipment as may have been overlooked.

Yours respectfully,  
JOSEPH P. MANNING,  
President, Board of Trustees.

Ordered, That the sum of \$70,000 be, and hereby is, appropriated to be expended by the Trustees of the Boston City Hospital for New Medical Pavilion. 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.

Referred to Committee on Finance.

#### PETITIONS REFERRED.

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

##### Claims.

Joseph A. Addonissio, for compensation for injuries caused by an alleged defect in North Bennet Street Bath House.

Margaret C. Buckley, for compensation for injuries caused by an alleged defect in Washington street, Brighton.

Mary W. Dempster, for compensation for injuries caused by an alleged defect in steamer "Michael J. Perkins."

Mary Doherty and D. McLaughlin, for compensation for damage to property at 287 Causeway street, caused by backing up of sewage.

Mrs. E. Donovan, for compensation for damage to clothing at City Hospital.

Max Foster, for compensation for damage to car by city truck.

Mrs. Theresa Freeman, for compensation for damage to clothing at City Hospital.

Mrs. Mabel Gammon, for compensation for hat stolen from City Hospital.

Cornelius Hurley, for compensation for injuries caused by an alleged defect at 359 Broadway.

Mrs. Mary Kiley for compensation for damage to clothing at City Hospital.

Matilda G. Kraemer, for compensation for damage to hat at City Hospital.

Ernest S. MacMahan, for compensation for damage to car by city cart.

Catherine E. McCarthy, for compensation for damage to clothing at City Hospital.

Edward J. Murphy, for compensation for injuries caused by an alleged defect in Atlantic avenue.

Richard O'Leary *et al.*, for compensation for injuries caused by city truck.

H. A. Pollock, for refund on building fee.

David J. Segal, for compensation for damage to car caused by an alleged defect in Blue Hill avenue.

Anna T. Sweeney, for compensation for damage to clothing at City Hospital.

Sante Varnerin and Alvise F. Rugo, for compensation for damage to property at 9, 10 and 11 Fernald terrace, caused by backing up of sewage.

Benjamin Zelsermyer, for compensation for damage to property caused by city truck.

George M. Hughes, for compensation for damage to property at 763 Huntington avenue, caused by broken water main.

#### Executive.

Petition of Rev. David H. McDonald, for children to appear at Francis Parkman Hall on December 26.

#### Committee on Jitney Licenses.

A petition was received from the Boston Elevated Railway Company for license to operate motor vehicles between junction of Washington street and Massachusetts avenue and Huntington avenue and Stuart street.

#### APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of Samuel Coulter, Henry C. DeAngelis and Lewis C. Speare, having been duly approved by the City Treasurer, were received and approved.

#### APPOINTMENT OF ASSAD MUDARRI.

Notice was received of appointment by the Mayor of Assad Mudarri, 72 Adamson street, Brighton, to position of member of Board of Public Welfare.  
Placed on file.

#### APPROVAL OF APPOINTMENT OF ARTHUR A. SHURTLEFF.

Notice was received from the Commissioners of Civil Service of approval of appointment of Arthur A. Shurtleff, 66 Mt. Vernon street, Boston, to position of Art Commissioner.  
Placed on file.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings upon petitions for storage and sale of gasolene to be held December 30, viz.:

Stella DeMaio, 1436 Centre street, Ward 20, 2,000 gallons.

John W. Kendricken, Trustee, 625 Dudley street, Ward 13, 4,000 gallons.

Trustees of the M. E. and C. E. Wyzanski Trust, 169 Ipswich street, Ward 5, 4,000 gallons.

Referred to the Executive Committee.

#### EXTENSION OF TIME TO BOSTON ELEVATED RAILWAY.

Notice was received from the Board of Street Commissioners of extension of time to Boston Elevated Railway on 69th location.  
Placed on file.

#### REMOVAL OF CONSTABLE.

Notice was received from his Honor the Mayor of removal of John O'Halloran, 17 Sargent street, Dorchester, from position of constable of City of Boston.  
Placed on file.

#### APPOINTMENT OF SANITARY INSPECTOR.

Notice was received from Francis X. Mahoney, Health Commissioner, of appointment of Frederick W. Harrington as sanitary inspector in Health Department.  
Placed on file.

#### COMMUNICATION FROM FRANCIS A. CAMPBELL.

A communication was received from Francis A. Campbell, clerk of the Superior Court for Civil Business, commending the Council for its refusal to accept proposed plans as solution of congested conditions in Courthouse.  
Placed on file.



### CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Chairman RUBY called up under unfinished business Nos. 2 and 3 on the calendar, viz.:

2. Action on appointment submitted by the Mayor December 9, 1929, of Michael DeCicco, to be a Constable.

3. Action on appointment submitted by the Mayor December 9, 1929, of Neil MacGinnis, to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Gallagher and Fitzgerald. Whole number of ballots 12, yeas 12, and the appointments were confirmed.

### PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of Registry of Deeds for work to the amount of \$2,991.89, from November 18 to December 7, piecework, was received and approved.

### SIDEWALK ON GARDNER STREET.

Coun. KEENE offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Gardner street, from Baker street to beyond Rivermoor 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 granolithic, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

### FLOODING OF MURRAY PARK.

Coun. GALLAGHER offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to flood Murray Park, Ward 22, for skating.

Passed under suspension of the rule.

### PAYMENT OF CITY EMPLOYEES.

Coun. MAHONEY 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 23, 1929, in anticipation of Christmas.

Passed under suspension of the rule.

### RECESS.

The Council voted, on motion of Coun. MOTLEY, at 2.19 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 RUBY at 2.39 p. m.

### EXECUTIVE COMMITTEE REPORT.

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

1. Report on petition for children under fifteen years of age to appear at places of public amusement, viz.:

Rev. David H. McDonald, for children to appear at Francis Parkman Hall on December 26.

Report accepted; leave granted on usual conditions.

### FINANCE COMMITTEE REPORTS.

Coun. MOTLEY, for the Committee on finance, submitted the following:

1. Report on order (referred November 25) for a loan of \$500,000 to be expended under the direction of the Board of Street Commissioners for the widening of Staniford street, between Cambridge and Green streets, Ward 3—that the same ought not to pass.

The report of the committee was accepted and the question came on the rejection of the order.

Coun. MOTLEY—Mr. President, owing to the

fact that the West End Business Men's Association appeared here on Friday and your committee did not hear them, I think we should hear from the councilor from that district.

Coun. FITZGERALD—Mr. President, with reference to the West End Business Men's Association coming here to be heard on this proposition, I want to say that I think the press particularly took a very unfair attitude on this matter, which only bears out what I have said here for four years. I have always been opposed to the newspaper men being allowed to come into meetings of the Executive Committee. To begin with, it is a cowardly attitude for newspaper men, when they are in a position to take an unfair advantage of members of this Council, to garble what is said and done here. That is certainly not fair. Everybody who attended that meeting knows perfectly well what I said and knows that the particular speech made there in reference to this matter was not made by me but by another member of the Council who undoubtedly believed that his position in the matter was absolutely right. But they then go forth and try to mislead the public by false and contemptible statements. Now, I am going to ask, Mr. President, that this matter be referred to the full Council and that they hold a hearing on the matter, in order that justice may be done and that the truth may come out. I am not afraid of anything that might come out in such a hearing. For the benefit of those who may not understand the facts I will simply say that I was informed by a reliable person connected with this body, a man who has been in public life for a great many years and who is our Clerk of Committees, an honorable man, that on Thursday there would be no public hearing, that he had not been advised that there was to be such a hearing, and therefore had notified nobody to that effect. Now, I do not propose to bring up here busy men, busy people, to a hearing, where they will spend most of the afternoon when they are needed at their business. The understanding was clearly that the committee was to hold an executive session, and still we find a number of people brought up here with the understanding on their part that there was to be a public hearing. Now, Mr. President, this whole scheme was conceived in enmity, born in corruption, and now by a system of propaganda, by blackhand methods of the worst type, certain people are trying to rush this matter through. Mr. President, I am violating no secret, am not violating the confidence of any man, when I state that the matter has been discussed with his Honor the Mayor. For four years it has been talked about, but we have had no improvement in that district such as should be taken care of. There has been an attempt to widen Causeway street for years, efforts looking to the widening of Chardon street and for finishing the extension of Nashua street. There is a question as to which should be taken up first. There are also the questions of widening Green street and widening Lynde street. But now we see this attempt here because a few broken-down property owners who have property on their hands that they want to get rid of, property on Cambridge street upon which they have already received damages, and on which they have put up partial construction and wish to receive damages again, who hope to get thousands and thousands of dollars, are interesting themselves. It was stated to the people interested in the matter that they should allow it to go to the next administration. What was their answer? That they didn't want to take that chance—because they knew that the incoming Mayor would never stand for the prices they wanted, but they hoped in the closing minutes of this administration to rush the thing through and receive a large amount of money for their broken-down property. If the traffic department will remove the parking privileges on Staniford and Lynde streets, there would be no need of an expenditure of three or four millions. The people of the district know what they want, Mr. President. But some people have coerced certain ones to come to the meeting here and, violating every code of decency, have used the columns of the press and the press itself to send out statements that are not true. I now ask the Council to refer this matter to Executive Committee of the Council and let both sides be heard, thus settling the question. What has been said about me in this matter is a damnable lie. Everybody who was there knows that I did not protest as I was represented as doing, that my only position was that the matter should be closed and turned over to the new administration, and I had nobody here. A number of people were there,

and I consulted with the chairman of the committee and also with the Clerk of Committees, and I take their word that there was no intention to have a hearing. Nobody was given to understand that there would be a hearing. I take their word in preference to that of the newspaper men and the paid hirelings who came here to advocate that extension.

The order was referred to the Executive Committee.

2. Report on order (referred November 25) for a loan of \$250,000 to be expended under the direction of the Board of Street Commissioners for the widening of Causeway street, between Nashua and Lowell streets, Ward 3—that the same ought not to pass.

The report was accepted, and the order was declared rejected.

Coun. WILSON—Mr. President, may I by unanimous consent ask the chairman of the Committee on Finance a question?

Chairman RUBY—Coun. Wilson.

Coun. WILSON—Mr. President, I read the newspaper articles to which the councilor from the West End has made reference, especially dealing with the fact that there was a delegation of some sort here in relation to a loan order put into the City Council at the tail end of this administration, and that that delegation had been refused the right to speak before the Finance Committee. I wonder who invited those delegates or those people who came here, to be present? I want to ask the chairman of the Finance Committee if he invited them, or if it were done by somebody else?

Coun. MOTLEY—Mr. President, in answer to the councilor from Dorchester, I will say, as chairman of the Committee on Finance, that I never invited anybody to attend that meeting.

Coun. WILSON—Mr. President, I simply wished the fact made a matter of record, because I regret that there have been too many meetings of too many committees of the Boston City Council at which delegations have appeared in relation to certain orders, when nobody knew whether they had been invited to be present or by whom. It seems to me unfair, as the councilor from the West End of the city has said, to have a report circulated that a committee of the City Council has refused to hear a delegation at its meeting, when they did not even know that the delegation was to be present and when they had not even planned to have a hearing. So I would be glad to know who sent out that invitation.

#### ORDINANCES.

Coun. SULLIVAN, for Coun. Green, submitted the following report from the Committee on Ordinances:

1. Report on ordinance (referred December 9) concerning the salaries of the engineers in charge of divisions of the Public Works Department, raising same from \$5,000 to \$6,000—that the same ought to pass.

Report accepted, said ordinance passed.

2. Report on ordinance concerning restrictions on park frontages (referred December 9)—that the same ought to pass.

Report accepted; said ordinance passed.

#### TRAFFIC SIGNAL LOAN ORDERS.

Coun. PARKMAN called up, under unfinished business, Nos. 4 and 5 on the calendar, viz.:

4. Ordered, That the sum of one hundred and twenty-five thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Traffic Commission for the installation of an automatic traffic signal system on Commonwealth avenue, from Arlington street to Governor square, and that to meet such expense 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 December 2, 1929, the foregoing order was read once and passed, yeas 15, nays 3.

5. Ordered, That the sum of one hundred and twenty-five thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Traffic Commission for the installation of an automatic traffic system on Massachu-

setts avenue, from Tremont street to Harvard Bridge, and that to meet such expense 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 December 2, 1929, the foregoing order was read once and passed, yeas 15, nays 3.

The orders were given their second and final reading and passage, yeas 18, nays—Coun. Dowling, Ward—2.

#### DOCUMENT MAN FOR CITY COUNCIL.

Coun. DEVENEY offered the following:

Ordered, That the position of Document Man for the City Council be hereby established at an annual salary of \$2,750; said officer to be added to the City Messenger Department, and to be under the direction and control of the City Messenger except as may be otherwise provided by the City Council.

Passed under suspension of the rule.

#### ANNUITY TO WIDOW OF WILLIAM H HARKINS.

Coun. FISH offered the following:

Ordered, That an annuity of six hundred dollars be allowed and paid to the widow of William H. Harkins, 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.

#### PROTECTION OF NEPONSET FIRE DISTRICT.

Coun. FISH offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to discontinue the practice of sending Engine 20 out of the Neponset district on second alarms, leaving that section unprotected.

Passed under a suspension of the rules.

#### LICENSE TO NORTHLITE BURNER CORPORATION.

Coun. FISH offered the following:

Ordered, That the granting of a license to the Northlite Burner Corporation for the storage and sale of forty-two thousand barrels of petroleum products, at 40 Hallett street, Ward 16, be, and the same hereby is, disapproved.

Referred to the Executive Committee.

#### LAND FOR ROBERT BRECK BRIGHAM HOSPITAL.

Coun. MOTLEY called up, under unfinished business, No. 6 on the calendar, viz.:

6. Whereas, By an instrument of taking recorded September 12, 1924, with Suffolk Deeds, Book 4612, page 441, the City of Boston took for hospital and infirmary purposes a certain parcel of land situate on Parker Hill avenue in that part of said Boston, formerly Roxbury, and shown on a plan marked "City of Boston, Parker Hill Avenue, Roxbury, June 10, 1924, William J. Sullivan, Chief Engineer, Street Laying-Out Department"; and

Whereas, Said land is no longer needed for public purposes; and

Whereas, The Robert B. Brigham Hospital for Incurables, a Massachusetts corporation, is desirous of purchasing said land with the buildings thereon, to be used by it for hospital purposes:

Now, therefore, it is Ordered, That his Honor the Mayor of the City of Boston be, and he hereby is, authorized, upon the payment to the said City of Boston by the said Robert B. Brigham Hospital for Incurables of thirty-four thousand, eight hundred dollars (\$34,800) to grant in the name and behalf of said City of Boston to the said Robert B. Brigham Hospital for Incurables, its successors and assigns, by an instrument in writing, satisfactory in form to the Law Department

of the said City of Boston, all its rights, title and interest in and to the following described premises, namely, a certain parcel of land situate in that part of Boston, formerly Roxbury, bounded and described as follows: Northeasterly by Parker Hill avenue, four hundred eighty-five and 31-100 feet; southeasterly by land supposed to belong now or formerly to Eugene N. Foss, three hundred eighty and 90-100 feet; southwesterly by land formerly belonging to the said Eugene N. Foss and now the property of the City of Boston, two hundred fifty-nine and 70-100 feet; southwesterly again by a common passageway belonging to the City of Boston, twenty-five feet; and southwesterly again by property now or formerly belonging to Eugene N. Foss, one hundred eighty-six and 60-100 feet; northwesterly by property belonging to the Robert B. Brigham Hospital for Incurables, two hundred seventy-four and 60-100 feet, containing 191,367 square feet of land, more or less, being the greater part of the property taken by the City of Boston as aforesaid.

On December 2, 1929, the foregoing order was read once and passed, yeas 15, nays 2.

Coun. WARD—Mr. Chairman, I would like to introduce an order having relation to No. 6.

Coun. WARD offered the following:

Ordered, That his Honor the Mayor be requested to make sure that the city is assured in writing, by the trustees of the Robert Breck Brigham Hospital, that the provisions of the will of Robert Breck Brigham will be adhered to, before any land now available be sold to the Robert Breck Brigham Hospital.

Coun. WARD—Mr. President, speaking on this order, which has reference particularly to No. 6 on the calendar, I will simply say that there seems to be an effort being made by the trustees of the Robert Breck Brigham Hospital to take this land at 18 cents a foot. Now, we discussed this in the chamber last week, and I made a statement that I reiterate now, that a poor man in the City of Boston cannot get into the Robert Breck Brigham Hospital with a set of burglar's tools, if he is chronically ill. I do not believe that the trustees are conforming at all to the will of Robert Breck Brigham, and I do not believe, therefore, that the city should think of giving this land to them at 18 cents a foot, land upon which we have spent a large amount. They say that it is of no use to the city. How do we know for what the property might be used? I have no objection to the order going through provided the trustees will conform to the will of Robert Breck Brigham, that the poor chronically ill shall be taken care of. But the object of my order is simply that they shall not be given this land that they request under these terms, as a matter practically of charity, until they exercise the charity that they are supposed to exercise towards the poor chronically ill of this city, under the terms of the will.

Coun. MOTLEY—Mr. President, I have no desire to get into any controversy with the councilor who represents my district in the State Senate, but I will simply say that I made a personal visit to the hospital to find out for myself whether they were giving service to the poor people of Boston. During my investigation there I found that they had sixty-three patients in the west wing of the hospital who were receiving treatment free of charge. There was one patient there, a woman from the West End, who has been there for fourteen years. I asked her how she was treated, and she told me that she had been in bed there for fourteen years and never had a bed sore. I asked her if she had ever been charged anything, and she told me that she had never been charged a penny. Another gentleman, from Charlestown, had been a patient there for five years, coming up from Long Island, and a woman from Jamaica Plain had been there for ten years, and another woman from Allston had been there since 1914. I saw probably twenty children there from the ages of three to twelve. Some of them had been patients for eight years, never out of bed. The food there would put our city institutions to shame, and I think the care is the best that any needy person could possibly get. In one ward there they were treating thirty-four patients, and they had one graduate nurse, two graduate attendants, nine nurses and three orderlies. I think possibly the City Hospital might well follow their example in that regard. They have a teacher there every day sent by the School Committee to take care of the children, to teach them if possible. So I say to the Council

that if they will make a visit there and go to the west wing of that hospital, they will surely vote for this order. I don't know anything about the will or about the personnel of the trustees of the hospital, but I do say that for what they are doing there they deserve some credit.

Coun. WARD—Mr. President, speaking further on these orders, I might say that I have visited some institutions, myself. I happen to be on a committee of the Legislature which has gone about to different institutions in the state of Massachusetts, and when they knew that a committee was coming, everything was in perfect order. But I say that the Robert Breck Brigham Hospital today is used for no other purpose than an experimental laboratory of Harvard University, and it is being so used because the chief surgeons desire the hospital for a laboratory. I would ask the gentleman who visited the hospital what the total number of patients was?

Coun. MOTLEY—I think 124.

Coun. WARD—And of the sixty-three you referred to I believe you saw four or five?

Coun. MOTLEY—I saw them all, and also saw the whole east wing.

Coun. WARD—But you have no knowledge of the will of Robert Breck Brigham, in which he made the provisions for taking care of the chronically ill of the City of Boston, Mr. President, those unable to pay. If there are sixty-three patients there, poor patients, the remaining number are paying, and I say again that it is an experimental laboratory for Harvard University. I say, therefore, that we should not give them this valuable land at 18 cents a foot, to carry out that purpose.

Coun. Ward's order was passed under suspension of the rule.

The question came on the passage of No. 6 on the calendar.

Coun. WARD—Mr. President, I move that we get a copy of the will here before we act on that order.

Chairman RUBY—The question is on the passage of No. 6 on the calendar, and the Clerk will call the roll.

The order was rejected, the vote on its passage being yeas 9, nays 11.

Yeas—Coun. Arnold, Donovan, Fitzgerald, Keene, Motley, Murray, Parkman, Ruby, Wilson—9.

Nays—Coun. Deveney, Dowd, Dowling, Fish, Gallagher, Lynch, Mahoney, McMahon, Murphy, Sullivan, Ward—11.

Coun. WILSON—Mr. President, I move reconsideration, and ask that it be assigned to the next meeting that the trustees, or the gentlemen in charge of the hospital, be invited to appear before the Executive Committee of the Council, and also, for the benefit of Coun. Ward, that we have a copy of the Brigham will here.

Coun. Wilson's motion to reconsider the rejection of No. 6 on the calendar was carried, and the Council voted to assign No. 6 to the next meeting of the Council.

Coun. WILSON—Mr. President, I also move that the trustees of the Robert Breck Brigham Hospital be requested to appear before the Executive Committee at the next meeting.

Coun. Wilson's motion, that the trustees of the Robert Breck Brigham Hospital be requested to appear before the Executive Committee of the City Council at the next meeting, was declared carried.

#### PROPOSED ACCEPTANCE OF PUBLIC ALLEY.

Coun. ARNOLD 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 alley, the private alley between Huntington avenue and St. Stephen street, from Symphony Hall to Opera place.

Passed under suspension of the rule.

#### CHAIRS OCCUPIED BY COUNCILORS.

Coun. LYNCH offered the following:

Ordered, That the Superintendent of Public Buildings be authorized to sell to the outgoing members of the City Council, at a price to be

determined by him, the chairs which they have occupied in the Council Chamber during their term of office.

Passed under suspension of the rule.

ELECTRIC SIREN AT ANDREW SQUARE.

Coun. LYNCH offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to provide for the installation of an electric siren in front of the fire station at Andrew square, South Boston.

Passed under suspension of the rule.

FLOODING OF McCONNELL PARK.

Coun. SULLIVAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to flood for skating McConnell Park, Ward 13.

Passed under suspension of the rule.

BUS LINE BETWEEN MATTAPAN AND PIERCE SQUARES.

Coun. MURPHY offered the following:

Ordered, That his Honor the Mayor be re-

quested to communicate with the trustees of the Boston Elevated Railway Company and oppose the proposed discontinuance of the bus line now operating between Mattapan and Pierce squares, Dorchester.

Passed under suspension of the rule.

PROPOSED ACCEPTANCE OF WARD 18 STREETS.

Coun. MURPHY 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 Stoughton avenue, Ward 18.

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

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

Severally passed under suspension of the rule.

Adjourned at 3.03 p. m., on motion of Coun. WILSON, to meet on Monday, December 23, at 2 p. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Monday, December 23, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Keene and Mahoney.

## JURORS DRAWN.

Jurors were drawn under the law (Coun. RUBY presiding at the box in the absence of the Mayor), as follows:

Twenty-nine additional traverse jurors, Superior Civil Court, Eighth Session, January Sitting, to appear January 6, 1930:

Mathew J. Coughlin, Ward 1; Charles H. Cragin, Ward 1; Michael Keane, Ward 2; Thomas D. Hallahan, Ward 3; James Long, Ward 3; William J. Burke, Ward 4; Oliver M. Cratty, Ward 4; Clarence I. Kimball, Ward 4; David P. Doolan, Ward 6; James A. Morgan, Ward 6; William Pethick, Ward 6; Mortimer J. Cronin, Ward 8; John H. Erhard, Ward 10; Herbert S. Nash, Ward 10; John A. Dobson, Ward 11; Daniel F. Regan, Ward 11; Charles Slater, Ward 11; Victor Rottenberg, Ward 12; James W. Foy, Ward 13; Frank Gallagher, Ward 13; James J. Bean, Ward 14; William N. O'Neill, Ward 15; William Murison, Ward 18; Stephen W. Herthel, Ward 19; Walter R. Hicks, Ward 19; Alfred A. Ziegler, Ward 19; Warl R. Chadwick, Ward 20; Charles H. Tisdale, Ward 20; Francis W. Fleischner, Ward 21.

## APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, his Honor the Mayor submitted appointments, for the term ending April 30, 1930, as follows, viz.:

Weigher of Coal: Mary K. Morley, 1002 Harrison avenue, for Webber Coal Company; John Walsh, 79 Thatcher street, Brookline, for Horgan Fuel Corporation, 507 Shawmut Bank Building.

Measurer of Wood: John Walsh, 79 Thatcher street, Brookline, for Horgan Fuel Corporation, 507 Shawmut Bank Building.

Constables: David Scott, 412 Talbot avenue; George J. Coyle, 354 Bowdoin street; Hyman Rittenberg, 21 Eaton street; Adolphus J. Shephard, 16A Lakeside avenue; Joseph Colin Crowley, 27 Parson street; Robert Henry Homan, 657 East Broadway; Bernard B. Stefan, 62 Fuller street.

Severally laid over a week under the law.

## SAFETY ZONES ON HUNTINGTON AVENUE.

The following was received:

City of Boston,  
Office of the Mayor, December 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commission in reply to your order of November 12, 1929, relative to making safety zones on Huntington avenue, opposite the New England Conservatory of Music.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Traffic Commission, December 17, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council November 12, 1929:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to mark safety zones on Huntington avenue, opposite the New England Conservatory of Music."

In reply thereto would say that this painting has been done.

Respectfully yours,  
WILLIAM A. FISHER, Commissioner.  
Placed on file.

## MARKING ENTRANCES TO ALLEYS.

The following was received:

City of Boston,  
Office of the Mayor, December 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commission, in reply to your order of November 12, 1929, relative to marking entrances to alleys leading from Gainsborough street, Ward 4.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Traffic Commission, December 17, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Sir,—I return herewith the following order passed by the City Council November 12, 1929:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to mark with red paint the entrances to alleys leading from Gainsborough street, Ward 4."

In reply thereto would say that this painting has been done.

Respectfully yours,  
WILLIAM A. FISHER, Commissioner.  
Placed on file.

## TRAFFIC OFFICER, WASHINGTON STREET AND COLUMBIA ROAD.

The following was received:

City of Boston,  
Office of the Mayor, December 23, 1929.  
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner in reply to your order of December 9, 1929, relative to assigning a traffic officer at junction of Washington street and Columbia road, Ward 14, especially during the hours that children are passing to and from school.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Police Department, December 21, 1929.  
Hon. Malcolm E. Nichols,  
Mayor of Boston.

Dear Mayor Nichols,—In reply to a note from your office under date of December 17 together with an order from the City Council requesting a traffic officer to be assigned at the junction of Washington street and Columbia road, I wish to state that we have an insufficient number of police officers to enable us to place an officer at this location but we will keep it under consideration and endeavor to place an officer there in the near future.

I am returning herewith the note and Council order which was sent to this office, a copy of which I am keeping for our files.

Yours respectfully,  
HERBERT A. WILSON,  
Police Commissioner.

Placed on file.

## RELEASE OF RESTRICTION ON LAND CONCORD STREET.

City of Boston,  
Office of the Mayor, December 23, 1929.  
To the Honorable the City Council.

Gentlemen,—Inclosed find order authorizing his Honor the Mayor to release a certain restriction which is now on the property of the Association for the Protection of Destitute Catholic Children in Boston. The said property is located on Concord street, Stoughton street and Harrison avenue. By deed dated July 25, 1871, and recorded with Suffolk Deeds, Book 1142, folio 201, the City of Boston conveyed to the Association for the Protection of Destitute Catholic Children in Boston about 40,000 square feet of city land, situate on Concord street, Stoughton

street and Harrison avenue in said Boston. The consideration mentioned in the deed was \$30,000 and the land described in said deed was conveyed subject to several conditions. Most of the conditions relate to the position of any building on said lot, the materials of which the said building should be built and constructed, and the height of said building.

The second condition set forth in said deed was as follows:

"The land is to be used as a home for orphans and destitute children and for no other purpose."

The fourth condition set forth in said deed is as follows:

"The said Association may release themselves from the two next preceding conditions numbered two and three at any time before a breach of them or either of them, by paying to the said City of Boston a sum equal to seventy-five cents for each square foot of said land and interest on said sum from the two next preceding conditions numbered the said Association and its assigns shall thereafter hold the said land upon and only upon the following conditions."

By deed dated January 26, 1876, recorded with Suffolk Deeds, Book 1313, page 22, the City of Boston conveyed to the Association for the Protection of Destitute Catholic Children another certain parcel of city land, containing about 10,012 and  $\frac{1}{10}$  square feet, situate on Concord street, Harrison avenue and Stoughton street in the City of Boston. The consideration mentioned in said deed was \$5,006.25. There were three conditions mentioned in said deed, the important one being condition No. 2, which is as follows:

"The premises are to be used for the purposes of a home for orphan and destitute children but should said land be used for any other purpose than the sum of seventy-five cents per square foot of land, in addition to the above mentioned amount, with interest thereon from December 4, A. D. 1869, is to be paid to said city by said Association, its successor or assigns, and the same conditions apply to same land as are set forth in the deed given by the said city of land on Worcester Square."

On the 30th day of November, 1876, there was an indenture entered into between the City of Boston and said association wherein the said conditions are released by the City of Boston and in consideration of said release, the said association covenants that the said premises shall be held by it subject to the restrictions that—

"It shall be used for no other purpose than a home for orphan and destitute children, unless at any time the owners of the said land for the time being shall pay to the city a sum equal to seventy-five cents for each square foot of said land, in which case the said land may thereafter be used for dwelling houses, subject to the following restrictions."

The restrictions that follow relate to the position of the building on the land, the materials of which it should be built, and the height.

The said indenture was authorized by a vote of the Board of Aldermen, dated October 30, 1876, and the terms of said indenture are referred to in said order of the Board of Aldermen. It will be seen, therefore, that both the condition and restrictions set forth that the said land should not be used for any purpose other than "a home for orphan and destitute children," unless the said association pays to the City of Boston seventy-five cents a foot for the land by the above mentioned two deeds. The area of the land conveyed by the above mentioned deeds is about 50,000 square feet.

I am inclosing a letter of Mr. John Beck relative to the value of the land and the restriction thereon.

Respectfully submitted,

MALCOLM E. NICHOLS,  
Mayor.

Whereas, By deed dated July 25, 1871, recorded with Suffolk Deeds, Lib. 1142, folio 201, the City of Boston, in consideration of \$30,000, conveyed to the Association for the Protection of Destitute Catholic Children in Boston about 40,000 square feet of city land, situate on Concord street, Stoughton street and Harrison avenue in said Boston; and

Whereas, The said deed contained among several conditions the following two conditions, namely,

No. 2. "The land is to be used as a home for orphans and destitute children and for no other purpose."

No. 4. "The said Association may release themselves from the two next preceding conditions numbered two and three, at any time before a breach of them or either of them, by paying to the said City of Boston a sum equal to seventy-five cents for each square foot of said land and interest on said sum from the date hereof; but in case of such release the said Association and its assigns shall thereafter hold the said land upon and only upon the following conditions."

Whereas, By deed dated January 26, 1876, and recorded with Suffolk Deeds, Book 1313, page 22, the City of Boston, in consideration of \$5,006.25, conveyed to the Association for the Protection of Destitute Catholic Children in Boston about 10,012 and  $\frac{1}{10}$  square feet of city land, situate on Concord street, Stoughton street and Harrison avenue in said Boston; and

Whereas, The last mentioned deed contained among several conditions the following, which is numbered Condition 2:

"It shall be used for no other purpose than a home for orphan and destitute children, unless at any time the owners of the said land for the time being shall pay to the city a sum equal to seventy-five cents for each square foot of said land, in which case the said land may thereafter be used for dwelling houses, subject to the following restrictions."

Whereas, By an indenture dated November 30, 1876, and recorded with Suffolk Deeds, Book 1360, folio 105, it was agreed by and between said Association and the City of Boston that the conditions of the above two deeds should be released upon the covenant of the said association to hold this said land subject to the following restrictions:

"It shall be used for no other purpose than a home for orphan and destitute children, unless at any time the owners of the said land for the time being shall pay to the city a sum equal to seventy-five cents for each square foot of said land, in which case the said land may thereafter be used for dwelling houses, subject to the following restrictions."

Whereas, The said association is desirous that the above referred to restrictions be released;

Now, therefore, it is hereby Ordered, That his Honor the Mayor be, and he hereby is, authorized in the name and behalf of the said City of Boston, by a release satisfactory in form to the Law Department of the City of Boston, to release the above mentioned restriction upon the payment to the said City of Boston by said Association of the sum of one dollar.

Referred to the Committee on Public Lands.

#### VETO OF ORDERS IN RE DUNBAR AVENUE PLAYGROUND.

The following were received:

City of Boston,  
Office of the Mayor, December 17, 1929.  
To the City Council.

Gentlemen,—I return herewith without my approval and without prejudice your order under date of December 9, rescinding the appropriation of \$21,000 for the purchase of land for playground purposes in the vicinity of Dunbar avenue, Ward 17, as this matter has been referred to the playground committee for its consideration and report. I believe it is wise to keep the present appropriation until further information is available.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Office of the Mayor, December 17, 1929.  
To the City Council.

Gentlemen,—I return herewith without my approval and without prejudice your order under date of December 2, that the sum of \$25,000 be appropriated for playground purposes in the vicinity of Dunbar avenue, Ward 17.

As this order is larger in amount than the original, I deem it wise to have further inquiry

made and therefore have referred this matter to the playground committee for consideration and report.

Respectfully yours,  
MALCOLM E. NICHOLS, Mayor.

Severally placed on file.

#### PETITIONS REFERRED.

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

##### Claims.

F. G. Allman, for compensation for damage to automobile by fire apparatus.

William Barker, for compensation for damage to car caused by an alleged defect in Blue Hill avenue and Seaver street.

Samuel Barsky, for compensation for damage to car by city truck.

Anna E. Buckley, for compensation for damage to clothing at City Hospital.

Margaret C. Buckley, for compensation for injuries caused by an alleged defect at 127 Washington street.

William F. Chebba, for compensation for expenses incurred in removal of heaters at 34 Melrose street, which were not approved by Building Department.

Joseph M. Curley, to be reimbursed for money advanced by him as witness fees at District Court of Chelsea.

Kathleen C. Daly, for compensation for damage to car by car of Park Department.

James Dimodica, for compensation for damage to car by city team.

Joseph K. Finn, for compensation for damage to property at 15 St. Albans road, caused by bursting of water main.

General Baking Company for compensation for damage to wagon by city truck.

Bertha Harkins, for compensation for injuries caused by an alleged defect in Winthrop street, Charlestown.

Ray C. Johnson, for compensation for damage to property at 761 Huntington avenue, caused by broken water main.

Joseph Kavanaugh, for compensation for loss of clothing at City Hospital.

Henry O. Lacey, for compensation for damage to car by city car.

Libby Liberman, for compensation for injuries caused by police wagon.

Evelyn M. MacDonald, for compensation for damage to car by city truck.

Anna McClintock, for compensation for injuries caused by an alleged defect in Eighth street.

Katherine McNamara, for compensation for damage to clothing at City Hospital.

Robert M. McWhirtin, for compensation for damage to property at 69 Archdale road, caused by bursting of hydrant.

Gladys M. Moore, for compensation for injuries caused by an alleged defect at 86 Dover street.

G. Nash, for compensation for damage to property at 765 Huntington avenue, caused by bursting of water main.

Blanche E. Nichols, for compensation for clothing taken from locker at Vose House, City Hospital.

Eugene O'Connor, to be reimbursed for wages due him for services in Public Works Department.

J. B. Richardson, for refund on unused refuse tickets.

Archie Smiles, for compensation for damage to property at 741 Huntington avenue, caused by break in water main.

W. S. Smith, for compensation for damage to property at 170 Washington street, caused by break in water main.

A. A. Tapp, to be reimbursed for judgment brought against him on account of his acts as a fireman.

Arthur D. Timmins, to be reimbursed for loss of property while on police duty.

Mrs. Sophie Waldman, for compensation for injuries caused by falling branch of tree.

#### ADDITIONAL ALLOWANCE FOR CLERICAL ASSISTANCE.

A communication was received from Wilfred Bolster, Chief Justice of the Municipal Court of Boston, requesting additional allowance for clerical assistance.

Referred to the Committee on County Accounts.

#### STORAGE AND SALE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings to be held on petitions for storage and sale of gasolene, January 6, 1930, viz.:

James W. Brodbine, 273 Dover street, Ward 3, 2,000 gallons.

Morris M. Broomfield, 141 North Beacon street, Ward 22, 2,000 gallons.

Jones & Poisson, Incorporated, 44 Miller street, Ward 2, 1,000 gallons.

Standard Oil Company of New York, 460 Cambridge street, etc., Ward 21, 4,000 gallons gasolene, 400 gallons oil, 60 gallons kerosene, 60 gallons denatured alcohol.

Referred to the Executive Committee.

#### DESIGNATION OF JAMES J. MULVEY.

Notice was received from the Mayor of designation of James J. Mulvey, member of the Board of Election Commissioners, to serve as member of the Listing Board for year ending January 30, 1930.

Placed on file.

#### NOTICE OF APPROVAL OF VOTING MACHINE.

A communication was received from Frederic W. Cook, Secretary of the Commonwealth of Massachusetts, inclosing copy of report of the State Ballot Law Commission and Voting Machine Examiners approving the voting machine manufactured by the Automatic Registering Machine Company, Incorporated.

Placed on file.

#### DEATH OF JOHN I. JACKSON.

Notice was received from the Police Commissioner of death of John I. Jackson, patrolman, from injuries received in the performance of his duty.

Placed on file.

#### APPROVAL OF APPOINTMENTS.

Notice was received from the Commissioners of Civil Service of approval of the following appointments by the Mayor, viz.:

Thomas F. Sullivan, 1736 Columbia road, South Boston, as Transit Commissioner.

James B. Noyes, 186 Bay State road, as Transit Commissioner.

Nathan A. Heller, 41 Howland street, Roxbury, as Transit Commissioner.

Charles T. Harding, 54 Kenwood street, Dorchester, as Street Commissioner.

Severally placed on file.

#### REINSTATEMENT OF JAMES S. KIERNAN.

Coun. FISH offered the following:

Resolved, That the Boston City Council hereby favors the enactment of legislation authorizing the City of Boston to reinstate James S. Kiernan as clerk in the office of the Overseers of Public Welfare in said city.

Passed under suspension of the rule.

#### DISAPPROVAL OF GASOLENE LICENSE, 625 DUDLEY STREET.

Coun. SULLIVAN offered the following:

Ordered, That the granting of a license to John W. Kendrick, trustee, for the storage and sale of four thousand gallons of gasolene at six hundred twenty-five Dudley street, be, and the same hereby is, disapproved.

Passed under suspension of the rule.

#### REPORT OF COMMITTEE ON PARKMAN FUND.

Coun. PARKMAN, for the Committee on Parkman Fund, submitted the following:

1. Report on message of Mayor and order

(referred December 16) that the sum of \$66,812.92 be appropriated from income of George F. Parkman Fund, for Franklin Park Improvements, \$50,000, for Boston Common and Public Garden improvements, \$16,812.92—that same ought to pass.

Report accepted; said order passed, yeas 16, nays 0.

#### LAYING OUT OF MORTON STREET.

Coun. WILSON called up unfinished business No. 2 on the calendar, viz.:

2. Ordered. That the sum of \$40,000 be, and the same hereby is, appropriated, to be expended under the provisions of chapter 393 of the Acts of 1906, for the laying out, widening and construction of Morton street, Dorchester, from Codman street to Druid street, 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.

On December 9, 1929, the foregoing order was read once and passed, yeas 16, nays 0.

The order was given its second and final reading and passage, yeas 15; nays—Coun. Dowling—1.

#### REPAVING OF ADAMS STREET, WARD 15.

Coun. McMAHON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth paving Adams street, from Eaton square to Dorchester avenue, Ward 15.

Coun. McMAHON—Mr. President, I ask on that a suspension of the rule and the passage of the order for this reason. The Edison Company have gone in and ruined this street from St. Peter's Church to Fields Corner, and have lanterns all over the street. There was a promise that it was to be resurfaced before the winter set in. That has not been done, and I want some action. That is why I have introduced the order this afternoon. The order was passed under suspension of the rule.

#### GINSBURG MEMORIAL BRIDGE.

Coun. ARNOLD offered the following:

Ordered, That the new bridge on Massachusetts avenue, between Boylston street and Newbury street, be named the Edward E. Ginsburg Memorial Bridge, in honor of the distinguished citizen and benefactor of that name.

Referred to the Executive Committee.

#### FINANCE COMMITTEE REPORT.

Coun. MOTLEY, for the Committee on Finance, submitted the following:

1. Report on message of Mayor and order (referred December 16) appropriating \$70,000 for furnishing and equipping New Medical Pavilion, City Hospital,—that same ought not to pass, without prejudice.

Coun. MOTLEY—Mr. President, the reason why the committee has returned this report "ought not to pass" is because we have not time to pass it.

Report accepted; order rejected without prejudice.

#### SOLDIERS' RELIEF.

Coun. MOTLEY, for the Committee on Soldiers' Relief, submitting 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, 1929.

Passed under suspension of the rule.

#### RECESS.

The Council voted, at 2.39 p. m., on motion of Coun. GALLAGHER, 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 DONOVAN at 4 p. m.

#### EXECUTIVE COMMITTEE REPORT.

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

1. Report on order (referred today) that the new bridge on Massachusetts avenue, between Boylston street and Newbury street, be named the Edward E. Ginsburg Memorial Bridge—that same ought to pass.

Report accepted; said order passed.

#### WEIGHTS AND MEASURES SALARIES.

Coun. GREEN, for the Committee on Ordinances, submitted the following:

1. Report on ordinance (referred October 28) amending chapter 3 of Revised Ordinances of 1925, section 5, by inserting the following: The sealer of weights and measures, forty-five hundred dollars, the chief deputy sealer, three thousand dollars, and the eleven other deputy sealers twenty-eight hundred dollars each—that same ought to pass.

Report accepted; said ordinance passed.

#### COMMUNICATION FROM MT. HOPE CITIZENS' ASSOCIATION.

A communication was received from Charles J. Lennon, Secretary of Mt. Hope Citizens' Association, urging prompt action on Centre street and St. Ann street widenings.

Placed on file.

#### LAND FOR ROBERT B. BRIGHAM HOSPITAL.

Coun. MOTLEY moved to take up assignment, viz.:

3. Whereas, By an instrument of taking recorded September 12, 1924, with Suffolk Deeds, Book 4612, page 441, the City of Boston took for hospital and infirmary purposes a certain parcel of land situate on Parker Hill avenue in that part of said Boston, formerly Roxbury, and shown on a plan marked "City of Boston, Parker Hill Avenue, Roxbury, June 10, 1924, William J. Sullivan, Chief Engineer, Street Laying-Out Department"; and

Whereas, Said land is no longer needed for public purposes; and

Whereas, The Robert B. Brigham Hospital for Incurables, a Massachusetts corporation, is desirous of purchasing said land with the buildings thereon, to be used by it for hospital purposes;

Now, therefore, it is Ordered, That his Honor the Mayor of the City of Boston be, and he hereby is, authorized, upon the payment to the said City of Boston by the said Robert B. Brigham Hospital for Incurables of thirty-four thousand, eight hundred dollars (\$34,800) to grant in the name and behalf of said City of Boston to the said Robert B. Brigham Hospital for Incurables, its successors and assigns by an instrument in writing, satisfactory in form to the Law Department of the said City of Boston, all its rights, title and interest in and to the following described premises, namely, a certain parcel of land situate in that part of Boston, formerly Roxbury, bounded and described as follows: Northeasterly by Parker Hill avenue, four hundred eighty-five and 31-100 feet; southeasterly by land supposed to belong now or formerly to Eugene N. Foss, three hundred eighty and 90-100 feet; southwesterly by land formerly belonging to the said Eugene N. Foss and now the property of the City of Boston, two hundred fifty-nine and 70-100 feet; southwesterly again by a common passageway belonging to the City of Boston, twenty-five feet; and southwesterly again by property now or formerly belonging to Eugene N. Foss, one hundred eighty-six and 60-100 feet; northwesterly by property belonging to the Robert B. Brigham Hospital for Incurables, two hundred seventy-four and 60-100 feet, containing 191,367 square feet of land, more or less, being the greater part of the property taken by the City of Boston as aforesaid. On December 2, 1929, the foregoing order was read once and passed, yeas 15, nays 2.

Coun. WILSON—Mr. President, with reference to this particular motion I am very strongly [with



Coun. Motley on this particular question, but I think it is perfectly obvious that we do not have fifteen votes here today. I think it would be a disgrace to the City of Boston to have this order defeated. I think the six members who are now absent ought to be given an opportunity here next Monday to register their votes, because theirs will be the blame if a matter of this nature and importance should be defeated. For that reason I oppose taking the matter from the table at this time.

Coun. McMAHON—Mr. President, before we vote on taking this from the table I wish to say just a word. There is only one reason for our taking it from the table, and that is to give it the axe. Now, Mr. President, I voted against this measure a week ago feeling that we should get some information about it. There was an argument about the will, just what the will said, and whether the bequest was for the benefit of the poor of Boston. There were several gentlemen who came here today and who stated that nobody but the poor of Boston could get treated at that hospital and I will tell any members who are ducking this proposition here this afternoon why they are afraid to come in here and vote for this order. There is only one reason, and that is that it might hurt the feelings of some politicians, although those members know in their hearts and souls that there is no reason why the order should not be passed. I believe any gentlemen who sat in the committee room and listened to those two men who came and explained the situation today are absolutely satisfied in regard to the purposes and the conduct of this hospital, and know that those who are taken care of in the hospital are those who were expected to be taken care of under the will. I feel that any member should be ashamed of himself to be absent

on a roll call on a matter of this kind. Let me say right here and now, Mr. President, that there is no member of this Council who can conscientiously vote against that hospital today or a week from today. If the purpose of taking this off the table today is to give it a licking, city councilors of Boston ought to be ashamed of themselves. As one member of the Council, Mr. President, I feel that this measure should be passed. There is plenty of room left after the taking of this piece of land to build all the chronic hospitals that the city wants to put in there. We haven't got such a hospital. The question of Long Island was brought up in the committee. There isn't a member here who wants to send a patient to Long Island, and they know it. They tell you about the City Hospital taking care of them. If you haven't a drag at the City Hospital you are sent away as soon as they can possibly get rid of you, and no councilor can argue against that. If a patient goes to the City Hospital who is incurable, he cannot stay there more than two months, and after that time he has to be taken care of in such an institution as this.

President DONOVAN—The Chair will state that this matter is on the calendar as an assignment in today's business, and is not on the table.

Coun. PARKMAN—Mr. President, I move that it lie on the table.

Coun. WARD—Mr. President.

President DONOVAN—No debate is allowed, Councilor Ward, on a motion to lay on the table.

The Council voted to lay No. 3 on the table.

Adjourned at 4.05 p. m., on motion of Coun. FITZGERALD, to meet on Monday, December 30, 1929, at 2 p. m.



## CITY OF BOSTON.

## Proceedings of City Council.

Monday, December 30, 1929.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President DONOVAN in the chair. Absent, Coun. Arnold, Keene, Murphy and Wilson.

Coun. RUBY was called to the chair—by President DONOVAN.

## VETO OF GASOLENE PERMIT.

The following was received:

City of Boston,

Office of the Mayor, December 27, 1929.  
To the City Council.

Gentlemen,—I am returning herewith, without my signature, the order passed by the City Council on December 23, 1929, disapproving the granting of a license for the storage and sale of four thousand gallons of gasoline on the premises at 625 Dudley street.

In returning this order without my signature, I in no way indicate whether I favor or disapprove the granting of the license in question. I do not wish to pass upon this question until the Board of Street Commissioners, the body charged with the duty of passing on matters of this kind, has expressed its official opinion either by voting in favor of the granting of the license or by disapproving the issuance of such permit.

Respectfully yours,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

## CONSTABLE'S BOND.

The constable's bond of Joseph F. Ecker, having been duly approved by the City Treasurer, was received and approved.

## HEARINGS ON GASOLENE PETITION.

Notice was received from the Board of Street Commissioners of hearings on Monday, January 13, 1930, on the following petitions for storage and sale of gasoline:

United Ice and Coal Company, 1A Ellery street, Ward 7, 1,000 gallons.

William T. Van Nostrand, 26 Alford street, Ward 2, 1,000 gallons.

Referred to Executive Committee.

## CIVIL SERVICE APPROVALS.

Certificates were received of approval by the Commissioners of Civil Service of the following appointees of the Mayor:

William H. Taylor, 71 Farragut road, South Boston, Overseer of the Public Welfare of the City of Boston.

John D. Marks, 44 Quint avenue, Allston, Election Commissioner of the City of Boston.

Placed on file.

## PETITIONS REFERRED.

The following petitions were received and were referred to the Committee on Claims:

Dora Auerback and George Hoffenberg, for compensation for injuries and damage to property by city car.

Frank A. Bowen, for compensation for damage to car by city truck.

Ronald D. Crafts, for compensation for damage to car by city truck.

Harriet D. Crosby, for compensation for injuries caused by an alleged defect in Magnolia street.

Salvatore J. Danna, for compensation for damage to car by city cart.

Mildred Hazelum, for compensation for injuries caused by an alleged defect in Atlantic avenue.

John M. Levitan, for compensation for damage to property at 436 Warren street, caused by students at Memorial High School.

Edward J. Murphy, for compensation for injuries caused by an alleged defect in Atlantic avenue.

Morris Paris, for refund on sidewalk license.

Josephine Poleo, for compensation for injuries caused by an alleged defect at 868 E. Fourth street.

Daniel J. Scannell, for compensation for damage to clothing by fire apparatus.

William E. Sibley, for compensation for damage to property at 174-178 Washington street, caused by break in water main.

Sam Silver, for compensation for loss of clothing at Deer Island.

Frank N. Strong, for compensation for damage to car caused by an alleged defect in West street, Hyde Park.

Catherine Sullivan, for compensation for damage to clothing at City Hospital.

Yankee Department Stores, Inc., for compensation for damage to property at 174-178 Washington street, caused by break in water main.

## PAY ROLL OF REGISTRY OF DEEDS.

The pay roll of the Registry of Deeds, from December 16 to December 31, 1929, inclusive, amounting to \$4,770.47, was received and approved.

## MINORS' LICENSES.

Applications were received for minors' licenses from forty-seven newsboys and eleven vendors, and it was voted that licenses be granted on the usual conditions.

## HOSPITAL LAND ON PARKER HILL.

Coun. DOWD moved to take from the table No. 4 on the calendar, being the order authorizing the sale of land on Parker Hill to the Robert Breck Brigham Hospital.

Coun Dowd's motion to take No. 4 from the table was lost.

## CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Chairman RUBY called up, under unfinished business, Nos. 2 and 3 on the calendar, viz.:

2. Action on appointments submitted by the Mayor December 23, 1929, of David Scott, George J. Coyle, Hyman Rittenberg, Adolphus J. Shepherd, Joseph C. Crowley, Robert H. Homans and Bernard B. Stefan, to be Constables.

3. Action on appointments submitted by the Mayor December 23, 1929, of Mary K. Morley and John Walsh, to be Weighers of Coal; and John Walsh, to be a Measurer of Wood and Bark.

The question came on confirmation. Committee, Coun. Dowling and Green. Whole number of ballots, 12; yeas 12, and the appointments were confirmed.

## RECESS.

On motion of Coun. FISH, the Council voted, at 2.09 p. m., 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 Coun. RUBY at 2.17 p. m.

## EXECUTIVE COMMITTEE REPORTS.

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

Reports recommending the passage of the following orders (referred December 9):

That an annuity of \$600 be allowed and paid to the widow of Florence J. Sullivan, 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

That an annuity of \$600 be allowed and paid to the widow of John J. Cremin, late captain 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.

Reports accepted; said orders passed.

## THE NEXT MEETING.

On motion of Coun. DOWLING, it was voted that when the Council adjourned it would be to meet on Saturday, January 4, 1930, at 11 a. m.

## LOCAL PURCHASE OF POLICE UNIFORMS.

Chairman RUBY offered the following:

Ordered That the Police Commissioner be requested, through his Honor the Mayor, to see that all future contracts for the manufacture of police uniforms be awarded to firms having a place of manufacture in Boston, and preferably to citizens of Boston.

Passed under suspension of the rule.

Adjourned, on motion of Coun. LYNCH, at 2.20 p. m. to meet on Saturday, January 4, 1930, at 11 a. m.

## CITY OF BOSTON.

## Proceedings of City Council.

Saturday, January 4, 1930.

Final meeting of the City Council of 1929 in the Council Chamber, City Hall, at 11 a. m., President DONOVAN in the chair and all the members present.

## STREET LIGHTING REPORT.

The following was received:

City of Boston,

Office of the Mayor, January 4, 1930.

To the City Council.

Gentlemen,—I transmit herewith report on the street lighting situation in the City of Boston.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

(Annexed was the report referred to.)

Placed on file.

## VETO OF MORTON STREET APPROPRIATION.

The following was received:

City of Boston,

Office of the Mayor, January 4, 1930.

To the City Council.

Gentlemen,—I return herewith, without my approval, your order of December 23, 1929, for an appropriation of forty thousand dollars for laying out, widening and construction of Morton street, Dorchester, from Codman street to Druid street, as I am of the opinion that the same should be included in the street loan policy of the current fiscal year.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

## VETO OF INCREASED SALARIES, DEPARTMENT OF WEIGHTS AND MEASURES.

The following was received:

City of Boston,

Office of the Mayor, December 31, 1929.

To the City Council.

Gentlemen,—I return herewith, without my approval, the ordinance passed by your honorable body on December 23, 1929, fixing the salaries of deputy sealers of weights and measures. Without raising the question as to the legality of the City Council determining the salaries of subordinate employees of the department, the change in the ordinance is unnecessary as under the terms of the original ordinance the power to fix the salaries in question is vested with the Mayor and Sealer.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

Placed on file.

## REPORT OF COMMITTEE ON FIRE WASTE AND INSURANCE RATES.

The following was received:

City of Boston,

Office of the Mayor, December 31, 1929.

To the City Council.

Gentlemen,—I transmit herewith copy of report on Problem of Fire Waste and Insurance Rates presented to me this day by the committee.

Yours respectfully,

MALCOLM E. NICHOLS, Mayor.

(Accompanying the letter was the report referred to.)

Placed on file.

## METROPOLITAN TRANSIT.

The following was received:

City of Boston,

Office of the Mayor, January 4, 1930.

To the City Council.

Gentlemen,—The acceptance by your body of section eight of chapter 383 of the Acts of 1929 is too important to the citizens and taxpayers of Boston to be dismissed without further serious consideration.

The growth of the metropolitan city demands a treatment of its transportation system in a larger way than has been necessary in the past thirty years. Efforts to formulate this treatment have been going on for the past four years and have resulted in a measure (chapter 383, Acts of 1929) which, while not perfect, is still a step toward much needed rapid transit extensions. It applies to a district much larger than the City of Boston. The problem no longer relates to a portion of the metropolitan city. It is no longer exclusively a City of Boston problem but a Metropolitan City of Boston problem. The scope of the problem and its complex nature has made it one difficult but by no means impossible of solution. The pressure for new transportation facilities requires that it be taken up without delay in orderly fashion to meet this demand.

Improved Transit Promotes Boston Interests.

Boston itself will be the largest beneficiary of improved rapid transit because it will help and stimulate the business center of the greater city which lies in large part within our municipal limits. There is genuine need of bringing comfortably and easily the residents of the outlying sections in and out of the business center. Few people realize that the traffic count shows that every day there enters and leaves the downtown district a body of 1,600,000 people, in number double the population of municipal Boston. It can be readily seen that if an increasing proportion of this number can be taken in and out of the business section on rapid transit lines instead of in automobiles, the pressure of intolerable street traffic conditions can be relieved and retail business immeasurably helped. This situation demands decisive and fearless action and the City of Boston cannot afford to take a narrow or prejudicial view. Any measure providing such relief should be examined with care from the point of view of this city, and it seems to me that chapter 383 of the Acts of 1929 is in many ways so constructive that it is entitled to such an examination, and should either be accepted as it is at present drafted or that such perfecting amendments should be suggested to the General Court as would permit its acceptance at any early date.

Meaning of the Transit Act.

The Legislature of 1929, by chapter 383, created a Metropolitan Transit District made up of the fourteen cities and towns now served by the Elevated, the affairs of the district to be managed by a board of five trustees, four appointed by the Governor and one by the Mayor. The act also created a Metropolitan Transit Council made up of the mayors and chairmen of the selectmen of the cities and towns of the district, each mayor or chairman having one vote in the council for each \$100,000,000 or fraction thereof of taxable property in a city or town which he represents, two-thirds of the total number of votes so authorized being necessary for the passage of a measure.

While the act did not authorize the construction of any new subways or rapid transit lines, it did instruct the trustees of the Metropolitan Transit District to make a careful study of such new rapid transit routes as in its opinion are necessary, and to submit its findings and recommendations to the Metropolitan Transit Council. If and when such findings are approved by the Council, they are then submitted to the General Court for final action.

The act further authorized the Metropolitan Transit District to acquire from the City of Boston, with the consent of its Mayor and City Council, all of its subways, tunnels and rapid transit extensions. If and when the Mayor and City Council of Boston agree to this transfer, the Commonwealth transfers to the district its title to the Cambridge subway which it now owns. In acquiring these subways from the city and the Commonwealth the district is to guarantee to the city and the Commonwealth an annual payment equal to the interest and sinking fund requirements on all of the outstanding transit obligations of said

city and Commonwealth, such payments to continue until all outstanding bonds issued by the city or the Commonwealth have been retired. The district is also authorized to issue its bonds for the construction of new rapid transit routes as the same are authorized, and to levy taxes to cover any deficits or expenses not met by rentals or other revenues.

#### Act is Constructive.

The act is constructive and important in that it creates the machinery for a complete and unified rapid transit system for Metropolitan Boston. In brief, the act sets forth a contract between the city and the district of which the city is a major part, whereby the district agrees to take over and pay for all existing subways, tunnels and rapid transit extensions now owned by the City of Boston on the same terms upon which the city is obligated to pay for them and as a party to the contract, the Commonwealth agrees to turn over the Cambridge subway and the district agrees to take over and pay for it on the same terms and conditions as the Boston subways are to be paid for.

Stated in another way, the district agrees to assume all the outstanding rapid transit obligations for which the Commonwealth and the City of Boston are liable. The contract is not wholly unlike the creation of a partnership for carrying on a business operation which an individual has found too great to carry on by himself. It has been proven beyond a doubt that future rapid transit extensions urgently required inside and outside the City of Boston cannot be constructed under old methods which worked well until the operations broadened from the city into the greater city.

The interests of Boston are completely interwoven with the surrounding communities in transportation matters. All business life in Boston is dependent upon ready intercommunication with all parts of the Metropolitan District. For transportation purposes the district is a unit and the rapid transit system which is to provide this intercommunication should be designed, constructed and operated on that basis. These same reasons led to the creation of the Metropolitan Water, Sewerage and Park Districts, but applies to transportation with even greater force. For efficient and economical construction and operation, rapid transit lines should extend between outer terminals for four or more miles from the center of the city, thereby avoiding terminals in the center of the city where construction is most expensive and where passengers are rarely brought to the point which they wish to reach.

#### Precedent for Local Control Feature.

The creation by the Legislature of the Metropolitan Transit Council, made up of the duly elected executives of the various cities and towns, seems to me a matter of transcendent importance. In the past the Legislature has been loathe to legalize concerted action by the local authorities in the various cities and towns of the Metropolitan District. It is utterly unfair that legislators from outside the district should pass upon in the state budget the proper expenses of the Metropolitan Water, Sewerage and Park Districts, when these costs are to be borne by constituencies which they do not represent and with which they have no connection. And yet, at the present time, the expenses for these three Metropolitan Districts are submitted to the Legislature like any other item in the state budget.

An example of what may be accomplished by a body of elective officials may be found in the action of the Metropolitan Water District whose mayors and selectmen organized in 1928 a committee to contest the oppressive financing of the extensions to the Metropolitan Water system. It was a successful effort under the leadership of the City of Boston and the first of its kind.

Under chapter 383 future expenses for subways and rapid transit extensions in the Metropolitan District must be passed upon by the duly elected local authorities assembled in the Metropolitan Transit Council before presentation to the Legislature. This is as it should be. It is likewise obvious that if this experiment with the Metropolitan Council works well in rapid transit matters the principle of unified district action may be applied to other municipal functions which are common to the district.

The principle is established by chapter 383 that before large expenditures are authorized for future rapid transit extensions, they must have the

approval of the Metropolitan Transit Council and as a two-thirds vote of the Council is required for this approval, and as Boston has twenty-two out of forty votes, it is obvious that the Mayor of Boston can veto any extension which he does not approve.

Further, as future rapid transit lines are authorized, the credit of the city will not be used for their construction. This relief will tend to help the ultimate credit of the City of Boston.

When the question of rejecting section eight of chapter 383 of the Acts of 1929 was considered by your body at its meeting of October 28, 1929, it seems clear from a perusal of the minutes that certain of the provisions of chapter 383 were not thoroughly understood by some members of your body.

#### Question of Just Compensation.

The present law provides that the city shall have, hold and enjoy its private or proprietary capacity for its own property, all existing subways, tunnel and rapid transit extensions, and all rents, tolls, income and profits from all contracts entered into by it for the use of said properties, or any part thereof, and that the same shall never be taken by the Commonwealth except on payment of just compensation.

While chapter 383 does not provide for any takings by the Commonwealth by the exercise of its sovereign power it seems clear that the principle that the city should not divest itself of its transit properties without just compensation applies with equal soundness to a transfer of title under the provisions of this act.

Now what compensation is provided for Boston in this act? In the first place, the act creates a new district or incorporated municipality which for the purpose of the act is made a body politic, and corporate under the name of the Metropolitan Transit District, and when the title in the existing Boston subways are transferred to this district it pledges every piece of taxable property in the entire Metropolitan District to the payment of the principal and interest of the Boston Rapid Transit debt. Next, it says that the credit of this new incorporated municipality known as the Metropolitan Transit District shall be used for the construction of every future subway and rapid transit extension required by the greater city.

#### Need of Sound Policy — Governor Square.

Boston has been operating under a sound policy while she pledges her credit for the building of rapid transit within her own municipal limits. This condition no longer prevails. The taxpayers of Boston have just pledged their credit for a rapid transit extension which is located for approximately a mile in the town of Milton. Any extension of rapid transit facilities beyond Governor square to Brighton must be coupled for economical operation with an extension through Somerville toward North Cambridge and Arlington. The requirements for rapid transit extensions toward the North Shore are becoming more insistent. Medford, Malden, Quincy and other portions of the Metropolitan District are demanding that immediate attention be given their need for rapid transit. It may be argued that the Elevated has furnished such rapid transit in the case of Everett but the ability of the Elevated will not permit it to finance rapid transit in other cases in the future. The Elevated built the Cambridge subway but to prevent disaster the Commonwealth was compelled to step in and purchase it. Of course the Commonwealth cannot be expected, except in an emergency, to lend its credit for Metropolitan Rapid Transit.

It is clear that either Boston must enlarge the unsound policy of pledging its credit and risking the money of its taxpayers for rapid transit extensions outside its municipal limits in order to give essential transportation facilities to the greater city, or else take into partnership other cities and towns which have equal need of such facilities.

#### Nature of Subway Ownership.

Let us consider for a moment what is the nature of the ownership which the city possesses in its subways. The Legislature first set forth the principle that the city owned its subways in a private or proprietary capacity in section 19 of chapter 534 of the Acts of 1902. Shortly thereafter in *Sears v. Crocker*, 184 Mass. 586, the Supreme Judicial Court passed upon the nature of this ownership. The Court said,

"But it (Acts 1902, chapter 534, section 19) does not purport to give a private proprietary

right to anything more than the subways and tunnels as structures. It does not deal with the rights of the public to use the streets or with any right of private property in the streets themselves. It leaves the subways lawfully resting in the public streets by virtue of the rights of the public therein and it gives the city the same kind of ownership of the structures that gas companies and electric lighting companies have in their pipes and conduits, except that the city is charged with certain special trusts in the ownership of these subways."

The "special trusts" referred to are probably the duty to apply rentals in payment of bonds and to permit use to be made of the structures for transportation purposes in such manner as the Legislature may direct.

As has been stated, the phrase "private or proprietary capacity" first appeared in the legislative acts in the Acts of 1902, chapter 534, section 19, and was there made to apply to the then existing subway and the tunnels and subways authorized by that act. It has been made to apply to every subway and rapid transit extension constructed thereafter up to the present time. This is a solemn acknowledgment by a formal act of the Legislature that the city does not hold these properties as an agent for the state, but that they belong to the city as a proprietor, not as a sovereign. This principle of proprietary ownership is important however only as it may add an element of particular value to the city in the subways. If these subways were owned by the city in its public capacity, on retirement of the bonds which were issued to pay for them, rentals for the use of the subways would cease unless the Legislature directed otherwise.

#### Importance of Subway Rentals.

Theoretically, therefore, it can be urged that it will legally be possible after some date in the neighborhood of 1970, when existing subways are paid for, that the city in its private or proprietary capacity may continue to charge rentals to be collected from the car rider and apply them for the benefit of the taxpayer under the appropriating power. Far more likely is it that the taxpayer long prior to that time will be required to contribute for the benefit of the car rider.

While it was never contemplated that the taxpayers of Boston should ever be called upon to pay anything toward the retirement of the rapid transit debt, this contingency is certain, if for any cause rentals should fail. Since the credit of the City of Boston stands behind this debt, every piece of property in Boston is pledged to the payment of its principal and interest.

This liability instead of being potential would become very real if the present leases of subways, tunnels and rapid transit extensions which now all theoretically expire on July 1, 1936, should be terminated on that date or any date thereafter prior to the accumulation of a fund from rentals sufficient to retire all present outstanding rapid transit debt with interest at maturity.

Under the provisions of chapter 741 of the Acts of 1911, the leases continue in force after July 1, 1936, unless and until said contracts are terminated by notice either from the City of Boston or from the Elevated. The City of Boston may terminate all of the leases on July 1, 1936 or on the first of July of any year thereafter by giving at least two years prior notice in writing, which notice it shall be the duty of the Mayor to give if directed so to do by an act of the General Court or if directed so to do by a vote of the City Council approved by the Department of Public Utilities. The Boston Elevated Railway may likewise terminate all said contracts on July 1, 1936, or on the first of July of any year thereafter, by giving to the Mayor of the city at least two years prior notice in writing. No notice on the part of either the city or the company shall be given more than three years prior to the date therein fixed for termination.

#### Termination of Leases.

It is unlikely that the Elevated would ever dare to give notice of the termination of the leases, as it is clear that the loss of use of the subways, tunnels and rapid transit extensions would exclude it from the downtown district and immediately cause the loss of a substantial part of its revenue. It is not, however, so unlikely that at some time in the future a legislature might be elected which with changing conditions might take the view that the subway is simply an underground street and that therefore some portion of its cost should be

borne by the taxpayer as well as the car rider. If this view prevailed, an act of the General Court could direct the Mayor to terminate the subway leases and thereafter it might not be possible for the city to execute any leases for rental adequate to pay the interest and accumulate the sinking fund for the rapid transit debt. If this were to happen, it would be to the advantage of the taxpayers of the City of Boston that the taxpayers in the surrounding cities and towns who use the Elevated system equally with themselves, should be compelled to contribute to any assessments necessary to pay the interest and principal of the existing rapid transit debt of the City of Boston.

The report of the Special Commission to investigate the rapid transit needs of the Metropolitan Districts created by chapter 66 of the Resolves of 1928, attempted to establish a definite legislative policy with regard to paying for existing subways. The fourth recommendation of their report submitted by the Legislature of 1929 was:

"The immediate extension of all leases of existing subways at the present rental of 4½ per cent per annum until the sinking fund accumulated from said rental is sufficient to pay the cost of said subways."

The fact that the Legislature of 1929 did not adopt this recommendation when it passed chapter 383 is proof that there is somebody of opinion that the taxpayers should pay some of the cost of existing subways after 1936. The Public Trustees of the Elevated urged on numerous occasions that it was necessary for the taxpayer to assume part of the burden of existing subways and rapid transit extensions. There can be no question that if this view is ever to prevail, that this burden should be borne by the district which uses the Elevated system rather than by the taxpayers within the municipal limits of the City of Boston.

#### Subways not for Financial Profit.

The subways were built not for financial profit to the city, but to assure its citizens proper rapid transit facilities and to clear its streets of trolley cars. They are a part of the growth of the city. All subways have been built and leased for a rental which would cover interest on outstanding bonds and a sinking fund to retire them at maturity and no more. Everybody admits that, when the subways are paid for and the bonds of the city retired, neither the city nor the district, if it then owns them, should burden the car riders by charging a rental in excess of the maintenance and upkeep of the subways.

The subways were built to lease to the Boston Elevated Railway Company and they can have no other use than to be leased to that corporation or its successor whether that successor be a private company or a municipal corporation. This being so, there can be no advantage in waiting until the result of the referendum provided in chapter 383 is known. If public ownership prevails, clearly the same district which purchases the assets, property and franchises of the Boston Elevated Railway should own the subways, tunnels and rapid transit extensions. If public management and operation is to continue it is clear that the district which is to finance future rapid transit extensions should share in the burden of existing subways, tunnels and rapid transit extensions. And finally, if it should be voted to return the road to private management, it is highly essential for Boston that the Metropolitan District should be squarely behind the outstanding transit obligations of the city as protection against the possible failure of private management.

By the acceptance of section 8, the fourteen cities and towns which are constituted the Metropolitan Transit District by the provisions of chapter 383 are bound to assume and pay this debt. As has been stated this pledges every piece of property in the entire Metropolitan District to the payment of principal and interest. As the assessed valuation of the Metropolitan District as determined for the purposes of the state tax during 1929, is \$3,321,634,646, and the assessed valuation of the City of Boston in 1929 for the same purpose is \$2,123,538,723, it becomes clear that if the taxpayers of Boston were called upon to make good upon their guarantee in whole or in part, that out of every dollar required, only 63.9 cents would be paid by the taxpayers of Boston while 36.1 cents would be paid by the taxpayers of other cities and towns constituting the Metropolitan Transit District. This means that the taxpayers of Boston would be relieved of 36.1 cents of every dollar for which they are now potentially liable on the rapid

transit debt. While the credit of the City of Boston is among the very best of the great American cities, it certainly cannot fail to help that credit to have the taxable property of the entire metropolitan transit district placed behind the outstanding rapid transit debt.

Transit Department always Metropolitan.

When this question was before your body at its meeting on October 26, 1929, great stress was laid upon the fact that the acceptance of section 8 immediately created a metropolitan transit department which replaced the Boston Transit Department. I agree with members of your body that there is no reason why the proper financing of past and future subways, tunnels and rapid transit extensions should be made contingent upon the creation of a metropolitan transit department. Proper financing has never been joined with the organization with the body in charge of the details of construction by any regular or special commission or any legislature prior to the report of the committee on conference which resulted in the passage of chapter 383 of the Acts of 1929.

The original Transit Department was created by chapter 478 of the Acts of 1893 and provided for three commissioners to be appointed by the Mayor of Boston. Before work was actually under way this act was amended by chapter 548 of the Acts of 1894 and the Boston Transit Commission was made to consist of two commissioners appointed by the Governor and three by the Mayor of Boston, and it was provided that they should hold office for the term of five years from the date of the passage of this act. In 1899 their term was extended for a period of three years. In 1902 the term of the commission was extended to July 1, 1906. In 1906 the term was extended for an additional three years. In 1909 the term was extended for two years. In 1911 the term was extended for three years, and in 1914 the term was extended for an additional three years. In 1917 the term was extended for one year. Never, therefore, from 1894 to 1918 was the Boston Transit Commission treated as a department of the City of Boston but rather as a commission created and responsible to the Legislature who had delegated the appointment of individual commissioners to the Governor and the Mayor as its agents.

In 1918 the law under which the Transit Commission is at present operated was adopted by the Legislature, and reads as follows:

"Special Acts of 1918, chapter 185, 'An Act to Provide for the Transfer of the Powers of the Boston Transit Commission to the City of Boston.

Section 1. Upon the expiration of the term of office of the Boston Transit Commission the city of Boston shall have all the powers and privileges, and be subject to all the duties, restrictions and liabilities heretofore conferred or imposed upon the commission and remaining in effect at the date of the passage of this act, the said powers and duties to be exercised and performed by the mayor, commissioner of public works, and city treasurer, or by such person or persons, not exceeding three, as may be appointed by the mayor, subject to the provisions of chapter four hundred and eighty-six of the acts of nineteen hundred and nine and acts in amendment thereof and in addition thereto. The persons so appointed shall receive such compensation for their services as the mayor and city council shall determine.

Sec. 2. This act shall take effect upon its passage."

Thereafter, at my request an opinion was prepared by Joseph P. Lyons, Esquire, for many years counsel of the Transit Commission, and rendered to me. This opinion states in part, as follows:

"I am of the opinion that when the powers and duties which were vested in the Transit Commission were transferred to the City of Boston, the Legislature intended that the City of Boston should act in all matters under its control and care by the persons designated in the act, and that the board or department should not be in the same category with other departments, in so far as to require the approval of the Mayor of contracts the Board may make.

I do not feel that the Legislature intended to create the department within the meaning of our charter provisions. . . . If the charter provisions apply to the persons composing the so-called Transit Department that department could be abolished by vote of the Coun-

cil with the approval of the Mayor. . . . If the Transit Department so called were subject to the charter provisions it would be incumbent upon that department to annually furnish your Honor with an estimate of its expenditures during the next financial year, and it would also be incumbent upon your Honor to examine such estimates and submit the same with your recommendation to the City Council, though the City Council would have no authority to interfere in any way with the expenditures made by the Transit Department. The City Council also has no power to make appropriations of money to be expended by the Transit Department.

"Prior to the passage of chapter 185 of the Acts of the year 1918, it was not necessary to secure the approval of the Mayor on contracts made by the Transit Department. The sole power was vested in the Transit Commission. The power which the Transit Commission possessed was merely transferred to the City of Boston and the Legislature specified that in transit matters the City of Boston should act by the Mayor, the Commissioner of Public Works and the City Treasurer, or by such person or persons, not exceeding three, as may be appointed by the Mayor. Three persons having been appointed by the Mayor, they are vested with all the powers and duties of the old transit commission. The Mayor's control is exercised over the Transit Department by appointment and in the case of dissatisfaction, by removal under the provisions of chapter 486 of the Acts of 1909."

Not a City Department.

It is therefore clear that until 1918 the Boston Transit Department was always a state tribunal and in the opinion of the City Law Department is still of that character. It is, as stated by its counsel, not a city department within the meaning of the provisions of the Boston City Charter. Therefore, there seems to be no reason why this approval should be tied up or joined with past or future financing of subways, tunnels and rapid transit extensions. The Legislature should keep in mind the splendid services which the Boston Transit Commission has rendered in the construction of the existing transit system over the past thirty-five years. Clearly there should be no waste by the duplication of construction bodies as was provided by the Legislature of 1928, when it created a special commission for the construction of the East Boston Tunnel, an act which I refused to approve.

It can be strongly urged as the Metropolitan District is to finance future construction, that the other thirteen cities and towns in the district should have some recognition in the personnel of the commission. It may well be, however, that your body is right in insisting that this matter be passed upon separately by the Legislature. I wish to emphasize however that it will be difficult to assemble a better organization of employees or a better engineering force than the present Boston Transit Department constitutes. Even if the Legislature should desire to make some change in the method of appointment of the commissioners, the Transit Department organization itself should be kept intact.

Avoid Duplication and Waste.

If, however, duplication and waste are avoided and the present organization of the Transit Department is kept intact that it may function in the future as it has in the past, details as to how the commissioners who head the department are to be appointed, are of relative unimportance as compared to the prompt functioning of the Metropolitan Transit Council and the immediate authorization of needed rapid transit improvements.

To authorize these rapid transit improvements, legislative action is necessary. Since legislative action is necessary, Boston will be in a better position to have its ideas carried out by transferring the title to the subways and accepting the act either in its present form or as amended and seeking to have the Metropolitan Transit Council adopt its views, than otherwise.

In the Metropolitan Transit Council the Mayor of Boston has twenty-two votes out of a total of forty. While a two-thirds vote is required for affirmative action, it is apparent that the city is in a position to defeat any proposition of which it disapproves.

In case of disagreement the city would seem to be more likely to control the action of the Metropolitan Transit Council than to obtain passage by the Legislature of measures authorizing it to deal



with the subways in a manner opposed by the representatives in the Legislature from the other cities and towns of the district. At the present time the other cities and towns in the Metropolitan Transit District have thirty-nine members of the House of Representatives while Boston has forty-three.

As time goes on the tendency will be for Boston's influence in the Council to increase and its relative representation in the Legislature to decrease because voting in the Council is on the basis of valuation while representation in the Legislature is on the basis of population. Every new rapid transit extension will tend to increase valuations in the business district. Further growth in the population in the future is likely to be in the suburban districts, while that very growth also causes larger increase in valuation in the business center.

Metropolitan Boston is one of the great cities of the world. It does not stand so in the eyes of the world, largely because of the provincial point of view which has prevailed with regard to cooperation in proper functions of local government between its constituent parts. Now that the Legislature has for the first time created a metropolitan incorporated municipality headed by the duly elected local authorities in the Metropolitan Transit Council assembled, let it not be said that municipal Boston refuse to give the measure a fair hearing.

Principle of Transit Problem.

Chapter 383 was approved by the Governor on the eighth day of last June. Of course, the city could not be expected to accept this act during a mayoralty campaign when the outgoing Mayor under the provisions of the act would be given the right to appoint two transit commissioners for five years.

This view nevertheless does not in the least impair the value of a principle that I have supported before the Legislature for four years, that the Boston transit problem has become metropolitan in character. Any measure recognizing the scope of the problem should not be lightly set aside. It is obvious from the minutes of the City Council that it acted upon the question of acceptance without due inquiry. I deem it my duty, therefore, to submit the measure in order that the policy of the present administration may be outlined and set forth upon the records of the City Council for such future action as may be deemed expedient.

Respectfully submitted,  
MALCOLM E. NICHOLS, Mayor.

Placed on file.

RESTRICTIONS ON PARK FRONTAGES.

The following was received:

City of Boston,  
Office of the Mayor, December 31, 1929.  
To the City Council.

Gentlemen,—I return herewith, without my approval, your ordinance of December 16, 1929, concerning restrictions on park frontages, for the same reason as expressed in my veto of June 18, 1929, a copy of which I attach hereto.

Yours respectfully,  
MALCOLM E. NICHOLS, Mayor.

City of Boston,  
Office of the Mayor, June 18, 1929.  
To the City Council.

Gentlemen,—I return without my approval your ordinance of June 3, 1929, 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.

ELECTION OF SUPERINTENDENT OF SCHOOL CONSTRUCTION.

Notice was received of the election by the Board of Schoolhouse Commissioners on December 30, 1929, of Louis K. Rourke as Superintendent of Construction.  
Placed on file.

RESIGNATION OF CONSTABLE HINES.

Notice was received of the resignation on December 19, 1929, of Constable Daniel E. Hines of the Street Laying-Out Department and the acceptance by the Mayor of said resignation.

APPOINTMENT TO BOARD OF APPEAL.

Notice was received of the appointment, under date of December 28, 1929, of John D. Marks as Acting Member of the Board of Appeal.  
Placed on file.

SALARIES OF LIBRARY CUSTODIANS.

Coun. WILSON offered the following:  
Ordered, That the Trustees of the Boston Public Library be, and they hereby are, respectfully requested, through his Honor the Mayor, to make provision in budget requirements for the year 1930 for a reasonable increase for custodians.  
Passed under suspension of the rule.

CLAIMS.

Coun. RUBY, for the Committee on Claims submitted the following:  
The Committee on Claims respectfully submits the following report showing the disposition of claims during the municipal year 1929:  
Claims pending January 1, 1930. . . . 1,612  
Claims received during year 1929. . . . 987

Total. . . . .	2,599
Claims approved. . . . .	234
Claims disapproved. . . . .	562
Amount claims approved 1929. . . . .	\$15,653.52
Amount claims disapproved. . . . .	\$113,787.87

Report accepted and ordered printed.

INSPECTION OF PRISONS.

Coun. MAHONEY, for the Committee on Inspection of Prisons, submitted the following report:

The Committee on Inspection of Prisons herewith submits its annual report for the year 1929.  
For the Committee,  
MICHAEL J. MAHONEY, Chairman.

January 4, 1930.

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.

The customary semiannual inspections of the Suffolk County Jail were duly made.

The new boiler plant which was constructed during the year is now in operation and is a marked improvement over the former antiquated system. The need for changing the location of the entrance to the jail yard for vehicles from Charles to North Grove street becomes more imperative as menacing traffic conditions on Charles street increase.

The substitution of a motor van for the present horse-drawn vehicle is recommended.

A yard for the use of the female inmates has been built and supplies a long needed means of outdoor exercise and recreation.

Conditions at the jail continue at a high standard of discipline, health and cleanliness, and the records show but a single death during the year, although there were approximately 9,000 persons committed.

The population at this institution is slightly less than last year, averaging 325.

House of Correction.

The required number of visits was made to the House of Correction by your committee during the year.

Your committee was greatly impressed by the clean and sanitary condition of the cells and buildings of this institution.

Considerable damage was done to part of the administration building and doctors' house by fire which occurred early in the year. An appropriation has been made available for the repair of these buildings and the work on same will be started shortly.

At the present time, officers are obliged to sleep in different buildings and your committee recommends the construction of a new building to house the officers.

A new electric refrigeration plant has been installed which will make it unnecessary to purchase any ice in Boston.

Statistical tables are appended showing the commitments and discharges at the Suffolk County Jail and the House of Correction during the year.

THE COMMONWEALTH OF MASSACHUSETTS,  
SUFFOLK COUNTY JAIL,

Boston, May 17, 1929.

To the Inspector of Prisons for the County of Suffolk:

Gentlemen,—I respectfully submit the following report of the commitments to and discharges from the Suffolk County Jail from December 4, 1928, to May 16, 1929.

	Males.	Females.	Total.
Remaining December 4, 1928.....	261	69	330
Committed December 4, 1928, to May 16, 1929.....	3,872	601	4,473
Discharged December 4, 1928, to May 16, 1929.....	3,881	589	4,470
Remaining May 16, 1929.....	252	81	333

Debtors remaining December 4, 1928.....	0
Debtors committed December 4, 1928, to May 16, 1929.....	23
Debtors discharged December 4, 1928, to May 16, 1929.....	22
Debtors remaining May 16, 1929.....	1
Escapes.....	0

Recaptured.....	0
Insane.....	10
Deaths.....	0

Respectfully submitted,  
JOHN A. KELIHER,  
Sheriff.

Boston, December 19, 1929.

To the Inspector of Prisons for the County of Suffolk:

Gentlemen,—I respectfully submit the following report of the commitments to and discharges from the Suffolk County Jail from May 16, 1929, to December 17, 1929.

	Males.	Females.	Total.
Remaining May 16, 1929.....	252	81	333
Committed May 16, 1929, to December 17, 1929.....	5,023	685	5,708
Discharged May 16, 1929, to December 17, 1929.....	5,028	710	5,738
Remaining December 17, 1929.....	247	56	303

Debtors remaining May 16, 1929.....	1
Debtors committed May 16, 1929, to December 17, 1929.....	13
Debtors discharged May 16, 1929, to December 17, 1929.....	13
Debtors remaining December 17, 1929.....	1
Escapes.....	0
Recaptured.....	0
Insane.....	17
Deaths.....	1

Transferred to:	
Prison Camp and Hospital.....	55
Massachusetts Reformatory.....	3
Charles Street Jail.....	2
Salem House of Correction.....	1
Worcester House of Correction.....	2
Dorchester Jail.....	1
Bridgewater State Farm.....	1
Danvers Insane Hospital.....	1
Worcester Insane Hospital.....	1
Medfield State Hospital.....	1
Total.....	1,828

Respectfully submitted,  
JOHN A. KELIHER,  
Sheriff.

SUFFOLK COUNTY,  
HOUSE OF CORRECTION,  
DEER ISLAND, BOSTON HARBOR,  
Boston, June 18, 1929.

To the Inspectors of Prisons for the County of Suffolk:

Gentlemen,—I respectfully submit the following report of the commitments to and discharges from the Suffolk County House of Correction at Deer Island from December 16, 1928, to June 15, 1929, inclusive:

Remaining December 15, 1928.....	763
Committed.....	1,846
Discharged.....	1,866
Remaining June 15, 1929.....	743

Showing How Discharged.

Expiration of sentence.....	1,148
Expiration of sentence and fine paid.....	165
Fine paid.....	33
Fine paid and permit of Penal Commissioner.....	16
Permit of Penal Commissioner.....	381
Died.....	6
Order of Court.....	4
Permit of Department of Correction.....	5
Expiration of sentence and permit of Penal Commissioner.....	1
Bailed.....	1

Respectfully submitted,  
JOHN J. DONOVAN,  
Chief Clerk.

Boston, December 16, 1929.

To the Inspectors of Prisons for the County of Suffolk:

Gentlemen,—I respectfully submit the following report of the commitments to and discharges from the Suffolk County House of Correction at Deer Island, from June 16, 1929, to December 15, 1929, inclusive:

Remaining June 15, 1929.....	743
Committed.....	1,898
Discharged.....	1,873
Remaining December 15, 1929.....	768

Showing How Discharged.

Expiration of sentence.....	1,147
Expiration of sentence and fine paid.....	226
Fine paid.....	33
Fine paid and permit of Penal Commissioner.....	11
Permit of Penal Commissioner.....	402
Died.....	4
Order of Court.....	6
Permit of Department of Correction.....	7
Expiration of sentence and permit of Penal Commissioner.....	4
Fine paid, expiration of sentence and permit of Penal Commissioner.....	1

Transferred to:	
Prison Camp and Hospital.....	6
Charles Street Jail.....	2
Fitchburg Jail.....	20
Worcester State Hospital.....	2
Lawrence House of Correction.....	1
Cambridge House of Correction.....	1
Total.....	<u>1,873</u>

Respectfully,  
 JOHN J. DONOVAN,  
 Chief Clerk.

The report was accepted and ordered printed.

DISPOSITION OF UNFINISHED MATTERS.

Coun. GALLAGHER offered the following:  
 Ordered, That all matters of an unfinished nature pending before the committees of the City Council be referred to the City Council of 1930.  
 Passed under suspension of the rule.

CRITICISM OF MAYOR NICHOLS' ACCOMPLISHMENTS.

Coun. WARD—Mr. President, I ask unanimous consent to make a statement.

President DONOVAN—Is there any objection?

Coun. WILSON—Mr. President, a statement in reference to what?

Coun. WARD—Relative to an article appearing in the *City Record* of last week.

President DONOVAN—If there is no objection, the councilor will proceed.

Coun. WARD—Mr. President, the list of accomplishments of the administration of Mayor Nichols as outlined in the morning papers of Thursday is an evidence that he is a firm believer in the principle of Happy New Year, since the list as outlined by him is the supreme joke of January 1, 1930. The first item, "the building of the best municipal airport in this country with an investment of seven million five hundred thousand dollars," is a deliberate attempt to deceive the people, since the total expenditure made to date in connection with the development of the airport is not in excess of five hundred thousand dollars, one-fiftieth of the total which the statement would lead one to believe has been expended by the city. Item 2, setting forth "new and extensive street lighting, which gives Boston the reputation of being one of the best lighted cities in America," is a huge joke, as the only "white way" installed was a short stretch on Massachusetts avenue. Article 3, "improvements at the Public Library at a cost of nearly half a million dollars for the protection of the building and its art treasures," is overestimated at least fifty per cent, as almost the entire sum was expended for the replacement of foundations. Article 4, "complete revision of the system of assessing property by modern and scientific methods," this particular work, so far as I have been able to ascertain, is in but its elementary stages and will require at least eighteen months for completion. Article 5, "bringing to a point of completion the work of four years in providing all street intersections with new signs," is interesting in view of the fact that the total amount expended is scarcely in excess of twenty thousand dollars and has required a period of four years to do the work, an average expenditure of five thousand dollars a year and the provision and study for this work was made under the administration preceding that of Mayor Nichols. Article 6, "the completion of Cummins Highway, a great traffic thoroughfare across West Roxbury, connecting a vast residential district with the South Shore." This work was started in 1925 in the preceding administration at the Mattapan end and is yet unfinished. Article 7, "extension of the Metropolitan Water System to provide during the next seventy-five years for a greater city population of five millions. Mayor Nichols' support caused enactment of legislation." This was upon the recommendation of the Metropolitan Water Board over which the Mayor of Boston has no control and upon which Boston has no representation. Item 8, "erection of great pumping station in East Boston to serve airport and waterfront section," represents but a minor expenditure despite its high sounding title.

Coun. ARNOLD—Mr. President, I rise to a point of order.

President DONOVAN—The gentleman will state his point of order.

Coun. ARNOLD—Is this a statement or a harangue, Mr. President?

President DONOVAN—The Chair understands that the gentleman has been allowed, with unanimous consent, to make a statement.

Coun. ARNOLD—Mr. President, I maintain that he is not making a statement, that he is making an attack.

Coun. WARD—Item 9, "installation of modern light, heat and power plants at city institutions," refers to a replacement of heating and lighting installation which in the natural process must take place about once every so often. Article 10, "complete reorganization of the health service of the city with much larger staff of physicians and nurses," is a reflection upon the conduct of health activities in Boston and is absolutely untrue, since there has been no reorganization and the same health commissioner is still serving that has held the office for the last twelve years. Article 11, "reorganization of hospitalization for the more effective treatment of tuberculosis," is simply an extension of hospitalization made necessary by the growth of population. Article 12, "adaptation of health unit roofs for the care of undernourished children and broadening in many ways the scope of preventive medicine," is a reflection upon the activities of the George Robert White Fund Health Unit Trustees and is absolutely untrue for the reason that the roofs of all health units from the beginning have been so laid out as to provide for their use in the case of undernourished children and those with rickets or tuberculosis. Article 13, "addition of policemen to the number of 425 placed at the disposal of the Police Commissioner," is impossible to justify in view of the installation of traffic signal systems, the purpose of which was, on the one hand to facilitate traffic, and on the other to reduce the number of police traffic officers. Article 14, "the creation of the Boston Traffic Commission, the first of its kind in the United States, is fast being copied by all the larger cities in the country," to the present time has contributed more to the tying up of traffic than ever previously known in the history of the city, its chief contribution being the buttoning up and the tying up of the streets of the city. Article 15, "a comprehensive street program in home and business districts reveals more work done on streets in last four years than in preceding six years," is an exceptional example of window dressing, the unfortunate feature being that a large portion of the work of the street surfacing is of such temporary character as to require replacing in a very short time. Article 16, "after years of urging, the much-needed widening of Exchange street was accomplished. The widening at once relieved traffic congestion in the financial and market districts and now provides a continuous traffic artery between the North Station and the ocean terminals in South Boston." This must have required heroic courage upon the part of his Honor to refer to, in view of the fact that a change in the name of this particular street has already been suggested in order that the stench in the nostrils of some people in Boston may be mitigated. Article 17, "the construction of the new Congress Street Bridge, one of steel and concrete, to replace the old wooden structure that has served the city for fifty years. The new structure will cost nine hundred thousand dollars," is interesting for the reason that plans and sketches for this construction were drafted in the preceding administration and to the present time not even the foundations have been completed and the structure itself cannot be completed in less than two years. Article 18, "the reorganization of the fire prevention forces of the city has resulted in the reduction of fire losses from six million two hundred eighty-six thousand two hundred ninety-nine dollars in 1928, with a total loss of only one million twenty-one hundred seventy-four thousand nine hundred twenty-one dollars for the first six months of 1929. The fire prevention force was increased from a band of fifteen men to a complete division of thirty men under the direction of a captain," is answered in the Boston papers under date of January 1, in the report of the Special Commission to investigate insurance rates and which constitutes a terrific broadside upon the conduct of the department which, in the opinion of his Honor has been most creditable in the performance, of its duties. Article 19, "establishments of

central fire stations in advantageous locations, equipped with every modern invention, give Boston three of the finest units in the country. The three stations are located on Broadway, Cambridge street, and Chestnut Hill avenue, Brighton," is in the same category with Exchange street in the matter of steel and to the present time not even the foundations have been installed to carry the superstructure.

Coun. ARNOLD—Mr. President, I rise to a point of order. I maintain that unanimous consent was given to the council in order to make a statement. The gentleman is reading a prepared address, in my opinion prepared by somebody else, and I maintain that he is not in order.

President DONOVAN—The Chair would rule that Councilor Ward asked unanimous consent to make a statement, which consent was given, and that he is now making that statement.

Coun. WARD—Article 20, "the rehabilitation of the city yards with the resulting efficiency at a cost of three hundred thirty-four thousand two hundred fifty dollars. The work was carried on in the eleven districts of the city and brought much-needed improvements to sixty-seven yards, providing sanitary renovations that had not been touched for thirty years in some cases. The morale of the men using the yards has been vastly improved." An examination of this expenditure by the Finance Commission would make most interesting reading. Almost the entire expenditure of three hundred thirty-four thousand dollars being in the nature of gift contracts and consisting largely in the improvement of the toilets in the various city yards. Article 21, "work begun on extending St. Ann street into a great traffic highway, from Forest Hills westward and widening of Centre street into a branch of our park system," is interesting in view of the fact that the bonds have not been issued for this "great traffic highway" whose existence is practically a figment of the imagination now and probably will be for all future time. Article 22, "the widenings and reconstruction of streets in the vicinity of the North Station improvement proved to be the deciding factor for the construction of the terminal, hotel and Boston Garden, said to be one of the finest auditoriums in the country," represents improvements that are a monument to the vision and courage of that great railroad chief and greatly loved citizen, the late lamented George Hannauer, formerly President of the Boston & Maine Railroad, who is entitled to all credit for improvements at the terminal and the erection of a hotel in the vicinity of the North Station. Article 23, "the erection of twenty-four schoolhouses, accommodating 11,606 pupils at a cost of \$14,418,438.30. The figures show that over 42 per cent of the money devoted to school construction in the past fifteen years was expended by Mayor Nichols in his successful effort to provide a seat for every pupil." The lax character and the charges of corruption and inefficiency leveled against the Schoolhouse Commission is responsible for the new law under which school construction will be conducted in the future. Article 24, "the cutting of the tax rate for the third successive year with efficient and business-like manner of conducting the city's affairs, at the same time preserving municipal credit to compare with the best." That article is rather incomplete in view of the fact that no reference is made to the largest increase ever levied in the history of Boston during the first year of Mayor Nichols' administration. Article 25, "the creation of the Boston Port Authority, whose mission is to bring back the port of Boston to its former place in the maritime world. Its efficacy was at once demonstrated by its successful arbitration, which prevented a strike of longshoremen that threatened to tie up the port for a protracted period of time." Article 23 is a recommendation of the state government, for which the Mayor is in no wise responsible. Article 26, "new buildings at the City Hospital, the Sanatorium at Mattapan, and at institutions on Long Island, and additional health units made Boston one of the greatest hospital centers in the world. Appropriations, over \$7,000,000." The City Hospital program was determined upon three years before Mayor Nichols assumed the office, and Boston for more than half a century was regarded as one of the greatest hospital centers in the world. Article 27, "the passage of the \$16,000,000 Boston Vehicular Tunnel Act by the Legislature. Approved by Governor Allen on May 9, it was accepted by the City Council on June 18 and signed by Mayor Nichols

the following day. Route determined and work ordered." It must have required a great deal of courage to record this as an accomplished fact, setting forth that the route has been determined upon and the work ordered, since neither the route nor the work has been determined upon at the present time and there is little likelihood that it will be for some time yet. Article 28, "the restoration of the Union label on city printing after its absence for a period of seven years. This was accomplished by Mayor Nichols, who has always taken a keen interest in labor affairs." Article 28 is a libel on the label, since the City Printing Plant was always a union printing shop with the exception of the period that Andrew J. Peters was Mayor, the Union status being restored by the predecessor of Mayor Nichols. Article 29, "dredging of Savin Hill Bay and installation of drainage culverts that will restore the entire watershed to the use of the business and yachting interests. At the same time, the work, to be accomplished to the extent of \$450,000, will free the waters of pollution and will restore the bay to the men, women and children of the district for swimming." That refers to an expenditure that should be borne by the state, not by the city, and how any man can claim credit for this work is beyond me. Article 30, "Fenway and Jamaica Pond improvements, including new walks and the erection of a field house, running track and bleachers seating five thousand in the Fenway, besides the grading and beautifying of the section in and around the Museum of Fine Arts." That refers to an investment upon which it will be difficult to draw health dividends, due to the limited area devoted to athletic purposes. Article 31, "the definite beginning of the \$1,600,000 Charles River Basin improvements, passed by the Legislature, with the unqualified support of Mayor Nichols." That refers to another unfinished project upon which, to the present time, no actual work has been done. Article 32, "the completion of a new system of concrete walks throughout the entire park system and the elimination of the old dirt and brick paths, giving an uninterrupted concrete walk from the Public Garden to Franklin Park." That refers to a necessary work that in the natural order would have to be done at some time and for which no individual is entitled to any particular credit. Article 33, "the purchase and placing in service of over one mile of trucks for the removal of snow and ice from an appropriation of \$450,000." The scandal in connection with the purchase of snow removal equipment still lingers in the memory of Boston's citizens and again his Honor demonstrates his courage in making reference to the purchase as an achievement. Article 34 relating to a "new skyline for Boston," was a natural consequence of the height-of-buildings legislation enacted in preceding years. Article 35, "higher pay, better municipal service from one end of the city to the other, lower taxes, a surplus at the end of each of the four years, and a square deal for all." That requires no comment other than perhaps a change in the last line, so that it may read, "A square deal for all, again being played with marked cards manipulated by Ernie, Bob and Charlie and with Mal in this case being the fifty-third card in the pack—the joker."

#### SALE OF LAND TO ROBERT B. BRIGHAM HOSPITAL.

Coun. ARNOLD moved to take from the table No. 2 on the calendar, viz.:

2. Whereas, By an instrument of taking recorded September 12, 1924, with Suffolk Deeds, Book 4612, page 441, the City of Boston took for hospital and infirmary purposes a certain parcel of land situate on Parker Hill avenue in that part of said Boston, formerly Roxbury, and shown on a plan marked "City of Boston Parker Hill Avenue, Roxbury, June 10, 1924, William J. Sullivan, Chief Engineer, Street Laying-Out Department"; and

Whereas, said land is no longer needed for public purposes; and

Whereas, The Robert B. Brigham Hospital for Incurables, a Massachusetts corporation, is desirous of purchasing said land with the buildings thereon, to be used by it for hospital purposes;

Now, therefore, it is Ordered, That his Honor the Mayor of the City of Boston be, and he hereby is, authorized, upon the payment to the said City of Boston by the said Robert B. Brigham Hospital for Incurables of thirty-four thousand, eight

hundred dollars (\$34,800), to grant in the name and behalf of said City of Boston to the said Robert B. Brigham Hospital for Incurables, its successors and assigns by an instrument in writing, satisfactory in form to the Law Department of the said City of Boston, all its rights, title and interest in and to the following described premises, namely, a certain parcel of land situate in that part of Boston, formerly Roxbury, bounded and described as follows: Northeasterly by Parker Hill avenue, four hundred eighty-five and 31-100 feet; southeasterly by land supposed to belong now or formerly to Eugene N. Foss, three hundred eighty and 90-100 feet; southwesterly by land formerly belonging to the said Eugene N. Foss and now the property of the City of Boston, two hundred fifty-nine and 70-100 feet; southwesterly again by a common passageway belonging to the City of Boston, twenty-five feet; and southwesterly again by property now or formerly belonging to Eugene N. Foss, one hundred eighty-six and 60-100 feet; northwesterly by property belonging to the Robert B. Brigham Hospital for Incurables, two hundred seventy-four and 60-100 feet, containing 191,367 square feet of land, more or less, being the greater part of the property taken by the City of Boston as aforesaid.

On December 2, 1929, the foregoing order was read once and passed, yeas 15, nays 2.

The question came on taking the matter from the table.

Coun. WILSON—Mr. President, in view of the arguments made against the adoption—

President DONOVAN—No debate is in order. The question is on taking from the table.

Coun. WILSON—All right, Mr. President.

The Council voted to take No. 2 from the table.

Coun. DOWD—Mr. President, I doubt the vote taking No. 2 from the table and would ask for a roll call.

The Council voted to take No. 2 from the table, yeas 15, nays 0.

Yeas—Coun. Arnold, Bush, Deveney, Donovan, Fitzgerald, Lynch, Mahoney, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Sullivan, Wilson—15.

Nays—Coun. Dowd, Dowling, Fish, Gallagher, Ward—5.

President DONOVAN—The order has been taken from the table, and the question now comes on its passage. The Clerk will call the roll.

Coun. DOWLING—Mr. President, I move that the matter be referred to the next City Council.

The motion to refer to the next City Council was declared carried.

Coun. ARNOLD doubted the vote and asked for a rising vote. The Council stood divided, and the motion to refer to the next City Council was lost, 10 to 11.

Coun. DOWLING—Mr. President, I further doubt the vote and ask for a verification by roll call on the question of reference to the next City Council.

The motion to refer to the next City Council was lost, upon roll call, yeas 10, nays 12.

Yeas—Coun. Bush, Dowd, Dowling, Fish, Gallagher, Keene, Murphy, Murray, Sullivan, Ward—10.

Nays—Coun. Arnold, Deveney, Donovan, Fitzgerald, Green, Lynch, Mahoney, McMahon, Motley, Parkman, Ruby, Wilson—12.

President DONOVAN—The question comes on the adoption of the order, and the Clerk will call the roll.

Coun. DOWD—Mr. President, before the Council votes on turning over to this charitable or semicharitable organization, for the building of a so-called chronic hospital, land now owned by the City of Boston, let me state that hospital land available in Boston at the present time is very narrowly confined to one section. Let me remind the members of this Council that some three years ago the City Council, after a very heated contest, lost its battle against the present Mayor of Boston to prevent him from spending over a million dollars at Long Island instead of erecting, as suggested by Mayor Curley, over \$150,000 being appropriated for the same, a chronic hospital at Parker Hill, to be occupied by the City of Boston for Boston's citizens. Say what you may about the Robert Breck Brigham or any other charitable hospital in the City of Boston, I say that the poor of Boston do not there get the consideration to which they are entitled. You say now that we should give this land to them because there are several thousand chronic cases in the City of Boston which should be taken care of. I will agree with you

that there are thousands of such cases in the City of Boston that should be taken care of, but the mere fact that this hospital is going to take care of some 140 chronic cases is not going to relieve the situation to any extent. Therefore, on the closing day of this administration, when the present Mayor of Boston refuses to consider the chronic sick of Boston, when he refuses to continue the program proposed by the former Mayor of Boston, to have such a hospital for the city on Parker Hill, but instead spends \$1,200,000 at Long Island, and says that Long Island is good enough for the chronic sick and poor of Boston, I say that we should not pass an order of this kind, giving this land to this institution at eighteen cents a foot. If I had my way about it and believed the principle was right, I would say give it to the Robert Breck Brigham Hospital for one dollar for the entire lot. But I do say in all seriousness that the incoming Mayor of the City of Boston may have some plans of his own for the chronic sick and poor of Boston, and I say that the time has come when a chronic hospital for the poor and sick of this city should be built by the city on the mainland in order to relieve the congestion on Long Island and to furnish a proper city hospital for the proper taking care of the chronic sick and poor of this city. You heard the Trustees of the Robert Breck Brigham Hospital at our last meeting, when they addressed the Executive Committee, I quite agree with almost everything they said, but I do say that the building of a hospital for 140 or 150 patients is not going to relieve the situation anyway, and I say it is unfair to the people of Boston, who have already expended some \$150,000 at Parker Hill, to now give to this semicharitable organization this land at Parker Hill. I contend that the City of Boston itself needs every available piece of land in order that a chronic hospital may be built there by the people of Boston themselves, not giving it to any charitable organization, and I say it is unfair to the incoming administration and unfair to the Council to ask us to go on record at our last meeting as giving to this semiprivate organization land that can be used by the City of Boston to build a chronic hospital which would hold 1,000 patients and positively remove the stigma of pauperism attaching to these unfortunates at Long Island.

Coun. WILSON—Mr. President, there has been so much said and so many erroneous statements made in regard to the adoption or rejection of this particular order, that I wish to place on the minutes of the City Council the actual facts in the case which I feel have not been presented here today, however excellent may have been the speech of the gentleman from Roxbury. As I understand it, there has been nothing placed on record in the minutes of this body giving the true facts as outlined to us by the gentlemen who appeared not only before the Public Lands Committee but also before the Executive Committee of the Council a week or so ago. As a matter of fact, this particular hospital, I would state for purposes of the record, was originally provided for by the will of Robert Breck Brigham, who left some \$2,000,000, the income from which was to be used for the operation of a hospital for the chronic sick among the destitute citizens of Boston. We are given to understand, I believe, from the figures, that it costs about \$215,000 a year to run this hospital, and that \$70,000, or about one third of that expense, was obtained last year out of the income received under the Brigham will. Of the 114 patients now at the hospital only forty are paying patients, while seventy-four are free patients. That is, almost two-thirds of the total number are free patients, although only one-third of the expense is taken care of from the money received under the Brigham will. Thus, although the Brigham money, as I have stated, pays for only one third of the expense, two thirds of the patients in the hospital are from the destitute poor of the City of Boston, every man, woman and child being from the destitute poor of the City of Boston. In addition there are 133 free outside patients, thus making about one fifth of the patients paying patients out of the total number now being handled, 247. The hospital, according to the information we received, was first instituted planning for 100 free beds, but the income from the Brigham estate left the institution annually in the hole, and paying patients were admitted, as I understand it, to help carry the expense of the entire hospital and make possible the care of additional destitute chronic ill. The hospital now wishes to buy the adjoining land having as the first thing in mind the erection of an

additional building which will contain forty more free beds. Later, they hope to add, I understand, another paying ward to help carry the expense of the additional forty free beds. Bear in mind that one third of the patients are not only chronic sick but incurable sick. To give some light, as a matter of record, on the present proposed sale and the price to be charged, two points may be raised. In the first place, the most recent purchase by the hospital was of land directly across the street from the present hospital, from private owners in the open market, at twenty cents a foot. That throws some light on the value of the particular land in question. In the second place, the price fixed for this particular lot was fixed by appraisers appointed by the Boston Real Estate Exchange. And, even after this proposed purchase, there are still ten acres available for the construction of a chronic hospital for the sick of the city on the mainland, should the new Mayor so desire. Of course, we have nothing to do in reference to the fight between the trustees under the will and the trustees of the hospital. That is none of our business. I understand that that is being fought out in the courts, in an endeavor to obtain a larger income from the \$2,000,000. But, even if they get six or five per cent, even if they obtain a larger income than they now receive, it will not carry the cost of \$215,000 annually. I may be under a wrong impression but, if I am correctly informed, no member of the Council has any authority for directly or indirectly stating or even intimating that the next Mayor is unalterably opposed to this purchase, and I don't believe any such intimation should be given unless such a direct statement is made. This is not a fight between the present Mayor of the City of Boston and the members of the City Council, and my personal vote, like the vote of most men in the room, I believe, will be cast irrespective of whether or not this is favored by the present city administration. With reference to the question of whether we may need an additional chronic hospital for the city's unfortunates on the mainland, I can't understand the position of the councilor from Roxbury when we bear in mind the fact that there will still be plenty of room for the erection by the city of a hospital to care for the chronic sick of the City of Boston after this proposed sale of land. A recent survey shows that there are from 4,000 to 5,000 chronic sick in this city and that there are only 900 hospital beds. But there will still be a large amount of land left, so that there will be plenty of room for nice, warm, healthy competition between a Boston hospital and any others that may be willing to help out in the care of the chronic sick. Bringing out one additional point, I fail to follow the argument that this would be in competition with a proposed city hospital, or that it would be against the desires of the incoming Mayor and contrary to the interests of the city, when all the facts are considered. In the first place, the hospital will pay a fair price for the land. In the second place, while under the terms of the will the hospital was to be used for the chronic sick of the City of Boston, it is at the present time, to the extent of two thirds, taking care of the chronic sick and destitute of the city free, although only one third of the expense of carrying on the work is met under the Brigham will, and every patient so treated by the hospital is saving the City of Boston not less than \$5 a day expense. The gentleman from Roxbury states that if he were in favor of the idea he would favor giving the land to the hospital. For his information I might state that it was the majority, if not the unanimous opinion, of the Committee on Public Lands, that the most decent, proper and public spirited way for the city to act would be to make a free transfer of this particular land to the Robert Breck Brigham Hospital, instead of which, under this order, they are paying what I insist is a fair market price for the land.

Coun. BUSH—Mr. President, my sentiments with regard to the construction of a chronic hospital on the mainland are a matter of record. I have always been in favor of having a chronic hospital of the city on the mainland. I opposed the expenditure of \$1,000,000 dollars on the Long Island Hospital at the time when the Mayor first sent the order up, with that idea in view. I thought it was a mistake to spend so much money on a hospital that was exiled from the mainland. I feel, after listening to the arguments presented by the councilors from Dorchester and Roxbury, that, should the new Mayor wish to build a chronic hospital on the mainland, there will still be sufficient land available for the purpose, as I

am given to understand that there are ten acres left after this transfer is made, on which a chronic hospital could be built. I don't think, Mr. President, that any member of the City Council can afford to act as a stumbling block in the way of such a worthwhile work as the Robert Breck Brigham Hospital is fulfilling. I know from personal knowledge of several destitute citizens of Boston who are being taken care of in that hospital, and I know that its work is being done irrespective of race, color or creed, that those citizens are taken into that hospital and that they have been splendidly treated for a considerable period of time, both as chronic and as temporary patients. I feel that it would be highly improper and detrimental to the city for the members of this Council to vote against this order which will help the Robert Breck Brigham Hospital to carry on work in furtherance of its charitable purposes.

Coun. WARD—Mr. President, four years ago Ali Baba and some thieves came in to run the affairs of the citizens of Boston, and we have had this administration of Boston for the past four years. The present Mayor has about three quarters of an hour remaining in which he will be Mayor. I think that this particular order ought to go over to the next administration. I think the incoming Mayor should be allowed to exercise this power. If this is something that should be done, and if it meets with the plans of the incoming administration, there is no reason why the trustees of the hospital cannot take this land over immediately under the new Mayor. What is to be gained, Mr. President, by this precipitous action just at this time? What is to be accomplished? What harm will be done by letting it go over? Mr. Brown, of the Robert Breck Brigham Hospital, came before the Executive Committee at the last meeting, and what did he say? He said that the hospital at Long Island was not a success, that nobody wanted to go there. Still, when we came in here as members of the Council four years ago, Mayor Nichols decided in favor of the plan of placing the chronic hospital on Long Island; and yet Doctor Brown comes in here and says before the same members that the chronic hospital at Long Island is not a success. I don't know what the incoming Mayor's plans are on this particular project, but I do know what I would like to see, myself. I would like to see a chronic hospital of the city on the mainland, and I think the incoming Mayor, having in mind the position he has taken before, would like to see such a hospital on the mainland. So, with the possibility or probability that that particular property may be so used, why not let the matter go over to the next administration? If the next Mayor decides to give to the Robert Breck Brigham Hospital this particular land let him decide to do it, and don't let it be the job of Ali Baba.

Coun. FITZGERALD—Mr. Chairman, I would like to ask the chairman of the Committee on Public Lands a question, if he remembers,—when this was first referred to the Committee on Public Lands?

President DONOVAN—I understand, on November 18.

Coun. FITZGERALD—Mr. President, I believe this matter is so important to the citizens of Boston that we ought not to hesitate. There are certain matters which I believe should be handled by the incoming Mayor—such as eleventh-hour propositions involving the expenditure of millions of dollars for the construction of buildings and the buying of land. But this is a matter that I cannot see for the life of me how any man in this Council who has in his heart the milk of human kindness, who has in his mind any thought for the sick, infirm and poor of this city, can oppose, after hearing the story told by the doctor before our committee. I don't see how, under the circumstances, any member can vote against this proposition, and I say that if members here do so, there will be a reckoning, of retribution. There will be a day when they will regret their action. I hope that no member of the body has been approached by anybody to vote against this order. A man spoke to me the other day, when I was coming through the City Hall Annex, about my position on the Robert Breck Brigham Hospital proposition, and I said I believed that we should pass the order in the interest of humanity. He said, "Well, it is a shame,—it is a good piece of land, and ought to be sold for building purposes." I hope there are no unseen hands here of so-called building speculators who hope to reap a harvest, and who hope to exert influence so that they may

get this land into their hands at a later date. I think we ought to act today. We cannot do too much for the poor and sick of this city in institutions of that kind. We all heard what the chairman of the Committee on Public Lands reported here after an inspection of that hospital, in regard to children and others. There was one who had been there for fourteen years, bedridden, and who was thoroughly satisfied with the treatment. Why, the people of the city don't know the work that they are doing there. I hope no man in the Council will vote against this proposition. It would be an outrage and a shame, as the councilor from Dorchester has said. We should give the land free, not charging a cent. Why, look at the situation in the Holy Ghost Hospital,—you can't get anybody in there, there isn't a chance, they have such a waiting list. People are continually clamoring to get in, and they cannot take them. I have been told of a case where a man was not taken into this hospital because he had three sons who should take care of him. Of course, there are those borderline cases, cases where it might not be thought fair to others who were more needy to take in certain people. It is true that the three sons were married and had their responsibilities. But you have those cases just over the line. Of course, some members here may talk for publicity, may talk for the galleries. But let us have the truth. I do not believe that the incoming Mayor cares one iota about having action on this matter delayed until he comes into office. He is too great a man to take such a position. His sympathies and his speeches would all tend to show that. I believe we ought to give this land to this institution, which is doing such wonderful work.

Coun. ARNOLD—Mr. President, I don't believe this Council is going to reverse itself or is going to be guided by the bitterness of some members in the closing hour of this administration. I want to say to the gentleman from Roxbury that in my experience as a physician I have yet to find people urging me as a practitioner to send them to hospitals, where it is not necessary. I don't know of anybody who is sick who is anxious to go to a hospital, and I am sure that nobody is anxious to be sick. We all know what was said about the work done by this particular hospital along the line of handling cases of arthritis. We heard last week what a prominent part they played in the activities and the functions of the hospital. Probably other members of the Council, Mr. President, do not realize what any progress along the line of treating this malady means to suffering humanity. It is one of the most prevalent afflictions of mankind. It is an affliction for which very little has ever been done; and if this institution, which is asking to be permitted at its own expense to add to its facilities in such lines, wishes to carry on such work to better advantage, I believe that this Council has an opportunity to assist humanity which it has not previously had during the four years in which it has been my privilege to sit here among you. I believe the Council understands perfectly the situation involved, Mr. President, and I therefore move the previous question.

The main question was ordered, and the order was given its second and final reading and passage, yeas 16, nays 6:

Yeas—Coun. Arnold, Bush, Deveney, Donovan, Fitzgerald, Green, Keene, Lynch, Mahoney, McMahon, Motley, Murphy, Murray, Parkman, Ruby, Wilson—16.

Nays—Coun. Dowd, Dowling, Fish, Gallagher, Sullivan, Ward—6.

**PAY ROLL OF REGISTRY OF DEEDS.**

The pay roll of the Registry of Deeds from December 9 to December 31, 1929, inclusive, amounting to \$2,953.03, was received and approved.

**INQUIRY BY COUNCILOR DOWLING.**

Coun. DOWLING—Mr. President, I rise for information. If I recall correctly, the Clerk a

few moments ago read a communication from his Honor the Mayor in regard to the transit system?

President DONOVAN—The message is in the hands of the City Clerk. It has been ordered placed on file and will be printed in the records.

Coun. DOWLING—Mr. President, I would like further to ask if any report has come from the Mayor's office or from the special committee appointed early in the administration to recodify the statutes relating to the City of Boston?

President DONOVAN—I understand that no such report has been submitted.

Coun. DOWLING—Mr. President, if I am correctly informed, the Council appropriated \$20,000 or more for a special commission which was to recodify the laws of Massachusetts with relation to the City of Boston. The commission that was appointed for that purpose was composed of—while I am looking up the names—I would characterize them as panhandling lawyers.

President DONOVAN—The Chair will have to rule that Councilor Dowling will have to have unanimous consent to make a statement.

Coun. DOWLING—Well, Mr. President, I ask unanimous consent to make a statement—although I don't expect to get it.

President DONOVAN—If there is no objection.

Coun. ARNOLD—Mr. President, I object.

**SIDEWALK ON ASHMONT STREET.**

Coun. FISH offered the following: Ordered, That the Commissioner of Public Works make a sidewalk along Ashmont street (east side), from Adams street to Neponset avenue, 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.

**WORK ON RECODIFYING LAWS.**

Coun. WILSON—Mr. President, I move that we recess, subject to the call of the Chair, in view of the fact that I would like to hear if any progress has been made in four years on recodifying the laws.

Coun. DOWLING—Mr. President, I don't doubt the sincerity of the member from Ward 17 (Coun. Wilson) but I do doubt the sincerity of members of the Council who will deny to a fellow member who has served here honestly and faithfully for four years an opportunity to ask a question in order to obtain information. And so I hope, in spite of the intense partisan loyalty of the gentleman from Ward 4 (Coun. Arnold), who has always been a "yes" man, who has always responded to every call of this administration, that an opportunity will be given me to get an answer to the questions I would like to ask in reference to the \$20,000 of the people's money that we authorized the expenditure of for the purpose of recodifying the laws, and I hope the motion for a recess will not prevail at this time.

President DONOVAN—The question is on Councilor Wilson's motion to take a recess subject to the call of the Chair.

The motion was declared lost.

Coun. DOWLING—Mr. President, I asked as politely as I could, and as earnestly as I knew how, whether there was any information in the hands of the Council with reference to the work which a specially appointed commission of panhandling lawyers attempted to carry out in codifying the laws of Massachusetts with relation to the City of Boston.

President DONOVAN—The Chair has asked the question of the City Clerk, and I believe there is no record of such a report from the Mayor's office on file.

Coun. DOWLING—I now ask unanimous consent, Mr. President, to make a statement, in view of that information, with no expectation that it will prevail.

Coun. ARNOLD—I continue to object, Mr. President.

Coun. BUSH—Mr. President, I would ask, on a point of information, who the members of the special commission appointed to recodify the statutes are.

President DONOVAN—The Chair is unable to give Councilor Bush the information.

Coun. DOWLING—Mr. President, may I ask for unanimous consent to furnish that information?

President DONOVAN—Does the Chair hear any objection? (No response.) There apparently being no objection, the councilor may furnish that information.

Coun. DOWLING—Mr. President, I am surprised that the gentleman from Ward 4 (Coun. Arnold) should be willing to learn anything or listen to anything. The members of the commission appointed by the frenzied Mayor for this particular purpose were Harold J. Field—and God knows who he is!—John T. Myron, who is an office boy for one of the four horsemen, Charles H. Innis, and David A. Marshall.

President DONOVAN—Does that furnish the desired information?

Coun. DOWLING—I don't think it furnishes all the information that the gentleman asked for.

President DONOVAN—The Chair will have to rule that that furnishes the desired information.

Coun. DOWLING—Well, Mr. President, there is plenty more where that came from.

#### RECESS.

On motion of Coun. WILSON, the Council voted, at 12.25 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 President DONOVAN at 12.32 p. m.

#### INFORMATION ABOUT CODIFICATION OF STATUTES.

Coun. DOWLING offered the following:  
Ordered, That the Corporation Counsel be requested to inform the City Council what progress, if any, has been made on the codification of the statutes relating to Boston, and how much more time will be required and how much more expense will be involved for its completion.

Coun. DOWLING—Mr. President, when I originally spoke on this matter, I had an honest and sincere desire to get some information, notwithstanding the fact that some members of the Council are so full of information that they will not listen to anybody who has something to say on a matter. Now, Councilor Bush asked for some information, also, indicating that there are other members of the Council who would like a little information on this matter. Therefore, I would like to tell the Council that on June 15, 1926, when the "four horsemen" were new at the job, they submitted an order providing that \$20,000 be expended by the Corporation Counsel, under the direction of the Mayor, and charged to the Reserve Fund, for the codification of special statutes relating to the City of Boston. Twenty thousand dollars was provided for this inquiry—of doubtful value, unless other members of the Council disagree with me on that point, in which case perhaps I would be compelled to submit to their superior judgment on that one thing. But codification of the special statutes relating to the City of Boston is not anything that would disturb the average fellow who works for a living. Possibly the amount of money appropriated was all right, although in 1908, which was not so very long ago, the City Council passed a special appropriation for the Law Department to revise the statutes up to that time, the job costing \$11,090.47, and being completed in two years. But, as I say, this special hand-picked commission, composed of Field, Myron and Marshall—who have little to do, and had to have something to do, the city being easy to do, were appointed on that commission; and in 1926—and, mind you, the order appropriating this money was not passed until June 15, 1926, but before the end

of that year, the three members of that commission, who had not opened an ink bottle or wet a pen, who had not looked over a single statute relating to the City of Boston,—came down to the City Treasurer's office, as boldly as burglars, and took from the city treasury \$3,656.65 for services, not one bit of which they rendered to the City of Boston, because no work had been done by that commission at that time. In 1927, by the end of that year, when there was not a comma, semicolon or a period put to a piece of paper in connection with this work—and I know whereof I speak; not a particle of work was done by that commission—these sandbaggers went down to the City Treasurer's office and sandbagged the city for \$7,320 for services, without having rendered any services; and in 1928, well trained in the path that leads to the paymaster's window and encouraged by the men who placed them in that position where they could drain money out of the city, they marched boldly again to the paymaster's window and took out another \$7,506.85, with no services performed. (The lights in the Chamber flickered at this point.) No wonder the lights went out, Mr. President. (Laughter.) And in 1929, up to March 1, still hankering for this easy money, the three yeggmen went to the City Treasurer's office and collected all that there was left of that \$20,000 appropriation. They probably expected more, but imagine their disappointment when they found only \$1,237.47 left. That was on March 1, 1929. Now, Mr. President, I know, the City Auditor knows and other men know that after the last dollar was grabbed by these three lawyers, they connived or attempted to connive, through administration influence, to coerce the City Auditor into making another \$2,500 contribution to their Christmas basket fund. But the money for that purpose did not come as easily as the money came from the contractors and department heads who were assessed two weeks ago for sums ranging from \$100 to \$500 with which to buy a new "Lizzie" for the passing Mayor. Mr. Carven—whom I have known for thirty years, and who knows more about municipal administration and municipal finance than all the present mayors, morning, afternoon and evening—found no way to give Field, Myron and Marshall another crack at the city treasury. They were told plainly that there was no more for them. Just imagine the situation, Mr. President, with these three commissioners, who held this luscious job, for which they have performed little service, if any. This information, which is called for in this way through the Law Department, is not available even now. After four years of diligent effort, largely confined to raiding the city treasury, no report has been submitted. And now, Mr. President, one of those phony commissioners, with lucrative income, is sitting on another commission in which the city is involved. That is, I may be mistaken, but I think he—I will not use the particular person's name in this connection—is a master, the lawyers present may correct me if I am wrong, appointed by the Court to determine whether any person connected officially with the city was seeking to mulct the city in connection with the purchase of water meters. One of these phony commissioners is sitting, I believe, as master in such a case in which he might, if the circumstances warranted it, find that a very prominent city official—and, mind you, I am going to make this clear,—who has something to do with municipal finances, had entered into a conspiracy to mulct the city in the matter of water meters. This so-called commission on recodifying the statutes relating to the City of Boston was interested in only one thing—getting \$20,000 as swiftly as they could get it—and was performing as little service as it possibly could. That, Mr. President, is why I asked for information, and that may be why the gentleman from Ward 4 did not want the information. I know Ward 4, Mr. President,—although, thank God, I never lived there and have rarely visited there. I know Ward 4. I know the habits of nearly everybody that goes through there. And I know, Mr. President, that it is a recent practice—and I do not doubt a good one—established by this administration to name bridges for gentlemen who lived in outside towns, but who did business in Ward 4. I submit that the naming of a bridge after anybody in Ward 4 is entirely proper, because bridges are on the level, and I think the gentleman for whom the last bridge was named was on the level,—and that is about all that is on the level in Ward 4.



Coun. ARNOLD—Mr. Chairman, I hope that when the time comes for me to sing my swan song to this body, it will have more melody in it than that to which we have just listened. It is not my purpose to rise here to defend myself or to defend the ward which I have the honor to represent here, or to defend the three eminent attorneys who have also been attacked. I hold no brief for any attorney, Mr. President. I have always found that the members of the legal profession were able and willing to defend themselves when occasion required. As for visiting that ward, Mr. President, I believe the gentleman to whom we have just listened made some complaint during the last two or three years because he was charged a quarter or so for his visit to Ward 4.

Coun. DOWLING—Everybody is charged there, Mr. President. (Laughter.)

Coun. ARNOLD—I tried in my humble way, Mr. President, at that time to relieve the situation so that the gentleman might visit the ward with more frequency and more ease. I believe, now that he has got this attack onto the record, he ought to be satisfied with his four years here. I believe that his valedictory must be to him a source of great pride, and I leave it there, Mr. President.

The order was passed under suspension of the rule.

REJECTION OF CONSTABLE.

Coun. RUBY called up No. 1 on the calendar, viz.:

1. Action on appointment submitted by the Mayor October 28, 1929, of Thomas Cannizzaro, to be a Constable.

On motion of Coun. RUBY the appointment was indefinitely postponed.

CLOSING PROCEEDINGS.

Coun. PARKMAN offered the following:

Resolved, That the thanks of the City Council be extended to Councilor Timothy F. Donovan for the able and impartial manner in which he has presided over the deliberations of the Council during the present municipal year.

Coun. PARKMAN—Mr. President, in every legislative body, I suppose, there must be controversy. In the very nature of things that must be so. Issues presented to a body for determination should be hard fought and fought sincerely to a conclusion. That certainly has been the case in this body. We have seen issues vigorously

debated here, sometimes with considerable acrimony and bitterness. Nevertheless, at all times the proprieties of debate have been observed, and in general there has been good feeling between the members of this body. Certainly, I may say with absolute truth and without fear of contradiction, on leaving the floor of this Chamber, that a friendly spirit has existed between the various members of the body; and that result, to my mind, Mr. President, is due in no small measure to your good humor, your character, your unflinching firmness and friendliness in dealing with all the members of the body. Many measures have been debated on this floor during the past year, and you have at all times presided with dignity and impartiality. At various times, parliamentary situations have arisen which have been difficult of determination, but in all cases you have cleared up the situation with credit to yourself, with the assistance of our able clerk, Wilfred Doyle. May I say just one more personal word, Mr. President? This is my last day in the City Council, my last day on a service here extending through the past four years. It is with regret that I leave the Council. I have enjoyed my service here; I have enjoyed the friendships that I have made, and I would not willingly let any of them go. I hope that in the years to come those friendships will not lessen, but will increase, and I wish to express on the floor of the Council at this time my gratitude to the other members of the body for what they have done in adding to the pleasantness of my associations here. (Applause.)

The resolution was adopted by a unanimous rising vote.

President DONOVAN—I want to say to my colleagues that once more I desire to thank them for the honor conferred upon me during the past year in selecting me as their president. I want to thank the members of this body for their fairness at all times; I want to thank them for helping me to preserve proper decorum at all times, even in the heat of debate. It is needless for me to say that I have enjoyed the association with my colleagues. The friendships that have developed here will be, I feel, only strengthened as the years go on. I want to say to Mr. Parkman that I know I speak for all his colleagues when I say we deeply regret that he is not coming back to the City Council, although we all feel assured that future honors are in store for our senator. In closing, I want to thank the members from the bottom of my heart for their fairness during the year. (Applause.)

Adjourned *sine die*, at 12.50 p. m., on motion of Coun. WARD.













