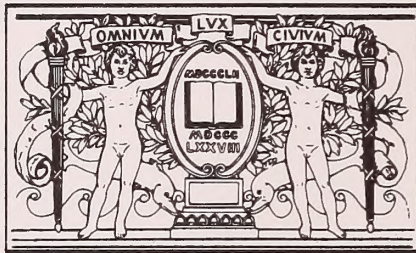


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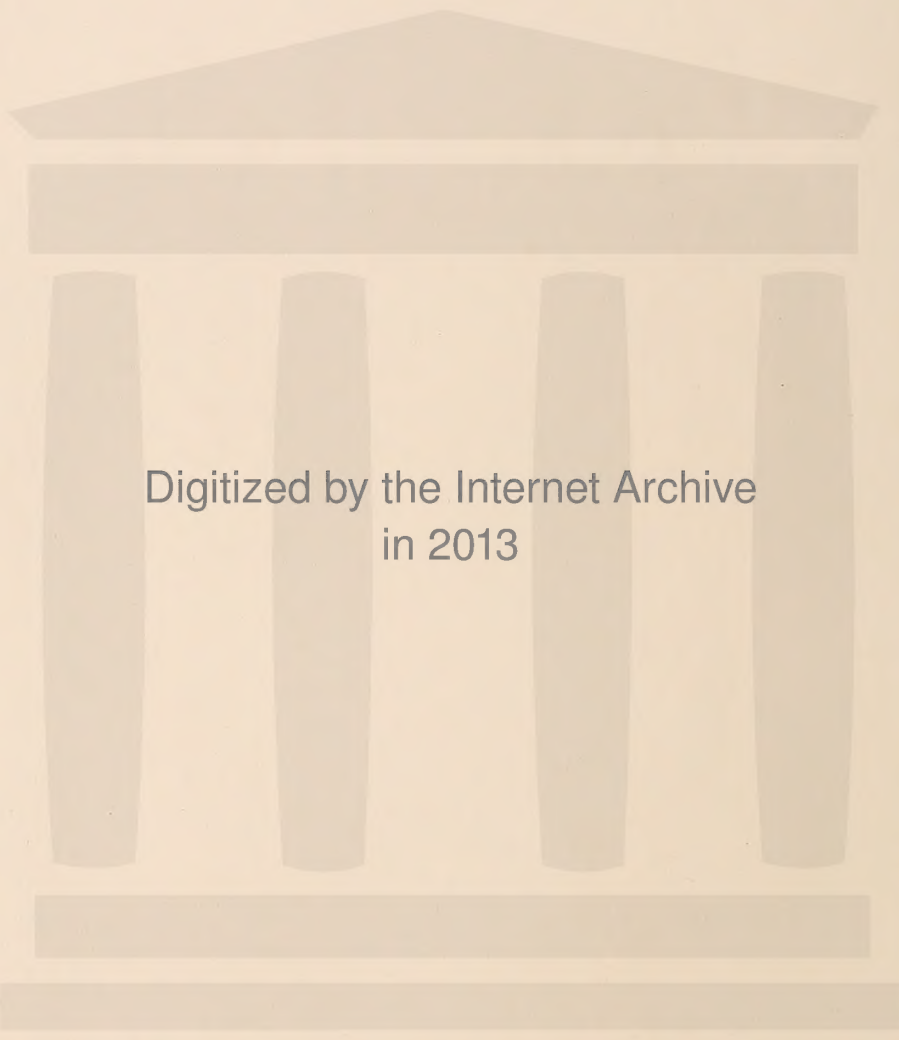
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REPORTS OF PROCEEDINGS

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OF THE

CITY COUNCIL PROCEEDINGS

CITY COUNCIL OF BOSTON

FOR THE YEAR

COMMENCING JANUARY 6, 1936, AND ENDING DECEMBER 28, 1936



CITY OF BOSTON
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1937

REPORTS OF PROCEEDINGS

OF THE

CITY COUNCIL OF BOSTON

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Ward 5, Shattuck, Henry L., reelected

Ward 6, Murray, George A., elected

Ward 7, Kerrigan, John E., reelected

Ward 8, Dowd, John F., reelected

Ward 9, Gleason, Richard D., reelected

Ward 10, Doherty, John J., reelected

Ward 11, Kilroy, James J., elected

Ward 12, Brackman, David M., reelected

Ward 13, Fitzgerald, Peter J., elected

Ward 14, Rosenberg, Sidney, elected

Ward 15, Tobin, Martin H., reelected

Ward 16, McGrath, John J., elected

Ward 17, Wilson, Robert Gardiner, Jr., reelected

Ward 18, Norton, Clement A., reelected

Ward 19, Murray, Peter A., reelected

Ward 20, Finley, James F., reelected

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CITY OF BOSTON.

Proceedings of City Council.

Monday, January 6, 1936.

First meeting of the City Council for the year 1936 in the Council Chamber, City Hall, at 10 a. m. Coun.-Elect Gallagher, senior member, called the meeting to order. Absent, Coun.-Elect Peter A. Murray.

Chairman GALLAGHER—The Council will be in order.

Coun.-Elect KERRIGAN—Mr. President, I move that a committee of two be appointed by the Chair to escort the Mayor to the Council Chamber.

The motion was carried, and the Chairman appointed Coun.-Elect Kerrigan and Shattuck said committee. The committee retired from the body at 10.06 a. m. and at 10.14 a. m. returned accompanying the Mayor and suite.

Mayor MANSFIELD took the chair and said:

The meeting will please come to order. You will now give your attention while the Chaplain, Rev. Ernest J. Dennen, Archdeacon of the Episcopal Church of Boston, leads us in prayer.

Archdeacon DENNEN—O God, Father of us all, look with favor, we beseech thee, upon thy servants assembled here. As citizens make us loyal, as patriots incorruptible, as servants determined to serve the common good. In particular we implore thy blessing upon this Honorable Body facing today the duties of office. Make them staunch in their stand for the right and successful always on the side of truth and justice. Hear our prayer, we beseech thee, through Him who has ever led man aright, thy Son, our Saviour, Jesus Christ. Amen.

Mayor MANSFIELD—The City Clerk will now read the communication from the Election Commissioners certifying as to the new members elected to the City Council and will call the roll.

City Clerk DOYLE read the communication, as follows:

Board of Election Commissioners,
City Hall Annex, Court Square,
Boston, December 5, 1935.

Mr. Wilfred J. Doyle, Esq.,
City Clerk, Boston.

Dear Sir,—We certify that at the City Election held in the City of Boston on November 5, 1935, for the choice of one member of the City Council from each ward, for the term of two years, that the following were elected from the wards as set forth against their names:

- Ward 1, Henry Selvitella, 80 Orient avenue.
- Ward 2, James J. Mellen, 18 Tremont street.
- Ward 3, John I. Fitzgerald, 7 Allen street.
- Ward 4, George W. Roberts, 20 Hemenway street.
- Ward 5, Henry L. Shattuck, 15 River street.
- Ward 6, George A. Murray, 223 West Second street.
- Ward 7, John E. Kerrigan, 213 West Eighth street.
- Ward 8, John F. Dowd, 22 Greenville street.
- Ward 9, Richard D. Gleason, 15 Ruggles street.
- Ward 10, John J. Doherty, 67½ Wyman street.
- Ward 11, James J. Kilroy, 1301 Columbus avenue.
- Ward 12, David M. Brackman, 89 Waumbek street.
- Ward 13, Peter J. Fitzgerald, 39 Belfort street.
- Ward 14, Sidney Rosenberg, 576 Blue Hill avenue.
- Ward 15, Martin H. Tobin, 70 Westville street.
- Ward 16, John J. McGrath, 2 Glenrose road.
- Ward 17, Robert Gardiner Wilson, Jr., 57 Codman Hill avenue.
- Ward 18, Clement A. Norton, 34 Myopia road.
- Ward 19, Peter A. Murray, 7 St. John street.
- Ward 20, James F. Finley, 231 Cornell street.
- Ward 21, James E. Agnew, 92 Wallingford road.
- Ward 22, Edward M. Gallagher, 21 Oak Square avenue.

Respectfully yours,
DAVID B. SHAW,
DANIEL H. ROSE,
FREDERIC E. DOWLING,
FRANCIS B. MCKINNEY,
Board of Election Commissioners.

Following the reading of the communication, the City Clerk called the roll and all but Coun.-Elect Peter A. Murray were found to be present.

The Mayor then administered the oath of office to the members of the Council.

The Mayor thereupon delivered his message to the Council, as follows:

ANNUAL ADDRESS OF HON. FREDERICK W. MANSFIELD.

The first two years of my term of office as Mayor of the City of Boston have been concluded and we are now commencing on the second half of that term. The two years which have passed have been years of marked improvement in the affairs of this city. I propose today to give you a summary of the accomplishments of those years and to discuss with you some of the problems of the immediate future.

I. THE PAST TWO YEARS.

A. The Financial Condition of the City.

I have frequently stressed the importance of maintaining the credit of the city. Under the laws of this Commonwealth, the revenue necessary to carry on municipal government, to maintain our schools, to pay city employees and to assist the poor and needy is not received by the city until late in the calendar year. Money, therefore, must always be borrowed in anticipation of such revenue. If the credit of the city should be impaired this money could not be obtained, with the necessary result that many municipal services demanded by and important to the welfare of the people of Boston would have to be curtailed, thousands of city employees would be obliged to work without pay and their discharge from the city's service would become imperative and the city would find itself unable properly to care for the poor, the needy and the unemployed.

Every effort, therefore, has been bent during the last two years on preserving the credit of the city.

There are certain factors peculiar to cities and towns in the Commonwealth which must be borne in mind in any consideration of Boston's financial situation. Welfare expenditures throughout the depression have been and are being borne by the cities and towns of the Commonwealth with but very limited assistance from the state. While these expenditures have increased in tremendous proportion, falling valuations of real estate and decreased income tax collections distributable to municipalities have sharply cut the revenue to meet the added expenditures. The net result has been a drastic increase in tax rates throughout the Commonwealth. Five towns in the Commonwealth had a tax rate in 1935 of over \$50 a thousand; fifty-six cities and towns a tax rate of between \$40 and \$49; eighty a tax rate of between \$35 and \$39, and one hundred and eleven a tax rate of between \$30 and \$34.

Welfare expenditures in Boston during 1928 aggregated \$2,800,000. In 1935 they aggregated approximately \$13,000,000, although less than in 1934 or 1933. The increase in welfare expenditures represents \$6 in the tax rate. In the meantime valuations have decreased to an amount representing about \$5 on the tax rate and revenue collected by the Commonwealth and distributable to Boston has decreased to an amount representing about \$3 on the tax rate.

No substantial new sources of revenue and no adequate state assistance have been afforded to the city to meet its added welfare expenditures and decreased income.

The city has, therefore, been faced with the alternative of vigorous curtailment of services and salaries or with reasonable curtailment and borrowing. The hardship to employees and the adverse effect on local business involved in the first alternative has led us to adopt the second.

When I took office there was no adequate system of budget control. To improve this situation I instructed the City Auditor to prepare a plan whereby a modern budget system with proper control of expenditures and a more adequate method of checking receipts could be put in operation. This plan is now in operation and further improvements will be operative in 1936 as I shall later more fully explain.

The Department of Public Welfare was reorganized late in 1934 and every effort has been made to guard against disbursements to persons not entitled to relief. Vigorous prosecutions of

offenders and the employment of trained workers in the department have tended to conserve against a waste of city funds.

Wherever possible, I have maintained a policy of not filling vacancies and of reducing purchases of equipment, materials and supplies to a minimum consistent with the proper rendering of public service.

Not only has effort been made to keep expenditures within reasonable limits but attention has been given to the enforcement and collection of tax and other claims of the city.

In 1935 approximately \$6,000,000 more was received by the City Collector than in 1933 and there has been a definite improvement in current tax collections. The trend of collections has at last been turned in the right direction.

Pursuant to my request, an ordinance was passed in 1935, after considerable delay, which will enable the city to conserve and dispose of properties acquired through tax title foreclosures made mandatory by statute.

While the city borrowed approximately \$10,000,000 for welfare purposes in 1935 and must to some extent make borrowings for this purpose in 1936 unless wholesale discharges or pay cuts are to be countenanced, it is worthy of note that the borrowings by the city in 1934 and 1935 were less than the borrowings by the city in the year of 1933 alone; that large amounts of debt have been retired in both 1934 and 1935, a fact frequently overlooked by critics; and that the net funded debt of the city is now less than when I took office on January 1, 1934.

That the credit of the city has improved in the last two years is evidenced to some extent by the fact that interest on temporary loans has decreased from an average of 4.03 per cent in 1933 to 1.55 per cent in 1934 and .85 per cent in 1935 — and the interest requirements of the city for temporary borrowings were approximately \$600,000 less in 1935 than in 1933. Moreover, interest rates on long term borrowings have decreased from an average rate of 4.32 per cent in 1933 to 3.29 per cent in 1934 and 2.36 per cent in 1935.

B. Temporary Relief for the Unemployed.

In my annual message to your Honorable Body in 1935, I stated that:

"It is my purpose, however, to secure for the employment of residents of Boston a fair and adequate share of all Federal funds granted for relief purposes. Through my repeated efforts more than 15,000 Boston residents heretofore unemployed are now employed on E. R. A. projects and new projects will provide for the employment of 7,000 more. So long as the Federal Emergency Relief Administration continues to operate I shall do all in my power to have formulated, and to supply materials for projects adequate to provide for all persons that the funds provided will employ. It is my purpose to see to it that these projects will be of real value to the city."

In May of 1934, when the Federal Emergency Relief Administration commenced work in Boston, 8,544 persons were cared for on works projects. I have, since that time, made every effort to secure a maximum of Federal funds for the assistance of Boston residents.

Constant contact with Washington officials has been essential and, while I have not received all the assistance for which I hoped and to which I believe we are entitled, we have secured from time to time increased funds for employment in Boston so that by December of 1934 the number of employed was increased to 13,831, in June of 1935 to 26,923 and at present more than 27,000 persons are employed.

To further this work and to secure projects which would be of real benefit to the city, I caused to be formed a board, known as the Works Projects Board, to develop, coordinate and prepare for submission to the Federal Government useful and needed projects.

This board prepared both a Public Works and a Works Projects program. Projects were submitted to the Federal Government amply sufficient to employ usefully all unemployed persons in the city capable of employment.

While the Federal Government has not provided work for all employables on our welfare roll and the city has been obliged to expend over \$1,000,000 in 1935 for materials to be used on these projects, there can be no doubt that the relief rolls of the city have been saved from greater burdens, that a vast amount of useful work has been done for the city and that the lot of thousands of men and

women has been materially relieved pending what I hope will soon be their absorption into private employment.

C. Public Improvements.

Many improvements have been made during the last two years, all of which tend to make Boston a better place in which to live and conduct business.

These improvements were made possible partly by E. R. A., P. W. A. and W. P. A. funds and partly by city funds, but they are so numerous that I shall take the liberty of calling some of them to your attention.

One hundred and fifty new streets were accepted by the city and constructed in various sections of Boston, covering approximately twelve miles in length. Ten main traffic arteries were entirely reconstructed, covering approximately twelve additional miles in length. These latter arteries include Alford street in Charlestown, Savin Hill avenue, Adams street and Ashmont street in Dorchester, Old Colony avenue in South Boston and Dorchester; Walk Hill street in Mattapan; Hyde Park avenue in Hyde Park; Southampton street in Roxbury; La Grange street in West Roxbury and Woodrow avenue in Dorchester.

Northern Avenue Bridge, connecting Boston Proper and South Boston, has been reconstructed; Chelsea North Bridge, connecting Boston and Chelsea, has been repaired and strengthened; substantial repairs have been made on both the Summer Street Bridge across Fort Point Channel and the Granite Avenue Bridge between Boston and Milton. Preparations are now being made for a new Chelsea Street Bridge connecting East Boston and Chelsea. This new bridge is to have a roadway seventy feet in width with a hundred-foot draw span sufficiently wide to accommodate the passage of any vessel likely to use Chelsea creek.

Many open brooks, such as Savy brook in West Roxbury, Dhephard brook in Brighton, Tenean creek in Dorchester and Maywoods brook in Roxbury, have been confined to underground conduits for the purpose of preventing the continuance of past recurring floods and the damages which those floods create.

The existing high force water service system in Roxbury has been reinforced by more than three miles of forty-eight inch steel water pipe and six thousand feet of forty-eight inch steel water pipe has been laid in Brookline avenue to replace pipe laid there in 1860.

In addition, almost eleven miles of pipe have been laid in various parts of Boston to strengthen the water system.

Ash-removal contractors have been notified that they must comply with their contracts and that they can no longer insist on barrels being carried for them by householders to and from the sidewalk.

A new white way has been set up on Washington street between Stuart street and Broadway. Modern concrete posts with better lighting have been provided on Hyde Park avenue, Hyde Park, and improved lighting service has been furnished on Bennington street, East Boston.

The East Boston Airport has been enlarged, surfaced, drained and developed, and its area increased and longer runways provided. A modern flood lighting system is now installed and a seaplane runway has been perfected adequate for the needs of modern seaplanes.

The George Wright Golf Course will be ready for opening in 1936 as one of the finest courses in the Commonwealth. A rough wild tract of land, useless for building purposes, has been converted into land of use and beauty — a distinct improvement to the neighborhood and a self-supporting enterprise.

Many improvements have been made both in the larger and smaller parks and playgrounds. Walks have been resurfaced, areas graded, tennis courts built, seats installed, drainage and irrigation systems installed. Baseball diamonds have been laid out and marsh lands reclaimed. Every effort has been made to develop open spaces in congested sections of the city and these efforts have tended to improve entire neighborhoods.

Extensive gymnastic programs have been put in operation and swimming instruction given daily at city beaches and swimming pools. Despite the wide expanse of our beaches, not one fatality occurred in 1935.

The planting of 8,250 trees has tended to beautify many streets and a new wading pool in Hyde Park, the first of its kind in this section of the country, has furnished recreation and relief to children and a resting spot for mothers.

Prior to 1934 Faneuil Hall Market was heated by contract from a State street building. We have since installed there a new heating plant at an estimated saving to the City of about \$4,000 a year.

No thorough renovation of the Quincy Market has been made in one hundred and ten years. As a result, this important historic and income-producing property had structural and sanitary defects so serious that its renovation became essential. This work is now being undertaken.

Much attention has been given the Deer Island House of Correction in the last two years. With inmate labor the Roman Catholic chapel has been renovated and redecorated in appropriate style and an Episcopal chapel established. One room of the institution has been remodeled and refinished and is now used by the inmates for the first time as a library. Machine, electric and paint shops, and a stocking shop have been constructed with inmate labor. Every effort is being made to provide facilities for inmates to render useful service.

Fire prevention work has been vigorously undertaken during the past two years. School Department cooperation has been obtained and over 500,000 inspections have been made to eliminate fire hazards. It is pleasing to note that the fire loss for 1934 in Boston, the last year for which figures are available, is the lowest in any year since 1912 and represents a reduction of almost fifty per cent of the losses of but a few years ago.

Welfare Department activities have been decentralized to bring its services to people in the communities in which they live and eleven district offices have been established in abandoned city buildings or in other city properties.

To guard against frauds, reregistration has been required, accurate records insisted on, skilled employees retained and prosecutions of abuses vigorously maintained.

The Wayfarers' Lodge and the Temporary Home for Women have been rehabilitated, the city's rights to reimbursement from the state and other municipalities enforced and every effort made to assist recipients to obtain private employment.

During the past year I have vigorously protested against increased rates proposed by the Boston Consolidated Gas Company and, through the Law Department, presented an elaborate analysis of the position of that company and the effect of the proposed rates upon consumers.

Great progress has been made in the business of the Port of Boston through the past year. The domestic business of the port has steadily increased. In 1935 our port once again has become an important distributing point for inbound grain. From July 1, 1935, to date approximately 30,000,000 pounds of wool have been handled over Boston piers as compared with some 4,000,000 pounds for a similar period last year. Three new steamship companies now participate in the trade of the port and five have improved their services.

These are but some of the achievements of the past two years. They show definite accomplishment, but there are many things yet to be done. I shall, therefore, devote myself briefly to a discussion of some of my plans for the immediate future.

II. THE IMMEDIATE FUTURE.

One of the major problems which confronted me as a new Mayor was the task of assisting to make Boston again a prosperous city. It is still a major problem, although business conditions have improved. The stimulation of business and industrial activity are essential to local recovery. As a correlated fact, business recovery is the only permanent means of reducing unemployment and its incidental cost.

I propose to aid this recovery by inaugurating a financial plan for Boston. Its purpose will be to stabilize tax and debt conditions so that home owners and business enterprises may confidently look to Boston as a favorable place in which to live and do business. In this program the city must have the cooperation of the county, schools and state.

The tendency of the times of closing eyes to unmistakable trends evident in our community will delay recovery. We should realize that these trends indicate that attention must be centered on retaining present residents and business and creating a situation which will stimulate commercial activity and restore real estate values.

A. Borrowing.

As the first step in launching this rehabilitation program, I propose to reduce substantially the net debt in 1936. During the year we will retire \$8,627,000 of funded debt. It will be my purpose to limit new indebtedness to the amount required for P. W. A. projects heretofore authorized, but not issued, together with a limited amount for welfare loans. The latter will be limited to an amount substantially less than half of this year's loans.

During the next five years Boston will retire \$37,000,000 of its present bonded indebtedness. If this policy is followed in subsequent years and new issues limited to emergencies, it should be possible to reduce the bonded debt to a point where future borrowings could be eliminated altogether, and the city placed on a pay-as-you-go basis. This would save millions in interest payments.

B. Taxation.

The city will do its part to keep the tax rate at \$37 per \$1,000 of assessed valuation in 1936 the same as in 1935, despite reduced assessed valuations. In this move the city will need the cooperation of all taxing units whose rates are included in this cumulative tax levy. In 1935 the portion of the city levy required for city debt service and maintenance purposes was \$22.58, for school maintenance \$9.35, for the city's share of the state tax \$2.93 and for county debt and maintenance \$2.14.

To accomplish these ends, that is, to decrease substantially borrowings and yet keep the tax rate from rising despite decreasing valuations, an increase in sources of revenue other than the real estate tax must be developed and substantial retrenchments made. New revenues, to some extent, are expected from the Commonwealth while other funds will be obtained by more strenuous collection of available income or by the revision of existing sources. Retrenchments to be recommended will be such as can most readily be made to meet the demands of the situation. I do not intend to effect salary reductions for or discharges of permanent employees. City employees are not being paid excessive salaries. Money paid to them for services performed is an important factor in the business life of the community. The dollar spent by a city employee is just as important to the merchant as that spent by any other individual. When retrenchments are made, there may be some inconvenience resulting, but there will be no material loss in needed municipal services.

Of course, if new sources of revenue are provided by the Commonwealth in sufficient amount to enable a decrease in the tax rate, such decrease will be made.

C. Budget Control.

To assist in accomplishing these ends, I have instructed the City Auditor to set up an allotment system to control expenditures during the six months prior to the passage of the 1936 budget. Departmental encumbrances will be controlled by limiting them on a quarterly basis. A sum less than the 1935 expenditure record will be taken as the basis for determining allotments. This is an important step forward in establishing budgetary control. It should eliminate overspending during the first six months' period, and maintain stability throughout the year by planning and limiting expenditures.

D. Reorganization.

There are at the present time forty-six separate departments in the city government and 135 department heads. Many of these departments perform similar functions and yet, because of the multiplicity of departments, many improvements in one department are unknown to others and much of the benefit of the experiences of one department is lost to other departments performing similar functions. This set-up is antiquated and inadequate. There are ten executive departments in Washington; there are twenty in the Commonwealth. Many large cities operate with from five to fifteen departments. It is obvious that a consolidation of departments is essential for the proper and efficient administration of city affairs.

I recently submitted to the City Council a plan of reorganization of the engineering departments of the city. This plan was prepared by a committee appointed, at my request, by President

Compton of the Massachusetts Institute of Technology. Its merits lie in the coordination of engineering activities, the elimination of unnecessary duplication and better arrangement of functions. It should enable far more economical administration through the facilities afforded for more coordinated planning and activity, through the lessening of the necessity for filling vacancies in the event of death or retirement of employees, and through the improvement in the service rendered to the public.

I shall resubmit this plan to your Honorable Body in the near future.

E. New Legislation.

(1.) New Revenues and Relief from the State Tax.

At present the city must include in its tax rate approximately \$3 representing the tax assessed upon it by the Commonwealth. This state tax ultimately imposed on real estate should be eliminated or new revenues provided the city by the state to compensate therefor. The Commonwealth should also share the burden of financing relief as do many of the other states and I will support again a measure to accomplish this end. Borrowing for relief places a mortgage upon the future. The state has within its power the means of financing a substantial portion of the annual cost through currently collected revenue. Such a step would substantially reduce debt requirements now burdening real estate and pay the cost from the increased business resulting from the disbursement of millions to relief recipients.

(2.) Revision of the Tax Limitation Provisions Affecting Boston.

The special commission on municipal finance established by the General Court in 1935 has recommended the abolition of the present tax limitation upon Boston. The present law is obsolete and should be revised so as to enable the early adoption of a city budget and so as to make positive budgetary control in Boston a reality. The report of the commission clearly pointed out that present legislative control over school and municipal appropriations is more of a handicap to sound financing than a safeguard.

The absolute veto power over school appropriations recommended will, if enacted, enable a mayor to protect more effectively the city's finances for which he is now held politically responsible and will place the Mayor of Boston in a position with reference to school appropriations more closely analogous to the position of the mayors of other cities of the Commonwealth.

(3.) Discount for Early Tax Payment.

At the present time property taxes are payable one half in July and one half in November. No penalty, however, is imposed for failure to pay in July. The result is that July collections are relatively small and the city must continue as heretofore to borrow substantial sums in anticipation of revenue. Money may be borrowed at low interest rates for the time being but even now interest payments for temporary borrowings are substantial. I shall recommend to the Legislature that a slight discount be allowed for payment on July 1, the amount of the discount to be less than the interest which the city must pay on temporary loans but sufficient to serve as an incentive to early payment. In this way temporary borrowings may be curtailed and the savings passed on to the taxpayers.

Ultimately we must look to the day when taxes will be paid at the beginning of the year and not at the end, but legislation for this must cover a substantial period of time so as not to work undue hardship on the taxpayer. The potential savings to taxpayers in early payment through the elimination of temporary borrowings is tremendous. Interest payments on temporary loans from 1925 through 1934 cost the taxpayers of Boston approximately \$3,275,000.

(4.) Revision of Assessment Procedure.

Other improvements are needed to modernize Boston's financial structure. While no definite legislative program has been formulated at this date correcting these weaknesses, I call them to your attention.

The present assessment procedure is cumbersome, and prevents the city from beginning any fiscal year with a definite financial program. Moreover, it encourages abatement litigation. Boston's method of assessment should be worked out on a scientific and modern basis and I expect

to be able to accomplish this during the coming year with the assistance and cooperation of experts in this field from Harvard and the Massachusetts Institute of Technology. When this is accomplished, I shall seek the enactment of legislation which will enable the completion of assessments and the finality of valuations prior to the first day of each new fiscal year. While a Board of Tax Appeals with machinery to review decisions of the assessors would be maintained, it is my belief that if a scientific method of assessment is adopted, the Legislature can limit the time for hearing appeals in such a way that all appeals can be adequately disposed of before the commencement of a fiscal year. The present practice of including an item of 2 per cent or 2½ per cent of the total appropriation for "overlay," which is used primarily for rebates made after the taxes are levied, adds to the tax burden of those who receive no adjustments. Any adjustments in assessed valuations should be made before the tax rate is established, then the city will know its tax base and the tax rate will fall equitably upon all taxpayers.

F. Collections.

While tax collections improved during 1935, the accumulated burden of delinquency is heavy. Prompt action must and will be taken to reduce the outstanding delinquency. I intend to emphasize this activity from the very beginning of this year and to set up a definite program of action. There is no desire upon our part to use force in collection. Every cooperation possible will be offered to delinquents but no concessions will be made which would penalize the prompt taxpayer. I realize that economic conditions are responsible for much of the delinquency and will be sympathetic with those who show any effort to work out a plan of payments. The task of tax collector is not a pleasant one but a necessary function if the credit of Boston is to be maintained.

G. Relief for the Unemployed.

We have already commenced on a new program of work relief for the unemployed with the cooperation of the Federal Government. This program is one of useful and needed works for the city.

No effort will be spared by me in securing for Boston residents the fullest share possible of Federal funds for the relief of the unemployed and in seeing to it that those funds are devoted to worthwhile uses.

H. Port of Boston.

In my annual address to your Honorable Body in 1935 I stated:

"I shall, in addition, endeavor to upset the control of the New England railroads by the Pennsylvania Railroad and shall strive to secure local control of New England roads or in the event of national consolidation of railroads, a consolidation that will be favorable to Boston and New England to the end that the Port of Boston may become a thriving and flourishing port and receive the full benefit of its natural advantages."

Progress has been made along this line in the past year despite unexpected opposition. I shall continue the struggle against outside domination of our railroads during the coming year and continue to lend full support and assistance to the efforts of the Boston Port Authority in building the business of our port.

Conclusion.

Gentlemen, I have discussed at some length the accomplishments of the first two years and the problems, past and present, of our city. The City of Boston is a great public service corporation, the activities of which touch every phase of social and economic life in the community and are vital to the welfare of every inhabitant. Boston has much to boast of, yet we must not assume that it can exist on its accomplishments. I intend to follow, and I am sure you will join in following, a positive program which will recognize the problems facing us and meet them squarely. It is our first responsibility to see that every aid is extended to improve the government of this city. Improved government will aid business. Better business means a progressive Boston.

Boston must go forward or backward. The direction rests partially in our hands. Each of us must do our part and ask all others to cooperate in the endeavor and in a united effort to make Boston a better place in which to live and work. (Applause.)

The reading of the Mayor's message commenced at 10.19 a. m. and ended at 10.55 a. m.

After the Mayor and suite had retired from the chamber, the Council was called to order by Chairman GALLAGHER, as follows:

The Council will be in order, and the clerk will call the roll to ascertain the presence of a quorum.

The clerk called the roll, and all the members except Coun. Peter A. Murray and Coun. Shattuck were found to be present.

Chairman GALLAGHER—The Chair awaits the pleasure of the Council.

ADOPTION OF TEMPORARY RULES.

Coun. DOWD offered the following:
Ordered, That the rules of the City Council of 1935, except Rule 34, be adopted as the rules of this body until permanent rules are adopted.

The order was passed.

ELECTION OF PRESIDENT.

Coun. KERRIGAN—Mr. Chairman, I make a motion that we proceed to elect a president for the year 1936.

Coun. Kerrigan's motion was carried, and the clerk called the roll on election of President, with the following result:

For John I. Fitzgerald: Coun. Agnew, Dowd, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Gleason, Kerrigan, Kilroy, Roberts, Rosenberg, Selvitella, Wilson—13.

For Martin H. Tobin—Coun. Brackman, Doherty, McGrath, Mellen, George A. Murray, Norton, Tobin—7.

Chairman GALLAGHER—John I. Fitzgerald has received thirteen votes, Martin H. Tobin seven, and Councilor Fitzgerald is elected President of the City Council for the year 1936. (Applause.)

Chairman GALLAGHER appointed Coun. Kerrigan and Coun. Peter J. Fitzgerald a committee to escort the newly elected president to the chair, and they performed the duty assigned.

President FITZGERALD—The Council will be in order. There is a paper from his Honor the Mayor.

LOANS IN ANTICIPATION OF TAXES.

The following was received:

City of Boston,
Office of the Mayor, January 6, 1936.
To the City Council.

Gentlemen,—In accordance with the established practice of introducing at the first meeting of the Council in each year an order authorizing the borrowing from time to time during the year of temporary loans in anticipation of taxes, I submit herewith an order authorizing the city treasurer to issue and sell during the current financial year temporary notes or certificates of indebtedness of the city to the amount of \$40,000,000. This amount is \$12,000,000 less than the total authorized by the City Council for the year 1935, and \$4,500,000 less than the actual total of temporary loans issued during that year.

I respectfully recommend the adoption of this order by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Ordered, That to provide temporarily money to meet the appropriations for the financial year 1936, the City Treasurer issue and sell, at such time and in such amounts as he may deem best, notes or certificates of indebtedness of the City of Boston not exceeding \$40,000,000 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 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.

The rule was suspended and the order was given its first reading and passage, yeas 20, nays 0.

LOAN ORDERS FOR P. W. A. PROJECTS.

The following was received:

City of Boston,
Office of the Mayor, January 6, 1936.
To the Honorable the City Council.

Gentlemen,—Your Honorable Body has passed orders approving, and loan orders, for each of the following P. W. A. projects:

1. Construction and equipping of additions and alterations to English High School, including cafeteria (P. W. A. Docket No. Mass. 1092); and
2. Reconstruction of water pipe trestle at Chelsea North Bridge, including demolition of present structure and relaying of pipe (P. W. A. Docket No. Mass. 1123).

Said orders have been approved by me; and said projects have been approved by the Emergency Finance Board and the Governor.

The city has received offers by the United States of America to aid in financing the construction of each of the above projects by making grants to the City of Boston in the amount of 45 per cent of the cost of each of such projects, but not to exceed, in any event, the following respective amounts:

1. Additions and alterations to English High School..... \$48,825
2. Water pipe trestle at Chelsea North Bridge..... 14,490

I am transmitting herewith to your Honorable Body the following:

1. Copy of offer by the United States of America,
2. Copy of rules and regulations (P. W. A. Form No. 179); and
3. Form of order of acceptance of said offer relating to each of the above projects.

Because prompt action is necessary to obtain the initial payment on account of the grant by the United States of America and to commence with the work on the above projects, I urgently recommend prompt consideration and passage by you of the accompanying orders.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Ordered, That the offer of the United States of America to the City of Boston to aid by way of grant in financing the reconstruction of water pipe trestle at Chelsea North Bridge, including demolition of present structure and relaying of pipe, a copy of which offer reads as follows:

"Federal Emergency Administration of Public Works,
Washington, D. C., December 11, 1935.
State File No. Mass. 1123.

City of Boston,
Boston, Suffolk County, Massachusetts.
Subject to the Rules and Regulations (P. W. A. Form No. 179, July 22, 1935, as amended to date) which are made a part hereof, the United States of America hereby offers to aid in financing the reconstruction of water pipe trestle at Chelsea North Bridge, including demolition of present structure and relaying of pipe (herein called the "Project") by making a grant to the City of Boston in the amount of 45 per cent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works, but not to exceed, in any event, the sum of \$14,490.

UNITED STATES OF AMERICA,
Federal Emergency Administrator of Public Works,
by HORATIO B. HACKETT,
Assistant Administrator."

be and the same is hereby in all respects accepted.
And Further Ordered, That said City of Boston agrees to abide by all the rules and regulations relating to such grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof.

Ordered, That the offer of the United States of America to the City of Boston to aid by way of grant in financing the construction and equipping of additions and alterations to English High School, including cafeteria, a copy of which offer reads as follows:

"Federal Emergency Administration of Public Works.
Washington, D. C., December 11, 1935.
State File No. Mass. 1092.

City of Boston,
Boston, Suffolk County, Massachusetts.
Subject to the Rules and Regulations (P. W. A. Form No. 179, July 22, 1935, as amended to date) which are made a part hereof, the United States of America hereby offers to aid in financing the construction and equipping of additions and alterations to English High School, including cafeteria (herein called the "Project") by making a grant to the City of Boston in the amount of 45 per cent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works, but not to exceed, in any event, the sum of \$48,825.

UNITED STATES OF AMERICA,
Federal Emergency Administrator
of Public Works,
by HORATIO B. HACKETT,
Assistant Administrator."

be and the same is hereby in all respects accepted.
And Further Ordered, That said City of Boston agrees to abide by all the rules and regulations relating to such grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof.
The orders were severally passed, yeas 20, nays 0.

FREE MILK FOR UNDERNOURISHED CHILDREN.

Coun. GLEASON offered the following:
Ordered, That the Overseers of Public Welfare, through his Honor the Mayor, be requested to resume the distribution of free milk to the undernourished children of Boston.
The order was passed under a suspension of the rule.

ACTING STATISTICS TRUSTEE.

Notice was received of the appointment by the Mayor of Walter A. Murray to be an acting member and chairman of the Statistics Trustees.
Placed on file.

APPOINTMENT OF SPECIAL COMMITTEES.

Coun. DOWD offered the following:
Ordered, That special committees to consider the subjects named in the title of the committee be appointed by the President, viz.:
Constables, three members.
Unclaimed Baggage, three members.
License Fees, five members.
Hospitals, five members.
Parks and Playgrounds, five members.
Public Safety, five members.
Public Welfare, five members.
Municipal Lighting, five members.
Tax Title Property, five members.
Passed under suspension of the rule.

AMBULANCE STATION, CHARLESTOWN.

Coun. MELLEN offered the following:
Ordered, That the City Hospital Trustees, through his Honor the Mayor, be requested to establish an ambulance station in the Charlestown district.
The order was passed under a suspension of the rule.

REFERENCE OF 1935 MATTERS.

Coun. BRACKMAN offered the following:
Ordered, That all matters referred to this City Council by the City Council of 1935 be referred to the appropriate committees of this body, when appointed.
Passed under suspension of the rule.

PAYMENT TO DAVID McDONALD.

Coun TOBIN offered the following:
Resolved, That the City Council of Boston hereby favors the enactment of legislation authoriza-

ing said city to pay a sum of money to the mother of David McDonald, who was killed by a police officer of said city, provided that such legislation includes a referendum to the Mayor and City Council.

Passed.

COMMITTEE ON RULES.

Coun. WILSON offered the following:
Ordered, That a committee of five members be appointed by the President to prepare and report rules for the proceedings of the City Council.
Passed under suspension of the rule, and President FITZGERALD later appointed Coun. Wilson, Gallagher, Kerrigan, Peter J. Fitzgerald and Agnew said committee.

CHAIRMAN OF EXECUTIVE COMMITTEE.

President FITZGERALD appointed Coun. Gallagher chairman of the Executive Committee.

BIDS ON WEST ROXBURY ASH-REMOVAL CONTRACT.

Coun. NORTON offered the following:
Ordered, That the Mayor of Boston be requested to consider the advisability of throwing out all bids on the West Roxbury ash and garbage removal contract and ordering new bids in view of the allegations made public in regard to said bid.
Coun. FINLEY—Mr. President, may I ask at this time that that order be referred to the Executive Committee?

The order was referred to the Executive Committee.

SCHOOL COMMITTEE ELECTION.

Coun. NORTON offered the following:
Ordered, That the Mayor be requested to consider the advisability of requesting the Legislature to consider the matter of holding a new election for the Boston School Committee in November, 1936, in view of the recent report of the Suffolk County Grand Jury.
President FITZGERALD—The order will be referred to the Committee on Rules, under Rule 12.
Coun. NORTON—Mr. President—
President FITZGERALD—No debate is in order.
Coun. NORTON—Mr. President, I think I have a right to discuss this order at the present time.
President FITZGERALD—You can ask unanimous consent to make a statement.
Coun. NORTON—Mr. President, I will ask, then, unanimous consent to make a statement at this time.
President FITZGERALD—Is there objection?
Coun. AGNEW—Mr. President, I object to debate on that order.
Coun. NORTON—Mr. President, this is simply an order, I might say—
President FITZGERALD—The gentleman is out of order. It is against the rules unless Councilor Agnew withdraws his objection.

CARETAKER FOR FENNO ESTATE.

Coun. BRACKMAN offered the following:
Ordered, That his Honor the Mayor be requested to instruct the Public Buildings Commissioner to place a caretaker in charge of the so-called Fenno estate in Roxbury.
The order was passed under suspension of the rule.

Coun. GALLAGHER in the chair.

On motion of Coun. FINLEY the Council adjourned at 11.55 a. m., to meet on Monday, January 13, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, January, 7, 1936.

Special meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., for the purpose of drawing jurors.

President FITZGERALD presided, and a quorum was present.

In the absence of the Mayor, the President appointed Coun, Selvitella and Kerrigan to preside at the jury box.

Jurors were drawn as follows:

Sixteen additional traverse jurors, Superior Criminal Court, to appear January 13, 1936:

Edward T. Connolly, Ward 1; Henry DeAngelis-Ward 1; David H. Mitchell, Ward 2; Leroy F. Wylie, Ward 6; George A. Heger, Ward 7; Joseph Petkus, Ward 11; David Diamond, Ward 14; Harry Sanders, Ward 14; John A. Bruce, Ward 18; Morris Sanderson, Ward 18; Robert L. Hunter, Ward 20; Thomas J. Tobin, Ward 20; Frank E. Kenney, Ward 21; Howard A. Hammond, Ward 22; William W. Johnston, Ward 22; Edward C. McNulty, Ward 22.

Eighty-two traverse jurors, Superior Criminal Court, to appear February 3, 1936:

John Famolare, Ward 1; John A. Hanley, Ward 1; William L. McDonald, Ward 1; Frank A. Perry, Ward 1; Joseph J. Cavanaugh, Ward 2; Michael J. Clanchy, Ward 2; John C. Crowley, Ward 2; Robert M. Daley, Ward 2; John F. Flynn, Ward 2; Michael Bevilacqua, Ward 3; Michael Tedesco, Ward 3; Percy C. Simmons, Ward 5; Joseph S. Oliver, Ward 6; James J. Bresnehan, Ward 7; Bartholomew J. Connolly, Ward 7; Joseph R. Fallon, Ward 7; William E. Kolarik, Ward 7; Edward J. Moore, Ward 7; David Peters, Ward 7; Thomas W. Delfufo, Ward 8; Horace H. Norton, Ward 8; James O'Connor, Ward 8; William H. Rupert, Ward 8; Edward J. Tibbetts, Ward 8; Raymond Goss, Ward 9; Donald P. MacRae, Ward 9; Benjamin Hershoff, Ward 10; Peter J. Kilday, Ward 10; Harry F. Lougee, Ward 10; Harold O. Venstrom, Ward 10; Frank P. Broderick, Ward 11; Francis P. Heaney, Ward 11; Frank J. McCarthy, Ward 11; Albert Neale, Ward 11; James P. Tierney, Ward 11; Thomas S. Runci, Ward 11; James J. Welch, Ward 11; Angus Cameron, Ward 13; Joseph A. Curran, Ward 13; Thomas H. Berch, Ward 14; Morris Trainor, Ward 14; John H. Burke, Ward 15; Andrew T. McFarland, Ward 15; Stanley F. O'Kane, Ward 15; William D. Renner, Ward 15; Earle R. Roswell, Ward 15; Charles W. Savage, Ward 15; Judah E. Bellows, Ward 16; Percy W. Glover, Ward 16; Charles T. Graney, Ward 16; Patrick Lonergan, Ward 16; Charles F. McGrath, Ward 16; Thomas A. O'Rourke, Ward 16; George H. Roberts, Ward 16; Lester P. Sherman, Ward 16; Patrick J. Brennan, Ward 17; John J. Lombard, Ward 17; Charles D. Styrnbrough, Ward 17; William Wilson, Ward 17; Carl A. Anderson, Ward 18; Hans C. Hall, Ward 18; John F. Kennedy, Ward 18; Henry W. Konetsky, Ward 18;

Percival A. Littlefield, Ward 18; William H. Monarch, Ward 18; Bernard Silber, Ward 18; Victor Weiman, Ward 18; John A. Hoffing, Ward 19; Otto Koenig, Ward 19; Albert E. Sprague, Ward 19; Earl A. Carvill, Ward 20; Albert B. Crawford, Ward 20; John E. Eckberg, Ward 20; George R. McNeil, Ward 20; Francis B. Nolan, Ward 20; Eric Olson, Ward 20; Gustave W. Priesing, Ward 20; A. Russell Robertson, Ward 20; Leonard H. Travis, Ward 20; George E. Crosby, Ward 21; Eugene S. Howe, Ward 21; Charles Robinson, Ward 21.

Ninety-eight traverse jurors, Superior Civil Court, to appear February 3, 1936:

Wilfred M. Culleton, Ward 1; Leo Duval, Ward 1; James Boushell, Ward 2; Richard F. Crowley, Ward 2; Timothy J. Doherty, Ward 2; Francis L. Hawkins, Ward 2; Frank A. Hinde, Ward 2; Thomas Reddy, Ward 2; Generoso Fuoco, Ward 3; Eugene Massolini, Ward 3; John J. Minot, Ward 3; Michael Tiorano, Ward 3; James J. Crowley, Ward 4; Charles M. Carney, Ward 5; Sylvester S. Gioia, Ward 6; Roland G. Glazier, Ward 6; Daniel G. Kendrick, Ward 6; James J. Ryan, Ward 6; James F. Shea, Ward 6; Richard G. Clayton, Ward 7; Louis F. Kunz, Ward 7; Leo J. Muller, Ward 7; David Norton, Ward 7; Albert J. Walter, Ward 7; Thomas H. Brown, Ward 8; Peter J. Griffin, Ward 8; Arthur F. Kucherer, Ward 8; Thomas J. McGrail, Ward 8; John L. Powers, Ward 8; Leo F. Walsh, Ward 8; George R. Bell, Ward 9; Herbert J. Salter, Ward 9; William Shaw, Ward 9; Frank J. Kummel, Jr., Ward 10; Theodore R. Douglas, Ward 11; Jacob Gateman, Ward 11; Percy R. Nelson, Ward 11; Chalmers F. Pray, Ward 11; Patrick Smith, Ward 11; Daniel J. Coffey, Ward 12; Abraham Cohen, Ward 12; Frederick E. Hall, Ward 12; Barney John Harris, Ward 12; Hugh J. Coyne, Ward 13; Robert J. Kates, Ward 13; Joseph P. Kerrigan, Ward 13; Hugh F. Mains, Ward 13; Benjamin Welansky, Ward 13; John Middleton, Ward 14; Arthur W. Pearce, Ward 14; Matthew V. Ward, Ward 14; Patrick J. Kennedy, Ward 15; Robert V. Leonard, Ward 15; Frederick N. Worthen, Ward 15; Axel F. Floodstrom, Ward 16; John T. Kennedy, Ward 16; Charles E. Mann, Ward 16; John F. O'Brien, Ward 16; Daniel S. O'Neill, Ward 16; Maurice P. Broderick, Ward 17; Louis N. Daum, Ward 17; George T. Day, Ward 17; John Dolan, Ward 17; James A. McGuire, Ward 17; James Ironside, Ward 17; Harry Wasserman, Ward 17; Karl W. Battis, Ward 18; Lawrence Cataldo, Ward 18; Harold F. Dwyer, Ward 18; Joseph F. Forsyth, Ward 18; Justus A. Hatfield, Ward 18; Reginald L. Howard, Ward 18; Daniel B. O'Shea, Ward 18; Robert J. Zinck, Ward 18; Clarence M. Carlson, Ward 19; Thomas H. Donnelley, Ward 19; Carl Kornatis, Ward 19; Carl O. Roemer, Ward 19; Samuel C. Alexander, Ward 20; Harrison A. Cutts, Ward 20; William F. Draheim, Ward 20; John E. Dunn, Ward 20; Emil Fiebelkon, Ward 20; James T. Forgie, Ward 20; Joseph H. Fruh, Ward 20; James R. Haigh, Ward 20; August R. Johnson, Ward 20; Martin Kelly, Ward 20; Frederick J. Mueller, Ward 20; Frederick H. Schlichting, Ward 20; William J. Doube, Ward 21; Philip S. Silbert, Ward 21; William J. Campbell, Ward 22; Reuben C. Gardeth, Ward 22; W. Irving Monroe, Jr., Ward 22; John G. Murray, Ward 22; Roy B. Steward, Ward 22; Harry M. White, Ward 22.

The drawing having been completed, the Council adjourned at 2.44 p. m., to meet on Monday, January 13, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council,

Monday, January 13, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Com. GALLAGHER presiding in the temporary absence of President Fitzgerald. Absent, Coun. Brackman, Peter A. Murray, Norton and Shattuck.

MOSQUITO CONTROL.

The following was received:

City of Boston,

Office of the Mayor, January 13, 1936.

To the City Council.

Gentlemen,—I have received from the secretary of the State Reclamation Board notice that under the provisions of section 4 of chapter 112 of the Acts of 1931, the Board has fixed the amount of money to be raised and appropriated by Boston for the maintenance of mosquito control works during 1936 at \$300.

To meet this certification I submit herewith an order providing for the appropriation of the required amount from the Reserve Fund and respectfully recommend the adoption of this order by your Honorable Body.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Commonwealth of Massachusetts.

State Reclamation Board.

Boston, December 14, 1935.

Hon. Frederick W. Mansfield,

Mayor of Boston.

Dear Mayor,—Under the provisions of chapter 112 of the Acts of 1931, an act relative to carrying out mosquito control measures, the State Reclamation Board is required by section 4 to certify the amounts to be raised and appropriated by each city and town for the maintenance of the mosquito control works constructed in each city or town. This section is as follows:

"On or before December fifteenth in each year, the sums of money necessary to properly maintain during the ensuing year the mosquito control works originally constructed in any city or town hereunder shall be estimated by said board and certified by it to such city or town. The amounts so certified shall be raised and appropriated by such city or town during said ensuing year and shall be paid into the state treasury and disbursed therefrom on warrants drawn by said board."

As directed by section 4 of chapter 112 of the Acts of 1931, the State Reclamation Board has made estimates of the necessary maintenance, and hereby certifies that \$300 is the sum of money necessary to properly maintain during the ensuing year the mosquito control works constructed in the City of Boston under the said act.

The Board calls attention to the provisions in the latter part of said section 4 relative to paying the said amount into the state treasury and urges that this be done as soon as possible after your appropriation is made.

A form of suitable order is attached.

Very truly yours,

STATE RECLAMATION BOARD,
GEORGE R. STRATTON, Secretary.

Ordered, That the sum of \$300 be, and hereby is, appropriated, for the purpose of maintaining during the current year the mosquito control works as estimated and certified to by the State Reclamation Board, in accordance with the provisions of chapter 112 of the Acts of 1931, said sum to be charged to the Reserve Fund, when made.

Referred to Executive Committee.

INVITATION FROM HARVARD COLLEGE.

The following was received:

City of Boston,

Office of the Mayor, January 11, 1936.

To the City Council.

Gentlemen,—I transmit herewith an invitation from the President and Fellows of Harvard Col-

lege, addressed to his Honor and the City Council, requesting your participation in the Tercentenary Celebration of Harvard University in the College Yard on Friday, September 18, 1936, at 10 o'clock a. m.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

The President and Fellows of Harvard College
to
His Honor the Mayor and the Honorable Council
of the City of Boston.

Greeting:

It having pleased God to inspire the love of Learning amongst the first settlers of the Colony of Massachusetts Bay and, in the infancy of their community, to direct their labors towards the well-being of Church and State through the establishment of foundations for the increase of knowledge and the education of youth, it is meet and proper that this Society of Scholars, founded in the Year of Our Lord one thousand six hundred and thirty-six, by Act of a Great and General Court of the Company of Massachusetts Bay convened in Boston the 8th/18th of September of that year, should celebrate in the company of friends and benefactors the Three Hundredth Anniversary of its foundation.

To the watering of that tender plant in the wilderness of a great continent the faith, the courage, and the devotion of many were given. Amongst them John Harvard, a godly gentleman and a lover of learning, dying before his prime in the second year of the College, bequeathed to it the half of his estate and the whole of his library. In gratitude to him the General Court gave his name to the Foundation; and Harvard College it has since been called. Of him it has been written:

"He will teach that one disinterested deed of hope and faith may crown a brief and broken life with deathless fame. He will teach that the good which men do lives after them, fructified and multiplied beyond all power of measurement or computation. He will teach that from the seed which he planted in loneliness, weakness, and sorrow, have sprung joy, strength, and energy ever fresh, blooming year after year in this garden of learning, and flourishing more and more as time goes on."

Thus joined with the destinies of the College, and of the University into which it blossomed, he shares the homage we would pay to the pious Founders, to the General Court of Colony and Commonwealth, to the Town and the City of Cambridge, to the City of Boston, and to the ancient and unending procession of Benefactors whom John Harvard led and still inspires.

Our debt to the past does not begin with the record of our establishment; for in building their House of Learning in the New World our ancestors laid claim to a patrimony in the Old. To Emmanuel, the College of John Harvard, and to his University of Cambridge; to the University of Oxford; and through the British Universities to the ancient seats of Bologna and Paris, we are bound by lineage and tradition. In later years the Universities of Germany and of other European countries have contributed to the advancement of American scholarship, both by their hospitality to American students and by participating in fruitful exchanges of teachers. In these benefits Harvard University has largely shared. With all the Universities, Colleges, and Learned Societies of the Old World and the New, we are held in the bonds of a common heritage and a common purpose.

Wherefore we beg the favor of your participation in the rites and festivities of our Tercentenary, to be held in Cambridge on September the sixteenth, seventeenth, and eighteenth, in the year of Our Lord the one thousand nine hundred and thirty-sixth.

If so be that you will thus honor us, we pray that we may in due season be apprised of the names of your Delegates, whom, for your sake and in their own persons we shall gladly welcome to our Festival.

Given at Harvard University, in the City of Cambridge, and Commonwealth of Massachusetts, this First Day of January, in the year of Our Lord the one thousand nine hundred and thirty-sixth and of Harvard College the Three Hundredth.

JAMES B. CONANT,

President.

JEROME D. GREENE,
Secretary to the Corporation.

Placed on file.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the Mayor submitted the following appointments, viz.:

Weigher of Coal: John Mahoney, 194 Broad street, Weymouth, Mass.

Weighers of Goods: Walter T. Curran, 85 Perkins street, Somerville, Mass.; John J. Heavey, 235 Beach street, Belmont, Mass.; William F. Heavey, 37 Cabot street, Milton, Mass.

Severally laid over a week under the law.

APPROPRIATION FOR MUNICIPAL EMPLOYMENT BUREAU.

The following was received:

City of Boston,
Office of the Mayor, January 10, 1936.
To the City Council.

Gentlemen,—I am advised by the director of the Municipal Employment Bureau that funds available for the operation of the Bureau are practically exhausted, and that an additional appropriation should be made at this time to permit the carrying on of the activities of the Bureau. According to an estimate prepared by the director, an appropriation of \$10,000 will be required to cover the work of the Bureau for approximately six months. In my opinion the activities of the Bureau should be continued, and I therefore submit herewith an order providing for the appropriation of \$10,000, and respectfully recommend its adoption by your Honorable Body.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Ordered, That the sum 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, when made.

Referred to the Executive Committee.

REPORT OF COMMITTEE ON PER CAPITA COST COMPARISONS.

The following was received:

City of Boston,
Office of the Mayor, January 11, 1936.
To the City Council.

Gentleman,—I transmit herewith the report prepared for the Mayor and City Council by the committee appointed by me to consider the matter of per capita cost comparisons of municipal expenditures in accordance with the order passed by your body October 21, 1935.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

The undersigned were appointed a committee by his Honor the Mayor, at the request of the City Council, to examine into the statement that the per capita cost of municipal government in Boston is greater than in any other large city in this country.

This statement has been widely quoted and is based on a census bureau table issued by the Federal Government covering the thirteen largest cities in the United States for the year 1933. The per capita cost for each city is obtained by dividing the total of its expenditures (excluding public service enterprises) for the year 1933 by the figure corresponding to the population as shown by the latest United States census. The quotient is assumed to be the per capita cost of municipal government in each of the cities to which the process is applied, and the resulting figures range from \$36.84 for St. Louis to \$76.02 for Boston.

The arithmetic is probably correct, but the results are of little, if any, practical value. The table is nothing more than it purports to be, the result of a mathematical process, but like a great

many other statistical tables, it is open to various interpretations depending on the particular line of argument advanced by the person using it.

To make a fair comparison of the cost of municipal government among several cities it is necessary to take into account, first, how many, and what quality of services are furnished in each city at the public expense and what items of expense not strictly municipal are included in the costs of one city and not in another, and, second, the character and extent of the population served.

So far as Boston is concerned, the two factors involved in this table are not comparable with any of the other large cities. Municipal expenditures in this city cover expenditures for county government, metropolitan expenses and other items which in other cities are not included in the city expense. In addition, the city is obliged to incur expenses not for a resident population of 731,188, which is the figure used in the table, but for a day-time population of at least 500,000 more who live in the suburbs but come to business in Boston each day. Using this day-time population figures, it brings the per capita cost down to \$46, and omitting from the total expense several items peculiar to Boston, we can bring the per capita figure down to less than \$40.

Of course this process and conclusion is more or less ridiculous, but it is advanced for the purpose of showing the lack of importance or value of statistics of this kind.

Another table recently compiled by Dun & Bradstreet gives the net debt of Boston per capita as \$103, which is \$36 less than the average for the thirteen cities having more than 500,000 population. This kind of table is equally valueless and for the same reason, that is, that the bases and factors involved are not comparable.

As we have indicated, several sets of tables can be prepared based on authentic figures, some of which tables show on their face that the cost of municipal government in Boston is less than the cost in most of the other large cities and others show just the opposite. We reiterate that such tables are worthless because they are founded on bases which are not fairly comparable. In one city ashes and garbage may be collected as a municipal function while in another it is a private expense. One city may have to expend millions for snow removal while another has practically no snow expense. Streets and sewers may be constructed at the public expense in one city while in another the abutters have to pay the cost. The taxpayers in one city may have furnished to them as a matter of course public baths and gymnasias which are absent in another city. While presumably all large cities have a traffic problem to some extent, the difficulties may be so increased in one city by narrow and illogically laid out streets that a police officer is required at almost every intersection in the business district while in another with wide avenues and rectangular blocks traffic officers are hardly necessary.

In one city the public welfare expenses are assumed by the county and do not appear as a municipal expense. In others the greater portion of the public welfare costs have been paid during the depression by the State or the Federal Government, but in Boston nearly all the expense of public welfare has been the burden of the municipality. Every other large city has missing from its municipal expense account one or more of the elements which are included in the cost of municipal government in this city.

Taking these matters into consideration we think it is evident that a table of per capita costs is of no value either for comparative purposes or as an argument for reduction of expenditures.

The force of this statement can better be appreciated when it is realized that a survey of per capita cost tables compiled during the past thirty years shows that with only one or two exceptions Boston has always been credited or charged with the highest per capita cost among the larger cities of the country. In other words, the position of Boston as shown in the 1933 table issued by the Census Bureau is not a new development. It has existed for at least three decades and must necessarily continue so long as per capita costs are computed on the present basis.

JOHN F. DOWD, City Councilor—Chairman.

CHARLES J. FOX, City Auditor.

WILFRED J. DOYLE, City Clerk.

Placed on file.

BIDS FOR STREET LIGHTING.

The following was received:

City of Boston,

Office of the Mayor, January 13, 1936.

To the Honorable the City Council.

Gentlemen,—I transmit herewith letter from the Commissioner of Public Works dated December 30, 1935, relating to bids received by him for (1) furnishing illuminating gas for street lighting and (2) lighting, extinguishing and maintaining gas lamps.

Mr. Carven recommends the approval of a contract for the term of five years at the total price of \$20.50 per lamp per year (\$7.46 for gas furnished and \$13.04 for lighting, extinguishing and maintenance) for approximately 9,500 single burner lamps under Item 1 of the proposals to the Boston Consolidated Gas Company, the only bidder. Item 2 of the proposals providing for a contract of three years, sets forth a total price of \$21.66 per lamp per year. Item 3 of the proposals, providing for a five-year contract, with the right in the city to reduce the number of lamps to 50 per cent of the total in operation at the beginning of the term, sets forth a total price of \$26.21 per lamp per year. Item 4 of the proposals, providing for a three-year contract, with the right in the city to reduce the number of lamps to 50 per cent of the total in operation at the beginning of the term, sets forth a total price of \$28.16 per lamp per year.

Mr. Carven estimates that a contract under Item 1 for five years will represent a saving to the city of approximately \$11,020 per year over a three-year contract under Item 2; a saving of approximately \$34,245 in the first year and of approximately \$27,122 in each of the following four years over a five-year contract under Item 3; and a saving of approximately \$72,770 in the first year and of approximately \$36,385 in each of the following two years over a three-year contract under Item 4.

If the five-year contract under Item 1 is approved, the price will represent a saving over the present price of approximately \$2.62 per lamp per year, or a total of approximately \$24,890 per year, or approximately \$124,450 for the five-year term.

Moreover, if the five-year contracts under Item 1 are approved by your Honorable Body and me prior to March 1, 1936, the company has agreed to give to the city a total discount or allowance from the purchase price of \$12,607.60.

The form of contract for furnishing gas (under Item 1) contains a provision that if at any time or times during the term thereof, the price to a general customer of the Boston Consolidated Gas Company using 2,000 cubic feet of gas per month (the average customer, I understand, uses about 1,800 cubic feet per month) shall be decreased to an amount below the present price of \$2.50, the price of \$7.46 provided for in said contract shall be decreased in the same ratio. The city will thereby

have the benefit of any rate reductions to general consumers that may be ordered by the Department of Public Utilities or voluntarily made by the company.

I accordingly submit the two contracts under Item 1 for your approval and recommend that your Honorable Body give a public hearing after seven days' notice in the *City Record* under the provisions of section 6 of chapter 486 of the Acts of 1909, as promptly as possible.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department,
December 30, 1935.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—Bids were received on December 26, 1935, after public advertisement, for furnishing illuminating gas for street lighting and for equipment and the lighting and extinguishing of gas lamps in the City of Boston, excluding the Hyde Park district. Proposals were invited as follows:

Item 1. For about 9,500 single-burner lamps for a five-year period.

Item 2. For about 9,500 single-burner lamps for a three-year period.

Item 3. For about 9,500 single-burner lamps for a five-year period with the city's option of making a 50 per cent reduction in the number of lamps during said period.

Item 4. For about 9,500 single-burner lamps for a three-year period with the city's option of making a 50 per cent reduction in the number of lamps during said period.

The Boston Consolidated Gas Company, the only bidder, submitted the following prices:

Five-year period..... \$20.50 per lamp, per year.

Three-year period..... \$21.66 per lamp, per year.

Five-year period (with 50 per cent reduction during said period), \$26.21 per lamp, per year.

Three-year period (with 50 per cent reduction during said period), \$28.16 per lamp, per year.

I inclose a tabulation showing the estimated yearly cost under the various items.

I respectfully recommend that the proposal for gas lighting for the five-year period be accepted, as it is the most economical for the city.

Copies of the proposed contracts are sent herewith for presentation to the City Council for its approval as well as for that of your Honor as required by section 6 of chapter 486 of the Acts of 1909 (City Charter Amendments).

Yours respectfully,

C. J. CARVEN,

Commissioner of Public Works.

BIDS FOR FURNISHING ILLUMINATING GAS, ETC.—OPENED DECEMBER 26, 1935.

ITEM.	Period.	Number of Lamps.	Furnishing Gas.	Equipment.	Total Per Year Per Unit.	Total Yearly Cost.
1.....	5-year	9,500	\$7 46	\$13 04	\$20 50	\$194,750 00
2.....	3-year	9,500	\$7 46	\$14 20	\$21 66	\$205,770 00
3.....	1st year of 5-year	9,500	\$7 46	\$18 75	\$26 21	*\$248,995 00
	2nd-3rd-4th-5th year of 5-year	Reduced 50% 4,750	\$7 46	\$18 75	\$26 21	\$124,497 50
	Plus 4,750 electric lamps at \$20.50					97,375 00
						<u>\$221,872 50</u>
4.....	1st year of 3-year	9,500	\$7 46	\$20 70	\$28 16	*\$267,520 00
	2nd and 3rd year of 3-year	Reduced 50% 4,750	\$7 46	\$20 70	\$28 16	\$133,760 00
	Plus 4,750 electric lamps at \$20.50					97,375 00
						<u>\$231,135 00</u>

*The actual expense for the first year is more or less indeterminate, due to the fact that electric lamps will be substituted for gas lamps during the year. The above cost is the maximum.

PETITIONS REFERRED.

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

Claims.

Walter Davey, for compensation for collapse of water boiler at 48 Carrollton street, caused by shutting off water.

Harry Fine, for compensation for damage to car by dump carts.

Bartholomew Flynn, for compensation for injuries caused by an alleged defect at Deer Island Prison.

Samuel Hertzig, Inc., for compensation for damage to property at 619 Washington street, caused by break in water main.

E. F. Hodgson, for compensation for damage to car by city truck.

Sadie A. Jones, for compensation for injuries caused by an alleged defect at Neponset avenue and Spaulding square.

Rose C. Kelly, for compensation for injuries caused by an alleged defect in Municipal Building, Shawmut avenue.

Virginia W. Matthews *et al.*, for compensation for injuries and damage to car caused by an alleged defect in Veterans of Foreign Wars Highway.

Lena Meissler, for compensation for damage to car by city truck.

The Sheraton, Inc., for refund on refuse tickets. Stainslaw G. Stanium, for compensation for injuries caused by city truck.

Edith Wexler, for compensation for damage to property at 77 King street, caused by frozen water pipes.

Ellen E. Young, for compensation for damage to property at 98 F street, South Boston, caused by broken water main.

Executive.

Petition of Howard Colson, employed in Boston City Hospital as supplyman, to be retired under chapter 765, Acts of 1914.

Petition of Miriam L. Staples, for children under fifteen years of age to appear at Statler Georgian Hall, January 7.

Committee on Jitney Licenses.

Petition of Eastern Massachusetts Street Railway Company, for license for operation of motor vehicles on Chelsea street, between Chelsea-Boston boundary line and in and around City square; on Washington Street North, between City square and Haymarket Square Circle; also on Warren avenue, between City square and Warren Bridge; on Warren Bridge, on Beverly street, between Warren Bridge and Washington Street North.

BOND OF FRANCIS P. BUTLER.

The bond of Francis P. Butler, appointed second assistant register of deeds January 2, 1936, in The Employers' Liability Assurance Corporation, Limited, was submitted.

Approved by the Council.

INTEREST IN CONTRACT OF JOSEPH P. MANNING.

Notice was received from Joseph P. Manning of his interest in contracts awarded to Joseph P. Manning Company.

Placed on file.

ORGANIZATION OF STREET COMMISSIONERS.

Notice was received from the Board of Street Commissioners of its organization on January 6, 1936, by the election of Owen A. Gallagher to be chairman and Cornelius A. Reardon to be secretary.

Placed on file.

ABSENCE OF MAYOR FROM CITY.

Notice was received from the Mayor of his absence from the city from Sunday, January 12, at 12 noon to and including Wednesday, January 15, 1936.

Placed on file.

WHITE WAY LIGHTING, COLUMBUS AVENUE.

Coun. ROBERTS offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in the current budget a sum sufficient to provide for the installation of a white way lighting system along Columbus avenue, from Park square to Massachusetts avenue, Ward 4.
Passed under suspension of the rule.

WEEKLY PAYMENT OF W. P. A. WORKERS.

Coun. DOWD offered the following:
Ordered, That his Honor the Mayor be requested to consider the advisability of requesting the President of the United States to pay all W. P. A. workers once a week instead of twice a month.

Coun. DOWD—Mr. President, some weeks ago I introduced an order, which was adopted by the Council, requesting the President of the United States to remove from office immediately the administrator of W. P. A. in this state, Arthur G. Rotch, on the ground that he was so inefficient in handling the situation that a general breakdown of the work was imminent. I also requested the President to remove Mr. Rotch because of the fact that he knew not any feeling of human kindness towards the people of Boston and of Massachusetts. Since that time the battle has been taken up, not by a mere City Councilor, but by Congressmen and by other men in this state, who have recommended that Mr. Rotch be removed from office. The breakdown in the W. P. A. has come. There is no question about that. We can see lines of hundreds and hundreds of men and women waiting to be paid, we can see lines of hundreds and hundreds of men and women who should get their pay, but who instead are forced to go to the public welfare to have their income supplemented week in and week out, meaning thereby the expenditure of at least \$100,000 of money of the taxpayers of Boston, which could be avoided if Mr. Rotch and his socialites, high-brows and bluebloods, who are running the W. P. A. at the present time were not on the job. What do we find in Boston? You can pick up any paper on any day in the week and will find the same old story,—that \$600,000 or \$700,000 has been appropriated for W. P. A. work. But what is the truth of the matter? The hundreds of men and women who are going to Oliver street or Nashua street know what the answer is better than you or I. If there is anything in the world that is damnable, it is the attitude of the Federal Government towards our men and women who need aid. They expect employment. I have said in this Council for the last two months that they are not going to get any work, and I repeat it today. There are more men and women being laid off under W. P. A. than are being put on. I say to the President of the United States of America that Arthur G. Rotch should be removed from that office immediately and that someone who understands the poor people of America, of Boston and Massachusetts, should be placed in that position. Oh, it is a crying shame! Go to the Army Base, go to Park square, go to any W. P. A. project, and you will see them rolling up in their limousines, their Pierce-Arrows and other large cars, getting \$40 or \$50 a week, when men or women with five or six children go out for a laboring job and cannot get it. We are told that everybody will be put to work, but what is the result? On welfare there are within 5,000 of the number who were there three years ago. I say to the people of Boston that they are being deceived by this government of ours. I repeat that there are more people getting laid off on the W. P. A. than there are being put on. There is not a man in the Council who is not up against the same proposition that I am. Day in and day out they listen to an account of the sufferings of hungry men and women, with children, who are wondering why they cannot get a job, why they cannot be employed, while individuals with a bank roll in some cases of \$50,000 are working. They cannot understand it and, placing myself in their shoes, I cannot understand it, either. There is nobody who can understand it except the bluebloods, the socialites, who are running the W. P. A. at the present time. These people go into your home and my home and tell us how to raise our children, what we shall eat for breakfast and for dinner. They know not

what it is to be hungry, not knowing where the next meal is coming from. The intent of W. P. A. was to give employment to men and women who need it. But that is not being done. Men and women with plenty of money are being placed at work in preference to men and women who really need the work. In the meantime, millions upon millions are being wasted, because the socialite Hopkins knows not what it is all about, and, furthermore, cares less. Let the President of the United States of America place at the head of that department, in so far as Massachusetts is concerned, a man who knows the beats of the human heart, a man who understands the everyday man and who knows what it is to be hungry. This gentleman, Rotch, goes to the Ritz-Carlton and spends more money for one meal than any of us, fellow members, get in a week. He does not care about the common people. They are just common trash, beneath his notice. It is time that we of the City Council, even without any power in the matter, placed the situation in regard to these socialites before the public. These poor men and women who want help from the W. P. A. are advised to see their City Council—knowing well that not a member of the City Council can do anything for them. They care less for us than they do for the individual looking for work. There are 110,000 applications on file. None of them will go to work. Why don't they tell the truth, and why doesn't the President of the United States remove Arthur G. Rotch as State Administrator? (Applause from the galleries.)

The order was passed under suspension of the rule.

PRINTING OF MUNICIPAL REGISTER.

Coun. ROSENBERG 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; and that the Clerk of Committees be authorized to prepare and have printed a pocket edition of the organization of the city government; the expense of said register and organization to be charged to the appropriation for City Documents.

Passed under suspension of the rule.

SOLDIERS' RELIEF.

Coun. KERRIGAN submitted the following:
 Ordered, 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, 1936, 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.

PAYMENT OF ANNUITY TO THOMAS E. GOGGIN.

Coun. KERRIGAN offered the following:
 Resolved, That the City Council of Boston hereby approves the enactment of legislation for the payment of an annuity to Thomas E. Goggin, formerly an employee of the City of Boston and County of Suffolk, who was injured in the course of his employment, provided that said legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

REFUND TO DANIEL F. MCCARTHY.

Coun. MELLEN offered the following:
 Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the refunding to Daniel F. McCarthy of the amount paid for a retail package license, provided that said legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

PAYMENT TO MOTHER OF MARY DURANT.

Coun. KERRIGAN offered the following:
 Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the city to pay a sum of money to the mother of Mary Durant, who lost her life at a South Boston bathing beach, provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

PAYMENT TO PARENTS OF JOHN McGRATH.

Coun. KERRIGAN offered the following:
 Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing said city to pay a sum of money to the parents of John McGrath, a minor, provided that said legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

PAYMENT TO HENRY W. ROBERTS.

Coun. KERRIGAN offered the following:
 Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the payment of a sum of money by said city to Henry W. Roberts, provided that said legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

AUTOMATIC TRAFFIC SIGNALS, WARD 13.

Coun. PETER J. FITZGERALD offered the following:
 Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals at the junction of Savin Hill avenue and Dorchester avenue, Ward 13.

Passed under suspension of the rule.

AUTOMATIC TRAFFIC SIGNALS, DORCHESTER.

Coun. McGRATH offered the following:
 Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals adjacent to St. Ann's Church, Neponset avenue, and St. Mark's Church, Dorchester avenue.

Passed under suspension of the rule.

EMPLOYMENT OF NONRESIDENTS AT RACE TRACKS.

Coun. McGRATH offered the following:
 Ordered, That his Honor the Mayor be requested to instruct the Corporation Counsel to prepare suitable legislation for presentation to the present Legislature limiting employment of nonresidents of Massachusetts at the various horse and race tracks in this state to 10 per cent of the total number of persons employed on such tracks.

Coun. McGRATH—Mr. President, in the state of Florida there is a rule that only 10 per cent of nonresidents of the state can be employed at horse or dog tracks. A friend of mine went down there from Massachusetts to secure a position, having been so employed here, and when he arrived in Florida he was told that he could not get a job there as long as he did not belong in the state, and he didn't even have his car fare home. I think if they set such a precedent in Florida we should set it in Massachusetts.

The order was passed under suspension of the rule.

COMMITTEE TO INVESTIGATE RENDERING LICENSES.

Coun. ROBERTS offered the following:
 Ordered, That the President of the City Council appoint five members of the Council as a committee

for the purpose of investigating and supervising all petitions for licenses under chapter 111, section 151, of the General Laws, and also for the purpose of investigating any establishments or organizations doing business within the meaning of said act, whether they have petitioned for a license or not.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON RULES.

Coun. KERRIGAN, for the Committee on Rules, submitted accompanying draft of rules for City Council of 1936-37, being substantially the same rules as were in effect during the year 1935—recommending their adoption, viz.:

RULES OF THE CITY COUNCIL, 1936-37.

Rule 1. Unless otherwise ordered from time to time the regular meeting of the city council shall be held on every Monday at two o'clock p. m. Special meetings may be called by the president at his discretion, and by the city clerk for the purpose only of drawing jurors. No special meeting of the city council, except to draw jurors, shall be called except with the consent of all the members, upon less notice than twenty-four hours from the time the notices are mailed or dispatched by special messenger.

President.

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

Rule 3. The president shall preserve decorum and order, may speak to points of order in preference to other members and shall decide all questions of order, subject to an appeal. Any member may appeal from the decision of the chair, but no appeal shall be considered unless properly seconded. No other business, except a motion to adjourn or to lay on the table, shall be in order until the question on appeal has been decided. The question shall be put as follows:

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

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

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

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

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

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

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

Motions.

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

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

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

Any motion, order or resolution which in the opinion of the presiding officer does not have a direct bearing on the business of the council shall be referred without debate to the committee on rules and shall not be further considered by the council except upon report by that committee.

There shall be no appeal from the decision of the chair hereunder, and this rule shall not be subject to suspension.

The committee on rules may report that any motion, order or resolution so referred to it is out of order because not having a direct bearing on the business of the council, and its report shall be a final disposition of the matter, subject to an appeal which shall be governed by the same provisions as those governing appeals from rulings of the presiding officer.

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

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

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

Any matter referred to a committee may be recalled by a majority vote of all the members of the council, if such matter is not reported upon within one month from the date of reference.

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

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

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

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

Readings.

Rule 17. Every ordinance, order and resolution shall, unless rejected, have two several readings, both of which may take place at the same session unless objection is made, provided, however, that all orders for the expenditure of moneys, unless reported upon by a committee of the council, shall lie over for one week before final action thereon. Whenever the second reading immediately follows the first reading, the document may be read by its title only; provided, that all orders releasing rights or easements in or restrictions on land, all orders for the sale of land other than school lands, all appropriations for the purchase of land other than for school purposes, and all loans voted by the city council shall require a vote of two-thirds of all the members of the city council, and shall be passed only after two separate readings and by two separate votes, the second of said readings and votes to be had not less than fourteen days after the first, except in the case of temporary loans in anticipation of taxes.

Reconsideration.

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

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

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

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

Conduct of Members.

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

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

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

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

Standing Committees.

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

1. A committee, to be known as the Executive Committee, to consist of all the members of the council.

2. A committee on Appropriations, to consist of seven members of the council, to whom shall be referred such appropriation orders as may be submitted to the council from time to time.

3. A committee on Claims, to consist of five members of the council, to whom shall be referred all claims against the city arising from the act or neglect of any of its departments. They shall report annually an account of the claims awarded or approved by them, and the amount of money awarded or paid in settlements thereof.

4. A committee on County Accounts, to consist of five members of the council.

5. A committee on Finance, to consist of seven members of the council, to whom shall be referred all applications for expenditures which involve a loan.

6. A committee on Inspection of Prisons, to consist of five members of the council.

7. A committee on Jitney Licenses, to consist of five members of the council.

8. A committee on Legislative Matters, to consist of five members of the council, who shall, unless otherwise ordered, appear before the committees of the General Court and represent the interest of the city; provided, said committee shall not appear unless authorized by vote of the city council, and shall not, unless directed so to do by the city council, oppose any legislation petitioned for by the preceding city council.

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

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

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

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

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

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

Order of Business.

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

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

Spectators.

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

Rule 27. No person, excepting officials connected with the city council, and duly assigned reporters of the eight daily newspapers, shall be allowed in the anterooms or upon the floor of the council chamber while the council is in session. Spectators will be allowed in the gallery of the council chamber when the council is in session, and no one will be admitted to said gallery after the seats are occupied. No demonstrations of approval or disapproval from the spectators shall be permitted, and if such demonstrations are made the gallery will be cleared. The city messenger shall enforce this rule.

Burial Grounds.

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

Smoking in the Council Chamber.

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

Committee Meetings.

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

Form of Votes.

Rule 31. In all votes the form of expression shall be "Ordered" for everything by way of command, and the form shall be "Resolved" for everything expressing opinions, principles, facts or purposes.

Transfers.

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

USE OF COMMITTEE ROOMS.

Rule 33. No person except members and officers of the city council and regularly assigned city hall reporters shall be admitted at any time to the west anteroom, the locker room, or the president's room, except when invited on official business or accompanied by a member of the council.

Confirmation of Appointments.

Rule 34. The question of confirming appointments by the mayor shall be decided by a yeas and no ballot, unless otherwise ordered.

Amendment and Suspension.

Rule 35. The foregoing rules shall not be altered, amended, suspended or repealed at any time, except by the votes of two-thirds of the members of the city council present and voting thereon.

The report was accepted and the rules adopted.

ACCEPTANCE OF WHITE OAK ROAD.

Coun. FINLEY offered the following:

Ordered, That the Street Commissioners be requested, through his Honor the Mayor, to accept and lay out, under the W. P. A. plan of construction, White Oak road, Ward 20.

Passed under suspension of the rule.

RECESS.

The Council voted at 2.40 p. m., on motion of Coun. ROBERTS, 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 FITZGERALD at 3.01 p. m.

COMMITTEES APPOINTED.

President FITZGERALD appointed the following committees, viz.:

Legislative Matters.

Henry L. Shattuck, chairman.
Peter Fitzgerald.
James J. Kilroy.
John I. Fitzgerald.
Richard D. Gleason.

Jitneys.

Peter A. Murray, chairman.
Henry Selvitella.
Robert Gardiner Wilson, Jr.
John F. Dowd.
John E. Kerrigan.

Municipal Lighting.

John F. Dowd, chairman.
Robert Gardiner Wilson, Jr.
Edward M. Gallagher.
Sydney Rosenberg.
George Murray.

PENSIONS FOR CERTAIN POLICE OFFICERS.

Coun. SELVITELLA offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation relative to pensions payable to certain police officers of the City of Boston heretofore retired on account

of disability, provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

LOANS IN ANTICIPATION OF TAXES.

President FITZGERALD 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 1936, the City Treasurer issue and sell, at such time and in such amounts as he may deem best, notes or certificates of indebtedness of the City of Boston not exceeding forty 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, 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 6, 1936, 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.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition of Howard Colson (referred Jan. 13) to be retired, recommending passage of the accompanying order, viz.:

Ordered, That the Retirement Board for Laborers be authorized and requested to retire, under the provisions of chapter 765 of the Acts of 1914, Howard Colson, employed as laborer in the Hospital Department, he having reached the retirement age and being incapacitated from further duty.

Report accepted; order passed.

2. Report on petition of Miriam L. Staples (referred today) for children under fifteen years of age to appear at Statler Georgian Hall, January 7—recommending that leave be granted under usual conditions.

Report accepted; leave granted under usual conditions.

3. Report on message of Mayor and order (referred today) appropriating sum of \$300 for maintaining mosquito control works as estimated by State Reclamation Board—that same ought to pass.

Report accepted, said order passed, yeas 15, nays—Coun. Mellen, George A. Murray—2.

4. Report on message of Mayor and order (referred today) appropriating \$10,000 to be expended by Municipal Employment Bureau—that same ought to pass.

Report accepted; said order passed, yeas 15, nays—Coun. Mellen, George A. Murray—2.

Adjourned at 3.11 p. m., on motion of Coun. GALLAGHER, to meet on Monday, January 20, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 20, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD presiding. Absent, Coun. Brackman, Gleason, Peter A. Murray, Norton and Wilson.

APPOINTMENT BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following:

Weigher of Goods: Gerrard Vaughn, 3 Cuffin street, Brighton.

Laid over a week under the law.

VETO OF PAYMENT TO MOTHER OF DAVID McDONALD.

The following was received:

City of Boston,
Office of the Mayor, January 15, 1936.

To the City Council.

Gentlemen,—I return herewith disapproved and without my signature the order adopted by your Honorable Body on January 6, 1936, favoring legislation for the payment of money to the mother of David McDonald.

This matter has been before the City Council and the Mayor on several occasions and has never been approved. In 1932 the then Corporation Counsel advised the Mayor that there was "neither legal nor moral liability upon the City to pay any money to the mother of David McDonald." It also appears that Harrington, at the time of the killing of McDonald, was not occupied in the performance of police duty and was acting as a private citizen. Under these circumstances I am constrained to veto the order.

Respectfully yours,
FREDERICK W. MANSFIELD, Mayor.

The question came on placing the message on file.

Coun. ROBERTS—Mr. President, I rise to a point of order, that the resolution of the City Council was merely a request for the enactment of certain legislation in behalf of the mother of David McDonald, and I don't see how that can be vetoed. That is my point.

President FITZGERALD—Under joint rule 7B of the Legislature, no resolution for such special legislation shall be entertained unless it is adopted by the City Council and approved by the Mayor.

The message was placed on file.

PETITIONS REFERRED.

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

Claims.

Robert O. Andrews, for compensation for damage to car by city wagon No. 113.

Carmino A. Barra, for compensation for damage to property at 31 Waverly street, Brighton, by employees of Park Department.

Nathan L. Ginsberg, for compensation for damage to car by city team.

Stephen G. Grady, for compensation for damage to property at 2 Chestnut terrace, Jamaica Plain by ash truck.

Jack Jaguel, for compensation for damage to car caused by an alleged defect in Washington street.

Cathern Mahony, for compensation for damage to car by paint, in Women's Convenience Station, Roxbury.

Delia A. Morrison, for compensation for injuries caused by an alleged defect in Huntington avenue.

Mrs. Tekla W. Ormsby, for compensation for damage to property at 3 Beethoven street, caused by city employees.

Alexander Reina, for compensation for injuries caused by an alleged defect in Tremont street.

G. Thoresen, for refund on refuse tickets.

Effie Tingos, for compensation for injuries caused by an alleged defect at 20 Davison street.

Trimount Manufacturing Company, for compensation for damage to property at 55-71 Amory street, Roxbury, caused by break in water pipe.

Raymond J. Trull, for compensation for injuries caused by an alleged defect at 114 Hemenway street.

APPOINTMENT OF ACTING HEALTH COMMISSIONER.

Notice was received from the Mayor of the appointment of Dr. Frederic A. Washburn as Acting Health Commissioner in place of Dr. Francis X. Mahoney, deceased.

REPORT OF COMMITTEE ON MUNICIPAL LIGHTING.

Coun. DOWD, for the Committee on Municipal Lighting, submitted the following:

Report on message of the Mayor (referred January 13) together with proposed contracts with the Boston Consolidated Gas Company for furnishing gas, and for equipment and lighting of gas street lamps, recommending passage of the accompanying order, viz.:

Ordered, That in accordance with the provisions of section six of chapter 486 of the Acts of 1909, a public hearing be given by the City Council on Tuesday, February 4, 1936, at two o'clock p. m., on the proposed contracts with the Boston Consolidated Gas Company for furnishing gas, and for the equipment and lighting of gas lamps; and that the City Clerk be directed to give notice of said hearing by advertising the same in the daily newspapers and seven days before the date of said hearing in the *City Record*; the expense of said hearing and advertising to be charged to the appropriate items for City Council, Incidental Expenses.

The report was accepted and said order passed.

RECESS.

President FITZGERALD declared a recess subject to the call of the Chair at 2.33 p. m. The members reassembled and were called to order by President FITZGERALD at 2.39 p. m.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President FITZGERALD called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor January 13, 1936, of John Mahoney, to be a Weigher of Coal; and Walter T. Curran, John J. Heavey and William F. Heavey, to be Weighers of Goods.

The question came on confirmation. Committee, Coun. Finley and George A. Murray. Whole number of ballots 14, yes 13, no 1, and the appointments were confirmed.

PAYMENTS TO BEREAVED FAMILIES.

Coun. FITZGERALD offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation whereby the City of Boston may be authorized to pay a sum of money to the father of Joseph Taylor, who was drowned while bathing in the Charles river, provided that such legislation includes a referendum to the Mayor and City Council.

Resolved, That the City Council of Boston hereby approves the enactment of legislation whereby the City of Boston may be authorized to pay a sum of money to the mother of John McGonagle, who died from injuries sustained by the falling of a wall at the Morton Street Playground, provided that such legislation includes a referendum to the Mayor and City Council.

The resolves were passed under suspension of the rule.

ADDITIONAL MEN ON SNOW REMOVAL.

Coun. TOBIN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to immediately place 2,000 additional men at work on snow removal.

Coun. TOBIN—Mr. President, this order provides for the appointment of 2,000 additional men, to be paid by the city, for emergency work on snow removal. It is apparent at the present time that there are not enough men to take care of the situation and that more can be employed and paid by the city, especially in districts such as Dorchester, where they have no contracts. There has been considerable discussion with regard to the removal of snow to the effect that it can be taken care of by W. P. A. employees. The rules issued on the matter, however, provide as follows:

1. Skilled workers may be used only to make up time.
2. White-collar workers cannot be used.
3. Trucks, paid out of Federal Funds, cannot be used.
4. No supervisors or foremen, receiving pay beyond the Security Wage rates, may be employed.
5. No non-relief workers, or non-relief foreman, may be used.
6. Regular W. P. A. hours will be worked. No overtime, no Sunday work.
7. Worker's time to be charged to regular W. P. A. projects.
8. Letter must be written by sponsor, requesting permission, and giving number of men to be employed, and nature of emergency.
9. In all cases, W. P. A. personnel must not be allowed to stand around. *They must work.*
10. If workers are needed after Thursday, another request will have to be made to this office for permission to use them after that date.

It is obvious that the use of W. P. A. employees is unfair both to the employees themselves and to the city. This is work that has to be done in a hurry. I advise you, therefore, Mr. President, to appoint a committee and to see the Mayor, and to see if 2,000 more men cannot be put on the work tonight.

The order was passed under suspension of the rule.

APPOINTMENT OF ADDITIONAL PATROLMEN.

Coun. AGNEW offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to appoint immediately two hundred patrolmen to fill existing vacancies in the Police Department and to insure the residents of Boston the protection to which they are entitled.

Passed under suspension of the rule.

COASTING AT ARNOLD ARBORETUM.

Coun. FINLEY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to allow coasting at the Arnold Arboretum.

Passed under suspension of the rule.

CONVENIENCE STATION, FOREST HILLS.

Coun. FINLEY for Coun. MURRAY and FINLEY offered the following:

Ordered, That the trustees of the Boston Elevated Railway Company be requested, through his Honor the Mayor, to re-open the convenience station at the Forest Hills station immediately.

Passed under suspension of the rule.

TRAFFIC SIGNALS, WARD 7.

Coun. KERRIGAN offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals at the junction of Pond street and Columbia road, Ward 7.

Passed under suspension of the rule.

SOLDIERS' RELIEF.

Coun KERRIGAN offered the following:

Ordered, 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, 1936, 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.

ELIMINATION OF OLD AGE ASSISTANCE RECIPIENTS FROM POLL TAX LISTS.

Coun. ROBERTS offered the following:

Ordered, That the Board of Assessors be requested, through his Honor the Mayor, to eliminate all recipients of old age assistance from the poll tax lists.

Passed under suspension of the rule.

Coun. GALLAGHER—Mr. Chairman, I move that we adjourn.

Coun. TOBIN—Mr. President, before we adjourn I wonder if action could not be taken on the snow-removal order, having a committee appointed to see his Honor the Mayor.

President FITZGERALD—That will be taken care of.

Coun. GALLAGHER'S motion was carried, and the Council adjourned at 2.45 p. m., to meet on Monday, January 27, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 27, 1936.

Regular meeting of the City Council, in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Gleason, Peter A. Murray, and Wilson.

COMMITTEES APPOINTED.

President FITZGERALD announced the appointment of the following committees:

Legislative Matters.

Henry L. Shattuck, chairman.
Peter J. Fitzgerald.
James J. Kilroy.
John I. Fitzgerald.
Richard D. Gleason.

Jitneys.

Peter A. Murray, chairman.
Henry Selvitella.
Robert Gardiner Wilson, Jr.
John F. Dowd.
John E. Kerrigan.

Municipal Lighting.

John F. Dowd, chairman.
Robert Gardiner Wilson, Jr.
Edward M. Gallagher.
Sidney Rosenberg.
George A. Murray.

Rules.

Robert Gardiner Wilson, Jr., chairman.
John E. Kerrigan.
James E. Agnew.
Edward M. Gallagher.
Peter J. Fitzgerald.

Public Lands.

John E. Kerrigan, chairman.
James J. Kilroy.
James E. Agnew.
Peter J. Fitzgerald.
Robert Gardiner Wilson, Jr.

Finance.

John F. Dowd, chairman.
Peter J. Fitzgerald.
Henry L. Shattuck.
James J. Kilroy.
John E. Kerrigan.
Sidney Rosenberg.
James E. Agnew.

Inspection of Prisons.

Richard D. Gleason, chairman.
John J. Doherty.
James F. Finley.
John J. McGrath.
Peter A. Murray.

Unclaimed Baggage.

James E. Agnew, chairman.
George W. Roberts.
John E. Kerrigan.

Appropriations.

James E. Agnew, chairman.
George W. Roberts.
Henry Selvitella.
Peter J. Fitzgerald.
Edward M. Gallagher.
Martin H. Tobin.
Sidney Rosenberg.

Hospitals.

John J. Doherty, chairman.
James F. Finley.
James E. Agnew.
Peter A. Murray.
John E. Kerrigan.

Public Safety.

James E. Agnew, chairman.
Henry Selvitella.
George A. Murray.
John J. McGrath.
David M. Brackman.
James J. Mellen.
Martin H. Tobin.

Constables.

James E. Agnew, chairman.
George W. Roberts.
John E. Kerrigan.

Tax Title Property.

James F. Finley, chairman.
Edward M. Gallagher.
Robert Gardiner Wilson, Jr.
John E. Kerrigan.
Henry L. Shattuck.

Ordinances.

Edward M. Gallagher, chairman.
Sidney Rosenberg.
James F. Finley.
Henry Selvitella.
Peter J. Fitzgerald.
Robert Gardiner Wilson, Jr.
Henry L. Shattuck.

Claims.

Henry Selvitella, chairman.
James E. Agnew.
James J. Mellen.
George W. Roberts.
David M. Brackman.

County Accounts.

George W. Roberts, chairman.
Martin H. Tobin.
Sidney Rosenberg.
Robert Gardiner Wilson, Jr.
Peter J. Fitzgerald.

License Fees.

Robert Gardiner Wilson, Jr., chairman.
George W. Roberts.
John J. McGrath.
Henry Selvitella.
David M. Brackman.

Parkman Fund.

Edward M. Gallagher, chairman.
John J. Doherty.
George A. Murray.
Peter A. Murray.
Henry L. Shattuck.

Soldiers' Relief.

John E. Kerrigan, chairman.
John J. Doherty.
James J. Mellen.
Clement A. Norton.
Richard D. Gleason.

Printing.

Henry Selvitella, chairman.
Peter A. Murray.
James F. Finley.
Sidney Rosenberg.
Clement A. Norton.

Parks and Playgrounds.

James F. Finley, chairman.
John E. Kerrigan.
Martin H. Tobin.
Sidney Rosenberg.
David M. Brackman.

Public Welfare.

James E. Agnew, chairman.
George W. Roberts.
Robert Gardiner Wilson, Jr.
James F. Finley.
Peter A. Murray.

APPOINTMENT BY THE MAYOR.

Subject to confirmation by the Council the Mayor submitted the following appointment, viz.:
Weigher of Coal: William Smith, 26 Green street, Charlestown.
Laid over a week under the law.

AUTOMATIC TRAFFIC LIGHTS.

The following was received:

City of Boston,
Office of the Mayor, January 25, 1936.
To the City Council.

Gentlemen,—I herewith transmit two letters from the Traffic Commissioner relative to your orders of January 13, 1936, concerning the installation of automatic traffic signals at the following locations:

1. Adjacent to St. Ann's Church, Neponset avenue.
2. Adjacent to St. Mark's Church, Dorchester avenue.
3. At the junction of Savin Hill avenue and Dorchester avenue, Ward 13.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, January 24, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated January 13, 1936, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals adjacent to St. Ann's Church, Neponset avenue, and St. Mark's Church, Dorchester avenue."

St. Ann's Church is located on one corner of the intersection of Ashmont street, Freeport street, and Neponset avenue, Dorchester. This intersection is on a list of locations where this Commission has recommended the installation of traffic signals if sufficient funds become available.

I assume that the Council order for a traffic signal adjacent to St. Mark's Church, Dorchester avenue, Dorchester, contemplates a signal to protect pedestrians directly in front of the church, since the nearest intersection, that of Dorchester avenue, Roseland street, and St. Mark's street, carries a very light volume of cross traffic, which would not warrant the installation of a traffic signal. It is the opinion of the engineers of this Commission that conditions in Dorchester avenue immediately in front of St. Mark's Church are not sufficiently hazardous to justify the installation of a signal.

There are no funds available for the installation of automatic traffic signals at the above locations.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

City of Boston,
Traffic Commission, January 24, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated January 13, 1936, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals at the junction of Savin Hill avenue and Dorchester avenue, Ward 13."

The intersection of Dorchester avenue and Savin Hill avenue is an important traffic junction and presents a very definite accident hazard. This Commission has recommended the installation of a traffic signal at this location if money is appropriated for a program of installing signals.

There are no funds available for the installation of automatic traffic signals at the above location.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

COASTING AT ARNOLD ARBORETUM.

The following was received.

City of Boston,
Office of the Mayor, January 25, 1936.
To the City Council.

Gentlemen,—I herewith transmit a letter from the Chairman of the Park Department relative to your order of January 20, 1936, concerning coasting at the Arnold Arboretum.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, January 24, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of January 23, with enclosure, order from the City Council,

that the Park Commission be requested to allow coasting at the Arnold Arboretum.

Some years ago this department made arrangements to allow the children of the Forest Hills and Roslindale sections to coast on the hill that is known as the Walter street hill. The Arnold Arboretum authorities offered no objection to the use of this hill if it was confined to the children. It would not be possible to allow of adult coasting in this area owing to the fact that a large amount of damage has been done in former years to the priceless shrubs and trees.

I shall be pleased to take this matter up with the Police Department and the Arnold Arboretum authorities and make arrangements for children under fifteen years of age to use this hill for coasting purposes, if same is agreeable to you.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

FOREST HILLS CONVENIENCE STATIONS.

The following was received:

City of Boston,
Office of the Mayor, January 27, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Trustees of the Boston Elevated Railway relative to your order of January 20th concerning the reopening of convenience stations at the Forest Hills Station.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Boston, January 24, 1936.

Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—Replying to your letter of January 23, with order of the City Council requesting the reopening of the convenience stations at Forest Hills Station, the toilet equipment at Forest Hills Station and at several of our other rapid transit stations was damaged by an unknown person or persons and the toilets were made unusable, which necessitated closing them temporarily.

Repairs were made as quickly as possible and the convenience stations have been reopened.

Very truly yours,
H. I. HARRIMAN, Chairman.

Placed on file.

ANNUAL BUDGET.

The following was received:

City of Boston,
Office of the Mayor, January 25, 1936.
To the City Council.

Gentlemen,—Under the provisions of section 3 of the City Charter the Mayor is required to submit a budget within thirty days after the beginning of the fiscal year.

Under the provisions of chapter 267 of the Special Acts of 1916, the city may raise by taxation for general municipal purposes, exclusive of schools, an amount not in excess of \$6.52 on each \$1,000 of the average valuation for the past three years, less abatements. For 1936 this statutory authorization produces an amount slightly less than \$11,000,000. Since the city budget for 1935 totaled \$42,292,642.34, it is evident that the existing tax limit is inadequate to provide for the needs of the city. As a result it has been necessary to appeal annually to the Legislature for an increase in the statutory tax limit.

Boston is the only city in the Commonwealth which is forced to make an annual petition of this kind. Believing that Boston should enjoy the same privileges, insofar as appropriations are concerned, as the other cities of the Commonwealth, I have each year requested the Legislature to remove this tax limit. As a result of these requests a recess committee was appointed by the Legislature last session to study this matter and the committee has concurred with me in this regard and has so reported to the present session of the Legislature. However, until action is taken by the Legislature 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,
FREDERICK W. MANSFIELD, Mayor.

APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1936.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1936, 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; and the appropriation for the Summer Traffic Tunnel be met by the income from tolls 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, 1935, 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, 1936, and taxes to the amount of \$15,539,325.19, 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 1936, or for any other taxes or assessments payable to the Commonwealth, shall be payable in two equal instalments, on July first and on October first of 1936; that interest shall be charged on all taxes remaining unpaid after the second day of November, 1936, in accordance with the provisions of chapter 59, section 57, of the General Laws, as amended by chapter 254, section 42, of the Acts of 1933, 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 first day of October, 1936, 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.

LUMP SUM DEPARTMENTAL ALLOWANCES FOR 1936.

Art Department.....	\$100 00
Assessing Department.....	125,000 00
Auditing Department.....	25,000 00
Boston Port Authority.....	11,000 00
Boston Retirement Board.....	9,000 00
Boston Traffic Commission.....	40,000 00
Budget Department.....	3,000 00
Building Department.....	65,000 00
Board of Appeal.....	4,000 00
Board of Examiners.....	1,500 00
City Clerk Department.....	12,000 00
City Council.....	25,000 00
City Council Proceedings.....	3,800 00
City Documents.....	10,000 00
City Planning Board.....	5,000 00
Collecting Department.....	55,000 00

Election Department.....	\$65,000 00
Finance Commission.....	15,000 00
Fire Department.....	1,145,000 00
Wire Division.....	25,000 00
Health Department.....	300,000 00
Hospital Department.....	900,000 00
Sanatorium Division.....	170,000 00
Institutions Department:	
Central Office.....	12,000 00
Child Welfare Division.....	97,000 00
Long Island Hospital.....	200,000 00
Steamers "George A. Hibbard" and "Stephen O'Meara".....	11,000 00
Law Department.....	35,000 00
Library Department.....	320,000 00
Licensing Board.....	11,000 00
Market Department.....	5,000 00
Mayor, Office Expenses.....	25,000 00
Public Celebrations.....	10,000 00
Park Department.....	350,000 00
Cemetery Division.....	40,000 00
Police Department.....	1,600,000 00
Public Buildings Department.....	150,000 00
Public Welfare Department:	
Central Office.....	2,702,000 00
Temporary Home.....	3,600 00
Wayfarers' Lodge.....	6,800 00
Public Works Department:	
Central Office.....	10,000 00
Bridge Service.....	100,000 00
Ferry Service.....	100,000 00
Lighting Service.....	300,000 00
Paving Service.....	400,000 00
Snow Removal.....	35,000 00
Sanitary Service.....	800,000 00
Sewer Service.....	150,000 00
Registry Department.....	17,000 00
Reserve Fund.....	50,025 19
Sinking Funds Department.....	900 00
Soldiers' Relief Department.....	275,000 00
Statistics Department.....	4,000 00
Street Laying-Out Department.....	45,000 00
Supply Department.....	13,000 00
Treasury Department.....	20,000 00
Weights and Measures Depart- ment.....	10,000 00
	<hr/>
	\$10,922,725 19

City Debt Requirements..... \$3,500,000 00

Suffolk County Courthouse, Cus- todian.....	\$90,000 00
County Buildings.....	35,000 00
Jail.....	75,000 00
Supreme Judicial Court.....	20,000 00
Superior Court, Civil Session, Gen- eral Expenses.....	140,000 00
Superior Court, Civil Session, Clerk's Office.....	45,000 00
Superior Court, Criminal Session..	160,000 00
Probate Court.....	6,000 00
Municipal Court.....	131,000 00
Municipal Court, Charlestown Dis- trict.....	9,000 00
East Boston District Court.....	9,000 00
Municipal Court, South Boston District.....	8,000 00
Municipal Court, Dorchester Dis- trict.....	12,000 00
Municipal Court, Roxbury Dis- trict.....	29,000 00
Municipal Court, West Roxbury District.....	10,000 00
Municipal Court, Brighton Dis- trict.....	6,000 00
Boston Juvenile Court.....	8,000 00
District Court of Chelsea.....	12,000 00
Registry of Deeds.....	50,000 00
Index Commissioners.....	7,000 00
Insanity Cases.....	11,000 00
Land Court.....	2,000 00
Medical Examiner, Northern Dis- trict.....	7,000 00
Medical Examiner, Southern Dis- trict.....	5,000 00
Associate Medical Examiner, Northern District.....	700 00
Associate Medical Examiner, Southern District.....	600 00
Miscellaneous Expenses:	
Auditing Department.....	300 00
Budget Department.....	400 00
Collecting Department.....	400 00
Sheriff.....	1,000 00
Treasury Department.....	1,700 00

Granite Avenue Bridge.....	\$1,200 00
Social Law Library.....	300 00
Penal Institutions Department:	
Office Expenses.....	11,000 00
House of Correction.....	140,000 00
Steamer "Michael J. Perkins".....	19,000 00
	<u>\$1,063,600 00</u>
County Debt Requirements.....	<u>\$53,000 00</u>
Printing Department.....	<u>\$150,000 00</u>

City Record, Publication of.....	<u>\$12,000 00</u>
Public Works Department:	
Water Service.....	\$400,000 00
Water Income.....	100,000 00
Collecting Department, Water Division.....	24,000 00
Water Service, Debt Requirements.....	22,000 00
	<u>\$546,000 00</u>
Public Works Department:	
Summer Traffic Tunnel.....	<u>\$60,000 00</u>

RECAPITULATION OF LUMP SUM DEPARTMENTAL ALLOWANCES FOR 1936.

From Taxes:		
For City Purposes within the Tax Limit.....	\$10,922,725 19	
City Debt Requirements.....	3,500,000 00	
		<u>\$14,422,725 19</u>
For County of Suffolk Purposes.....	\$1,063,600 00	
County Debt Requirements.....	53,000 00	
		<u>1,116,600 00</u>
City and County Total.....		<u>\$15,539,325 19</u>

From Revenue:		
Printing Department.....	\$150,000 00	
City Record, Publication of.....	12,000 00	
Public Works Department:		
Water Service.....	400,000 00	
Water Income.....	100,000 00	
Summer Traffic Tunnel.....	60,000 00	
Collecting Department, Water Division.....	24,000 00	
Water Service, Debt Requirements.....	22,000 00	
		<u>768,000 00</u>
		<u>\$16,307,325 19</u>
Average valuation, \$1,675,264,600.		
\$6.52 on the thousand brings.....	\$10,922,725 19	
Amount available for appropriation inside tax limit.....	<u>\$10,922,725 19</u>	

Referred to Committee on Appropriations.

VETO OF POLICE OFFICER PENSIONS.

The following was received:

City of Boston,
Office of the Mayor, January 16, 1936.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature the order adopted by your Honorable Body on January 13, 1936, favoring the enactment of legislation relative to pensions payable to certain police officers of the city who had heretofore retired on account of disability.

This seems to me to be undesirable legislation for the City of Boston, as it opens the door to former employees not only of the Police Department but of all city departments to make applications now for increased pensions.

Presumably such pensions would be retroactive to the time of separation from the department, but even if that were not so and the pensions were payable only from the time of the passage of the legislation it would undoubtedly add a very substantial burden to the taxpayers of the City of Boston.

Under these circumstances I am constrained to veto this order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.
Placed on file.

AMBULANCE STATION, CHARLESTOWN.

The following was received:

City of Boston,
Office of the Mayor, January 23, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. Joseph P. Manning, President of the Trustees of the Hospital Department, relative to your order of January 6, 1936, concerning the establishment of an ambulance station in the Charlestown district.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Hospital Department, January 20, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—At a meeting of the Board of Trustees held on January 17th, an order of the City Council was presented, whereby the trustees are requested to establish an ambulance station in the Charlestown district.

The trustees deemed it inadvisable to establish an ambulance station in the Charlestown district at this time.

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

Placed on file.

APPROPRIATION FOR BOSTON HOUSING AUTHORITY.

The following was received:

City of Boston,
Office of the Mayor, January 25, 1936.
To the City Council.

Gentlemen,—I have received a request from the newly created and recently organized Boston Housing Authority for an appropriation of \$10,000 for the purpose of defraying the initial costs and expenses incident to the organizing of said board, and in furtherance of the performance of its duties as prescribed in chapter 449 of the Acts of 1935. In compliance with the request, I respectfully recommend adoption of the accompanying order by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Ordered, That the sum of \$10,000 be, and hereby is, appropriated, to be expended, by the Boston Housing Authority in accordance with chapter 449, section 26-T, of the Acts of 1935, for the purpose of defraying the initial cost and expenses of said Housing Authority, including the expenses of preparing plans and making surveys and the like in connection with one or more proposed projects

of said Housing Authority, and in the general prosecution of its duties, said sum to be charged to the Reserve Fund, when made.
 Referred to Executive Committee.

PAYMENT OF SNOW CONTRACTORS.

Coun. DOWD offered the following:
 Ordered, That his Honor the Mayor instruct the Public Works Commissioner not to pay any of the snow contractors until such time as he ascertains whether or not they paid the prevailing rate of wages to the snow shovelers.
 Coun. DOWD—Mr. President, it has been called to my attention by several citizens who work for snow contractors that the contractors are not paying the prevailing rate of wages. My interpretation of the contract is that they shall pay for all snow shoveling at the rate of 62½ cents an hour, and until such time as the Public Works Commissioner definitely decides that they have lived up to the specifications of their contract I think no contractor should be paid.
 The order was passed under suspension of the rule.

SALE OF LAKESHORE ROAD PROPERTY.

The following was received:
 City of Boston,
 Office of the Mayor, January 23, 1936.
 To the City Council.
 Gentlemen,—I am in receipt of the attached letter, with inclosures, from the Superintendent of Public Buildings recommending the sale of certain property located on Lakeshore road, Brighton, for the sum of \$1,372.37. Accordingly I recommend the passage of the accompanying order.
 Respectfully,
 FREDERICK W. MANSFIELD, Mayor.
 City of Boston,
 Public Buildings Department, January 3, 1936.
 Hon. Frederick W. Mansfield,
 Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning Tax Title property, I respectfully submit herewith copy of an offer received from Lloyd A. Murray for the redemption of property located on Lakeshore road, Brighton, Ward 22, known as Chandler's pond, Land Court Case No. 5500.
 I also inclose a copy of the tax list on the above-described property setting forth the taxes, interest and costs due through December 15, 1935.
 Although the offer is slightly less than the actual cost to the city, I feel it would be to the city's best interest to accept this offer of the former owner of record and I recommend that an order to this effect be drawn up and submitted to the City Council. Attached herewith is a form of order suggested by the Law Department for the sale of Tax Title properties.
 Respectfully yours,
 ROSWELL G. HALL,
 Superintendent of Public Buildings.

Attention of Major Hall.
 Boston, January 2, 1936.
 Dear Major Hall,—I, Lloyd A. Murray, being the former owner of record, do hereby apply for a deed of redemption to the property located in Brighton, on Lakeshore road, known as Chandler's pond, better known as property situated on the northerly side of Lakeshore road, of assessors' plan, Book 5292, page 453, containing 582,723 feet, Land Court case No. 5500 now owned by the City of Boston.

I hereby offer the amount of taxes for the years:

1930.....	\$203 28
1931.....	207 90
1932.....	234 30
1933.....	216 48
1934.....	244 86
1935.....	244 20
Demand and expense.....	21 35
	<u>\$1,372 37</u>

to the City of Boston, for a deed to the above property.
 Yours truly,
 LLOYD A. MURRAY,
 340 Washington Street,
 Norwood, Mass.

Ward 22, File 395.
 Frederick E. Ordway.
 About 582,723 feet on northerly side Lakeshore Road.
 1930 City Deed (sale September 9, 1931).

YEAR.	Tax.	Costs.	Interest.	Total.
1930....	\$203 28	\$12 46	\$85 68	\$301 42
1931....	207 90	35	70 72	278 97
1932....	234 30	35	61 10	295 75
1933....	216 48	35	39 06	255 89
1934....	244 86	35	24 50	269 71
1935....	244 20	35	3 06	247 61
	\$1,351 02	\$14 21	\$284 12	\$1,649 35
Plus Land Court Costs.....				20 75
				<u>\$1,670 10</u>

Figured to December 15, 1935.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated March 13, 1935, foreclosed the right of redemption under a tax deed recorded with Suffolk Deeds, Book 5292, page 453, to about 582,723 square feet of land situate on the northerly side of Lakeshore road as is more fully described in said tax deed; and
 Whereas, The City of Boston no longer needs for public purposes the said parcel of land described in said tax deed; and
 Whereas, An offer to purchase the said premises has been made by Lloyd A. Murray in the sum of \$1,372.37; now, therefore, it is hereby
 Ordered, That the Superintendent of Public Buildings be, and he hereby is, authorized, with the approval of the Mayor, to sell all the city's right, title and interest in said parcel of land for the sum of \$1,372.37; and it is hereby further
 Ordered, That the said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver in the name and behalf of the City of Boston to the purchaser thereof a written instrument satisfactory in form to the Law Department, conveying all right, title and interest of the said City of Boston in said premises upon the payment to it of \$1,372.37.
 Referred to the Committee on Public Lands.

SOUNDING OF AUTOMOBILE HORNS.

The following was received:
 City of Boston,
 Office of the Mayor, January 27, 1936.
 To the City Council.
 Gentlemen,—On September 30, 1935, I submitted to your Honorable Body a proposed amendment to the ordinances limiting the use of automobile horns to certain hours of the day. On November 15, 1935, that order was rejected after a report by the Chairman of the Committee on Ordinances which indicated, in effect, that the committee thought a more comprehensive ordinance prohibiting the ringing of bells and all other noises should be considered rather than one limited to the prohibition of automobile horn blowing.
 Examination of our present ordinance indicates that we have now a general ordinance such as was referred to by the chairman of the committee and may be found in chapter 39, section 49.
 That section prohibits the ringing of any bell or the use of any musical or noise-making instrument without a license and "except as a warning of danger." It is that exemption which we now desire to strengthen because the automobile horn is supposed to be used as a warning of danger. But everyone knows that automobile horns are used when there is no danger and that causes a great deal of disquieting noises. In view of the protests that are coming to me from hospitals, hotels and other institutions, I earnestly urge

upon your Honorable Body the adoption of the amendment to the ordinance which was rejected on November 15, 1935. A copy of the order is hereto annexed.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Be it ordained, etc.

Section 92 of chapter 39 of the Ordinances of the City of Boston is hereby amended by adding thereto the following:

The sounding of automobile horns between the hours of 11 p. m. and 7 a. m. anywhere in the City of Boston is hereby prohibited except in cases of extreme emergency,

so that said section shall read as follows:

The commissioner of public works shall at the request of the hospital authorities, place and maintain a sign or signs displaying the words, "Warning! Hospital—Make no Noise," at such points as he may determine on public streets and places in the vicinity of hospitals accommodating more than fifty patients. No foot traveller, driver of a vehicle, motorman of a street car or operator of a motor vehicle shall make any unnecessary noise in the vicinity of such hospitals so as to unreasonably disturb patients therein.

The sounding of automobile horns between the hours of 11 p. m. and 7 a. m. anywhere in the City of Boston is hereby prohibited except in cases of extreme emergency.

Referred to the Committee on Ordinances.

PETITIONS RECEIVED.

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

Claims.

Martin J. Barker, for compensation for damage to property at 8 Merrill street, Dorchester, caused by city truck.

Leo Coffey, for compensation for injuries caused by an alleged defect at 224 Lamartine street.

John J. Connors, for compensation for injuries caused by an alleged defect at 224 Lamartine street.

Frances G. Isaacs, for compensation for damage to car by city truck.

Joseph X. McLaughlin, for compensation for injuries caused by an alleged defect at 1663 Blue Hill avenue.

Railway Express Agency, for compensation for damage to truck by city wagon.

Timothy Regan, for compensation for damage to car caused by an alleged defect in Shawmut avenue.

St. Paul's Italian M. E. Church, for compensation for damage to property on Saratoga street, caused by defective cesspool.

Shawmut Specialty Company, for compensation for damage to truck by city truck.

Mrs. Francis J. Stanwood, for compensation for injuries caused by an alleged defect in Boston Common.

Mrs. R. G. Massell, for compensation for injuries caused by defect in south passageway in Kenmore Square Subway.

Annie McInnis, for compensation for damage to property at 2 Lime street, Boston, caused by leak in water main.

Executive.

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

Ruth M. McShane, Municipal Building, South Boston, February 20.

Aaron Richmond, Jordan Hall, January 31, February 1.

MINORS' LICENSES.

Applications were received from seventy-one newboys and four bootblacks for minors' licenses. Licenses granted under usual conditions.

APPOINTMENT OF DR. WILLIAM B. KEELER.

Notice was received from the Mayor of the appointment of Dr. William B. Keeler of 5 Wyoming street, Roxbury, as Health Commissioner, to

take the place of Doctor Mahoney, deceased, said appointment to take effect at beginning of business Tuesday, January 21, 1936.

Placed on file.

APPOINTMENT OF SECOND ASSISTANT ASSESSOR.

Notice was received from the Board of Assessors of reinstatement of Hilda G. Smith as second assistant assessor to fill a vacancy.

Placed on file.

SPECIAL ELECTION.

A precept was received from the House of Representatives of the Massachusetts Legislature for the calling of a special election to be held Tuesday, March 10, 1936, to fill the vacancy caused by death of Representative Leo M. Birmingham of Boston, Ward 22.

Placed on file.

Coun. GALLAGHER offered the following:

Ordered, That meetings of the citizens of the twenty-second representative district in the County of Suffolk (Ward 22 of the City of Boston) qualified to vote for state officers, be held, in the several polling places in said ward designated for the purpose by the Board of Election Commissioners, on Tuesday, March 10, 1936, to give in their votes for one representative to the General Court, to fill a vacancy.

The polls at said meetings shall be opened at eight 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.

Passed under suspension of the rule.

POLE LOCATION, EASTERN MASSACHUSETTS STREET RAILWAY COMPANY.

Notice was received from the Metropolitan District Commission of order granting to Eastern Massachusetts Street Railway Company location for poles and wires, etc., in Veterans of Foreign Wars Parkway, West Roxbury.

Placed on file.

DELIVERY OF OIL AND COAL.

Coun. DOWD offered the following:

Ordered, That the City Council request his Honor the Mayor to request the oil and coal companies doing business with the City of Boston to place on emergency wagons in order to deliver the oil and coal at once.

Coun. DOWD—Mr. President, since I have been in public office I know of no time in the history of the city when coal and oil deliveries were so far behind as they are at the present time. These oil and coal companies are under contract with the city. They are paid good money and are certain of getting their money. Still, they take the stand that, as long as people are on public welfare, they can wait anywhere from ten to fifteen days for their oil and coal. During the last few days a number of families have been unable to get their oil and coal, and if councilors called up on their behalf they did not get any satisfaction. I may say this, that there is only one concern in Boston, to my mind, living up to the contract, and that is the Lynch concern of South Boston. I have received this postal card:

"My dear Mr. Dowd:

My coal order was placed with the company January 6 and I have not received it as yet. I have six children and we have been practically on the verge of freezing for the last three or four days."

That was dated January 26. Now, Mr. President, that is just as acute an emergency as the removal of snow, and to my mind even greater. This so-called oil contractor in Dorchester, it appears, has a real estate office there, and I cannot find any place where he has a coal or oil station. In other words, I assume that he took the contract and sublet it to some other individual. I say that the situation shown by this postal card is appalling—from January 6 to January 26, twenty

days, this Babcock Coal Company had the order and nothing was delivered. I say it is about time that these people who get the contract should have it borne in upon them that the people on welfare are just as human as they are, and because they are on welfare is no reason why they should be disregarded. But these people are simply trying to make a good thing out of it, and that is all they think of. Therefore, I ask the Mayor of Boston to get in touch with every oil and coal company doing business in the city, and, if necessary, place a dozen or more trucks at the disposal of such concerns, in order that fuel may be delivered at once to needy people.

Coun. AGNEW—Mr. President, I respectfully ask that that order of Councilor Dowd's be referred to the Committee on Public Welfare, so that we may hold a special meeting of the committee at once, and some of these people who have been neglected can appear before the committee. I think in that way we can arrive at a definite and immediate conclusion.

Coun. DOWD—Mr. President, there will be no difficulty about the Committee on Public Welfare taking note of the criticism I have made and calling the committee together at once. But in the meantime I insist that my order go to the Mayor, because regardless of that the committee can call its meeting. I hope they will call their meeting, but at the same time I trust that the order will go through this afternoon.

The order was passed under suspension of the rule.)

President FITZGERALD—The Committee on Public Welfare will take notice to have a special meeting at once.

AID TO SINGLE PERSONS.

Coun. DOWD offered the following:
Ordered, That his Honor the Mayor request the Welfare Department to rescind the order now in effect of refusing aid to single persons under thirty years of age and advising them to go to the Home Welfare or the Industrial Aid.

Coun. DOWD—Mr. President, the brain trust originating in Washington are passed down the line until they reach Boston. Down in the Welfare Department they have a little group of brain trusters. For instance, take the case of many W. P. A. workers who have not been paid for three, four or five weeks, the Welfare Department will not aid them. There are families with six or seven children that have been getting \$13.75 a week, and then when the money is not forthcoming the Welfare Department says it will not aid them, because the Government should. Now, it is not the man's fault that he is not getting his money. It is the fault of these socialites and autocrats, with men like Hopkins and Ickes at the head, who are responsible for it. But if the Mayor requests them to do something, perhaps something will be done about it. The men down at Hawkins street, getting \$2,700 to \$3,500, nice salaries, have announced, in the case of single persons under thirty years of age, that they will not even allow them to file an application for aid. Despite all orders these brain trusters say that anybody under thirty years of age can take care of himself. The Government apparently has said, in the case of anybody under thirty years of age, "We will not place them at work." Now, men under thirty have got to eat, the same as men with large families. But they are discredited by the brain trusters and autocrats down at 43 Hawkins street, who will not allow them even to make application. They tell them to go to the Family Welfare or the Industrial Aid, and they will take care of them. But when a man or woman goes there, they will not take care of them. It simply means passing the buck, to discourage them from going back. I never saw such a disheartening spectacle as I saw last Thursday night, at ten minutes past twelve, when two boys of eighteen and twenty, born in Boston, American citizens, came to my house and told me the story of their treatment by the Welfare, and they said that unless they got some money they would have to sleep on the Common. No man with any humanity in him could turn them out, as a matter of common decency, and I was compelled to keep the two boys in my house that night. I say it is about time that these abominable, hard-boiled, autocratic welfare visitors should be driven from the city. They don't stop to think that they are supported by the taxpayers of Boston. The

same group were around two months ago to every member of the Council, saying, "We are being abused. We have been trying to get our separate increase and cannot get it." And every member of the Council went to the Mayor, who appointed a committee, and they finally succeeded in getting their \$100 additional. And it is now these same autocratic visitors who say, "We don't care for any politician." Thank God that there are a few politicians in Boston that can take care of them. The Mayor of Boston does not know about this neglect, because he gave specific orders in my presence that every single man or woman should be taken care of. But they are sent to the Industrial Aid. Well, of course, they get desperate. If a man does not have a dollar and does not see any help coming, does not have a meal ticket, in many cases he does not care whether he sleeps in the icy Charles river or on the Public Garden. I say that our people under thirty that are single people under thirty years of age have to be taken care of, the same as families with ten or twelve children. But they get the go-around. When the Committee on Public Welfare is holding its meeting this week or next week I want to be there. I want to ask those visitors under what section of the charter they go into people's houses and try to go into every room. Supposing there is a young girl of seventeen or eighteen sleeping in a room and they are not allowed to go in there, the aid of the family is shut off. I want to find out under what statute they are acting, to find out under what provisions of the charter they go in and snoop around. If they see a piece of roast beef there they tell the people, "You cannot afford to buy any more beef. It is too expensive." I say it is bad enough to have socialites and autocrats dominating the Government, but I don't think the time has come when they should dominate the poor people of the City of Boston. You and I don't know what is going to become of us. Today we are here but a year from now we may be on the Welfare rolls. We would then expect fair and humane treatment. And I say to these autocrats who are issuing their orders that the least they can do is be advised by the Mayor. I am sure that the Mayor when he knows of this condition will order them to rescind that order at once, like the original one. And so I hope the Committee on Public Welfare will take this up. I say to you, Mr. President, that it is abominable, that it is an outrage, to have these officials acting as they do. You all know what is going on. Every member of the Council has had the same experience that I have had with them.

The order was passed under suspension of the rule.

NON-DESTRUCTION OF FOOD.

Coun. DOWD offered the following:
Ordered, That the City Council request his Honor the Mayor to request State Administrator Arthur T. Rotch to see to it that the 160 tons of food now on the way to Boston be delivered properly and not destroyed.

Coun. DOWD—Mr. President, I recall an unusual incident of about a year ago December. We had 250 tons of food sent to Boston, and I received word that they were over at the freight yard and going to waste. I sent one of our city messengers down to talk to Mr. Rotch,—it was at a time when I was putting out several hundred Christmas baskets,—thinking that it would be a good idea to get any cabbage, turnips and other vegetables that might be lying around in the freight yard and distribute them to the poor of Boston. But Mr. Rotch in his plain, blunt manner, advised us that we could get nothing. Naturally we expected that answer. But, lo and behold! About six weeks later sixty-two carloads of food was dumped into Boston Harbor. It was sent for the poor of Boston to eat and eventually found its way into Boston Harbor. Now, 160 tons of food is coming to Boston. I want to see that distributed in the proper channels. They can't give it all to W. P. A. because there are not enough on W. P. A. to take it, as 25 per cent of the W. P. A. don't need food. They are wealthy in their own right. So this order is simply a request of the Mayor to ask Mr. Rotch to see that the food is sent to the proper authorities to be distributed to the poor of Boston, regardless of whether they are on W. P. A. or not.

The order was passed under suspension of the rule.

INFORMATION FROM MR. ROTCH.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor request State Administrator Arthur T. Rotch of the W. P. A. to advise us concerning the following items:

1. The elimination of aliens on supervisory and executive positions.
2. The raising of laborer's pay from \$55 to \$65 per month.

Coun. DOWD—Mr. President, there are only a few letters of the alphabet that have been missed in the two years. I suggest now that they form a new alphabet and have an L. A. O., "Leave Americans Off." On June 12 this campaign against Mr. Rotch started in the Boston City Council. There were no congressmen to aid us then and no Governor. But a campaign was started, and on August 11 Councilor Dowd introduced that order asking the President of the United States to remove Mr. Arthur G. Rotch. Since then that movement has been supplemented by various organizations, various Congressmen, and partly by the Governor of the State, who after all is a humane man and knows the pulse and heart beats of the people. After reading about the attitude of his Honor the Mayor, I felt that it would be rather embarrassing and merely an empty gesture to put another order into the Council requesting the removal of Mr. Rotch, whose resignation is now on Mr. Hopkins' desk. The Mayor has stated very plainly that, in his opinion, Mr. Rotch is being persecuted by politicians. Well, I don't know whether he means me or not, and, furthermore, I don't care. I am not interested in contests going on between the Mayor and the Governor. But I am interested in the people of Boston. So far as persecution is concerned, the only man in the state who has persecuted my people and the people of other races, as represented by sons of immigrants, is the man who would array class against class, and that man is the present State Administrator, Mr. Rotch, who is following out the dictates of his socialistic boss, Harry Hopkins. It is easy enough to prove that statement, gentlemen. You will find there sons of immigrants, to the extent of 95 per cent, swinging a pick or handling a shovel, and making \$13.50 a week, while these socialites and autocrats are holding the other 5 per cent of the jobs. You know, Mr. Rotch takes the attitude that nobody knows anything but the highbrows and bluebloods, although the fact is that the average immigrant, with any kind of educations has more brains in his little finger and more practical experience than all these bluebloods and highbrows. But they are the ones that compose the administrative force, 5 or 10 per cent, while the Murphys, Selvitellas, Dowds and Brackmans compose the other 90 to 95 per cent. I see no logical reason why they should go to the State House and take a person off the civil service, who already has a good position, for one of these better paid jobs, none whatsoever. There are plenty of men and women in the State of Massachusetts who are not working, who have families, and who are entitled to whatever remuneration they can get in such a position. Mr. Rotch goes further and says, "We won't tell you what salaries we are paying." What right has he got to take that position? We are doing the paying and he is only a public official, and these salaries are a matter of public record. I do not wish to embarrass the Mayor, because I know the troubles he is having, but I have drafted this letter to send to Congressmen McCormack and Tinkham and to our senators:

January 27, 1936.

Congressman John W. McCormack,
House of Representatives,
Washington, D. C.

My dear Congressman:

It has been brought to my attention that the resignation of Mr. Arthur G. Rotch, State W. P. A. Administrator, is now on the desk of Harry L. Hopkins awaiting his acceptance.

May I urge you, as our Representative to Washington, to request Mr. Hopkins to accept this resignation immediately because of the fact that Mr. Rotch has carried his office in an autocratic, plutocratic, and high-handed manner since his appointment. He has rated class against class in the assignment of men and women to relief work.

Trusting to hear from you, I am,

Sincerely yours,
JOHN F. DOWD,
Councilor.

I trust that our congressmen and senators will realize the public feeling in the State of Massachusetts and the City of Boston against Mr. Rotch. I know that he has a difficult job, we all realize that, but we all know also the notices that come out in the daily papers, that so many thousand men and women are going to be placed at work. We find on a showdown, with all the thousands of applications on file, that those being employed are now 5,000 below the peak, although an overwhelming demand for work and for aid still persists and is growing. I say, stop kidding the public. Only last week three hundred men were fired, and on the census project forty-five were laid off. It requires a terrific struggle to get placed on the pay roll. How long this sort of thing is to continue I don't know. Take the music project, which was supposed to take care of 1,000 individuals. Isn't it odd that they had to bring a native of England, a Mr. Simpson, to Boston, to head the music project? And that wasn't enough. Another gentleman who left Germany fourteen months ago was placed as his assistant, supervising the music project. When you go to any of the projects you will not find a foreman on the job who knows what the English language is. I don't know how long the people of America, Massachusetts and Boston are going to stand for that type of treatment. After all, we are taking the brunt of it. There is not a man or woman in the gallery who does not have the opinion that if a member of the Council desired to do it he or she could go to work. I wish to God that every councilor here could place every man and woman who needs it in a job. I would be only too glad to do what I could. But under the present statutes and administration we are powerless to do anything. Everyone is powerless to do anything except our State Administrator, who is running things with a high hand, in an autocratic and plutocratic manner. Mr. Rotch's resignation should be accepted and somebody with red blood, who understands the soul, the pulse and the heart beat of the common people, should be placed in his position. The sooner they stop kidding the public, the better. Take this delay on the pay rolls. Do you think it is necessary? Oh, no. They are pretty cute, cunning and conniving. They are delaying the pay rolls for one reason—to discourage a man or woman who is trying to get on the W. P. A. pay rolls. That is the only reason why they are delaying, Mr. President and gentlemen. They can pay 100,000 people, if they so desire, but they don't want to do it. So, despite the fact that the Mayor says Mr. Rotch is being persecuted, I say to the Mayor that the only people being persecuted are the poor people of the City of Boston. The only ones persecuted are the men and women going to work or trying to get work for a five-day week, for the mere pittance of \$13.75, while the select, the elite, the highbrows and bluebloods, the chosen people, can roll to work in their Cadillacs and Pierce-Arrows and receive anywhere from \$40 to \$60 a week—all under the guise of relief. Mr. President, the people of Boston are not going to stand it much longer. Every one in the Council, with the possible exception of two or three, feels as I do in regard to this matter; and if the administration at Washington knows what is politically wise it will accept the resignation of Arthur G. Rotch.

The order was passed under suspension of the rule.

MANAGERS OF OLD SOUTH ASSOCIATION.

Coun. SHATTUCK offered the following:

Ordered, That the City Council proceed to the election of two members of the Board of Managers of the Old South Association in Boston, as provided in chapter 222 of the Acts of 1877.

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

BIDS SUBMITTED TO SUPPLY DEPARTMENT.

Coun. GALLAGHER, for Coun. Wilson, offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to advise the City Council by virtue of what authority in the city charter, or otherwise, bids submitted

to the Supply Department, following advertising, are not a matter of public record after the same have been opened.

Passed under suspension of the rule.

SHUTTING OFF WATER FOR NON-PAYMENT.

Coun. GALLAGHER, for Coun. Wilson, offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Water Division of the Public Works Department to discontinue the practice of shutting off water for non-payment of water bills so far as buildings occupied by families are concerned.

Passed under suspension of the rule.

CLASSIFICATIONS OF CLERKS.

Coun. GALLAGHER, for Coun. Wilson, offered the following:

Ordered, That his Honor the Mayor be, and hereby is, respectfully requested to provide for requested change in the classification relative to clerks in the office of the clerk of the Boston Municipal Civil Court in the budget for 1936.

Passed under suspension of the rule.

INFORMATION AS TO TRUCKS.

Coun. GALLAGHER, for Coun. Wilson, offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to advise the City Council:

1. The total number of trucks which will be under the supervision of the Park Department as and when the trucks included in the recent order passed by the City Council have been purchased.

2. The number of men now available in the Park Department holding a Civil Service rating as chauffeur.

3. The location of each garage, whether public or private, where trucks owned by the city and under the supervision of the Park Department are now garaged, together with the monthly rate paid in each case.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to advise the City Council:

1. The total number of trucks which will be under the supervision of the Public Works Department as and when the trucks included in the recent order passed by the City Council have been purchased.

2. The number of men now available in the Public Works Department holding a Civil Service rating as chauffeur.

3. The location of each garage, whether public or private, where trucks owned by the city and under the supervision of the Public Works Department are now garaged, together with the monthly rate paid in each case.

Severally passed under suspension of the rule.

INFORMATION AS TO TAX-TITLE PROPERTIES.

Coun. GALLAGHER, for Coun. Wilson, offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to furnish the information requested in the following order passed by the City Council on November 12, 1935:

"Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to furnish the City Council at once with a complete list of all properties formerly assessed to private owners the titles of which, because of tax sales following the non-payment of taxes, are now vested in the City of Boston, and give in each case:

- a. Street and number.
- b. Whether the parcel is vacant land.

c. The assessed value placed on the property by the Board of Assessors for the year immediately preceding the tax sale.

d. The 1935 assessed valuation.

e. The amount actually owed to the city as of the date of the tax sale.

f. The date on which the property was sold or bought in by the city for unpaid taxes."

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to advise the City Council forthwith as to the exact progress, if any, made with reference to a survey of city-owned tax-title property following the passage on October 7, 1935, of an ordinance relating to the maintenance, operation and sale of such property by the Public Building Department.

Severally passed under suspension of the rule.

SERVICE OF SINGLE MEN AT C. C. C. CAMPS.

Coun. BRACKMAN offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Commissioner of Soldiers' Relief to abandon the rule whereby single men who apply for soldiers' relief are obliged to serve at C. C. C. camps.

Coun. BRACKMAN—Mr. President, it has come to my attention that single men who apply for Soldiers' Relief are required to go to C. C. C. camps. This is manifestly unfair to a great many single men, who like to remain in the city because of the opportunities sometimes offered to get a position. Where they go away to these camps such possibility is removed. A great many of the men, also state to me that, having served overseas during the war, they do not now want to be connected with a military camp or anything of that nature. For that I do not blame them. I think it grossly unfair that these men who do not have families are obliged to go to C. C. C. camps, and I hope the Council will adopt the order.

The order was passed under suspension of the rule.

HIRING OF SNOW SHOVELERS THROUGH MUNICIPAL BUREAU.

Coun. PETER FITZGERALD offered the following:

Ordered, That his Honor the Mayor be requested to issue instructions to all contractors who have received contracts for the hauling of snow for the City of Boston, that they must hire their snow shovelers through the Municipal Employment Bureau, and failure to do so will constitute sufficient cause for the cancellation of the contract.

Coun. PETER J. FITZGERALD—Mr. President, a week ago the Municipal Employment Bureau received instructions from the Public Works Department to hire two hundred twenty-five men. These men received small slips from the office telling them to report to Coleman Brothers, 588 Albany street, at six o'clock. Upon arriving there an individual in the office told them that they were going to work, but finally, after waiting until eight or nine o'clock, a foreman of Coleman Brothers told them that he had received no instructions whatever to hire any one from the Municipal Employment Bureau. It seems to me if certain contractors receive orders to hire men from the Municipal Employment Bureau they should be obliged to hire them from the Bureau. Many of those men went to Albany street without a nickel in their pockets and waited around until nine or nine thirty o'clock without obtaining a job, men who needed the work and in a number of cases were in need of food. It seems to me when we appropriate money here for purposes of this kind and contractors receive orders authoritatively through a department that they are to hire men through the Municipal Employment Bureau, they should obey those orders. From my brief observation as a member of the Council it appears to me that contractors feel that when they have once received a contract from the city it becomes a mere matter of routine and that they do not need to pay any further attention to what the members of the City Council may think or what our heads of departments may say.

I might inform them that the power of the Council does not necessarily depend on the statute book. There are ways and means of making employing contractors or anybody else who flouts the power of the Council in different ways, toe the mark. When the City Council appropriates money for such purposes as this, to be carried out under the direction or supervision of a Municipal Bureau, contractors who receive the benefit of such appropriation should be willing to employ men and women as directed, and certainly should cooperate with the proper department of the city. That certainly should be the attitude of any firm or contractor receiving revenue out of the public treasury. I can recall two or three years ago, when the Municipal Employment Bureau was merely a hang-out, under a man named Shields, who was referred to in private and in this body as a Cossack, one of the most inhumane men who ever headed any department of the city, and the very last man who should be appointed under any city administration to be placed over people unfortunately out of work. We now have a very different department, and I sincerely hope the Council will pass this order and that the Mayor will force these contractors to live up to the requirements of their contracts, and, if they do not do so, void the contracts.

The order was passed under suspension of the rule.

TENNIS CHAMPION TOURNAMENT.

Coun. ROSENBERG offered the following:

Ordered, That the Park Commissioner, through his Honor the Mayor, be requested to make the necessary arrangements to hold the Championship Tournament of the National Public Playgrounds Tennis Association at Franklin Field in Dorchester. This tournament will take place in August of this year.

Passed under suspension of the rule.

INFORMATION AS TO ELECTRIC STREET LIGHTING.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, request the Edison Electric Illuminating Company to furnish the following information to the members of the Boston City Council.

How many electric lights will be necessary to supplant the 9,500 gas lights now in use in the City of Boston?

Passed under suspension of the rule.

RETIREMENT OF MAURICE J. POWER.

Coun. MELLEN offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation authorizing the crediting of certain service to Maurice J. Power upon his retirement, provided that such legislation includes a referendum to the Mayor and City Council.

Coun. SHATTUCK—Mr. President, it seems to me we ought not to pass such a resolution under suspension of the rule. There has been no statement as to what the bill is, except that it refers to certain services of somebody. We don't know who the somebody is or what the service has been, or why he should be credited with something to which he may not be entitled by right. That is the sort of thing, it seems to me, we ought not to pass without knowing anything about it, without even an explanation from the gentleman who offered it.

President FITZGERALD—The matter will be referred to the Executive Committee, and we can there discuss it.

Referred to Executive Committee.

AUTOMATIC SIGNALS, WARD 16.

Coun. McGRATH offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals at the following locations in Ward 16:

Dorchester avenue, in front of the Gibson Street Playground.

Neponset avenue, in front of the Neponset Playground.

Adams street, in front of the Mary Hemenway Playground.

Passed under suspension of the rule.

EMPLOYMENT OF SNOW SHOVELERS.

Coun. NORTON offered the following:

Ordered, That the Public Works Commissioner, through his Honor the Mayor, make new arrangements for the employment of snow shovelers.

Coun. NORTON—Mr. President, that has to do with the matter of employing men working on the removal of snow. I don't know how many members of the Council had the experience that I did, but out my way there were about a thousand who wanted to go to work shoveling snow, and perhaps 250 went. It seems to me that some arrangement might be made whereby preference should be given to men with families, and so on, instead of, in some cases, employing boys of sixteen or seventeen years of age. The arrangement for this sort of thing certainly would be very much improved by judicious handling of the question.

The order was passed under suspension of the rule.

STANDARDIZING CITY HOSPITAL SALARIES.

Coun. NORTON offered the following:

Ordered, That the Trustees of the Boston City Hospital, through his Honor the Mayor, be requested to consider the advisability of standardizing the salaries of telephone operators and ambulance drivers.

Passed under suspension of the rule.

SEGREGATION OF DEER ISLAND PRISONERS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of leading a movement for the proper segregation of prisoners confined at Deer Island.

Coun. NORTON—Mr. President, I understand that there was recently a case of a Boston youth who was fined \$15 for playing handball in improper garb, and was en route to the jail at Deer Island. The jail officials interested themselves in the matter and raised the money to liberate the boy, rather than see him thrown in with dope fiends and incorrigibles, with older criminals of perhaps thirty-five or forty. There are men being sent down every week, with whom there is nothing fundamentally wrong, and certainly the contact that they get down there can do them no good. I certainly trust that his Honor the Mayor will take some action in the matter, and that some arrangement can be made for segregation of the prisoners.

The order was passed under suspension of the rule.

FEDERAL SLUM CLEARANCE PROJECTS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of reconsidering the matter of seeking legislation to tax Federal slum clearance projects in Boston.

Coun. NORTON—Mr. President, the Mayor of Boston has filed a bill in the Legislature to give the City of Boston power, provided the Federal Government puts through slum clearance projects in Boston, to tax those projects. I think the City of Boston officials should be the last ones to do anything that will interfere in an attempt to give the people who dwell in the slum areas better housing. The last investigation that was made showed that in a certain area the amount of money paid in by the city for police protection, hospitalization, education, fire protection, and so on, was ten times as much as the city took in from that district in the way of taxation, proving that no city can afford to have large slum areas. We know the effect on our population of bad housing conditions. For example, in 1931, 451 children were born in the Charlestown area;

in the same year 751 were born in the Hyde park area. Three times the number of children died in the first year in Charlestown as did out in Hyde Park, where they got a little of God's sunlight and air. The older I get and the more I see of unfortunates in jail and other institutions, the more I am inclined to think that in many cases they are creatures of environment and circumstances. All the information we obtain points to that. So I ask the Mayor of Boston to reconsider the bill he filed in the Legislature which provides in effect for the taxing of Federal slum projects if and when they come to Boston.

Coun. MELLEN—Mr. President, may I say that, having in mind the amounts of money spent by the city for Police Department, Fire Department and other agencies in these so-called slum areas, certainly affords no argument, from an economic standpoint, why the City of Boston should not receive taxes from such areas that may have been converted into Federal housing projects.

Coun. NORTON—Well, Mr. President, I hope to have the opportunity of arguing that economic question with my brother member.

Coun. MELLEN—And I shall be very glad to do so.

The order was referred to the Legislative Committee.

UNEMPLOYED HOME OWNERS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to study the matter of allowing unemployed home owners in certain instances to work off their taxes by performing work for the city, a certain percentage of the wage being paid to the worker and a certain percentage retained to be applied to taxes.

Coun. NORTON—Mr. President, the worst-off man in Boston belongs to the group who own their little homes but are out of work, and who cannot receive relief because of having a little equity in their homes. I understand that in some of the large cities an arrangement is made whereby such a man can work off part of his taxes through work for the city. We have today a large group of such home owners in certain wards of this city, men who are unable to pay their taxes and who are unable to get relief. Such men and their families cannot eat the houses. It does seem that it should be possible to work out some way whereby these men can get a few days' work a month and save their homes, working off a part, if not all, of their taxes. It does seem as though Boston should give such people a chance of this kind, rather than take the homes for unpaid taxes.

The order was passed under suspension of the rule.

PREFERENCE TO FORMER CITY EMPLOYEES.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of giving preference in employment to old city employees let go during the first part of his administration.

Passed under suspension of the rule.

FIXING OF BOSTON STREETS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of fixing every street in Boston at the present time when the Federal Government stands ready to pay the wages of the men provided the city supplies the raw materials.

Passed under suspension of the rule.

TAKING OF CHELSEA DIVISION.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of opposing the taking over of the Chelsea-Revere division of the Eastern Massachusetts Street Railway Company by the Boston Elevated Railroad Company at an upset price of \$1,500,000.

Coun. NORTON—Mr. President, the Governor has held up the matter of the Boston Elevated Street Railway taking over the Chelsea-Revere branch of the Eastern Massachusetts Street Rail-

way for \$1,500,000. Can any other such case be pointed out in the country where local communities or districts are paying one and one-half million dollars to take over one street railway and turn it over to another? Because, after all, this money comes out of the people of Boston and surrounding communities. The City of Boston spends today over \$1,000,000 yearly to help make up the deficit of the Boston Elevated Railway System. In 1918 the men on State street went to the Legislature and had the Boston Elevated System turned over to Boston and surrounding communities with a guaranty of 5 per cent on the investment. That was supposed to be the last time when a thing of that sort was done, and yet here we have the proposition that the Eastern Massachusetts shall turn over its Chelsea division to the Boston Elevated and that \$1,500,000 shall be paid for the same—which merely means unloading on the taxpayers of Boston a much larger deficit. I think a system of transfers for Revere-Chelsea residents might be worked so that they could have a ten-cent fare to Boston.

The order was passed under suspension of the rule.

INFORMATION IN RE SNOW REMOVAL.

Coun. AGNEW, for Coun. Wilson, offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to advise the City Council promptly with reference to the following desired information:

1. The number of miles of accepted streets under the jurisdiction of the Public Works Department in Boston for snow-removal work.
2. The number of miles of accepted streets in Ward 17 covered
 - a. By Division 9, the Gibson street yard.
 - b. By Division 6, the Hancock street yard.
3. The name of the Division Engineer in charge of snow removal in that section of the city which includes Ward 17, according to the new arrangement for snow-removal administration most recently announced by the special committee on snow removal appointed by the Mayor.
4. The number of regular employees available in each of the eleven city yards for snow-removal work when called for.
5. The number of city emergency men put to work at each of the eleven city yards, in addition to regular city employees on
 - a. January 19, 1936.
 - b. January 20, 1936.
 - c. January 21, 1936.
 - d. January 22, 1936.
6. As to which city yards is snow-removal work supplemented by contract snow removal.
7. The number of city-owned trucks now available for snow removal work in each of the city yards.
8. The number of hired trucks working out of each city yard as of Wednesday, January 22, 1936, in addition to city-owned trucks.

Passed under suspension of the rule.

CRITICISM OF SNOW-REMOVAL WORK.

Coun. ROSENBERG—Mr. President, I would ask unanimous consent to make a statement. (No objection.) Mr. President, the last snow-storm demonstrated the inefficiency and incompetency of Public Works Commissioner Christopher J. Carven, and he should be removed or ordered to resign his post. I desire at the outset of my remarks to affirm my conviction that his Honor Mayor Mansfield is honest, conscientious, and is doing all in his power for the care and welfare of the people of Boston. In the conduct of the city's affairs, the Mayor must rely to a great extent upon the heads of the various departments. These men must, of necessity, be efficient and expert in their respective fields. When the time arrives that their work is not up to the standard required of them, they should be dropped and another take their place. In a great many instances the job is either too big for them or they have outgrown their usefulness. In my short experience in the City Council the one man who has not advanced with the times is Public Works Commissioner Carven. I want to relate my experience. On Monday, at an early hour in the morning, I appeared at the Gibson Street Yards in Dorchester. There I found the streets lined

with trucks ready for work, but no trucks moving, to speak about. Yet there were over a thousand men who had stormed this particular yard looking for work. These men would not be out in the streets freezing themselves and waiting for an opportunity to shovel snow unless they were in need of money for themselves and their families. But there were no orders from Commissioner Carven to put an emergency force to work. After a great clamor, with trucks waiting, about one hundred fifty emergency crew were put on about 10 a. m. at this yard. Thousands of these men should have been hired late Sunday night or early Monday morning and put to work, for there was an ample accumulation of snow to warrant the hiring of an emergency force. It would have then been easier and quicker to remove the snow before it had caked and hardened, thus having made the streets of Boston and its suburbs easier and more accessible. The emergency force would have been placed to work late Sunday if there had been an efficient Public Works Commissioner at the helm. What did the commissioner think, that there was going to be a rain-fall, that through a miracle the snow would disappear? It was his duty to keep himself informed as to the weather conditions. This he could have done by a little exertion in calling the United States weather man. Where were you, Commissioner, while these thousands of poor and hungry citizens were out looking for emergency snow work? Undoubtedly sitting quietly in your home by your fireside or eating your meals among ideal surroundings. Snow such as struck the city last week required an act of emergency in its removal. An emergency calls for a large force to remove the snow as quickly as possible to clear the highways and byways of Boston and vicinity. This must be done to protect both home residents and property. Rather than wait to be snowed in, the proper and logical move is to get the snow removed as quickly as possible and in the least possible time. In view of the weather report the commissioner would have been justified in putting a large force of emergency men to work even if he had to employ 5,000 or 10,000 rather than wait for an act of God to do the work the Mayor had placed upon his shoulders. Real Americans want work, not welfare. Why not give it to them when the opportunity arises? The members of the Council are the ones who receive the complaints from the residents of the districts when the snow clogs up the streets and is not properly removed. It is you and I who get the blame and are called to an accounting by our constituents. I, for one, am going to fight against those who do not do their duty as public officials. Commissioner Carven had the power and authority to put men to work in an emergency. Unfortunately, he had neither the vision nor the foresight to do it. In order to protect the taxpayers of Boston, it is important that the men who are heads of departments keep abreast with the times. When his Honor the Mayor finds that a department head who is unable or unwilling to do that which is required of him, he should be fired. While it is true that Commissioner Carven has been in the service of the city fifty-one years, I want it understood that I am not objecting to his length of service, what I do say is that he has failed to keep in step with the times and therefore should get out. As a matter of fact, the longer a man is in the service of the city, if he keeps himself mentally and physically fit, he is an asset to the taxpayers of Boston. I desire at this time to praise the good work of Foreman King of the Gibson Street Yards, and Foreman McLean of the Hancock Street Yards and their associates for the good work they did in handling the snow removal in Dorchester with the limited men and trucks at their disposal. We residents and taxpayers of Boston, in these modern days, are entitled to the best equipment, men or machinery that money can produce. I believe that it is our duty to see to it that his Honor the Mayor is helped and encouraged in securing these results.

Coun. DOWD—Mr. President, I would ask unanimous consent to make a statement. I do not intend to enter into any controversy with my colleague from Ward 14, but I rise because of the fact that I believe it to be unfair to attack the Public Works Commissioner in the matter of removal of snow. I have been in the Council since the inception of this charter, and in every big snowstorm we have had the same situation. After such a snowstorm there is always complaint,

and as long as we remain a city the size of Boston we will always have the same complaint to contend with. In so far as Commissioner Carven is concerned, let me say that he has given fifty-one years of faithful service to the City of Boston. I personally believe, with the inadequate equipment that they had to combat the storm with, they have done a first-class job in clearing the main arteries. Of course, the side streets of Boston never have been cleaned and will not be. To do so would cost the taxpayers of Boston \$5,000,000 or \$6,000,000. I disagree entirely with their method of putting men at work. Because John Dowd is a councillor and may have some friends or people who know him, is that any reason why I should say that those men should go to work while other citizens remain idle? I think that is an unjust and unfair principle. When the next snowstorm comes the system should be put into effect by the Mayor and the commissioner whereby men with families, who need the work most, should be given the preference, and the first chance should be given to the men who first appear on the scene in the morning. Simply because men may know Councillors Agnew or Finley or other members of this body is no reason why they should go to work in preference to others, absolutely none. I say that is an unfair way of putting men at work. The councillor says that Commissioner Carven was sitting in comfort by his fireside. I happen to know that he was down here on Sunday planning for this work, because I was here myself for four hours and saw him in action. He was doing his best to arrange for men being placed at work to clear up the snow, but his activities were interfered with, because ten taxpayers had gotten out an injunction and he had to spend Monday, Tuesday and Wednesday, when he should have been superintending the job of clearing the streets, at the Superior Court. I do not believe that members of this Council feel that Commissioner Carven should resign, that he is incompetent. I have had occasion to know something about his work since he has been Public Works Commissioner, and I know that he is an efficient and hard-working man. I have had my differences with him and probably shall again, but when he is attacked as he has been today in this body I feel that I should stand up here and express my own opinion of him. My opinion is that this last storm in Boston has been better handled this year than such storms were in previous years. The only storm, in my opinion, that was handled better was eight or nine years ago, when the then Mayor Nichols provided \$400,000 of snow-removal equipment. Our Council has ordered \$675,000 worth of equipment. But, due to the action of certain individuals, and because of an injunction in the Superior Court, the Mayor of Boston has not seen fit to order the equipment until the judge has made his decision, and the Mayor's judgment in that matter, in my opinion, is very wise. I do not believe, and other members of this Council who know Mr. Carven do not believe, that he is incompetent or inefficient. His work in that department has proven that he is not, and members of this Council, to my mind, have never entertained the notion that he should resign. Unfortunately, the man was in court those three days. Under the conditions I believe that the City of Boston did a really good job. Of course, more men might have been placed at work. They put five hundred at work from the South End yard, and I had occasion to see something of the work done there. But I say that the method adopted has at times been unfortunate for citizens of Boston. They should put at work the men who first arrive on the job, where they have worthy men and have families, and should not place them at work because they know City Councillors. I certainly, for one, place my faith in the present Public Works Commissioner, and I only hope when he does retire that we will get in his place a man as competent as he is.

RECESS.

The Council voted, on motion of Coun. GALLAGHER, to take a recess at 3.23 p. m., subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President FITZGERALD at 4.41 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

Report on order (referred today) that Council elect two members of Board of Managers of Old South Association in Boston—that same ought to pass.

The report was accepted and the order was passed.

President FITZGERALD—The question now comes on the election of two members of the Old South Association, and the Clerk will call the roll.

The Clerk called the roll, and Coun. Agnew, Brackman, Dowd, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Kerrigan, Kilroy, McGrath, Mellen, George A. Murray, Norton, Roberts, Rosenberg and Shattuck, all voted for Coun. Shattuck and George A. Murray as members of the Old South Association, and they were declared unanimously elected.

2. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz.:

Ruth M. McShane, Municipal Building, South Boston, February 20; Aaron Richmond, Jordan Hall, January 31, February 1,—recommending that leave be granted under usual conditions.

Report accepted; leave granted under usual conditions.

3. Report on resolve (referred today) that Council approves enactment of legislation authorizing the crediting of certain service to Maurice J. Power upon his retirement, provided that such legislation includes referendum to Mayor and Council—that same ought to pass.

Report accepted; said resolve passed.

4. Report on message of Mayor and order (referred today) transferring \$10,000 to be expended by Boston Housing Authority—that same ought to pass.

The report was accepted, and the question came on the passage of the order.

On motion of Coun. GALLAGHER the order was assigned to the next meeting of the Council.

CONFIRMATION OF EXECUTIVE APPOINTMENT.

Coun. AGNEW moved to take up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointment submitted by the Mayor January 20, 1936, of Gerrard Vaughn, to be a Weigher of Goods.

The question came on confirmation. Committee, Coun. Agnew and Mellen. Whole number of ballots 14, yes 13, no 1, and the appointment was confirmed.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. DOWD, for the Committee on Jitney Licenses, submitted the following:

1. Report on petition of Boston Elevated Railway (referred December 9) to operate jitneys between Cottage Farm Bridge and Kenmore square—that same leave be granted.

Report accepted; leave granted on usual conditions.

REINSTATEMENT IN E. R. A. OR W. P. A.

Coun. KERRIGAN offered the following:

Ordered, That the local W. P. A. Administrator be requested, through his Honor the Mayor, to reinstate at once any person who left the E. R. A. or W. P. A. to enter private employment and who now are out of work.

Passed under suspension of the rule.

RESTORATION TO WELFARE ROLLS.

Coun. KERRIGAN offered the following:

Ordered, That the Overseers of Public Welfare be requested, through his Honor the Mayor, to immediately restore to their rolls for welfare aid persons who were employed on E. R. A. or W. P. A. projects and who have since been laid off.

Passed under suspension of the rule.

PENSIONS TO CERTAIN FIREMEN.

Coun. DOWD, for Coun. Selvitella, offered the following:

Resolved, That the City Council of Boston hereby favors House Bill 564 for the enactment of legislation relative to pensions payable to certain firemen of the City of Boston heretofore retired on account of disability, provided that such legislation includes a referendum to the Mayor and City Council.

Coun. SHATTUCK—Mr. President, I move reference of the resolution to the Committee on Legislative Matters.

Coun. DOWD—Mr. President, that resolution was left with me by Councilor Selvitella to offer and defend in his absence, inasmuch as he had private business to attend to and had to leave. But I understand that there is a hearing on the matter at the State House tomorrow morning, and if so, if we do not act at this time it may be too late. I don't know whether that is authentic or not, but I am so advised.

Coun. SHATTUCK—Mr. President, this is a rather important proposed amendment to the Pension Act. We have received no information as to the effect, purpose or object of it. The resolution, in the form in which it has been presented, says that the City Council favors this proposed enactment. I do not believe we should, under suspension of the rule, without a hearing and without an examination into the facts, favor the passage of an act of that importance. Therefore, it seems to me it should be referred to our Committee on Legislative Matters, the standing committee that we have to consider such subjects, and hold hearings if necessary. I therefore so move.

The resolution was referred to the Committee on Legislative Matters.

Adjourned, at 5.42 p. m., on motion of Coun. BRACKMAN, to meet on Monday, February 3, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 3, 1936.

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

JURORS DRAWN.

Coun. AGNEW in the chair.

Jurors were drawn under the law, Coun. MELLEN presiding at the box in the absence of the Mayor, as follows:

Eighty traverse jurors, Superior Criminal Court, to appear March 2, 1936:

Harold L. Coolin, Ward 1; Herbert H. Lewis, Ward 1; Melvin E. Saunier, Ward 1; Robert H. Smith, Ward 1. James Leo Duggan, Ward 2; Michael J. Riley, Ward 2; Matthew N. Rogers, Ward 2; Patrick Shepard, Ward 2; John Sergi, Ward 3; Anthony Venesi, Ward 3; William Zine, Ward 3; Ralph S. Coburn, Ward 4; James H. Monaghan, Ward 4; Isaac Smith, Ward 4; Arthur W. Adams, Ward 5; Frederick J. Deane, Ward 5; John W. Flansburg, Ward 5; Walter H. Kingsley, Ward 5; James F. Landie, Ward 5; Francis R. Duffy, Ward 6; Charles H. Fitzgerald, Ward 6; Maurice J. Goggin, Ward 6; Frank J. Hogan, Ward 6; Albert J. Kvicala, Ward 6; Thomas Lee, Ward 6; Pierre Scheurweghs, Ward 6; Henry J. Hurley, Ward 7; George Alexander McKenna, Ward 7; John Grady, Ward 8; William E. Stewart, Ward 8; Charles E. Francis, Ward 9; William L. Thornton, Ward 9; Daniel J. Daly, Ward 10; Matthew J. Heiler, Ward 10; John J. Kenneally, Ward 10; John J. Hufnagel, Ward 11; William J. Parlon, Ward 11; Harold P. Poppleton, Ward 11; John J. Ryan, Ward 11; Gordon H. Seabury, Ward 11; Peter A. Christian, Ward 12; Abraham M. Finkelstein, Ward 12; Archibald M. McLeod, Ward 12; Franklin E. Blanchard, Jr., Ward 13; John J. Ireland, Ward 13; William C. Kein, Ward 13; Charles Lindenfelzer, Ward 13; John J. O'Brien, Ward 13; James Sallaway, Ward 13; William H. Valade, Ward 13; Jacob Cohen, Ward 14; Joel G. Knapp, Ward 14; Joseph C. Shea, Ward 14; Henry P. Whalen, Ward 14; James R. Creed, Ward 15; Richard H. Little, Ward 15; George F. Simmons, Ward 15; Harry O. Phillips, Ward 15; Eugene Leo Murphy, Jr., Ward 16; William L. Wilson, Ward 16; Winthrop A. Hallett, Ward 17; Louis S. Lavena, Ward 17; Robert C. Levenson, Ward 17; Leo R. Thompson, Ward 17; Alexander H. Lindsay, Ward 18; James C. Masterson, Ward 18; William A. Estella, Ward 19; Charles E. Churchill, Ward 20; Francis P. Dolan, Ward 20; Louis B. McCarthy, Ward 20; Edward T. Mueller, Ward 20; Robert H. Smith, Ward 20; George T. Staples, Ward 20; George A. Titcomb, Ward 20; John A. Donovan, Ward 21; Gordon L. Heath, Ward 21; Charles H. Lowney, Jr., Ward 21; Martin Lustig, Ward 21; Johan F. Stenberg, Ward 21; William C. Johnston, Ward 22.

One hundred traverse jurors, Superior Civil Court, January sitting, to appear March 2, 1936:

Michael DeLuca, Ward 1; Frank J. Duffy, Ward 1; Edward LaChance, Ward 1; Lewis B. Leary, Ward 1; Edward A. Aaron, Ward 2; James B. Brophy, Ward 2; John Daley, Ward 2; George E. Doherty, Ward 2; Frank

A. Goggins, Ward 2; Francis Keenan, Ward 2; James F. Monahan, Ward 2; Henry Charles Reed, Ward 2; Anthony C. Santos, Ward 2; George Wall, Ward 2; Frank C. DiMare, Ward 3; William L. McLaughlin, Ward 3; Erl V. Beale, Ward 4; Henry F. Douglass, Ward 4; Joseph B. Lynch, Ward 4; Charles E. Riley, Ward 4; Carl Svenson, Ward 4; Daniel F. Connort, Ward 5; Charles V. B. Jenkinson, Ward 5; Charles W. Baker, Ward 6; William F. Callahan, Ward 6; Edward H. Cogan, Ward 6; Philip P. Fuhs, Ward 6; James E. McManus, Ward 6; Arthur F. Coughlin, Ward 7; William M. Flaherty, Ward 7; George F. McGarry, Ward 7; Henry E. Enross, Ward 8; Charles Adams, Ward 9; Chester A. Brigham, Ward 9; Robert P. Browne, Ward 9; Frank F. Johnston, Ward 9; John Joseph McGee, Ward 9; Walter J. Murdo, Ward 9; Albert L. Regele, Ward 9; George J. Horther, Ward 10; George E. Jones, Ward 10; James J. Nolan, Ward 10; Fred Rognes, Ward 10; Henry W. Carter, Ward 11; William R. Lehrer, Ward 11; Frederick F. Parker, Ward 11; William J. Phillips, Ward 11; Robert V. Brooking, Ward 12; William A. Copson, Jr., Ward 12; Walter J. Dobson, Ward 12; John A. Goodrich, Ward 12; Moses Simon, Ward 12; William E. Surrey, Ward 12; Lawrence Costello, Ward 13; John H. Ricker, Ward 13; Morris Goodman, Ward 14; George Hirschfield, Ward 14; James Krigman, Ward 14; Harry L. Shufro, Ward 14; Michael F. Sullivan, Ward 14; Robert E. Barry, Ward 15; Clarence H. Cash, Ward 15; Frank A. Manchester, Ward 15; James T. Curran, Ward 16; Frederic Pearson, Ward 16; John J. Skelley, Ward 16; George Y. Berry, Jr., Ward 17; Joseph T. Logan, Ward 17; John E. Morris, Ward 17; Percival S. Rice, Ward 17; Frederick H. Vackert, Ward 17; Joseph Budd, Ward 18; Louis A. Carcano, Ward 18; Martin R. Lee, Ward 18; James Nichols, Ward 18; Howard R. McCarter, Ward 18; Edwin M. Charlton, Ward 19; John E. Chellman, Ward 19; George A. Fraser, Ward 19; Thomas Glynn, Ward 19; George F. Hickox, Ward 19; Thomas C. Manning, Ward 19; William L. Nicoll, Ward 19; Henry D. C. Bell, Ward 20; Frank Bryant, Ward 20; Samuel C. Clough, Ward 20; Edwin L. Cleveland, Ward 20; William Dalgleish, Ward 20; Paul E. Tiernan, Ward 20; William P. Watt, Ward 20; Harry S. Arnold, Ward 21; Solomon J. Barnett, Ward 21; Robert C. Bundy, Ward 21; Samuel Levy, Ward 21; Henry E. MacFarlane, Ward 21; Frank L. Maguire, Ward 22; Charles A. McCarthy, Ward 22; Albert J. Reynolds, Ward 22; Walter E. Sell, Ward 22; Douglas C. Thompson, Ward 22.

TRAFFIC SIGNALS, WARD 7.

The following was received:

City of Boston,
Office of the Mayor, February 1, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commissioner relative to your order of January 20, 1936, concerning the installation of automatic traffic signals at the junction of Pond street and Columbia road, Ward 7.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, January 27, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated January 20, 1936, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals at the junction of Pond street and Columbia road, Ward 7."

The volume of vehicular traffic using Pond street is not sufficient to warrant the installation of a signal for the purpose of controlling it.

During school hours a considerable number of children cross Columbia road at this point to and from St. Margaret's Parochial School. The children are protected at these times by the presence of a police officer who holds vehicular traffic in Columbia road to permit the children to cross in safety.

The cost of the installation of a signal at this location is estimated to be \$2,000.

Respectfully yours,

WILLIAM P. HICKEY, Commissioner.

Placed on file.

SALE OF LAND IN BROOKLINE.

The following was received:

City of Boston,

Office of the Mayor, January 31, 1936.

To the City Council.

Gentlemen,—By an act of the legislature dated March 30, 1846, the City of Boston acquired property for aqueduct purposes in a certain part of the town of Brookline. The Commissioner of Public Works of the City of Boston has notified me that the land is no longer required for City of Boston purposes.

I submit herewith a letter from the Commissioner of Public Works with regard thereto. I am also submitting herewith an order for the abandonment of certain rights and easements in the aqueduct and recommend that said order be passed by your Honorable Body.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Public Works Department,

December 3, 1935.

To His Honor the Mayor.

The Cochituate aqueduct belonging to the City of Boston and located in the town of Brookline, in private land between the Chestnut Hill pumping station and the old Brookline reservoir on Boylston street, is no longer required for City of Boston purposes. It has not been used since 1895, and as it will never be used again, this property can be disposed of.

This letter is sent to your Honor in view of the probable sale of portions of the land over this aqueduct to parties who are negotiating for purchase.

Very truly yours,

C. J. CARVEN,

Commissioner of Public Works.

Whereas, The City of Boston acting under the authority of an act of the Legislature dated March 30, 1846, acquired property for aqueduct purposes in a certain part of the town of Brookline more fully described in a taking recorded in Norfolk Deeds, Book 181, page 203; and

Whereas, The Commissioner of Public Works of the City of Boston has notified the City Council of the City of Boston that a portion of the said aqueduct property is no longer needed for public purposes: 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, and by a written instrument in form satisfactory to the law Department of the City of Boston to release all its right, title and interest in and to a portion of said aqueduct property in the following described parcel of land owned by Margaret A. O'Neill, to wit, a certain parcel of land in Brookline, County of Norfolk, Commonwealth of Massachusetts, bounded and described as follows:

Northerly by Crafts road, ten and 57-100 (10.57) feet; and by land of the town of

Brookline, by two lines measuring respectively ninety-six and 27-100 (96.27) feet and twenty-six and 67-100 (26.67) feet; westerly by land of the town of Brookline and by Eliot street, nine and 47-100 (9.47) feet; northerly again by Eliot street, by three lines measuring respectively ninety and 26-100 (90.26) feet, forty-three and 03-100 (43.03) feet, and about one hundred eighty (180) feet; southeasterly on land of town of Brookline, about three hundred and ten (310) feet; southwesterly on Reservoir road, fifty-nine (59) feet; westerly by lots 7 and 6 on plan dated November 24, 1925, recorded with Norfolk Deeds, Book 1681, page 141, one hundred forty-eight and 67-100 (148.67) feet; southerly by lots 6 and 4 on said plan by two lots measuring ninety-seven and 35-100 (97.35) feet, and two hundred one and 24-100 (201.24) feet; westerly by other land of said O'Neill, one hundred two and 97-100 (102.97) feet, to the point of beginning, containing about 718,000 square feet.

A portion of said premises is shown on plan of land in Norfolk Book of plan 85, plan 413, and the remainder of said premises is shown on plan by H. F. Bryant & Son, dated November 24, 1925, and recorded with Norfolk Deeds, Book 1681, page 141.

It is hereby further ordered that his Honor the Mayor be, and he hereby is, authorized to deliver to the said Margaret O'Neill the said release in form and with conditions satisfactory to the Law Department of the City of Boston upon the payment to the City of Boston by the said Margaret A. O'Neill of the sum of one dollar.

Referred to the Committee on Public Lands.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,

Office of the Mayor, February 3, 1936.

To the City Council.

Gentlemen,—Subject to confirmation by your Honorable Body I hereby appoint Myers Rosenberg of 576 Blue Hill avenue, Dorchester, and John E. Desmond of 54 Parklawn road, West Roxbury, to be constables of the City of Boston, without authority to serve civil process and to serve without bond.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

The appointments were laid over for one week under the law.

INFORMATION RE SNOW REMOVAL.

The following was received:

City of Boston,

Office of the Mayor, February 3, 1936.

To the City Council.

Gentlemen,—I herewith transmit a letter from the Commissioner of Public Works, relative to your order of January 27, 1936, concerning snow removal.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Public Works Department,

February 1, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note with attached order of City Council and to submit the following information in connection with same:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to advise the City Council promptly with reference to the following desired information:

1. The number of miles of accepted streets under the jurisdiction of the Public Works Department in Boston for snow-removal work. Answer, 680 miles.

2. The number of miles of accepted streets in Ward 17 covered.

a. By Division 9, Gibson street yard. Answer, 27½ miles.

b. By Division 6, Hancock street yard. Answer, 16½ miles.

3. The name of the Division Engineer in charge of snow-removal work in that section of the city which includes Ward 17, according to the new arrangement for snow-removal administration most recently announced by the special committee on snow removal appointed by the Mayor. Answer, William T. Morrissey, Acting Division Engineer, Highway Division.

4. The number of regular employees available in each of the eleven city yards for snow-removal work when called for. Answer, District 1-32; District 2-20; District 3-13; District 4-46; District 5-53; District 6-50; District 7-84; District 8-80; District 9-40; District 11-23.

5. The number of city emergency men put to work at each of the eleven city yards, in addition to regular city employees on—Answer, a. January 19, 1936, none; b. January 20, 1936, District 1-110; District 2-250; District 3-205; District 4-195; District 5-200; District 6-200; District 7-200; District 8-200; District 9-200; District 11-212. c. January 21, 1936, District 1-165; District 2-50; District 3-45; District 4-105; District 5-210; District 6-125; District 7-100; District 8-180; District 9-150; District 11-31. d. January 22, 1936, District 1-0; District 2-0; District 3-0; District 4-0; District 5-10; District 6-22; District 7-58; District 8-40; District 9-22; District 11-0.

6. As to which city yards is snow-removal work supplemented by contract snow removal. Answer, District yards 1, 3 and 8.

7. The number of city-owned trucks now available for snow-removal work in each of the city yards. Answer, District 1-2; District 2-2; District 3-1; District 4-2; District 5-3; District 6-22; District 7-4; District 8-3; District 9-3; District 11-3.

8. The number of hired trucks working out of each city yard as of Wednesday, January 22, 1936, in addition to city-owned trucks. Answer, District 1-41; District 2-11; District 3-21; District 4-51; District 5-32; District 6-26; District 7-49; District 8-66; District 9-47; District 11-19.

Respectfully yours,

C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

SUPPLANTING OF GAS STREET LIGHTS.

The following was received:

City of Boston,
Office of the Mayor, February 3, 1936.
To the City Council.

Gentlemen,—I herewith transmit a letter from the Commissioner of Public Works, relative to your order of January 27, 1936, concerning information as to how many electric lights will be necessary to supplant the 9,500 gas lights now in use in the City of Boston.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department,
February 1, 1936.

Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge your note with attached order of City Council reading as follows:

"To request the Edison Electric Illuminating Company to furnish information as to how many electric lights will be necessary to supplant the 9,500 gas lights now in use in the City of Boston."

and to forward a copy of the letter from the Edison Electric Illuminating Company in answer to my request for said information.

"We are unable to give the information requested:

"First. Approximately 509 of these 9,500 gas lamps are located in the Charlestown district, which territory is supplied exclusively by the Charlestown Gas and Electric Company.

"Second. We supply lamps ordered by the city and we have no way of knowing how many lamps the city would order to replace the gas lamps in the territory supplied by the Edison Company.

"This information should properly come from the Public Works Department, Lighting Service Division, but we are of the opinion that they could not satisfactorily supply this information without making a complete survey of the lighting requirements of all of the streets and definitely determine the locations of electric lights, that would replace the present gas lamps."

Respectfully yours,

C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

DELIVERY OF FUEL TO WELFARE RECIPIENTS.

The following was received:

City of Boston,
Office of the Mayor, January 31, 1936.
To the City Council.

Gentlemen,—I herewith transmit a letter from the Overseers of the Public Welfare, relative to your order of December 16, 1935, concerning unsatisfactory delivery of fuel orders to welfare recipients.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Overseers of the Public Welfare,
January 31, 1936.

Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—This department received on December 20, 1935, your letter regarding fuel deliveries by Alfred E. Ventola and the Babcock Coal Company.

This department has received some complaints regarding lateness of delivery of fuel by these companies but on investigation we have found that the delay was not unreasonable. Deliveries by these companies have been satisfactory.

Very truly yours,
DANIEL A. MURPHY,
Acting Executive Director.

Coun. WILSON—Mr. President, with reference to that response from the Mayor, I ask that it be sent to the Executive Committee and that the Purchasing Agent of the city be requested to attend the meeting of the committee, in view of the fact that I understand the oil contracts, the Ventola and one other, have been extended in spite of continued slow deliveries in the cold weather we have had. I would like to go into that question. Therefore, I ask that this communication be referred to the Executive Committee.

President FITZGERALD—The message will be referred to the Executive Committee and the messenger will notify the Purchasing Agent to attend the meeting of the committee. Referred to Executive Committee.

LETTER FROM ARTHUR G. ROTCH.

The following was received:

City of Boston,
Office of the Mayor, February 3, 1936.
To the City Council.

Gentlemen,—I herewith transmit a letter from Mr. Arthur G. Rotch, Works Progress Administrator for Massachusetts, relative to your order of January 27, 1936, concerning the following items:

1. The elimination of aliens on supervisory and executive positions.
2. The raising of laborers' pay from \$55 to \$65 per month.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

February 1, 1936.

Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Mr. Gilmore,—I have your letter of January 30 in which you state that his Honor the Mayor has directed you to forward copies of the order of the City Council of January 27 which asks my advice on the following items:

1. The elimination of aliens on supervisory and executive positions. The Federal Regulations state that there shall be no discrimination. I quote Executive Order No. 7046 which states that workers where qualified by training and experience are not to be discriminated against on any grounds whatsoever.
2. The raising of laborers' pay from \$55 to \$65 per month. In regard to the question of raising laborers' pay from \$55 to \$65 per month, the Security Wage in cities of 100,000 or over is \$55 per month and I should have no authority to raise it to \$65 per month.

According to your request I am sending this report to you in quadruplicate.

Very truly yours,
ARTHUR G. ROTCH,
Works Progress Administrator for
Massachusetts.

Placed on file.

PETITIONS REFERRED.

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

Claims.

John P. Cormican, to be reimbursed for execution issued against him on account of his acts as operator of car of Fire Department.

James E. Curran, for compensation for damage to car by city car.

Sadie Fincke, for compensation for damage to property at 1145 Blue Hill avenue, caused by bursting of water main.

John Leary, for compensation for injuries caused by an alleged defect at 103 Commerce street.

Arthur W. Marcon, for compensation for damage to car by city wagon.

Herbert W. Marshall, for compensation for injuries caused by an alleged defect in Clementine park.

Merchants & Miners Transportation Company, for compensation for damage to car by city car.

Dominick and Frances Norvilas, for compensation for damage to property at 725 East Seventh street, caused by flow of water into cellar when fireman opened hydrant.

Francis Powers, for compensation for loss of clothing at City Hospital.

Isabel M. Virott, for compensation for damage to car by fire engine.

Edith Wexler, for compensation for damage to property at 77 King street, Dorchester, caused by freezing of water supply pipe.

William L. Villone, for compensation for injuries caused by an alleged defect at 72 Florida street.

Executive.

Petition of Annie A. Sullivan, to be paid annuity on account of death of her husband, Cornelius J. Sullivan.

Petition of James Mackenzie, laborer Public Works Department, in Paving Division, for retirement.

STREET RAILWAY POLICE.

Notice was received from the City of Cambridge of appointment of street railway police, upon petition of Boston Elevated Railway.

Placed on file.

INCREASE FOR LUCY STONE SCHOOL.

Notice was received from the Emergency Finance Board enclosing amended vote passed by Emergency Finance Board January 24, 1936, authorizing an increase of \$9,000 in P. W. A. Docket Mass. 1089 for the construction of the Lucy Stone School.

Placed on file.

EXCHANGE OF LAND.

The following was received:

The Finance Commission
City of Boston,

February 3, 1936.

To the Honorable the City Council.

Gentlemen,—I have been directed by the Finance Commission to request you to defer action upon the order before your Honorable Body, submitted by Mayor Mansfield, relating to the exchange of land between the City of Boston and the New England Telephone and Telegraph Company. The Finance Commission is investigating this matter and expects to have a report upon it for your Honorable Body at a later date.

Yours very truly,
ROBERT E. CUNNIFF, Secretary.

Referred to the Committee on Public Lands.

SOLDIERS' RELIEF.

Coun. KERRIGAN, 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 February, 1936.

Report accepted, said order passed.

REPORT OF COMMITTEE ON CLAIMS.

Coun. SELVITELLA, for the Committee of Claims, submitted the following:

1. Report on petition of Martin F. Walsh (referred January 4) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to the Park Department recommending passage of the accompanying order, viz.:

Ordered, That the sum of ten dollars be allowed and paid to Martin F. Walsh in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Park Department, City of Boston, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

2. Report on petition of Martin F. Walsh (referred January 4) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Park Department, recommending passage of the accompanying order, viz.:

Ordered, That the sum of twenty-eight dollars and fifty cents be allowed and paid to Martin F. Walsh in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Park Department, City of Boston, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

3. Report on petition of George F. Smith (referred January 4) to be reimbursed for amount of judgment issued against him on account of his acts as operator of a motor truck belonging to Sanitary Division, Public Works Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of one hundred and fifty dollars be allowed and paid to George F.

Smith, in reimbursement for amount of judgment issued against him on account of his acts as operator of a motor truck belonging to the Sanitary Division, Public Works Department, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

4. Report on petition of William J. Hart (referred January 4) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Police Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of eighty-four dollars and seventy-five cents be allowed and paid to William J. Hart in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Police Department, City of Boston, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

5. Report on petition of William J. Hart (referred January 4) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Police Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of twenty-two dollars and fifty cents be allowed and paid to William J. Hart in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Police Department, City of Boston, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

REQUEST FOR MASSACHUSETTS MAN AS HEAD OF W. P. A.

Coun. DOWD offered the following:

Ordered, That the Boston City Council request his Honor the Mayor to consider the advisability of requesting President Roosevelt and Harry L. Hopkins to place a Massachusetts man at the head of the W. P. A. in Massachusetts.

Coun. DOWD—Mr. President, I don't know what can be said in reference to this at the present time. I suppose the only thing we can do is to protest, as the Boston City Council, against the selection of a New York man to be the head of the W. P. A. in Massachusetts. I will admit that he cannot be any worse than Mr. Rotch was. Nevertheless, I think Colonel Tom Sullivan, the local administrator of the City of Boston, sums up the entire thing when he said, "It is a hell of a situation when no Massachusetts man can be selected for a Massachusetts job." I say to the President and to Mr. Hopkins that it is a direct insult to the people of Massachusetts. I was very much interested in a statement in the *Boston Post* last week that "15,000 W. P. A. state jobs are vacant. Massachusetts lagging far behind quota." In other words, this reliable paper, the *Boston Post*, and the *Boston American*, have come out definitely with a statement that there should be 15,000 more jobs allocated to the state and the city. Under the E. R. A. we had 28,440 jobs in the City of Boston, and we were led to believe with the incoming of the W. P. A., that practically every one without a position would be put to work. But there is no question about the fact that men and women are not being put at work, but are being dropped. I have said that for the last few months and I now reiterate the statement despite the fact that we have been told that \$4,000,000 has been allocated to the State of Massachusetts and the City of Boston. Nobody else is going to work, Mr. President. The people are simply being kidded and I believe an immediate investigation or inquiry should be made.

The order was passed under suspension of the rule.

SURVEY OF SOUTH BOSTON SCHOOLS.

Coun. KERRIGAN offered the following:

Ordered, That the Superintendent of Schools, through his Honor the Mayor, be requested to make a survey of the school situation in the South Boston district, with a view to enabling children in the lower grades to attend schools immediately adjacent to their homes; and to make a special study of conditions at the new Patrick E. Gavin School.

Passed under suspension of the rule.

RECREATIONAL CENTER, SOUTH BOSTON.

Coun. GEORGE A. MURRAY offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the city to borrow the sum of \$500,000 outside the debt limit for the erection of a recreational center in that section of Boston known as South Boston, provided, that said legislation includes a referendum to the Mayor and City Council.

Coun. GEORGE A. MURRAY—Mr. President, a committee of representative South Boston citizens this morning waited upon Mayor Mansfield suggesting that in South Boston a new recreational center is much needed. There is pending at the present time a bill in the Massachusetts Legislature which authorizes the City of Boston to borrow some \$500,000 outside the debt limit for the specific purpose of erecting a gymnasium and recreational center in South Boston. The situation in that section has existed for a good many years. Back in 1921 Mayor Peters granted or set aside some \$400,000 for the purpose of erecting a gymnasium, but Mayor Curley later saw fit to divert that money for some other purpose. In 1921 they had gone so far as to obtain property at the corner of C street and Broadway and raze the building for that specific purpose. In South Boston alone we have some 5,300 young people between the ages of sixteen and twenty-five who, if they want to go to a gymnasium, either have to come in town and pay, or go to the South End or Roxbury. In addition, we have men who aspire to be police officers and firemen, and who need the training that such an institution would give. I trust that this Honorable Body will pass this resolution.

The resolution was passed under suspension of the rule.

HEALTH UNIT, DORCHESTER.

Coun. ROSENBERG offered the following:

Ordered, That the trustees of the George White Fund, through his Honor the Mayor, consider the advisability of erecting a Health Unit in Dorchester, in the vicinity of Blue Hill avenue and Talbot avenue, Ward 14.

Coun. ROSENBERG—Mr. President, recently publicity has been given to the fact that the trustees of the White Fund are planning the erection of a planetarium, erecting a beautiful building and installing an instrument by means of which people can look at a representation of the sky, the stars and the planets. Instead of the trustees putting up a building of that nature, I think at the present time there is much more need in Ward 14, the third largest ward in the City of Boston, in the interest of the poor children and families, to erect a health unit for the benefit of our people. I believe the passage of this resolution by the members of the Council may have some effect in bringing to Ward 14 a health unit, which is badly needed in that community.

Coun. WILSON—Mr. President, with reference to that order it might be perfectly all right for me to speak at this time of an order of a similar nature which I have planned to introduce, requesting the Mayor to make arrangements, either through a W. P. A. project or the George R. White Fund, to provide a health unit in 1936 for the central

Dorchester district. Those of us who have served the Dorchester district in the Council for the past eight or ten years have heard repeated requests by those in the various Dorchester wards that that section, comprising one fourth part of the city, be given proper recognition through the construction of such health units as we find in Roxbury, Charlestown and the North and West Ends. One of the primary reasons alleged why such a health unit has not been constructed in Dorchester is because of the claim that the people of the various wards cannot agree as to where the structure should be erected. Therefore, while it might be said that Ward 17 is perhaps the most central of the five Dorchester wards, I have so phrased my order as to ask that the health unit be constructed in some central location in Dorchester. I do not insist that it be constructed in Ward 17 necessarily, but I do think that a section comprising one quarter of the city should have such a unit. I too, was interested to read the plan for the construction of a planetarium, because for the past four or five years we have been told that the reason why a health unit was not constructed in the Dorchester section was that the amount of money available in the White Fund was not sufficient for the upkeep of the units already erected. Apparently, however, there is a quarter of a million dollars available in that very fund for this planetarium, which may be a very beautiful thing, with its domed roof and its pictures of the stars. But we in Dorchester feel that it is much more necessary in the interest of the people to have a health unit. In explaining my position in regard to not insisting that such a health unit be placed in Ward 17, I also know that the councilor who has already spoken would not insist that the structure should be placed in his ward. I know that any representative of Dorchester would willingly agree to have the health unit placed in any part of that section that was reasonably available to all the Dorchester people. What we desire is a Dorchester structure of this nature, accessible to our people and, therefore, we urge it at this time, when there seems to be in this White Fund a quarter of a million dollars available for the purpose.

Coun. DOWD—Mr. President, I think some two years ago when as president of the Council I was brought in close contact with the George R. White Fund, the subject of a planetarium was brought up. I do not now believe you, Mr. President, while I realize that this Council has no jurisdiction whatever in the matter, are going to lend your voice or vote to the spending of \$250,000 for the building of a planetarium. Thousands of our youngsters in Dorchester and other districts are in need of physical care. I said at the time when former Mayor Curley spent in your district the money that was used for the Prado that it was illegal, and I don't think anything in the nature of a Prado or a planetarium should be built from that fund. I, for one, wish to voice my objection to the erection of a planetarium. In the first place, I believe it is absolutely illegal, having in mind the purposes for which this money was left, whereas, I believe that the construction of health units is absolutely legal. I agree with the gentlemen from Dorchester that if a quarter of a million dollars is to be spent, it should be spent for something useful, not for a high-brow planetarium, where the highbrows of this city can go to look at the stars.

Coun. NORTON—Mr. President, I would be as much interested as anybody in having the White Fund used for health units in various sections, such as Dorchester, Hyde Park, Roslindale, West Roxbury or Roxbury. But I think we want to keep our minds on this fact, that the Boston City Hospital has more patients than any like hospital in the world. We have too many patients in the Boston City Hospital. It should today be decentralized, and sections of the hospital placed in

different parts of the city. We are talking here today of using the White Fund for more health units. It would be a wonderful thing if we could have them, but we cannot under the present set-up. George R. White left money for certain purposes, but that money cannot be spent for the maintenance of the project for which the money is used. We attempted to have Mrs. Bradbury, Mr. White's sister, leave enough money for the upkeep, but failed. So it seems to me that it behooves members of the Council to decentralize the City Hospital, instead of placing more of these buildings in Dorchester, Forest Hills, or north of Commonwealth avenue. We cannot get the money, it seems, for the upkeep of the units, and the reason why we stopped building such units was because the city has to pay for the upkeep. Under the terms of the will we cannot pay for the upkeep from the White money. Mr. President, we want to keep our eye on decentralization of the City Hospital. In regard to the proposed planetarium, I understand that they intend to put a quarter of a million into it. When it comes to a question of spending money for a planetarium or for a hospital certainly I would give the hospital the preference. Nevertheless, instead of having that money lie idle, I want to see it employed and see people get some benefit from it. We have 25,000 children in the Boston schools not properly clothed, who will carry through their lifetime the scars of this depression. I would rather take the money for that purpose, but the court says you cannot do it. It must be used for these other purposes and until the court gives a more liberal interpretation of the White will, what can we do? In the matter of municipal buildings we want to keep our minds on this fact. Ninety per cent of the crime comes from 10 per cent of the area where people do not have a chance to get light and air and proper recreation. Much benefit to all of our citizens would be obtained through additional municipal buildings and additional use of land in our city for recreation. Boston has thousands of pieces of property this year, as it will have next year, that we don't know what to do with. I have introduced orders here looking to the taking of such areas and using them for recreational spaces, the building of sand boxes for children, and so on. We lose large numbers of children in my section every year through accidents on the streets. I saw a truck run over the head of a little youngster, six years of age, in my ward. That sort of thing is happening all the time. If such youngsters had an opportunity to be off in little playgrounds these accidents would not happen. But they have to play on the street. That is the only opportunity they have to indulge in athletic games which mean so much in their development. We would not have Leopold and Loeb cases if more such opportunities were given to our young people, if they were given a chance to play and exercise more freely. I think it will be eventually driven into the heads of our city officials that much more opportunity should be afforded in the way of playgrounds and municipal buildings in our city, that these questions should be tackled from the municipal standpoint. That is the consensus of the best minds in America.

President FITZGERALD—How do you account for the fact that those two boys were the sons of millionaires?

The order was passed under suspension of the rule.

WIDENING BLUE HILL AVENUE.

Coun. ROSENBERG offered the following: Ordered, That the Board of Street Commissioners and the Park Commissioner, through his Honor the Mayor, consider the advisability of widening Blue Hill avenue, from Seaver street to the American Legion Highway.

Coun. ROSENBERG—Mr. President, one of the great problems facing every community today is the diminution of accidents on the highway. I don't know how many of the councilors are acquainted, although I believe a great many are, with the situation on Blue Hill avenue, from Seaver street to the American Legion Highway. On the American Legion Highway you have traffic in one direction going along one side, and in the other direction on the opposite side. But on Blue Hill avenue, going from Seaver street to the highway, you have vehicles traveling both north and south on one side of the street. The automobiles have to cross over the car tracks. That highway is becoming one of the super highways for suburban travel in and out of Boston. I believe by widening Blue Hill avenue, from Seaver street to the American Legion Highway, we will remedy the dangerous condition that now exists there, and will also be able to place men at work, possibly on a W. P. A. project. We will also be able to get the widening done without expense for land taking, because taking a small slice off Franklin Park, which nobody will miss, will result in great benefit not only to those traveling in automobiles, but to the people of the community in general.

The order was passed under suspension of the rule.

DRINKING FOUNTAIN, FRANKLIN PARK.

Coun. ROSENBERG offered the following: Ordered, That the Park Commissioner, through his Honor the Mayor, be requested to install a drinking fountain at, or near, the Columbia Mall entrance to Franklin Park. Passed under suspension of the rule.

CLUB HOUSE, FRANKLIN FIELD.

Coun. ROSENBERG offered the following: Ordered, That the Park Commissioner, through his Honor the Mayor, consider the advisability of the erection of a club house and convenience station on Franklin Field at, or near, the baseball grandstand. Passed under suspension of the rule.

GROCERY ORDERS FOR RELIEF APPLICANTS.

Coun. ROSENBERG offered the following: Ordered, That his Honor the Mayor instruct the Overseers of the Public Welfare Department to furnish all applicants for relief with a grocery order while the application is being investigated.

Passed under suspension of the rule.

BUS LINE TO CITY POINT.

Coun. ROSENBERG offered the following: Ordered, That the trustees of the Boston Elevated be requested, through his Honor the Mayor, to establish a bus line from Morton street and Blue Hill avenue, to run along Blue Hill avenue to Columbia road, through Edward Everett square and terminating at City Point, during the summer months.

Passed under suspension of the rule.

RELIEF ROLL VETERANS RECEIVING BONUS.

Coun. SELVITELLA offered the following: Ordered, That the Commissioner of Soldiers' Relief be requested, through his Honor the Mayor, not to strike from the relief rolls veterans who receive the soldiers' bonus, but who are in debt for legitimate purposes, and that before any veteran is stricken from the rolls a careful investigation be made of his financial condition.

Passed under suspension of the rule.

RESOLUTION IN RE NEUTRALITY.

Coun. SELVITELLA offered the following: Whereas, There are pending before the present session of Congress bills to enact legislation involving neutrality, and

Whereas, Various nations are endeavoring to influence the United States to establish sanctions and embargoes in the present European conflict; and

Whereas, The United States is now at peace with all nations; therefore, be it

Resolved, That the City Council of the City of Boston hereby protests against the passage by the Congress of the United States of any act of legislation that will interfere with the spirit and the letter of absolute neutrality, meaning entire abstinence from any participation expressed or implied with any belligerents, remaining the common friend of all, favoring none to the detriment of the other; and be it further

Resolved, That the City Council of Boston hereby protests against the passage of any legislation which might tend to interfere or restrict trade with the warring nations and that no act should extend beyond embargoes on arms, ammunitions and implements of war, and be it further

Resolved, That the City Clerk be, and hereby is, instructed and directed to forward a copy of these resolutions to the Committee on Foreign Relations at Washington, D. C., and to each member of Congress from Massachusetts.

Referred to the Committee on Rules.

WAITING ROOM, SAVIN HILL.

Coun. PETER J. FITZGERALD offered the following:

Ordered, That the Board of Trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, to erect a waiting room at the bus terminal located on South Sydney street, at the Savin Hill Station of the Dorchester Rapid Transit Line.

Passed under suspension of the rule.

REOPENING OF CHARLESTOWN STAIRWAY.

Coun. MELLEEN offered the following: Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to reopen the stairway leading from the High Bridge to Water street, Charlestown, making same available for public use.

Passed under suspension of the rule.

HEALTH UNIT, DORCHESTER.

Coun. WILSON offered the following: Ordered, That his Honor the Mayor be requested to make arrangements, either as a W. P. A. project or under the provisions of the George Robert White Fund, to provide for a health unit during 1936 in the central Dorchester district.

Passed under suspension of the rule.

RECESS.

The Council, at 3.20 p. m., at direction of the PRESIDENT, took a recess subject to the call of the Chair. The members reassembled in the Council Chamber at 5.01 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition of James Mackenzie (referred February 3) for retirement as laborer

in Paving Division, Public Works Department—recommending passage of accompanying order, viz.:

Ordered, That the Retirement Board for Laborers be hereby authorized and requested to retire, under the provisions of chapter 765 of the Acts of 1915, James Mackenzie, employed as laborer in the Paving Division of the Public Works Department.

Report accepted; said order passed.

2. Report on message of Mayor *in re* delivery of fuel orders to welfare recipients—that same be placed on file.

Report accepted; said message placed on file.

APPROPRIATION FOR BOSTON HOUSING AUTHORITY.

On motion of Coun. AGNEW, the Council took up assignment No. 2 on the calendar, viz.:

2. Ordered, That the sum of \$10,000 be, and hereby is, appropriated, to be expended by the Boston Housing Authority in accordance with chapter 449, section 26-T, of the Acts of 1935, for the purpose of defraying the initial cost and expenses of said Housing Authority, including the expenses of preparing plans and making surveys and the like in connection with one or more projects of said Housing Authority, and in the general prosecution of its duties, said sum to be charged to the Reserve Fund, when made.

The order was passed, yeas 15, nays 5:

Yeas—Coun. Agnew, Brackman, Doherty, Dowd, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Gleason, Kerrigan, Kilroy, George A. Murray, Norton, Rosenberg, Selvitella—15.

Nays—Coun. McGrath, Mellen, Roberts, Shattuck, Wilson—5.

President FITZGERALD called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointment submitted by the Mayor January 27, 1936, of William Smith, to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Selvitella and Agnew. Whole number of votes 19; yeas 14, no 5, and the appointment was confirmed.

SNOW REMOVAL FROM SIDEWALKS.

Coun. WILSON offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to officially notify captains of all police divisions in the City of Boston to enforce existing ordinance provisions relative to removal of snow and ice from sidewalks throughout the city.

Coun. WILSON—Mr. President, speaking very briefly, we received plenty of complaints, some well merited, concerning dilatoriness in snow removal so far as roadways are concerned, but I find throughout different sections of the city innumerable instances where some of the very persons who complain most about the slowness of snow removal from the streets have not even yet shovelled their own sidewalks. It seems to me that, acting with discretion, the different police divisions in the City of Boston could enforce existing ordinances for the removal of snow, at least within twenty-four hours of the snowfall, and could also enforce the ordinance requiring ice-covered sidewalks to be sprinkled with gravel or sand. I can enumerate innumerable cases in my ward, also, of sidewalks in front of unimproved land, much of it down-grade and for distances of 100, 200 or 300 feet, where the owner has not yet removed the snow and ice from the sidewalk. I think, under the

general police regulations of the City of Boston, we have a right to expect every home owner and every owner, especially of vacant land, to clear the sidewalk and make it reasonably safe for pedestrians, and I think when we consider the length of time that has elapsed since the snowstorm, it is high time that the work should be done.

The order was passed under suspension of the rule.

CONTRACT FOR SAND AND GRAVEL.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of awarding the annual contract for sand and gravel, everything else being equal, to concerns employing Boston help and paying taxes in Boston.

Coun. NORTON—Mr. President, about \$20,000 a year is spent on sand and gravel in Boston. The contract is now before the Superintendent of Supplies, and this order simply asks, everything else being equal, that preference be given to Boston concerns hiring Boston people.

The order was passed under suspension of the rule.

COAL AND OIL SAMPLED BY EXPERTS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of having Technology experts or other qualified experts take samples of the coal and oil now being delivered to welfare recipients; this work to augment the regular work of the Sealer of Weights and Measures.

Passed under suspension of the rule.

OPERATION OF ELEVATED BUSES, HYDE PARK.

Coun. NORTON offered the following:

Ordered, That the Council Jitney Committee be requested to consider the advisability of considering the matter of allowing the Boston Elevated Railroad Company permission to operate on River street, Hyde Park, from Cleary square, Hyde Park, to the Dedham line, as soon as possible.

Coun. SELVITELLA—Mr. President, is that petition in the committee?

Coun. NORTON—Yes.

Coun. SELVITELLA—I understand that everything before the committee has been acted on.

Coun. NORTON—I am simply asking the Jitney Committee to consider this.

Coun. SELVITELLA—We haven't anything to consider.

Coun. NORTON—Mr. President, I understood from the Clerk of Committees before I introduced that order that there had been received from the Elevated road a petition asking the Council to approve the running of buses on River street, Hyde Park. I can send for the clerk.

Coun. SELVITELLA—Well, I will take your word for it.

The order was passed under suspension of the rule.

SUMS LEFT IN VARIOUS FUNDS.

Coun. NORTON offered the following:

Ordered, That the Corporation Counsel, through his Honor the Mayor, furnish the Council with any available information that he may have regarding the amounts of money, if any, still left in the Police Strike Fund, the Halifax Disaster Fund and other public funds of such a nature, and if money still remains in said funds, what is proposed to do with the same.

Passed under suspension of the rule.

REPAIR OF STREETS WITH W. P. A. FUNDS.

Coun. NORTON offered the following:
Ordered, That the Mayor of Boston be requested to consider the advisability of fixing every non-major street in Boston with the assistance of W. P. A. funds.

President FITZGERALD—The Chair will have to rule that that should be referred to the Committee on Rules in order to get some action.

Coun. NORTON—All right, Mr. President. I introduced the order to decentralize the Welfare Department about 350 times, and I shall be glad to introduce this order 3,000 times in order to get action.

The order was referred to the Committee on Rules.

OPPOSITION TO PURCHASE OF CHELSEA DIVISION.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of opposing the purchase by the Boston Elevated Railroad of the Chelsea-Revere Branch of the Eastern Massachusetts Railway system.

Coun. NORTON—Mr. President, that bill is being held up at the present time. Last week we were informed by the Elevated that last year's deficit on the Elevated was about \$2,000,000, a considerable part of which was paid by the city. There is a bankrupt road which proposes to take over another streak of rust of another bankrupt road in order to guarantee a good income to the stockholders at the expense of the City of Boston.

The order was passed under suspension of the rule.

SUBSTITUTION OF BUSES.

Coun. NORTON offered the following:

Ordered, That the Boston Elevated Railway Company be requested to make a study of the matter of substituting buses wherever possible for the so-called electric car.

Passed under suspension of the rule.

STANDARDIZING SALARIES, CITY HOSPITAL.

Coun. NORTON offered the following:

Ordered, That the trustees of the Boston City Hospital, through his Honor the Mayor, be requested to consider the advisability of standardizing, if possible, the salaries of ambulance drivers and telephone operators.

Passed under suspension of the rule.

PREFERENCE TO FORMER EMPLOYEES.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of giving preference in employment to those city employees who had worked for the City for many years and were let go during the first part of his administration.

President FITZGERALD—That order has been introduced many times, and will be referred to the Committee on Rules.

Coun. NORTON—And it will continue to be introduced many times, Mr. President, until action is taken. As some of the newer members may not know, this has to do particularly with old employees of the city who were let go in the honeymoon of the present administration. One who had been in the city's service for thirty-eight years was allowed to go; another who had been in the city's

employ for twenty-five years as superintendent of ferries. I am merely asking the Mayor to give these men preference in employment. When a man, for instance, fifty years of age, who has been for twenty-five years in the city's service, is sent out in times like this, with nothing, it is hard.

President FITZGERALD—We have had the committee working on the Mayor—Coun. Tobin and Dowd and the Chair—in relation to this matter.

Coun. NORTON—But nothing has been done. There is a man, as I say, who was for thirty-eight years working for the city, and he is now walking the streets and talking to himself.

President FITZGERALD—Well, perhaps if this is referred to the Committee on Rules some action may be taken upon it.

Coun. NORTON—I hope so.

The order was referred to the Committee on Rules.

SENATE BILL 103.

Coun. NORTON offered the following:

Ordered, That the Legislative Committee of the Council be requested to consider the advisability of indorsing Senate Bill No. 103.

Coun. BRACKMAN—Mr. President, I would suggest that that order be referred to the Executive Committee.

President FITZGERALD—The order will be referred to the Legislative Committee.

Coun. NORTON—The idea is simply that the Legislative Committee shall consider the bill. It is an interesting one, and I think the President can explain it.

The order was referred to the Committee on Legislative Matters.

GARMENT-MAKING PROJECT.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of requesting the W. P. A. to start a garment-making project in Boston. Thousands of school children are not properly clothed for the winter months and thousands of old people are in the same predicament.

Coun. NORTON—Mr. President, there are 25,000 children in the public schools of Boston today that are not properly clothed for winter. I understand also that Boston is one of the few large cities in the country where they do not have women working at the sewing of such garments. Here is a statement that I have received from an expert on this question, and I ask that it be included in our record, so that the Mayor can have this information. It comes from one who is supposed to be well informed on the problem.

(There being no objection, the following letter, submitted by Coun. Norton, was included in the minutes:

Councilor Clement A. Norton,
Hyde Park, Mass.

My dear Mr. Norton,—I read of your protest about improperly clothed school children in this morning's newspaper.

Last spring I prophesied, in letters directed to certain department chiefs, that the city administration and the E. R. A. were going to send the school children of Boston "to a masquerade ball this winter dressed in sun suits and pillow slips."

It may be of interest and help to you, in your present endeavor for adequately clothed children, to know that last winter a group of interested citizens, foreseeing the very misfortune which has now occurred, inaugurated a "garment-cutting service" to work in conjunction with the E. R. A. Sewing Project. This service was to cut and facilitate the provision of needed garments of all types, for the school children this year. So important did the matter seem that a small fund was raised and a staff of three expert

cutters donated to the E. R. A. for the month of February. Their function was to facilitate just this needed production of proper garments.

The work done not only greatly increased the number of properly cut garments, but resulted also in three hundred new women being put to work on the sewing project to sew up the garments being thus properly supplied.

The work received the praise of Harry L. Hopkins, of Mrs. Ellen S. Woodward in charge of women's work in Washington, of Mrs. Alice B. Stritch in charge of the Boston project, of the various district "supervisors" in charge of the sewing units, and in fact all of the rank and file who came to benefit by it.

In spite of this, and in spite of the obvious need which you are now so rightly calling to public attention, no effort was made by the City Welfare Department, nor by local city officials, nor by the E. R. A. to continue the work, after the small donation which carried it through February ran out.

Our request was only for three salaries for the staff, at the prevailing E. R. A. rate, as project supervisors. This was to include the services of two members of the staff, who were in great need but too proud to say so, and for a third member who was definitely not in need but whose services were indispensable.

In spite of the most concerted presentation of the case to all the public office holders connected, no action was taken.

Under the pretence that there already was an adequate cutting service, this much needed

unit for proper garment-making was not continued. This attitude of indifference and make-believe was maintained, although we showed that the vaunted cutting service of the E. R. A. was turning out a tenth of what we had been producing and only one tenth the variety of needed garments,—often most ill-fitting.

There was no question about the issue. A month's demonstration had shown exactly the work that could be done. Letters of indorsement from those mentioned above had been received. The Red Cross, too, had cooperated with us in indorsing the need of a trained and expert cutting service, such as we provided.

The welfare of the children of Boston for this winter seemed to be one of the least things that those in office seemed to care about.

I said then and I repeat as all too true that the officials in charge were willing to send the children of Boston to a costume party dressed in sun suits and pillow slips.

I am sure any efforts you can make even at this late date to install a proper garment-making division in the Boston project will be most appreciated by all. I should be glad to confer with you on this and show you the entire records of the matter, if you should care to call on me.

The order was passed under suspension of the rule.

Adjourned at 5.15 p. m., on motion of Coun. ROBERTS, to meet on Monday, February 10, 1936, at 2 p. m.

CITY OF BOSTON.**Proceedings of City Council.**

Tuesday, February 4, 1936.

Meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., to give a hearing, under section 6 of chapter 486 of the Acts of 1909, on the proposed contracts with the Boston Consolidated Gas Company for furnishing gas and for the equipping and lighting of gas lamps.

Coun. DOWD presided in the absence of President Fitzgerald, and a quorum was present.

The clerk read the order under which the hearing was held, as follows:

Ordered, That in accordance with the provisions of section 6 of chapter 486 of the Acts of 1909, a public hearing be given by the City Council on Tuesday, February 4, 1936, at two o'clock p. m., on the proposed contracts with the Boston Consolidated Gas Company for furnishing gas, and for the equipment and lighting of gas lamps; and that the City Clerk be directed to give notice of said hearing by advertising the same in the daily newspapers and seven days before the date of said hearing in the *City Record*; the expense of said hearing and advertising to be charged to the appropriate items for City Council, Incidental Expenses.

Statements were made by Grace McKenzie McCarthy, Public Works Commissioner Christopher J. Carven and his assistant, Richard N. Power, and President D. D. Barnum, president of the Boston Consolidated Gas Company.

This closed the hearing.

Adjourned at 4.25 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 10, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Coun. GALLAGHER in the chair.

Absent, Coun. Gleason, Peter A. Murray and Roberts.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments, viz.:

Weigher of Goods: Edward C. Coulon, 1429A Cambridge street, Cambridge.

Weigher of Coal: Francis J. LeClair, 158 Bright street, Waltham.

Laid over a week under the law.

VETO OF SOUTH BOSTON RECREATIONAL CENTER.

The following was received:

City of Boston,
Office of the Mayor, February 5, 1936.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature the resolution adopted by your Honorable Body on February 3, 1936, favoring legislation authorizing the city to borrow \$500,000 outside the debt limit for the erection of a recreational center in South Boston provided that said legislation includes a referendum to the Mayor and the City Council. Were such legislation to be passed and then presented to the City Council and the Mayor for approval I should be compelled, because of the necessity not to add to the taxpayers' burden, to veto any order adopted by the Council in pursuance of such legislation.

It seems unfair, therefore, to give to the Legislature the impression that such legislation might be acceptable to the city when I am of opinion that the city cannot afford at the present time to expend a half million dollars for this purpose. For these reasons I am constrained to veto this resolution but I beg to add that the problem of providing a gymnasium combined with certain other municipal facilities for the South Boston district is now under examination by me and that I hope soon to be able to present a plan that will be acceptable to the City Council and pleasing to the residents of South Boston.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

VETO OF ORDER RE MAURICE J. POWER.

The following was received:

City of Boston,
Office of the Mayor, February 7, 1936.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature the order adopted by your Honorable Body on January 27, 1936, approving the enactment of legislation authorizing the crediting of certain service rendered by Maurice J. Power upon his eventual retirement, provided that such legislation includes a referendum to the Mayor and the City Council.

Maurice J. Power was formerly employed in the Treasury Department of the city from

November 1, 1906, to June 1, 1920, when he resigned for private reasons. On April 1, 1923, he returned to the employ of the city and is now first assistant assessor. Upon his return to the employ of the city he will be entitled upon his retirement (which would not occur until July 21, 1942) to have his retirement allowance computed only from April 1, 1923, the date of his return to the city service, but if the legislation referred to were passed the Retirement Board would be authorized to include in that computation his prior service to the city from 1906 to 1920.

I am constrained to veto this resolution as bad in policy as it would immediately open the door to a drive by all other present city employees who had formerly worked for the city, had been out of the service for a time and then returned to the city's employ after the Retirement Act went into effect. I am informed that there are 266 such persons in the employ of the city and it is obvious that the approval of this resolution and of the legislation suggested would establish a precedent which would be difficult to ignore if all of the other employees similarly situated should make similar requests. Presumably all of these employees resigned voluntarily, knowing what they were doing and all, I think, are exceedingly fortunate in having been reinstated to the city service. To grant the additional compensation which the resolution contemplates upon their retirement would be unfair to the taxpayer.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

SINGLE MEN ON SOLDIERS' RELIEF AT C. C. C. CAMPS.

The following was received:

City of Boston,
Office of the Mayor, February 4, 1936.
To the City Council.

Gentlemen,—I herewith transmit a letter from the Commissioner of the Soldiers' Relief Department, relative to your order of January 27, 1936, concerning the abandonment of the rule whereby single men who apply for soldiers' relief are obliged to serve at C. C. C. camps.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Soldiers' Relief Department,
February 3, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Sir,—I have your letter of January 30, 1936, with attached City Council order of January 27, 1936, to the effect that your Honor instruct the Commissioner of Soldiers' Relief to abandon the rule whereby single men who apply for soldiers' relief are obliged to serve at Civilian Conservation camps.

It has been the policy of this department to request single veterans who apply for assistance or who are on the rolls of this department to register for enrollment in the Civilian Conservation Corps, as we have considered such enrollments jobs for the veterans.

This has been practically the only source of employment open for single veterans.

Any veteran, however, who had a good reason not to enroll has been excused. For instance, if a veteran has other prospects of work in view, or is living with aged parents who have nobody else to care for them, it is not expected that he enroll in the Civilian Conservation Corps.

We have heard from many of the veterans who have been in the Civilian Conservation Corps camps and they have advised us that it has been a blessing for them to have the opportunity of enrollment.

It is my carefully considered opinion that it is for the best interests of all concerned

to retain this policy with respect to single veterans. If for any good and legitimate reason a veteran should not be expected to register for such enrollment, it is a perfectly simple matter to excuse him from doing so and in that event we are only too glad to assist him.

Respectfully yours,

CHARLES H. CAREY, Commissioner.

Placed on file.

RESTORATION TO WELFARE ROLLS.

The following was received:

City of Boston,

Office of the Mayor, February 6, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Overseers of the Public Welfare relative to your order of January 27, 1936, concerning a request to restore to Welfare Department rolls persons who were employed on E. R. A. and W. P. A. projects and who have since been laid off.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Overseers of the Public Welfare,

February 5, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—This is to acknowledge receipt of your communication of January 30, 1936, inclosing the following order from the City Council, dated January 27, 1936:

"Ordered, That the Overseers of Public Welfare be requested, through his Honor the Mayor, to immediately restore to their rolls for welfare aid persons who were employed on E. R. A. or W. P. A. projects and who have since been laid off."

It is the policy of this department to aid all persons living in the city who are in distress and this policy covers the E. R. A. and W. P. A. workers who have been released from their project work.

Yours truly,

JOHN C. L. DOWLING,

Executive Director.

Placed on file.

TRAFFIC SIGNALS, WARD 16.

The following was received:

City of Boston,

Office of the Mayor, February 6, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Traffic Commissioner, relative to your order of January 27, concerning the installation of traffic signals at certain locations in Ward 16.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Traffic Commission, February 5, 1936.

Hon. Frederick W. Mansfield,

Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated January 27, 1936, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals at the following locations in Ward 16:

Dorchester avenue, in front of the Gibson Street Playground.

Neponset avenue, in front of the Neponset Playground.

Adams street, in front of the Mary Hemenway Playground."

I regret to state that there are no funds available for the installation of traffic signals at these locations.

Respectfully yours,

WILLIAM P. HICKEY, Commissioner.

Placed on file.

PUBLIC WORKS DEPARTMENT TRUCKS.

The following was received:

City of Boston,

Office of the Mayor, February 5, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works, relative to your order of January 27, 1936, concerning Public Works Department trucks.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Public Works Department, February 5, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of January 30 with attached City Council order dated January 27, and reading as follows:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to advise the City Council:

1. The total number of trucks which will be under the supervision of the Public Works Department as and when the trucks included in the recent order passed by the City Council have been purchased. Answer: 259.

2. The number of men now available in the Public Works Department holding a civil service rating as chauffeur. Answer: 310. This number includes chauffeur-mechanics and chauffeur-laborers, also all persons operating motor equipment.

3. The location of each garage, whether public or private, where trucks owned by the city and under the supervision of the Public Works Department are now garaged, together with the monthly rate paid in each case. Answer:

Arborway Garage, 209 South street, Jamaica Plain, \$10.50. Barter Brothers Garage, 112 Tremont street, Brighton, \$17. Bay State Garage, 270 Main street, Charlestown, \$8. Centre Street Garage, 710 Centre street, Jamaica Plain, \$74. Chardon Street Garage, 80 Chardon street, Boston, \$18.50. Dailey's Garage, 628 Fourth street, South Boston, \$8. Dorchester Taxi Garage, 1089 Dorchester avenue, Dorchester, \$8. Dudley Street Garage, 350 Dudley street, Roxbury, \$81.50. Eagle Square Garage, 444 Chelsea street, East Boston, \$59.50. Eustis Square Garage, 1046 Harrison avenue, Boston, \$17. Fields Corner Garage, 236 Adams street, Dorchester, \$31.50. Forsyth Street Garage, 70 Forsyth street, Boston, \$9. Frank's Garage, 803 Shawmut avenue, Roxbury, \$8. Granite Avenue Garage, 17 Granite avenue, Dorchester, \$151. Griffin's Garage, 166 Pleasant street, Dorchester, \$9. Humboldt Garage, 126 Humboldt avenue, Roxbury, \$10.50. International Garage, 1443 Dorchester avenue, Dorchester, \$65. Jamaica Pond Garage, 740 Centre street, Jamaica Plain, \$18.50. John Manning, 2000 Washington street, Roxbury, \$104.50. J. J. McCarthy, 115 Boston street, Dorchester, \$27.50. Kiley & Powers, 337 Market street, Brighton, \$33. Mahoney's Garage, 1213 Hyde Park avenue, Hyde Park, \$26.50. H. J. Lennon Garage, 86 South street, Jamaica Plain, \$8. M. McGinnis Garage, 34 Brookley road, Jamaica Plain, \$21. Modern Garage, 222 Quincy street, Dorchester, \$175. O'Connor's, 726 Broadway, South Boston, \$47.50. O'Sullivan's Garage, 195 Bowdoin street, Dorchester, \$8. Parker Hill Garage, 30 Pontiac street, Roxbury, \$8. Pope's Hill Garage, 80 Neponset avenue, Dorchester, \$55. Roxbury Crossing Service Station, 1205 Columbus avenue, Roxbury, \$17. Roslindale Square Garage, 8 Robert street, Roslindale, \$17. Steeves' Garage, 450 Washington street, Dorchester, \$10.50. Terminal Garage, 85 Zeigler street, Roxbury, \$46. Townfield Garage, 21 Christopher street, Dorchester, \$8. Willow Court Garage, 21 Clapp street, Dorchester, \$19.50. Public Works Department

Garages, 624 Albany street, City Proper, 162 Hancock street, Dorchester.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

LOAN FOR SEWERAGE WORKS.

The following was received:

City of Boston,
Office of the Mayor, February 8, 1936.

To the City Council.

Gentlemen,—I have received from the Commissioner of Public Works a recommendation that a loan appropriation of \$1,000,000 be authorized for sewerage works. Under statutory provisions all construction work for sewerage purposes must be financed by a bond issue. The commissioner proposes, if his recommendation is approved, to apportion the loan in the following manner:

1. For sewerage works for the Federal Housing Project in Old Harbor Village \$200,000
 2. For sewerage works, catch-basins, manholes and small and emergency projects, and Calf Pasture pump replacements 249,000
 3. For sewerage works for a portion of W. P. A. projects for materials, equipment, supervision, etc. 249,000
 4. For general sewerage works requiring construction as soon as possible, as specified below 302,000
- \$1,000,000

I am advised by the City Auditor that on the 7th instant there was an unencumbered balance of approximately \$12,000 available for sewerage works. In view of the fact that the weekly charge for pay rolls against this loan is roughly \$4,000, the balance remaining will be exhausted before the end of the current month.

In view of existing financial conditions I cannot see my way clear to recommend an increase in the debt of the city to an amount which would be required to cover the entire program recommended by the Commissioner of Public Works. While a portion of this program must be carried out, I feel that other items may be deferred, especially that portion which provides for the construction of sewerage works in the section in South Boston where a Federal Housing Project is contemplated. From present indication considerable delay will attend the development of this project; consequently, it would appear inadvisable for the city at this time to incur debt for construction work in this area. After surveying carefully the entire program submitted by the commissioner, I am of the opinion that \$500,000 is the limit of the appropriation which should be made at this time. I submit herewith a loan order in this amount and respectfully recommend its adoption by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Ordered, That under the provisions of chapter 426 of the Acts of 1897, as amended by chapter 204 of the Acts of 1908, and by chapter 178 of the Acts of 1930, the sum of \$500,000 be, and hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, for Sewerage Works, and that 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.

BUNKER HILL MEMORIAL TABLETS.

The following was received:

City of Boston,
Office of the Mayor, February 8, 1936.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the chairman of the Art Commission in which he requests that his commission be authorized to expend a sum not in excess of \$9,000 from the income of the Phillips Street Fund for the improvement and embellishment of the Bunker Hill Memorial Tablets in Winthrop square, Charlestown. The Phillips Street Fund is a trust fund of the city which was established under the will of Jonathan Phillips who died in July, 1860, and who provided in his will that the sum of \$20,000 should be given to the City of Boston "as a Trust Fund, the income of which will be annually expended to adorn and embellish the streets and public places in said city."

At the present time there remains in the income of the Phillips Street Fund an unexpended balance of approximately \$11,500, a sum amply sufficient to cover the work proposed. In view of the historical importance of the tablets, and the fact that the contemplated work will greatly improve the general appearance of the square in which they are located, I feel that the work should be carried forward, especially since there is ample income in the proposed fund to cover the expenditure. I submit herewith an appropriation order making available the funds requested by the Art Commission and respectfully recommend its adoption by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Art Commission, February 6, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—This is a request that the sum of \$9,000 (nine thousand dollars) be appropriated and expended under the direction of the Art Commission for the improvement and embellishment of the Bunker Hill Memorial Tablets, Winthrop square, Charlestown, said amount to be charged, if deemed proper, to the Phillips Street Fund income.

The present bronze tablets bear the sacred names of the American soldiers killed in the first great battle of the American Revolution. At present these tablets are set on two inadequate cast-iron monuments which are in a shocking state of disrepair.

It is proposed to enframe the present tablets in bronze and set them on enduring granite. It is also proposed to widen the opening and steps between the two monuments. This would not only be a great improvement in itself but would also help to open up the vista of the noble shaft on Bunker Hill beyond.

The request to fix up the tablets came originally from the City Council. After careful and prolonged study we are now ready to act. Drawings have been prepared and estimates obtained. The proposed work has the approval of the Park Department.

If possible we would like to get going immediately so that the work may be completed before June 17, 1936, when a re-dedication of the tablets might be in order.

Respectfully yours,
ROBERT P. BELLOWS,
Chairman, Boston Art Commission.

Ordered, That the sum of \$9,000 be, and the same hereby is, appropriated, to be expended under the direction of the Art Commission, for Bunker Hill Memorial Tablets, Winthrop square, Charlestown, improvement and embellishment of, said amount to be charged to the income of the Phillips Street Fund.

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Morris Baker, for compensation for damage to car by city truck.

Joseph T. Canniff, for compensation for damage to car caused by an alleged defect in Charles street.

Morris Chasen, for compensation for damage to property at 2 and 4 Baird street, Dorchester, caused by bursting of water pipe.

Caroline Conroy, for compensation for injuries caused by city men shoveling snow.

Louis DeFant, for compensation for damage to car caused by fall of snow from roof of Mayhew School.

Dorchester Theatre Company, for compensation for damage to property at 1524 Dorchester avenue, caused by snow-removal machine.

Forest Hills Cemetery, for compensation for damage to property at Forest Hills Cemetery, caused by change of grade of land.

Mary Gabriel, for compensation for damage to property at 6 Ohio street, caused by backing up of sewage.

Francis H. Goodwin, for compensation for injuries caused by an alleged defect at Tynedale street and Belgrade avenue.

George W. Goodman, for compensation for damage to car by city car.

Katherine E. Ingersoll, for compensation for injuries caused by city men shoveling snow.

Annie Katz, for compensation for damage to coat by catching on ash can on Summer street.

Marie Matterna, for compensation for injuries caused by an alleged defect in Health Unit, East Boston.

Agnes McCann, for compensation for injuries caused by an alleged defect in Curtis Hall, Jamaica Plain.

Mrs. Vina Mednitsky, for compensation for injuries caused by an alleged defect in Boston Sanatorium.

Sulkin Spice Company, for compensation for damage to property caused by city car No. A4659.

L. A. Waltz, for compensation for glasses broken by patient at City Hospital.

Mrs. Virginia D'Agostino, for compensation for damage to property at 1 Emmons street, East Boston, caused by bursting of water pipe.

Joseph Locke, to be reimbursed for snow-removal job for which he was not paid.

Executive.

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

Joseph Verdi, East Boston High School, February 12.

Hazel Boone, Auditorium, February 13.

Sander Bieber, Sarah Greenwood School Hall, February 6.

DISMISSAL OF CONSTABLE.

Notice was received from the Mayor of dismissal of Sidney E. Sullivan, 7 Mt. Everett street, Dorchester, as constable of City of Boston at close of business, February 3, 1936.

Placed on file.

APPROVAL OF CHANGE IN P. W. PROJECT 8200.

Notice was received from the Emergency Finance Board of vote passed February 4 approving change in contract on Public Works Project 8200 for installation of a Police Communications System.

Placed on file.

MAYOR'S ABSENCE FROM CITY.

Notice was received from the Mayor of his absence from the city from February 9 to and including February 28.

Placed on file.

TEMPORARY ROUTE, EASTERN MASSACHUSETTS STREET RAILWAY COMPANY.

Notice was received from the Department of Public Utilities of order of said department granting temporary route to Eastern Massachusetts Street Railway Company on Chelsea street, between Chelsea-Boston boundary line and in and around City square; on Washington Street North, between City square and Haymarket square circle; also on Warren avenue, between City square and Warren Bridge, on Warren Bridge, on Beverly street, between Warren Bridge and Washington Street North.

Placed on file.

SIDEWALK ASSESSMENTS.

Communications were received from the Commissioner of Public Works together with orders assessing half cost of constructing sidewalks against owners of estates bordering thereon, viz.:

	Half Cost.
North Harvard street, Ward 22.....	\$615 74
Hobson street, Ward 22.....	743 38

The orders were severally passed.

EXCHANGE OF LAND WITH NEW ENGLAND TELEPHONE & TELEGRAPH COMPANY.

The following was received:

City of Boston,
Finance Commission,

February 6, 1936.

To the Honorable the City Council.

Gentlemen,—On December 9, 1935, Mayor Mansfield submitted a special message to the City Council, as it then existed, recommending what he described as "an exchange of land" between the City of Boston and the New England Telephone & Telegraph Company. This matter by reference of last year's council to you is now before you for action.

The Finance Commission does not believe that the so-called "exchange" on the terms suggested by the Mayor "is in the interests of the City of Boston," as the Mayor claimed it to be when he asked the Council to authorize it. The commission is rather inclined to believe that it is wholly in the interests of the New England Telephone & Telegraph Company, and that the Mayor has asked the Council to make a gift to that company which has a potential value of approximately \$120,000. The Finance Commission therefore recommends to your Honorable Body that you decline to approve "the so-called exchange" on the terms in which it has been presented to you.

The commission bases its recommendation on the following facts:

The "exchange" consists, on the one side, of the gift by the telephone company to the city of a narrow strip on the Chardon street side of a parcel occupied by the telephone company in Bowdoin square, bounded by Cambridge and Chardon streets; plus the gift for a widening of Pearl street of a 10-foot strip on Pearl street, between High and Franklin streets, property which the telephone company now owns. On the other side "the exchange" consists of a gift by the city to the telephone company of Perkins street in its entirety. Perkins street extends from Congress street to Pearl street and cuts in two a large area owned by the telephone company.

The telephone company indicates in a letter from Charles S. Pierce, its vice president and general counsel, to Mayor Mansfield, which is before you, that it is not the present inten-

tion of the telephone company to erect a new building on the land wanted. From the wording of the letter it is fair to assume that no building would be erected on it for some years. There is therefore no immediate prospect, if the deal is consummated, of furnishing an opportunity to citizens to earn additional wages. There is also no immediate prospect of new taxes to the city which would result from the erection of a new building.

When the telephone company built a new building at Cambridge and Chardon streets several years ago, the company set back the new building on the Chardon street side. So far as the city is concerned, it was a voluntary set-back. There was talk of the widening of Chardon street at the time as there had been before and has been since, but no definite action relating to it has been taken up to the present time. It is doubtful if, in the event Chardon street were widened, the best widening that might be possible would encroach on any part of the telephone company's lot. Though a sidewalk has been built over that portion of the telephone company's lot which is not used for its building, no obligation has been incurred by the city, and none need necessarily be incurred. The area of this portion is about 1,000 feet. Its value at the per foot rate of assessment just previous to the erection of the building was \$20,000. It should be borne in mind, however, that the determination that the widening of Chardon street should take place on the side occupied by the telephone company has only been made, so far as any official records reveal, by the telephone company itself.

In the matter of the Pearl street widening, again apparently it is the telephone company that first determined that Pearl street should be widened and that the widening should take place on the side owned by the telephone company. There has been no public demand for a widening of Pearl street. No public convenience would be served by such a widening. It is not a main thoroughfare. It is simply a short street leading from Post Office square to a point on Atlantic avenue which faces the center of a large mercantile block. Its traffic consists almost entirely of persons wishing to enter the buildings abutting on it. Without promotion by a selfish interest, it is probable that, for as far into the future as it is possible now to see, there would be no demand or necessity for its widening.

At the present time, therefore, or at any time in the future, the grant of a 10-foot strip on Pearl street by the telephone company to the city is not required by the city's needs. It will be of no value to the city if there is no widening of Pearl street except as public convenience and necessity determine that widening. The only value to the grant would be to the telephone company in carrying out whatever plan that company has for the future development of its property as, for instance, to permit the company to erect a building higher than would be permitted by law if the street remains at its present width. Widening streets simply to conform to plans of one abutter on a street should not be countenanced.

The order spoken of by the Mayor in his letter to you which the Street Commissioners passed on November 29, 1935, and which widened Chardon and Pearl streets only at the points where the telephone company's lots are located followed a letter of the vice-president of the telephone company to the Mayor dated November 25, 1935. In this letter Vice President Pierce stated, respecting the company's property on Chardon street, "the city ought to acquire the land"; respecting Pearl street, the letter stated "it ought to be eliminated." Four days later the Street Commissioners adopted an order complying with the telephone company's demand.

This order which was adopted so promptly after Mr. Pierce's letter was intended therefore

to pave the way for the making by the city of a very substantial gift to the telephone company.

Another feature of it is that it, in effect, accomplishes the commitment of the city to the widening of two streets which, if ratified by you now, at some future date will cost the city many hundreds of thousands of dollars. It also will commit the city to widen on the side where the telephone company owns. It need hardly be argued that no street widening should be permitted to be dictated by an interest outside the city corporation, and none should be started without a complete plan and without prospect of its fulfillment.

If the two street widenings mentioned are eliminated from consideration in the grant of Perkins street by the city to the telephone company, the only consideration left relates to what the city should receive for such a gift. The area of it is approximately 3,646 square feet. The average assessed value of the land bordering on it is \$33 per foot. At this average per foot value, Perkins street is worth \$120,318.

The Finance Commission believes the city should charge the telephone company approximately this amount of money for the sale of the street to the company. The commission believes the city should not commit itself either to the widening of Chardon street or of Pearl street as the telephone company has decided both should be widened. No consideration, therefore, should be given to an allowance by the city for the land that the telephone company has allowed to become used as Chardon street, nor to an allowance for the land which the telephone company has decided should become the widening of Pearl street.

The commission desires to point out that there have been instances in the past when abutting property owners were required to pay substantial sums to the city for the closing of public ways when such things were entirely in the interest of the abutters. In 1922, when the corporation which desired to erect the Chamber of Commerce building requested the city to close a portion of Leather court, the city acquiesced but on the insistence of Mayor Curley, who was in office at the time, the corporation was required to pay the city \$4,095.68 for the portion of the street closed and given by the city to the corporation. Later, when the corporation which desired to construct the Atlantic National Bank building requested the city to close up Bath street and a portion of Congress street, so that the corporation might use the land contained in those streets for its building, the city on the insistence of Mayor Curley collected \$43,000 for the land given to the corporation.

There is precedent, therefore, for the refusal by the city to close Perkins street without a large cash payment by the telephone company. If it is decided to close Perkins street for such a cash payment, it should be done in such a way that the city will be free to widen both Chardon and Pearl streets only when public convenience requires such widenings and in a manner not dictated by one property owner's selfish interest.

Respectfully submitted,
E. MARK SULLIVAN, Chairman,
PHILIP A. CHAPMAN,
ROBERT ROBINSON,
JAMES E. MAGUIRE,
JOSEPH A. SCOLPONETTI,
The Finance Commission.

Coun. JOHN I. FITZGERALD—Mr. President, I think each member of the City Council has a copy of this report on his desk. It is a very misleading document in reference to the land owned by the New England Telephone Company situated on Pearl street and Congress street and the land that they own on Chardon street. I don't know where the Finance Commission received its information from. There

is a paragraph in the report that they sent to the Mayor that I don't see here, stating that the Mayor—

Coun. TOBIN—Mr. Chairman, is there any business before the body at the present time?

Chairman GALLAGHER—The gentleman from the West End has the floor, and he is talking on a communication submitted by the Finance Commission.

Coun. TOBIN—Has the communication been placed on file?

Chairman GALLAGHER—Not as yet.

Coun. JOHN I. FITZGERALD—There is a paragraph in that communication wherein they intimate that the Mayor had an ulterior motive in connection with this proposed exchange of land. I will simply state that I personally am the one who was instrumental in trying to get this land taken, in view of the fact that it is in the district which I have the privilege of representing. They state in the communication that the widening of Chardon street was done without any written agreement with the City of Boston at that time. The truth of the matter is that the question of the widening of Chardon street was before the City Council, advocated by the present Governor, then Mayor of Boston, and later taken up by his successor, Malcolm Nichols, and the only reason why it did not go through was the widening of Stanford street to Chardon street. The telephone company were requested to place their line back, so that some of that land there could be used by the city, and they proceeded to do that and built a very fine building on Bowdoin square, placing many hundreds of men at work. They also went ahead on Chardon street, believing that the city would carry out its agreement. Harvard College—and we have in our membership a man who is treasurer of that institution—owns property across from the building on Chardon street, and agreed, in connection with the widening, to turn it over without extra cost more than the amount the land was assessed for. This was an agreement that should have been carried out by the city. The exchange of this land they claim is not an equal exchange. They say that the Pearl street land is of no use. There are many large real estate owners who own land on Pearl street that they intend to build upon at some future date. The Federal Reserve Company has built on Pearl street, and has left a large strip of land for widening the street, that they intend to give to the city gratis. The telephone company is going to do the same thing. The New England Telephone Company has been planning to put up a modern building as soon as this question is out of the way. There has been no ulterior motive on anybody's part. This is simply something that ought to be done. I have no hesitancy in standing up here for it. I favor and advocate the widening of Chardon street. I believe it can be done now cheaper than at any other time. The City of Boston should do progressive things. Just because there is a depression does not mean that we should stand still. I also think it is unfair of the Finance Commission to take it out of the members here. One of our members now is threatened with indictment. For what? For doing what every man in politics since the foundation of this country has always done. When a constituent approaches us and asks to be introduced to this, that or the other person, it has been the policy of everybody, since the foundation of this government and since the beginning of the world, to try to comply with a reasonable request. Every man occupying a position of trust, an elective office, is bothered by his constituents, friends and relatives, to be introduced to this, that or the other person. They may be trying to obtain a position, or something of the sort. But merely because a member of the City Council does a little favor of that sort, it is certainly unfair for the Finance Commission to take it out of him and make it appear that

he has been guilty of a dereliction of duty. Certainly, the Mayor, too, has been unfairly criticized in this matter. He has acted honestly. I first brought it to his attention, and until then he knew nothing about it. His only interest was to see that the necessary requirement was carried out. I spoke to his Honor the Mayor when a representative of the telephone company asked me, as a representative of that district in the Council, what should be done about it, and I arranged for him to have a talk with the Mayor, so that he could present the telephone company's side of the story. Then the Mayor sent his communication to the City Council. There was nothing wrong about it. He had nothing to do with it, except to look into it when it was brought to his attention. I take the responsibility. This is particularly a time when we should want to do things for this city. If the telephone company erects a modern building there, it will mean that thousands will be employed. As far as Perkins street is concerned this street extends from Congress street to Pearl street and the Pearl street end existed as a dead-end passageway as early as 1826. On January 23, 1826, a petition was presented to the city authorities by Benjamin L. Weld asking that an avenue for foot passengers be opened from Congress street to Pearl street, which was reported favorably but no action taken by the city until October 20, 1847, at which time it was voted to take this passageway as a street and pay to the owners thereof the sum of \$1,500. The passageway as sold to the city was 17 feet 2 inches wide at the Pearl street end and 12 feet at the Congress street end with a jog midway of about 5 feet. It was not until September 12, 1853, that it was named Perkins street and in December, 1853, the city widened the Congress street end easterly from Congress street for about 118 feet, thus eliminating the 5-foot jog and making Perkins street about 17 feet wide for its entire length, and the consideration paid for the land taken at that time was \$2,649.15. Perkins street in conjunction with Channing street and Wendell street was of considerable importance at one time, as they formed a continuous way from Federal street to Broad street and existed long before Franklin street. After the fire of 1872 Franklin street was extended from Federal street to Broad street and immediately Perkins street ceased to have any value except as a rear entrance for the surrounding buildings for loading and unloading freight. Recently the telephone company has acquired the entire block, bounded by High, Federal, Franklin and Pearl streets (with, of course, the exception of Perkins street), and have razed all the buildings except one at the corner of Pearl and Franklin streets and turned the entire area into an open-air parking space on both sides of Perkins street and as this street is not in the best condition it creates something of a menace to the city as it is still a public street and the city would be liable for accidents occurring if it could be shown that the construction was not good. In my opinion the street is now valueless to the city as a public way, but would be of value as taxable area if owned by private citizens, as it contains 3,646 square feet and the average assessment per foot in the entire block is in the neighborhood of \$18. The company wants to erect buildings. The original proposition was to build one gigantic building, but they have now changed their plans and wish to build three buildings. Nobody in Boston has objected to it. Hearings were advertised in the papers for three weeks, and nobody appeared in opposition. The Finance Commission said nothing. They didn't appear before the Committee on Public Lands when it was before the committee, but now, when it has been here for almost two months, they come forward with this statement. I believe they have been misinformed, and do not have a true picture of the situation. I want to say

again—and I am not a defender of the Mayor—that he knew nothing about the matter until I brought it to his attention. I also think it is unfair for the Finance Commission to take the attitude they do towards this corporation, which is proposing to do so much in this city. Certainly, if there is anything that is not right, it is very odd that it has not been brought out before this; and if there is anything that is not right, I would be the last one to stand in the way of a public hearing where the whole story might be told. I know nothing wrong about this matter, and I know that the Mayor does not, either. But certainly important improvements in this city at a time like this should not be stopped unless there is some good reason for it. In times of depression we should do everything we can to encourage important projects. I think we all have in mind occasions in the past where the City of Boston has given land so that building that would add to the business of our city and add to the taxes in our treasury might be put through. I have in mind the Boston Garden down there on Haverhill street, where land was turned over, simply because it did mean so much to our city. Some of us also remember when a very large tract of land was bought—I think \$125,000 was paid for it, and it was given to the Statler Hotel as a park. That was a very fine thing for the City of Boston. We also know what was done down at Tamworth street, and also at Winthrop square, in connection with the Boston American building. The city has done numerous things to help business, to help people who were ready and willing to spend hundreds of thousands of dollars in the erection of buildings. But now we have this storm raised about a very small matter, a case where the city is getting its money's worth and more, simply because there is a row between the Mayor and the Finance Commission, and the City Council are asked to stand idly by and do nothing to help in a project that will mean progress in this city.

The communication from the Finance Commission was placed on file.

Later in the session Coun. SHATTUCK said:

Mr. President, I ask unanimous consent to make a statement.

Chairman GALLAGHER—If there is no objection, the gentleman may proceed.

Coun. SHATTUCK—In the remarks of the gentleman from Ward 3 (Coun. Fitzgerald), earlier in this afternoon, there was a slight inaccuracy which I want to correct. He referred to some property on Chardon street, opposite the telephone building, belonging to Harvard College, and, as I understand, stated something to this effect, that the college had agreed, in connection with the widening, to turn the property over to the city without any extra cost beyond the amount the land was assessed for. While undoubtedly the college would be willing to turn it over for the assessed value, or substantially less, no agreement has been made or asked for. Therefore, I simply want to correct the record in that respect,—that no such agreement has been made or asked for.

CLEARING OF HIGHWAYS BY ELEVATED.

Coun. BRACKMAN offered the following: Ordered, That his Honor the Mayor request the Law Department to take action against the Boston Elevated for failure to comply with its contract for the clearing of snow from certain highways.

Coun. BRACKMAN—Mr. President, as I understand it, the Boston Elevated has had a contract with the City of Boston to clear certain highways in this city in the event of a snowstorm. Among those streets in my district, I believe, are Blue Hill avenue, Warren

street and Humboldt avenue. During the time that I have been in the Council the road has never removed snow from those highways, but the city has had to go in and do it with its own teams and men. Therefore, I think we should, through his Honor the Mayor, ask the Law Department to enforce that contract, and I think if such undertakings were enforced all over the city it would be much better all around.

Coun. WILSON—Mr. President, I am no defender of the Elevated, but I would suggest that this matter be referred to the Executive Committee and that we call in Commissioner Carven. It is my understanding, so far as the contract between the Elevated and the City is concerned, that there has been some sort of agreement between the two under which the Elevated has been removing snow from streets not included in the contract and certain streets that were included in the contract have been dropped. I think the councilor, and all of us, would like to know the exact set-up of that arrangement at the present time. I certainly would. Therefore, I would suggest reference to the Executive Committee and the calling in of Commissioner Carven.

Coun. BRACKMAN—Mr. President, if that is the situation I think we would all like to know it, because some of our streets are not being taken care of while others perhaps not so important are.

The order was referred to the Executive Committee, and Chairman GALLAGHER suggested that the City Messenger invite Public Works Commissioner Carven to attend the meeting of the committee.

SIGNAL LIGHTS, WARD 14.

Coun. ROSENBERG offered the following: Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install signal lights at the intersection of Washington street, Harvard and Bowdoin streets, Dorchester, Ward 14.

Coun. ROSENBERG—Mr. President, speaking on this particular order, it has been called to my attention that at the intersection of Washington, Harvard and Bowdoin streets, there have been within the last year three deaths and some twenty serious accidents. In view of that situation I have introduced this order, so that we may, if possible, have signal lights installed and cut down the future chance for such fatality and accidents. I notice that the newspapers of Boston have been conducting campaigns for safety driving, and one of the important adjuncts to such a campaign is the installation of signal lights at these danger points, not only in Dorchester but in other sections of our city, points where there is apt to be dangerous automobile traffic and congestion.

The order was passed under suspension of the rule.

WAITING BOOTHS, FRANKLIN PARK STATION.

Coun. ROSENBERG offered the following: Ordered, That the trustees of the Boston Elevated be requested, through his Honor the Mayor, to consider the advisability of enclosing the waiting booths at the Franklin Park station on Blue Hill avenue.

Passed under suspension of the rule.

INFORMATION FROM BOSTON CONSOLIDATED GAS COMPANY, LIGHTING OF STREETS BY GAS.

Coun. ROSENBERG offered the following: Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to secure for the City Council the following information from the Boston Consolidated Gas Company: What will be the cost per unit of furnishing light for the 9,500 gas lamps now in use, said lighting to be contracted for by the year?

Coun. ROSENBERG—Mr. President, speaking on this particular order, the proposed Boston Consolidated Gas Company's lighting contract has been submitted to the City Council and to the Lighting Committee, and a hearing was held within a few days on the matter by the City Council. I am not at the present time speaking either for or against the contract, but I notice that in the contract submitted to us the rate per unit for a five-year term was \$20.50; that for a three-year contract the rate per unit was \$21.66; and that under a third alternative of the contract, under which in the five-year term the number of gas lights could be reduced 50 per cent the price for one year for the 9,500 lights would be \$26.21, with the option that if the number was reduced 50 per cent in the second, third, fourth and fifth year, the price of the 4,750 gas lights retained would be \$26.21 per light; and then there was a fourth alternative of a three-year contract, with the option of reducing by 50 per cent the number of gas lights during the second and third years, the cost per light to be \$28.16 per year. At the public hearing held in the Council Chamber last Tuesday, the Commissioner of Public Works said that at the present time the City of Boston, operating on a month to month basis, is paying something like \$23.12 per unit, I believe, and that we would have a better figure if we had a contract for one year. We were also informed that if there was to be a change from gas light to electric light in the City of Boston it would take between six months and a year to transfer the service over. Therefore, I have introduced this order in order to learn what it would cost the city to have the gas contract for a period of one year.

The order was passed under suspension of the rule.

RENOVATION OF LOCKER BUILDING.

Coun. ROSENBERG offered the following:
Ordered, That the Park Commissioner, through his Honor the Mayor, be requested to consider the advisability of renovating the locker building on Franklin Field with W. P. A. funds.

Passed under suspension of the rule.

SURVEY OF LIGHTING CONDITIONS.

Coun. ROSENBERG offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to make a survey of the lighting conditions of the streets of the City of Boston and determine the street locations of overhead lighting service and also underground service. Also to determine the cost of replacing the 9,500 gas lamps now in use with electric lights.

Passed under suspension of the rule.

DISCONTINUANCE OF GROCERY ORDERS.

Coun. DOWD offered the following:
Ordered, That his Honor the Mayor request the Welfare Department to discontinue in its entirety the issuance of grocery orders to Welfare recipients.

Passed under suspension of the rule.

INFORMATION FROM PUBLIC WELFARE OVERSEERS.

Coun. DOWD offered the following:
Ordered, That his Honor the Mayor request the Overseers of the Public Welfare Department to submit to the City Council the financial make-up of the budget of three persons amounting to \$8.83.

Coun. DOWD—Mr. President, I am awfully anxious to determine just how the mathematicians or dietitians, presumably employed at a fairly decent salary by the Public Welfare Department arrived at this figure. I was also of the opinion that a family of three needed \$9 a week, until we found the figures set forth by the so-called mathematicians and dietitians who are on the pay roll of the city, paring that figure down, so that now, instead of \$9 a week, a family of three is to get but \$8.83, saving 17 cents on the family, as well as corresponding amounts on families of four, five, six, seven and eight. I say that whatever distinguished gentlemen or ladies arrived at this figure should certainly be given a gold medal by his Honor the Mayor and the Overseers of Public Welfare, because it was only a short time ago that Director Dowling appeared before the members of the Council and agreed with the Council that families of three, four and five could not really get proper nourishment on the amount of money paid out at the present time. And still we now find that these mathematicians and dietitians say that a family of three shall not get \$9 a week any more, but have cut it down to \$8.83. I am very anxious to find out how that is figured, to find out who the mathematicians and dietitians are, and it might be very interesting, when their salaries come up before us in the budget to place them on an \$8.83 a week basis and see if they can get along with it.

Coun. WILSON—I would suggest to the gentlemen that probably this is worked out along the lines of the pari-mutuels on the race tracks!

The order was passed under suspension of the rule.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor consider the advisability of increasing the allotment of money made to dependent aid cases by the Public Welfare Department as follows:

Present rate, one person, \$4 to \$5; suggested rate, one person, \$6; present rate, two persons, \$7; suggested rate, two persons, \$8; present rate, three persons, \$9; suggested rate, three persons, \$10; present rate, four persons, \$10; suggested rate, four persons, \$12; present rate, five persons, \$12; suggested rate, five persons, \$14; present rate, six persons, \$13; suggested rate, six persons, \$16; present rate, seven persons or over, \$15; suggested rate, seven persons or over, \$18.

Coun. DOWD—Mr. President, the schedule rates paid by the Welfare Department, according to statistics and records produced from all over this country show us conclusively that it is absolutely impossible for the poor people of Boston to exist on the money that they are being allowed at the present time. One person under the age of forty, in most cases, gets \$4 a week, and one person over forty \$5 a week. I would like to see the amount increased in one case from \$4 to \$5, and in the other case from \$5 to \$6. Two persons, according to the Welfare Department, get \$7 a week. I think that amount should be increased to \$8. Three persons get \$9 a week, and I should like to see them receive \$10. Four persons get \$10, and I think they are entitled to \$12. Five persons get \$12, according to the present rate, and I think they should be allowed \$14. Six persons now receive \$13, and I believe they should receive \$16. Seven persons or over get \$15, and I feel that they should get at least \$18. When you get above seven persons you have a sad picture—a mother and father with perhaps ten or more children, and receiving only \$15 a week, which is the limit. To my mind any fair-minded citizen knows that it is absolutely impossible for a family of such size to get along on \$15 a week, especially with the cost of foodstuffs rising as they have in the past few months. I think

\$18 is little enough for any such family to get along. It would mean approximately an increase in the Welfare budget of a million dollars a year, but I am firmly convinced that the time has come when this Mayor or the Mayor to be will be faced with one great problem, and that will be the feeding of the poor of Boston. Another problem, of course, is the health of the people of Boston, and a third problem is the retention of every city employee without the loss of a single cent in his pay. I do feel that from now on, while we have to stop borrowing money that we can possibly avoid borrowing inside or outside the debt limit, the attitude of any Mayor must be that the poor of Boston shall be properly clothed and fed. There is not an individual councilor who does not realize the seriousness of the situation in his dealing with his constituents. I suppose a family of ten will now be cut down by the mathematicians and dietitians to \$9.63! But I believe our taxpayers will certainly not object one iota to spending an extra million dollars even in these times for the proper care of those in this city who are less fortunate than themselves. Money must be spent to provide clothes and food for the unfortunates, and I certainly don't think the taxpayers will object to doing it. There are 26,000 of those poor souls on welfare today, and they should be better taken care of. I am merely asking that the Mayor see that this schedule is revised, so that we can get an increase ranging from 10 to 25 per cent.

The order was passed under suspension of the rule.

OLD AGE PENSIONS.

Coun. DOWD offered the following:

Ordered, That the Boston City Council memorialize its Congressmen and United States Senators requesting them to petition for Federal legislation for an old age pension in the amount of sixty dollars per month at the age of sixty years.

Coun. DOWD—Mr. President, I know that this Council has been against memorializing our Congressmen and United States Senators, but I think the time has come in the life of America when, both in Republican and Democratic national platforms, we must take a decided stand on the question of what we are going to do with the men and women of America who reach the age of sixty. We all know that today the man or woman even reaching the age of forty, when it comes to giving a job, is turned out on account of age. We have heard a great deal about the Townsend plan. I agree with it in some respects but not in others. I do say, however, that it would be worth while for the City Council to go on record as petitioning our Congressmen and our United States Senators to favor legislation whereby when a man or woman reaches the age of sixty, he or she shall receive an old age pension to the amount of \$60 per month. Even that is hardly enough for them to get along on. They cannot have luxuries on \$14 a week. The present state law provides a pension of \$35 a month, but that is nothing but a joke. You and I know that a man or woman of sixty or sixty-five requires medical attention and a different kind of food from that which we can eat. So that amount certainly is not sufficient. I would like, therefore, to have this Council go on record as saying that the people of Boston and of America believe in taking care of our men and women at least to this extent when they reach the age of sixty. With the stopping of the E. R. A. and the W. P. A. there must certainly be some alternative provided, and I certainly trust that we will go on record as in favor of allowing each man or woman of sixty, those who have reached the late years of their lives, a little comfort and luxury, so that here in Boston they may have something to look

forward to besides going to Long Island, dying down there

Chairman GALLAGHER—The order will be referred to the Committee on Rules.

Coun. DOWD—Mr. President.

Chairman GALLAGHER—No debate is in order under the rules.

Coun. DOWD—Mr. President, with unanimous consent I would like to make a statement. I believe this is one order, at least, that should not be treated in that manner, and I would like to see the members of the Council go on record upon it. Never since I have been a member of the Council have I appealed from a decision of the Chair, but this is one law I am interested in and one law that I am not going to allow to be pigeonholed. I am certain that if my father and mother were both living and I was not in a position to take care of them, I would not want to have them die in the poorhouse. This Government owes something to our old people, and, therefore, I am going to ask for suspension of the rule and the passage of the order.

Chairman GALLAGHER—The Chair will say that the rule cannot be suspended, and that under Rule 12 there is no appeal.

Coun. DOWD—I move you, sir, that the chairman of the Committee on Rules be instructed by you in your wisdom to call a meeting of the committee immediately so that we can act on this this afternoon.

Chairman GALLAGHER—The Chair will take the matter up with the Committee on Rules.

PROPOSED RESCISSION OF SECTION 40, CHAPTER 271.

Coun. DOWD offered the following:

Ordered, That the Legislative Committee of the Boston City Council be requested to petition the Legislature to rescind section 40, chapter 271, of the General Laws of Massachusetts.

Coun. DOWD—Mr. President, the law referred to is a law on our statute books which forbids any governor, lieutenant-governor, member of the Legislature, councilor or other elected official, anybody in public life, to appeal to any public utility company on behalf of anybody who wishes a position or who desires reinstatement as an employee in such a company. That law has been on the books for some time. As a matter of fact, there is hardly a man in public life who has not violated the provisions of that law. I have done so in behalf of constituents of mine whom I wished to have placed in the Edison company, the gas company, the telephone company, or some other corporation, appealing on behalf of constituents who needed work. That law, however, says that if we do so our action is punishable by fine of \$50 or \$80 or imprisonment. However, the law is simply a joke and should be removed from the statute books of this state. In other words, am I, in public office, to be penalized because I make such an appeal on behalf of somebody whom I know is worthy and qualified, and in dire need? Time after time I have so appealed, and there has been no prosecution of myself or anybody else. Therefore, I am asking our Legislative Committee to petition for legislation to rescind this law, so that you and I and any man in public life can so act in such cases without fear of being placed in jail for soliciting a job.

The order was referred to the Committee on Legislative Matters.

FINANCIAL STANDING OF FUEL CONTRACTORS.

Coun. WILSON offered the following:

Ordered, That the Superintendent of Supplies be requested, through his Honor the Mayor, in calling for 1936 bids for the fur-

nishing of fuel to needy families through the Public Welfare Department, to require on all proposals definite information as to the financial standing, number of available trucks and, in general, the ability of prospective fuel contractors to comply with contract requirements both honestly and promptly.

Coun. WILSON—Mr. President, I am encouraged in offering such an order today because, while we were told a week ago by the Superintendent of Supplies that, although he had been in office since the first of November, no City Council orders had been transferred from the Mayor's office to him, I now bear in mind that the Mayor is out of town and under our present Acting Mayor this might go through and the order might be placed in the possession of the Superintendent of Supplies. I have in mind what was brought out last week. The situation has not improved. I received, under date of January 9, the following letter:

"I am asking you to please help us get some good coal because these black rocks and slate stop up the stove, and will not burn, and lots of coal dust is mixed in with it. We have put up with this since the season started. It is a shame to put such stuff on us because we are poor. It is a shame to use the city money to pay for such stuff. All in this district are complaining. So I ask for the sake of all, please help us if you can. Mr. Gleason is the person I should write to, but he is too sick and I respect him. Will you turn this letter over to the proper person? It will be a great favor. The stuff called coal was sent from Babcock Coal Company. You should see such stuff.

Signed, A Poor Welfare Family, Roxbury, Mass."

I offer that today, especially in view of the fact that I want Mr. Doherty to receive the letter from the Mayor's office, and the letter itself I desire to have placed in the record.

The order was passed under suspension of the rule.

NEW BUILDING CODE.

Coun. WILSON offered the following:

Ordered, That the Committee on Legislative Matters of the City Council be instructed to at once consider the advisability of opposing the enactment of House Bill 1273, concerning a proposed new building code for the City of Boston.

Coun. WILSON—Mr. President, I offer this order so that the Committee on Legislative Matters of the City Council may be instructed to take action which will perhaps have some effect in the guidance of the Legislature on this matter. I hope the committee will act with reasonable promptness, because this involves the building law of the City of Boston. If I am correctly informed, this particular bill gives to some eight men the power to make a law concerning the requirements of the City of Boston in this matter. The bill comprises fifty-eight pages and the rules and regulations incorporated cover thirty-two chapters and some three hundred pages. I believe, from the information I have received, that the bill should not pass. In the first place, if we are to have such a bill it should be a state-wide law, and not aimed at the City of Boston, bearing in mind that most cities and towns have no building law, while Boston has a very excellent building law at present. In the second place, the thirty-two chapters of rules and regulations should be incorporated into the bill and printed and given to the public to look over, analyze and be heard. It should be available for public study and examination. Third, I believe if this bill is passed, a referendum should be attached to it to be passed upon by the City of Boston on election day. Again, while the figures may not be wholly correct, there are estimates to the effect that if this particular bill should pass in reference to the City of Boston, we may expect to see the fire insurance rates on every building in Boston raised possibly 33-1-3 per cent.

The order was referred to the Committee on Legislative Matters.

HIGH FREQUENCY ACCIDENT INTERSECTIONS.

Coun. NORTON offered the following:

Ordered, That the Mayor consider the advisability of requesting a W. P. A. study be made of the 150 high frequency accident intersections in Boston.

Coun. NORTON—Mr. President, I feel that when such a study is made it will result in pointing out these high-frequency accident intersections. It would certainly seem to be an extremely valuable piece of work.

The order was passed under suspension of the rule.

INFORMATION FROM DAVID B. SHAW.

Coun. NORTON offered the following:

Ordered, That Election Commissioner David B. Shaw, through his Honor the Mayor, be requested to advise the Council in reference to Superintendent Patrick Campbell's statement that Boston's elementary school enrollment was declining because people were moving to the suburbs, inasmuch as Commissioner Shaw recently reported Boston's population had actually increased to a total of 820,190.

Coun. NORTON—Mr. President, on May 31, 1935, last, I received from the chief of the population division of the Department of Commerce the latest figures for Boston, showing a population of 781,000. Mr. Shaw's survey, in which 475 persons were employed and which cost the city \$53,000, showed, as he claims, that instead of actually decreasing, as the Federal statisticians claimed, the population of Boston has increased and now stands at 820,190. I am asking Mr. Shaw for his proof of these figures. Of course, on such a huge undertaking there is little or no proof. But here are the Federal statisticians, working under Uncle Sam, who give us the figure of 781,000, and our Superintendent of Schools, Mr. Patrick T. Campbell, also states that there is a noticeable movement of children into the suburbs from Boston, causing a decrease in elementary school attendance, showing a decrease in Boston's population. Only yesterday I had a little squabble with the Honorable David B. Shaw on the matter of population and asked him to be kind enough to answer Superintendent Campbell.

The order was passed under suspension of the rule.

CLOTHES-MAKING PROJECT.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of requesting the W. P. A. officials to start a clothes-making project in Boston.

Coun. NORTON—Mr. President, we are one of the very few large cities that have no such project. Certainly, with 25,000 children in the schools improperly clothed in the winter period and with most of the other large cities carrying on such projects, we should fall in line, considering the great importance of the matter. If other cities can have such clothes-making projects, we should certainly start one here.

The order was passed under suspension of the rule.

PAYMENT OF OWNERS OF TRUCKS.

Coun. NORTON offered the following:

Ordered, That the Public Works Commissioner, through his Honor the Mayor, be requested to furnish the Council with information relative to the manner in which owners of trucks, working in the last snowstorm, were paid off by private contractors for work on Boston's streets.

Coun. NORTON—Mr. President, I understand that some of these men who did sixty hours work with their trucks got paid for forty of them, not only one but a dozen have complained. I think that men who went out

at midnight in the cold and struggled with the snowstorm are entitled to get paid for what they did. I suppose we could hear the story in executive session, and I would respectfully ask that the messenger be instructed to invite the Commissioner of Public Works to the executive session of the Council.

The order was passed under suspension of the rule.

Chairman GALLAGHER—The City Messenger will invite the Commissioner of Public Works to be present at our meeting.

NO MORE ENTRANTS INTO TEACHERS COLLEGE.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of requesting the Boston School Committee to consider the advisability of arranging for no more entrance classes into Boston's Teachers College until the 1,000 or more teachers now unemployed are provided for.

Coun. NORTON—Mr. President, I see no reason for admitting more young people into our Boston Teachers College until the 1,000 unemployed teachers already graduated have been provided for. The superintendent has admitted that only a handful of teachers can be hired in Boston for years to come, perhaps in our lifetime. It is time for us to face the problem. Councilor Dowd has spoken of feeding the poor. I hope he sticks to his idea that no more money will be raised outside the debt limit. Of course, we are here to serve the people, and here is the situation that confronts us in this matter. If we allow our young people to enter the Teachers College next year, it will be in the face of the fact that a thousand have at the present time been graduated from that college, at a cost of perhaps a million dollars, and with little possibility of obtaining teaching work in their lifetime.

The order was passed under suspension of the rule.

INFORMATION FROM CORPORATION COUNSEL.

Coun. NORTON offered the following:

Ordered, That the Corporation Counsel, through his Honor the Mayor, be requested to furnish the Council with the following information:

"Did the city, in the recent Gas Company case before the Massachusetts Department of Public Utilities claim that the Gas Company property was over-valued and before the Massachusetts Board of Tax Appeals claim that it was under-valued?"

"Did the city, in the Gas Company case, request a reduction in rates in the petition as filed?"

Coun. NORTON—Mr. President, I have been informed, although I have not had time to look it up, that the city did not ask the Department of Public Utilities to decrease the present gas rate structure in Boston; furthermore, that the city, at the very time when it was contending before the Department of Public Utilities that the property of the Boston Consolidated Gas Company was over-valued, before the Massachusetts Department of Tax Appeals was claiming that the company's property was under-valued. In other words, the Department of Public Utilities states, under date of January 28, 1936:

"The fact that the Mayor of Boston, in cases involving the gas company's property before the State Board of Tax Appeals, resisted the company's petitions for substantial abatements in taxable valuations, appears inconsistent with the position which he has taken before this department in this case."

I am merely asking in this order that the Corporation Counsel inform the Council regarding these apparent inconsistencies.

The order was passed under suspension of the rule.

FOOD ORDERS FOR WELFARE RECIPIENTS.

Coun. AGNEW offered the following:
Ordered, That the Welfare Department be requested, through his Honor the Mayor, to increase the allowance on food orders for welfare recipients.

Passed under suspension of the rule.

WARD 6 IMPROVEMENTS.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement O street, Ward 6.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement East Fifth street, Ward 6.

Severally passed under suspension of the rule.

RECESS.

The Council voted at 3.15 p. m., on motion of Coun. MELLEN, 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 Chairman GALLAGHER at 4.26 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. GALLAGHER, 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.:

Joseph Verdi, East Boston High School, February 12; Hazel Boone, Auditorium, February 13; Sander Bieber, Sarah Greenwood School Hall, February 6,—recommending that leave be granted on usual conditions.

Report accepted; leave granted on usual conditions.

2. Report on message of Mayor and order (referred today) for appropriation of \$9,000 from Phillips Fund for Bunker Hill Memorial Tablets—that same ought to pass.

Report accepted; said order passed, yeas 15, nays 0.

CONFIRMATION OF EXECUTIVE APPOINTMENT.

Coun. FINLEY called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor February 4, 1936, of Myers Rosenberg and John E. Desmond to be Constables, without authority to serve civil process and to serve without bond.

The question came on confirmation. Committee, Coun. Finley and Mellen. Whole number of ballots 15, yeas 14, no 1, and the appointments were confirmed.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. SELVITELLA, Acting Chairman, submitted the following report, viz.:

1. Report on petition (referred December 9, 1935) of Boston Elevated Railway to operate motor vehicles between junction of Hyde Park avenue and Pine street and Dedham line,—recommending that leave be granted.

Report accepted; leave granted under usual conditions.

FENCE ALONG NEW HAVEN
TRACKS.

Coun. McGRATH offered the following:

Ordered, That the New York, New Haven & Hartford Railroad Company be requested, through his Honor the Mayor, to construct a right of way with a seven-foot guard fence along its tracks from Harrison square to the Savin Hill Playground in Dorchester, said right of way to be open to the public, also a seven-foot fence to be erected upon the request of the Mayor at any location along the railroad right of way considered hazardous to the safety of children.

Coun. McGRATH—Mr. President, about a week ago in my district two children walking along the railroad tracks were killed. There is no fence there, and it is a short cut to the Savin Hill Playground, having been as a matter of custom so used for years. Therefore, I ask the Mayor at this time to request the New Haven road to build a 7-foot fence there in the Harrison square section, or in any other part of Boston where there are similar conditions, to protect the lives of children and others who might otherwise be killed. There and at the Columbia Station there is absolutely no protection to children taking these short cuts. I think this is a good order to pass.

The order was passed under suspension of the rule.

UNREGISTERED TRUCKS IN SNOW
REMOVAL.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, not to pay for the use of unregistered trucks or improperly registered trucks on snow-removal work.

Passed under suspension of the rule.

AUTOMATIC TRAFFIC SIGNALS.

Coun. McGRATH offered the following:

Ordered, That the sum of \$50,000 be, and the same hereby is, appropriated, to be expended under the direction of the Boston Traffic Commission, for automatic traffic signals at various intersections and points in Dorchester and in other suburban sections of the city, 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 the said amount.

Coun. McGRATH—Mr. President, I have listened in my short experience in the Council to orders that have been introduced for traffic lights upon which a report seems to continually come back from the Traffic Commission that there are "no funds." I introduced an order here about three weeks ago asking that a traffic light be set up near St. Ann's and St. Mark's churches, in my district. The report came back that there was not sufficient traffic on Dorchester avenue near St. Mark's Church to call for a traffic light. Within six months two women have been killed there, and last week a little girl was injured. I have therefore introduced this order, not only for the benefit of my section, but to perhaps help out the rest of the councilors, to borrow this money so that these lights may be installed where needed. In my district, which has approximately 18,000 voters and a large population, we have no traffic lights. I think we are entitled to better recognition. While we all want to protect the taxpayers in our city, we must also look out for the reasonable protection of our people in this respect. I am speaking for the other members as well as myself when I ask that this order be passed.

The order was referred to the Committee on Finance.

Adjourned, at 4.36 p. m., on motion of Coun. PETER J. FITZGERALD, to meet on Monday, February 17, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 17, 1936.

Regular meeting of City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent Coun. Dowd, Gleason, Peter A. Murray, Norton, Roberts, Shattuck, Tobin, Wilson.

VETERANS RECEIVING SOLDIERS' BONUS.

The following was received:

City of Boston,

Office of the Mayor, February 17, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Soldiers' Relief Commissioner relative to your order of February 3, 1936, concerning a request not to strike from the relief rolls of the Soldiers' Relief Department, under certain circumstances, veterans who receive the soldiers' bonus.

Respectfully,

JOHN I. FITZGERALD, Acting Mayor.

City of Boston,

Soldiers' Relief Department,

February 14, 1936.

Hon. Frederick W. Mansfield,

Mayor of Boston.

Sir,—The City Council order, dated February 3, 1936, which provides that the Commissioner of Soldiers' Relief, through your Honor the Mayor, be requested not to strike from the relief rolls veterans who receive the soldiers' bonus, but who are in debt for legitimate purposes, and that before any veteran is stricken from the rolls a careful investigation be made of his financial condition, and which was forwarded to me recently, has been carefully studied.

I believe the most practical and best possible procedure that can be followed with respect to this matter is the plan this department has intended to put in effect. This method has worked well in the past when similar situations have been encountered and I think it is absolutely fair to the veteran and at the same time guarantees protection to the department.

By this policy the veteran is expected to maintain himself and his family for as long a period as possible upon receipt of the bonus. After the money has been exhausted by legitimate and reasonable expenditures, and the veteran is again in a condition of actual need, for which he himself is not responsible, he may make application for reinstatement. His case will then receive individual and separate consideration, based on the facts as they are presented.

We intend to maintain a just and reasonable attitude in our consideration of these cases so that justice will be assured the veteran and protection will be guaranteed the department. Upon application to the department after the money has been expended, the veteran will be required to produce evidence to show how he has spent the money.

I feel that the procedure outlined presents the fairest and best method of meeting the situation.

Respectfully yours,

CHARLES H. CAREY, Commissioner.

Placed on file.

DORCHESTER—SOUTH BOSTON BUS LINE.

The following was received:

City of Boston,

Office of the Mayor, February 17, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the trustees of the Boston Elevated Railway relative to your order of February 3, 1936, concerning the establishment of a bus line to run through certain sections of Dorchester and South Boston during the summer months.

Respectfully,

JOHN I. FITZGERALD, Acting Mayor.

Boston, February 14, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—Replying to your letter of February 8, with copy of order of the City Council, requesting establishment of a bus line from Morton street and Blue Hill avenue to run along Blue Hill avenue to Columbia road, through Edward Everett square, and terminating at City Point, during the summer months, we have previously received similar requests and filed petition with the City Council in 1924, 1925 and 1930 for license to operate bus service over approximately the same route during the summer months. These petitions have never been granted.

Very truly yours,

EDWARD DANA,

Executive Vice President and General Manager.

Placed on file.

WAITING ROOM, SOUTH SYDNEY STREET.

The following was received:

City of Boston,

Office of the Mayor, February 13, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the trustees of the Boston Elevated Railway, relative to your order of February 3, 1936, concerning the erection of a waiting room at the bus terminal located on South Sydney street, at the Savin Hill Station of the Dorchester Rapid Transit line.

Respectfully,

JOHN I. FITZGERALD, Acting Mayor.

Boston, February 11, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—Replying to your letter of February 8, with copy of order of the City Council, requesting erection of a waiting room at the bus terminal located on South Sydney street, at the Savin Hill Station of the Dorchester Rapid Transit, we had, previous to the receipt of your letter, taken the matter up with the Transit Department, and arrangements have been made with that department for the erection of a wind-break at the Savin Hill Station.

Very truly yours,

EDWARD DANA,

Executive Vice President and General Manager.

Placed on file.

SCHOOL SITUATION IN SOUTH BOSTON DISTRICT.

City of Boston,

Office of the Mayor, February 14, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Schools, Mr. Patrick T. Campbell, relative to your order of February 8, 1936, concerning the school situation in the South Boston district.

Respectfully,

JOHN I. FITZGERALD, Acting Mayor.

City of Boston,
School Committee, February 13, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.
Dear Sir.—In reply to the order of the City
Council adopted the third day of February,
may I report that the superintendent has
had conferences with representatives of vari-
ous organizations in South Boston and has
already entered upon an investigation of the
whole situation as it affects the children of
the South Boston district.

Sincerely yours,
PATRICK T. CAMPBELL,
Superintendent of Public Schools.
Placed on file.

PETITIONS REFERRED.

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

Claims.

Earl Alban, for compensation for damage
to car by city truck.

Agnes E. Bigelow, trustee, for compensa-
tion for damage to property at 94 Bay State
road, caused by city truck.

Jacob Breyan, for refund on refuse tickets.
Bristol County Trust, for compensation for
damage to property at 51 Park Drive, caused
by break in water pipe.

Colonial Theatre, for refund on refuse
tickets.

M. C. Driscoll, for compensation for dam-
age to property at 152 Washington street,
caused by bursting of water main.

Robert T. Fowler, for reimbursement for
expenses incurred in repairing sewer at 25
March avenue, West Roxbury.

Josephine Harrison, for compensation for
injuries caused by an alleged defect in
Brighton High School Gymnasium.

John Laffey, to be reimbursed for money
due him for snow removal.

Charles D. Malagruti, for refund on build-
ing permit.

Madeline Mattered, for compensation for in-
juries caused by being hurt at Health Unit,
East Boston.

Louis J. Murray, for compensation for dam-
age to car by city truck.

T. Noonan & Sons Co., for refund on refuse
tickets.

James E. Norcross, for refund on building
permit fee.

Anthony Pell, for compensation for injuries
caused by city truck.

John Schwartz, for compensation for dam-
age to truck by city truck.

Alexander J. Sutherland, for compensation
for injuries caused by an alleged defect at
362 Columbus avenue.

William Whoriskey, for compensation for
damage to car by city truck.

PERMITS FOR CHILDREN.

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

R. H. White Company, R. H. White Hall,
February 15.

Anna M. Greene, Current Events Hall, Feb-
ruary 21.

The Council voted to grant permits under
usual conditions.

REINSTATEMENT OF JOSEPH F. FLYNN.

Notice was received from the Board of
Assessors of the appointment of Joseph F.
Flynn, 63 Ottawa street, Roxbury, as second
assistant assessor.

Placed on file.

FRANKLIN FIELD TENNIS COURTS.

Coun. ROSENBERG offered the following:
Ordered, That the Park Commissioner be
requested, through his Honor the Mayor, to

resurface the tennis courts at Franklin Field
and also to have the courts screen-enclosed.

Coun. ROSENBERG—Mr. President, I have
introduced this particular order asking that
the tennis courts at Franklin Field be re-
surfaced and that the courts be inclosed with
a screen, due to the fact that this coming
summer there is going to be held in the City
of Boston the National Playground Gym-
nasium tennis tournament. I introduced the
order that it take place on Franklin Field.
In order that they may be able to carry out
the tournament on the field without inter-
ference by spectators it is necessary to have
the courts screened and it is also necessary
for the holding of the tournament that the
surface of the tennis courts be placed in
proper condition. So this will be not only
beneficial for those participating in the tourna-
ment but also for the spectators; and it will
also result in having W. P. A. men put on
constructive work rather than simply picking
up leaves or digging mudholes.

The order passed under suspension of the
rule.

RESURFACING OF NIGHTINGALE STREET.

Coun. ROSENBERG offered the following:
Ordered, That the Commissioner of the
Public Works Department be requested,
through his Honor the Mayor, to resurface
with smooth paving, Nightingale street, Ward
14.

Passed under suspension of the rule.

OVERHEAD PASS FROM BLUE HILL AVENUE.

Coun. ROSENBERG offered the following:
Ordered, That the Commissioner of the
Public Works Department be requested,
through his Honor the Mayor, to consider
the advisability of the erection of an over-
head pass leading from Blue Hill avenue,
facing Hosmer street, and extending up to
Duke street, for the safety and convenience
of the children attending the Solomon Lewen-
berg School on Outlook road, Dorchester,
Ward 14.

Coun. ROSENBERG—Mr. President, this
order is introduced in the interest of the safety
and convenience of the children attending the
Solomon Lewenberg Junior High School in
Mattapan, near the Wellington Hill section.
They have to travel from the lower end of
the section about half a mile before they can
reach that part of the hill. For years there
has been agitation by the parents of the chil-
dren for some convenient way of getting to
and from the school, by means of such an
overhead pass from Blue Hill avenue, facing
Hosmer street, and extending up to Duke
street, on the hill. This proposed overhead
pass will be also for the general convenience.
I trust, therefore, that the order will pass
under suspension of the rule.

The order was passed under suspension of
the rule.

HIRING OF TRUCKS AND EMERGENCY EMPLOYEES.

Coun. ROSENBERG offered the following:
Ordered, That the Commissioner of Public
Works be instructed, through his Honor the
Mayor, to give preference to Boston residents
in the hiring of trucks for snow removal or
other emergency work.

Ordered, That his Honor the Mayor con-
sider the advisability of having all emergency
employees hired through the Municipal Employ-
ment Bureau.

Coun. ROSENBERG—Mr. President, I be-
lieve these last two orders I have introduced
deal with a subject that has probably caused
more trouble than anything else that the
members of the Council have had to deal with
recently. When it comes to hiring trucks for

snow removal or other emergency work, when we met in executive session with Commissioner Carven, we found that there were men who came in before us making complaints that they had not received just compensation for work they had done, and we found that they were residents of Needham. It has also been called to my attention that hundreds of taxpayers and residents of Boston who own trucks that they desire to have the city hire under such conditions, have been unable to place their trucks, while nonresidents of the city have been able to let their trucks to the city for snow removal and other emergency work. I believe that preference should certainly be given to the residents of Boston, men who pay taxes to the city and who should receive whatever benefit can be obtained in matters of this kind. Of course, at times, when there are no more trucks owned by residents of Boston available, it is then all right to consider hiring out-of-town trucks. With reference to the hiring of help, I understand also from Mr. Warren of the Municipal Employment Bureau that the contractors have been hiring trucks and workers from outside the city. We all fully recognize the fact that we have thousands of unemployed in Boston anxious to earn a livelihood, and certainly under such conditions those people should be given preference to outsiders. I believe something should be done to see that residents of Boston are given preference over those from outside the city. I believe also that his Honor the Mayor should consider the advisability of having all emergency employees hired through the Municipal Employment Bureau. That method would certainly relieve the burden now placed on councilors, who have assigned to them the hiring each of 100 men, who are given buttons. Complaint has been made in the newspapers about the present system, and we have just seen an editorial in the *Boston Record*, as follows:

"GIVE JOBS TO NEEDY.

They say it never rains but it pours, and every time it snows Boston is visited by a blizzard of complaints, accusations and charges.

It would seem that with the thousands of Boston streets and sidewalks buried inches deep in snow there would be plenty of jobs for all those who wish to get out and swing a shovel.

But while complaints pour into City Hall over failure to clear streets in the residential districts, men who have tried and failed to get snow-shovelling jobs charge that the only men hired are those who can show credentials from certain City Councilors.

With conditions as they are, both as to unemployment and the condition of the streets, this is no time to play favorites. Give the jobs to those who need them, regardless of whom they may know politically."

It really places an unjust burden on members of the Council, when each of us may know of 1,000 men anxious to obtain such work and we have only a few buttons to hand out. I believe the best way to handle this matter is to send the men down to the Municipal Employment Office. We have such a department in our city, and let us use it. Let them hire the men and send them out to the yards, not placing the burden on the councilors who at best can only put a handful to work, while there is an army waiting to get work. I know myself the situation out in the Hancock street yard. I had 100 buttons to hand out and probably could have handed out 2,000 to men who wanted the work, and the same, I know, is true of the other members of the Council. We were able to place only comparatively few at work, and a vast number of others were unable to get the work. I believe the whole thing could be handled in a much better way by registration at the Municipal Employment Office. Mr. Warren says he will be only too glad to cooperate, but up to the present time he has not had the cooperation of the contractors in hiring Boston men. I certainly

think something should be done to place Boston men at work, and I also believe that this burden should be taken from the shoulders of the councilors. By having the thing worked out in a better and more systematic way we would not have doors broken in, porches broken down, and all that sort of thing. I believe it would be better all around, that the thing could be carried out in a more efficient and proper way through registration and examination of the needs of the applicants, and that we then would not have a repetition of the scenes we have witnessed in the different districts.

Coun. MELLEEN—Mr. President, I also have talked with Mr. Warren, and he has told me that he could not get full cooperation with the contractors in the matter of snow removal. But I disagree with the gentleman who has just spoken when he wishes to pass the buck to Mr. Warren, because Mr. Warren admits that the contractors will not cooperate with him in hiring men for snow removal. I think some of the councilors at least are in entire accord with the idea of members of this body each putting on men, even if only a few. While there may be 5,000 to be taken care of through the Municipal Bureau or otherwise, each councilor can at least take care of 100 men in his district and thereby help to that extent. We are not able to place enough men in jobs to meet the serious situation that we know exists, and, speaking for myself, I am entirely in favor of getting all the buttons that I can.

Coun. McGRATH—Mr. President, I have been through the same thing as the other councilors in this matter, and I think probably the whole thing can be handled in a much better way than it has been. We know that there are thousands of deserving men anxiously seeking this work. Instead of putting on a comparatively few for a week let us put on a large number say, for a couple of days, giving some work to a large number of men. I think the situation would be much better taken care of in that way. If the contractors are unfair and will not properly cooperate, I think action by the Municipal Employment Bureau would relieve that situation. I know that I had 875 names at 6 o'clock Friday night with but 100 buttons to take care of them. I think the rest of the councilors were in the same position. So I think the better plan would be to put them all on for a day or two, rather than putting a few on for a week.

Coun. PETER A. FITZGERALD—Mr. President, I filed an order a few weeks ago requesting his Honor the Mayor to require the contractors hiring help to go to the Municipal Employment Bureau. But apparently the contractor is the king. As yet, nothing has been done in regard to that order. The Municipal Employment Bureau is carried on at a great expense to the city, and yet when money is to be spent in a way in connection with which this bureau can function, we find that it receives no cooperation from the Council or from the Mayor. These contractors should be required to hire this help through that bureau. We find the other day that Coleman contracted with a subcontractor who brought in outside men with trucks, while there were hundreds of trucks belonging to Boston men and taxpayers lying idle. I am satisfied that these contractors who hire men as it is now being done get them for a small amount of money that they do not pay 62½ cents an hour. It has been admitted that they should, and that they should also hire people belonging in Boston, at least giving them the preference. As to the buttons that are being given out to members of the Council, I don't think it is right or proper that we should be required or should be given the opportunity to build up a mythical organization, whether the men are to be employed for two or three days or are to work for a week. It is impossible to give out 100 buttons impartially and be sure that they go to the

most worthy people. I know that in my own district I was forced to do the best I could handling the thing as quickly as possible, and not trying to give preference to one over another. I checked the voting list to see if the men were twenty-one years of age, but even then there were boys who were not twenty-one. I believe the buttons should be taken out of the hands of the councilors, and that this matter should be placed at the disposition of the Municipal Employment Bureau. They can at least make some check-up as to those who are most unfortunate and who most need work. Let those men register, say, August 1, with the Municipal Employment Bureau. There will then be several months in which the bureau has an opportunity to check up as to the needs of the different applicants, and you will not then be hiring grammar or high school boys who are "hooking jack" from school for an opportunity to shovel snow and get a little pocket money. It seems to me the arguments are all in favor of having the Municipal Employment Bureau handle the thing. It is costing the city a lot of money to maintain that bureau, and they can make some investigation, can size up the situation, and can see that the work goes to residents of Boston and to those who most need it.

The order was passed under suspension of the rule.

ANNUITY TO MEHITABLE M. PATTERSON.

Coun. FINLEY offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the payment of an annuity to Mehitable M. Patterson on account of the death of her husband, late a member of the Police Department, provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

CONDITION OF PIER AT 337 MARGINAL STREET.

Coun. SELVITELLA offered the following: Ordered, That the Building Commissioner be requested, through his Honor the Mayor, to make an immediate examination and report to the City Council with reference to the condition of the pier and premises at 337 Marginal street, East Boston, and that he be requested to take condemnation proceedings if, upon examination, the said pier and premises are found to be in a dangerous and unsafe condition.

Coun. SELVITELLA—Mr. President, I am not primarily interested in the present plight of Mrs. Ann Windsor Sherwin or in the fact that she is having difficulty in mooring her boat. I am interested in the safety of thousands of children in the Jeffries Point section of East Boston. This wharf is an old structure in an extreme state of disrepair. About a year and a half ago a building on this wharf had to be razed in order to obviate the danger of its falling into the harbor. There is no business conducted on the wharf and it is frequented during the summertime by groups of boys and young men. As inspection of the wharf will disclose the fact that it is a dangerous structure and a threat to the safety of

children who wander on those premises. The Jeffries Point Yacht Club strongly opposes the mooring of the "Snetind" at this wharf. There are no substantial capstans on the wharf so that this vessel might be held securely in the event of a hard blow. It should be obvious that if the vessel should break away from her berth enormous damage would result to the many yachts belonging to the members of this club, yachts which lie in the basin between this wharf and the airport. It would seem that an apparent grant of authority to Mrs. Sherwin to moor the yacht "Snetind" at this dock is diametrically opposed to the movement now in progress to rid the shores of East Boston of the many old hulks which have been so unsightly and such sources of danger for many years. Your attention, Mr. President, is respectfully referred to House Bill 87, upon which a hearing before the Committee on Harbors and Public Lands was held on January 31 last. The purpose of that bill is to authorize to Department of Public Works of the Commonwealth to remove abandoned hulks and wrecks from the waterfront of East Boston. The movement to clear those shores has been in progress for the past few years, and much progress has already been made in ridding the shores of East Boston of such old hulks and wrecks as the "Snetind" would doubtless become in a very few years. The bill referred to is but the latest of a series of efforts to clear those shores of old wrecks. In closing, I wish to register the protest of the Jeffries Point Yacht Club to the mooring of this vessel at the wharf referred to. I trust that his Honor the Mayor will exercise the full authority of his office to facilitate the maintenance of the shores of East Boston free from such old hulks, and otherwise secure the cleanliness and safety of our waterfront. I am asking that the Building Commissioner make an examination of this wharf to determine whether or not it is in fit condition, having in mind the safety of the children of that section.

The order was passed under suspension of the rule.

SOLDIERS' RELIEF.

Coun. KERRIGAN, 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.

Report accepted; said order passed.

CONFIRMATION OF EXECUTIVE APPOINTMENT.

President FITZGERALD called up the following, under unfinished business:

1. Action on appointments submitted by the Mayor February 10, 1936, of Edward C. Coulon, to be Weigher of Goods, and Francis J. LeClair, to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Agnew and Selvitella. The appointments were confirmed, yeas 12, nays 1.

Adjourned, on motion of Coun. GALLAGHER, at 2.44 p. m., to meet on Monday, February 24, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 24, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Dowd, Gleason, Peter A. Murray and Roberts.

PETITIONS REFERRED.

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

Claims.

John Auditore, for compensation for damage to truck by city truck.

Ida Botzin, for compensation for injuries caused by city truck.

Edward J. Corcoran, for compensation for injuries caused by an alleged defect in Congress Street Bridge.

James N. Fink, for compensation for damage to car by city truck.

Hilary A. Gasper, to be reimbursed for execution issued against him on account of his acts as operator of motorcycle of Police Department.

Mary Joseph, for compensation for damage to truck by city truck.

Trifon Machakas, for compensation for damage to property at 43 School street, Roxbury, caused by break in water pipe.

Charles J. McCarty Company, Incorporated, for refund on refuse tickets.

Richard McGlinchey, for compensation for damage to property at 22 Nonquit street, caused during installing of sewer.

Anthony Pell, for compensation for injuries caused by city truck.

Morris Prince, for compensation for injuries caused by an alleged defect at 356 Harvard street, Dorchester.

James L. Smith, for compensation for damage to car by fire apparatus.

Suffolk Real Estate Trust, for compensation for damage to property at 52 Beverly street, caused by break in hydrant.

John Thompson, for compensation for damage to car by city wagon.

Max Levine, to be reimbursed for execution issued against him on account of his acts as operator of truck of Sanitary Division.

Max Levine, to be reimbursed for execution issued against him on account of his acts as operator of truck of Sanitary Division.

R. T. Adams Company, for refund on refuse tickets.

REPORT OF FINANCE COMMISSION ON LAND, PERKINS STREET.

The following was received:

Boston, February 21, 1936.

To the Honorable the City Council.

Gentlemen,—The Finance Commission made a report to your Honorable Body under date of February 6 in which the Commission suggested that the Council decline to concur with the recommendation of Mayor Mansfield to give to the New England Telephone & Telegraph Company of New York the area in the Fort Hill section known as Perkins street.

At the meeting of your Honorable Body at which the report was read, your president, Councilman John I. Fitzgerald, speaking—as he stated—in defense of the Mayor's action, made certain mis-statements which in the opinion of the commission were intended to befog the issue. If these mis-statements were allowed to stand in the record unchallenged, your honorable members might be misled in regard to the true facts in the situation.

Hence, the Finance Commission considers it necessary to make this further report.

Two major street widening projects, heavily laden with prospects for a rich haul by real estate speculators, who are simply "using" the New England Telephone & Telegraph Company's doubtful claim for damages against the city to accomplish their purposes, are the secret objectives in this innocent appearing swap of land between the City and the Telephone Company. It is questionable if either the Mayor or the Telephone Company officials are fully cognizant of the intentions of the promoters of the scheme. The Finance Commission has been given information to explain the manner in which the Mayor came to fall in line with the machinations of the promoters, which the commission has not yet substantiated, and, therefore, cannot make public at this time. The commission report is offered before completion of this part of the inquiry because the commission realizes that the matter before the City Council is likely to be rushed through at its next meeting.

The Finance Commission is relieved of the duty of exposing the fact that John I. Fitzgerald, your president, is actually one of the group behind this proposition, since he admitted it in his speech. The Finance Commission will add that one of his associates in the attempt to force through a widening of Chardon street and a widening of Pearl street is a well-known real estate speculator, who has always had close business and political relations with a political club of which Councilor Fitzgerald is president. This particular speculator has also been the advisor and expert of an influential group which has carried on a campaign before the State Tax Appeals Board to break down the assessments on business property in the City of Boston. He was also named earlier in the Mansfield administration by Mayor Mansfield to head a committee composed entirely of the group for which he served as expert to adjust downward the assessments on business property.

Mr. Fitzgerald points out in his attempted defense of the Mayor that proper legislative authority to widen Chardon street was sought by two preceding mayoralty administrations and that neither was successful. The Finance Commission's chief objection is closely related to that admission. If proper legislative authority to make the widening cannot be obtained, the Finance Commission believes this subterfuge of trying to get the widening in by way of the back door, so called, or piecemeal, should not be countenanced.

When the telephone company set back from the lot line its building on Chardon street, it is not true it did so because of any official requirement to do so by the city. The authority to widen the street, as was requested at that time and urged by the representatives of a club which occupied a building on one corner of Chardon street, was not forthcoming. No widening having been authorized, there was no authority vested in any individual to compel the telephone company to respect a plan for a widening that had not received official sanction.

The building constructed by the telephone company was in conformance with the regular policy of that company to build square or rectangular buildings. It happens that the lines of the telephone company lot on Chardon street make an obtuse angle. A square building or a rectangular building must necessarily have wasted a small area within the lot. The telephone company wasted this small area and allowed the wasted part to be used as a sidewalk. The wasted area is 11.89 feet wide at one end and narrows down to 1.52 feet wide at the other end, 150 feet away. On account of the narrowness of the area at its widest point and the gradual narrowing of the strip until it becomes almost nothing at the other end, it is plain that the strip has little or no value to anyone. If it were fenced off because not paid for by the city, as your president has suggested, such fencing off would probably injure the occupants of that particular building more than anyone else.

In regard to Chardon street, therefore, the Finance Commission wants to make it plain that this piece-meal widening has been suggested and manipulated by interests that have a much larger and more expensive widening as their goal. The commission desires to make it plain also that it believes the telephone company officials are not enthusiastic participants in the deal.

In regard to the Pearl street widening the commission desires again to point out that the telephone company has informed the Mayor in the letter which the Mayor sent to you from Vice President Pierce that the company has no present intention of building on the Pearl street property. Therefore, no immediate prospect of jobs for Boston artisans is helped or hindered by any action you may take on the matter of giving Perkins street to the telephone company.

There is, however, the odor of another street widening speculation involved in it. No official body has ever previously considered the widening of Pearl street as a public necessity or a public convenience. It is significant that the City Planning Board has never included the widening of Pearl street in any of its plans for the development of the city, yet, as is well-known, the Planning Board has worked overtime for years plotting and planning street widenings and extensions. The lack of merit to such a plan now is, therefore, obvious.

A widening of Pearl street will be very costly to the city. The block between Franklin, Pearl, Milk and Congress streets is practically all controlled by the New England Mutual Life Insurance Company. A widening now would interfere seriously with the buildings there. Because the insurance company's property faces on Post Office square, the insurance company does not need for its area any such boon as a wider Pearl street to permit liberal calculations in figuring the height of a building which the law would allow. Therefore, to take away from the insurance company a strip of land that would match in depth the piece taken from the telephone company would mean a very heavy expenditure by the city.

The Finance Commission insists on being recorded as opposed to any action to start a street widening until the whole objective is publicly aired and legally authorized. At the present stage the commission believes the widening of Chardon street and the widening of Pearl street are being promoted by persons who have an ulterior motive. Any street widening in the present state of public expenditures, whether it be the under-cover start, as the actions to date in both these projects amount to, or a complete and above board project is unjustifiable.

The Finance Commission sees no great harm in giving to the telephone company Perkins street, provided the city is paid for it, and provided the grant is not used to cloak a subtle scheme by some real estate speculators to commit the city to projects not in the public convenience at the present time.

Mr. Fitzgerald pointed out to your Honorable Body that the city paid for this street on two occasions, once in 1847 and again in 1853. In addition, the city has maintained it all the intervening years. The city authorities, therefore, should insist on a payment for it commensurate with its cost to the city and the value of it. If owned by a private party, the telephone company would have to pay handsomely for it to acquire it. It is time that the agents of the city corporation should guard the city's interests with equal care.

Respectfully submitted,

E. MARK SULLIVAN, Chairman,
PHILIP A. CHAPMAN,
ROBERT ROBINSON,
JAMES E. MAGUIRE,
JOSEPH A. SCOLPONETTI,

The Finance Commission.

Placed on file.

MINORS' LICENSES.

Petitions were received for minors' licenses for forty-nine newsboys and five bootblacks. Licenses granted under usual conditions.

SEWER LOAN.

On motion of Coun. PETER J. FITZGERALD the Council voted to recall from the Committee on Finance the message of Mayor and order for loan of \$500,000 for sewerage works (referred February 10).

The question came on giving the order its first reading.

Coun. WILSON—Mr. President, I do not rise to oppose this order, which I understand is necessary to pay some of the wages in one of the departments of the city. But I would appreciate some information about it.

President FITZGERALD—This is simply the first reading of the order, and then in fourteen days it will have its final reading.

Coun. WILSON—This is the first money borrowed to pay current expenses this year?

President FITZGERALD—This is simply the first reading of the order. I understand that the amount has run out because they are using it for buying materials for W. P. A.

Coun. WILSON—Well, Mr. President, I move that it be sent to the Executive Committee because, while I don't want to deprive any city employee of his pay, and would not vote against the order on that basis, I do think the manner in which it is to be financed is something that we should consider. There will be no delay if it is referred to Executive Committee.

The order was referred to the Executive Committee, and President FITZGERALD directed the City Messenger to request the City Auditor and the Commissioner of Public Works to be present at the meeting.

ELECTRIC LIGHTS FOR WARD 10.

Coun. DOHERTY offered the following:

Ordered, That the Commissioner of the Public Works Department be requested, through his Honor the Mayor, to change all gas lights now in use in Ward 10 to electric lights.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON CLAIMS.

Coun. SELVITELLA, for the Committee on Claims, submitted the following:

1. Report on petition of Frank A. Kutz (referred August 12, 1935) to be reimbursed for amount of judgment issued against him on account of his acts as operator of motor vehicle belonging to the Paving Division, Public Works Department, recommending passage of accompanying order, viz.:

Ordered, That the sum of one thousand dollars be allowed and paid to Frank A. Kutz in reimbursement for amount of judgment issued against him on account of his acts as operator of a motor vehicle belonging to the Paving Division, Public Works Department, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

2. Report on petition of John P. Cormican (referred February 3) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Fire Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of five hundred dollars be allowed and paid to John P. Cormican in reimbursement for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to the Fire Department, said sum to be charged to the Reserve Fund.

Report accepted; order passed.

INFORMATION RE CITY HOSPITAL.

Coun. WILSON offered the following:

Ordered, That the Superintendent of the Boston City Hospital be requested, through his Honor the Mayor, to advise the City Council promptly as to the following:

1. Whether the nurses at the hospital are now working on approximately an 8-hour day and, if not, what are the present arrangements?

2. The average number of patients, together with the total average number of nurses available at the City Hospital during the month of January for each of the past ten years.

3. Whether or not there is a shortage of bed linen and blankets in various departments of the Boston City Hospital.

4. With reference to the possibility of better ventilation and also the installation of proper weather strips for the windows in Peabody No. 1.

Passed under suspension of the rule.

INFORMATION FROM PUBLIC WORKS COMMISSIONER IN RE SNOW REMOVAL.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to advise the City Council with reference to the following desired information, namely, the number of miles of accepted streets within the jurisdiction of each of the ten or eleven city yard districts for snow-removal work.

Ordered, That the Commissioner of Public Works and also the trustees of the Boston Elevated Railway Company be requested, through his Honor the Mayor, in the matter of snow removal from the city streets, to instruct that, where snowplow work along through streets results in piling snowdrifts across approaches from intersecting streets and ways, such snow obstructions shall be cleared away with reasonable promptness.

Coun. WILSON—Mr. President, both of these orders concern snow-removal work, and I believe they should be considered and acted upon together. First of all, I wish to be placed on record as supporting the contention of the member from Charlestown (Coun. Mellen) at our last meeting in reference to the assignment of buttons to members of the City Council, so that they may place a certain number of men at work on snow removal. I feel that I, personally, and I think that that is also true of the average member of the City Council, am a better judge of the needs of some of my constituents and of the requirements of the average family in my district than most people not occupying the position that we do would be. We know whether they are citizens of the United States, in a general way what their circumstances are, and our knowledge in many respects along these lines is better than that of the average employee of a city yard. For that reason, while I know that we all make mistakes, and I undoubtedly have made mistakes in such assignments, I do feel, all things considered, that the members of the Council from the different districts are in a better position to understand the whole situation. It has been my own aim to give the work as far as possible to citizens and voters in the district and for the benefit of families most needing the work, and I think the thing can be more satisfactorily worked out in that way than simply by giving the work to the men in the order in which they file. Also, speaking upon the two orders, I wish simply to call the attention of the Public Works Department, without criticism, to the custom of plowing our main streets and blocking the exit or entrance to cross streets, which has been the almost invariable custom in the section I represent. I am in favor of plowing the through streets, but having in mind the im-

portance of proper entrances and exits to and from the cross and dead-end streets, I believe these should also be cleared after the plow has passed through the main streets. I consider that the mileage of streets covered by city yards is also important, because I desire to ascertain, if possible, whether the two Dorchester yards have had assigned to them a proper proportion of the city laborers and snow-removal equipment needed for this snow-removal work, as compared with the other yards of the City of Boston. If we can obtain this information we in the Dorchester district will know whether we are getting a fair break in comparison with other sections, bearing in mind the fact that the Dorchester district is entirely dependent on the city force and emergency men and is in no way aided by contract snow-removal work.

The order was passed under suspension of the rule.

FUEL DELIVERIES, WELFARE DEPARTMENT.

Coun. WILSON offered the following:

Ordered, That the Overseers of Public Welfare be requested, through his Honor the Mayor, to promptly furnish to the Supply Department the names and addresses of welfare recipients, during the final week of February and the first two weeks of March, 1936, given fuel orders directed to the Babcock Coal Company, also those directed to Alfred E. Ventola of Hyde Park; and further

Ordered, That the Superintendent of Supplies be requested, through his Honor the Mayor, to have such tests of fuel so received in the homes of welfare recipients made as will determine the truth of persistent reports of delivery of improper and unmerchantable coal to the poor of Boston.

Ordered, That the Overseers of Public Welfare be requested, through his Honor the Mayor, to assign one or more employees to promptly check up monthly with reference to the promptness, amounts and qualities of fuel deliveries ordered and made to welfare recipients by Alfred E. Ventola and by the Babcock Coal Company.

Coun. WILSON—Mr. President, I don't want to tire the Council by my references to these two fuel companies, which are apparently the fair-haired children under this administration. But, on the other hand, I continue to receive, day after day and night after night, criticism and almost tearful reports in regard to fuel deliveries by these two concerns. Apparently, however, no responses have come through from the Mayor's Office to our earlier orders with reference to this matter. It may be that this is a matter that eventually will need to be examined into by the Finance Commission of the City of Boston. It is to be assumed that the attitude of the Mayor and the Overseers of Public Welfare would be, first, that they would have to be fair to the taxpayers, whose money is buying this oil and coal and, second, that they would have very much at heart the situation of the unfortunate destitute families who must get their oil and coal through the charity of the city, I have already brought to the attention of the body complaints that have been made in regard to the deliveries by these companies. Those complaints have continued. I got further complaints as late as last week. I have had reports as late as Friday, both as to the quality of coal and as to the fact that deliveries are not made for a period of ten days to two weeks. I also have here—although I don't like to take it out, because I would not want to have it get into your eyes—a sample of coal dust sent to one of these people by the Babcock company and which I wish to have sent to the Mayor's Office. This is from coal delivered by the Babcock Coal Company of Roxbury to a family in the Dorchester district, and I have here a letter over the signature of the manager of the Babcock Coal Company, as follows:

"Referring to telephone conversation of the 12th instant, we have investigated the coal delivered to 85 Lucerne street, Dorchester.

This coal our man reports as follows,—size satisfactory, breakage rather excessive, probably 40 or 50 pounds of under-size coal in the one-half ton, directly in the center of the pile where the bags were emptied, one on top of each other. We offered to give the lady some coal to offset this breakage but she insisted it must be removed. This we have not done.”

Of course, I have no desire to dwell on one minor item, although I do say that when a dealer is furnishing fuel to a poor family in Boston he should not include in a half ton order forty or fifty pounds of this kind of stuff. I feel that it would be much better for a coal company, if it wants to dispose of that kind of dust, to load it onto somebody who is able to pay for it, rather than to dump it on a poor family on welfare in the City of Boston. I have, therefore, asked the Overseers of Public Welfare through the Mayor, to furnish to the Supply Department the names and addresses of welfare recipients during the final week of February and the first two weeks of March, who were given fuel orders directed to the Babcock Coal Company and to Alfred E. Ventola, and have also asked the Superintendent of Supplies, through the Mayor, to make such tests of fuel so received in the homes of welfare recipients as will determine the truth of persistent reports of delivery of improper and unmerchantable coal to the poor of Boston. I do not anticipate that they are going to every welfare house, or are going to examine every load of coal, or perhaps keep that sort of inspection going for the next six weeks. But I do venture to say that if an honest effort was made to check up the fuel deliveries of these two companies, with a report within the next two weeks, the public of Boston would have a better chance of getting the coal and oil they are paying for. We remember the seventy-five constables recently appointed by this administration as against thirty-four of the previous administration. I am not fighting the constables this afternoon but, as we must have them, I would suggest that a few of them be assigned to check up on this business for at least a week, so that the hundreds of poor families in Boston may have a better chance to get the sort of fuel that the city is paying for; and I want to send along to the Mayor this box of coal dust taken from the delivery to which I have referred, made by the Babcock Coal Company on its own admission to this poor family, at least fifty pounds of this stuff in a half-ton delivery. I wish to have it taken to the Mayor with my compliments, and I trust that it may not get into the eyes of our City Messenger when he is delivering it.

The order was passed under suspension of the rule.

INVESTIGATION OF BEANO GAMES.

Coun. WILSON offered the following:

Ordered, That the Public Welfare Committee of the City Council be requested to conduct an investigation relative to the granting of licenses for and the operation of beano games in the City of Boston, especially with reference to the identity and character of the most frequent licensees, the amount of alleged receipts and expenses, and the proposed charitable, educational, fraternal or religious purposes for which the net proceeds from such games have actually been applied.

Coun. WILSON—Mr. President, I am not advocating the repeal of the Beano statute, although I have my own private opinion as to the advisability of its ever having been passed. That, however, is entirely a matter for the Legislature to deal with in their own wisdom. Under the terms of chapter 371 of the Acts of 1934, authorizing the licensing and conducting of the game commonly called Beano, or any similar game, in connection with which prizes may be won by chance, it is provided that the proceeds of the charges for admission to or participation in such games are donated solely to charitable, civic, educational, fraternal or religious purposes, and

that the games shall be conducted under a license authorized to be granted in a city, by the mayor, and upon such terms and conditions as the mayor may prescribe. So the manner and nature of this gambling game, with its obvious endeavor to get in money by gambling, is wholly within the discretion of the Mayor's Office. I realize that there are some persons who engage in this game, with its so-called object of raising money for religious or charitable purposes, who would not drop a thin dime in the poor box, but who are willing to gamble in the hope that they may get an \$8 lamp. I realize that there are some people in Boston who get enjoyment in this way and once in a while win a prize in these Beano contests. The thing I am interested in, however, is the fact that the professional promoters of these Beano games are the chief beneficiaries. I see signs in my ward where every Wednesday evening some party will be run for Christmas baskets or for public welfare, and I see such signs in other parts of the city. I believe some definite check-up should be made and a definite stop put to this racketeering in this game of Beano. The Mayor's Office has made some excellent conditions. I understand they have provided that an individual cannot run the game, that it must be a real or pseudo organization. It cannot be run in a private house, but must be in a hall. They cannot have money prizes and, most important of all, within forty-eight hours or a week of the particular Beano game they must file in the Mayor's Office a report of the Beano game or the similar game, giving the name of the hall, the date of the game, the itemized prizes, and the supposed expenses. I personally believe that the conditions of the licensing in the Mayor's Office, with his effort to restrict the thing, tend to keep the Beano racket at the minimum and I believe that a real report on this matter will, at least, throw some light on this scheme for making money in the City of Boston. I would be particularly interested in having something definite reported in regard to the private and itemized expenses, because I believe only a small fraction of the money supposed to be going to charity ever reaches the tables on Christmas Day or the home of any poor family. For these reasons, I ask that this investigation be made.

Coun. SELVITELLA—Mr. President, speaking upon this order, I wish to state my grounds for favoring it. I have no particular objection to Beans conducted by the churches or fraternal organizations, but I do criticize the manner in which some of these racketeers, as they may be called, are conducting Beano at the present time. In my district there is an organization conducting a Beano every single night from seven to midnight. Under the present terms of the licensing department of the Mayor's Office, no organization is permitted to conduct Beano more than once a week. But this outfit in East Boston—and I suppose it holds true throughout the city—are using fictitious names of organizations that do not exist, and those that do exist receive as low as \$3 an evening for the use of their names. I have gone into these places and have been surprised to frequently see at these Beano parties men who have been either on the W. P. A. roll or upon our own welfare roll. It does seem that some action should be taken, because at the present time this is benefitting individuals and organizations that were never intended by the Legislature to receive the benefit. Those supposed to profit by the games were the churches and fraternal organizations. The competition from the professional Beano enterprises is such, in the matter of offering of prizes, and so forth, that the churches and fraternal organizations are closing their Beano parties, with the result that they are getting into professional hands. The Mayor's Office, as Councilor Wilson has said, has been doing a very good job. But something ought to be done to protect those organizations that are really deserving.

The order was passed under suspension of the rule.

TAX TITLE PROPERTIES.

Coun. WILSON offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, in accordance with City Council orders under dates of November 15 and December 16, 1935, to at once furnish the City Council with information concerning properties formerly assessed to private owners, the titles of which, however, because of tax sales and Land Court proceedings, are now vested in the City of Boston and, in any event, that the said Superintendent of Public Buildings be requested to at once furnish such information concerning parcels which are not vacant land.

Coun. WILSON—Mr. President, as a matter of ruling, do I understand that that order will automatically go to the Superintendent of Public Buildings today, even in the absence of the Mayor himself, or should it read that this particular department be requested to furnish this information through the Acting Mayor?

President FITZGERALD—I understand that it will reach the Public Buildings Department not later than Wednesday.

Coun. WILSON—Well, I appreciate that much information, Mr. President. This may seem to be an old subject, but we are still uninformed. We had Commissioner Hall before us some time ago and learned a little in connection with these tax title properties, and I understand that the number of such properties is gradually mounting, that where awhile ago there went through the Land Court thirty-one titles there are perhaps over 600 at the present time and will soon be 700 such properties. They are coming in day by day and week by week. I asked over three months ago for an inventory sheet, not in detail, but an inventory sheet telling something about these 600 or 700 parcels of real estate on which the taxpayers owning them could not pay their taxes back in 1931 and which are now owned by the city as the result of Land Court proceedings. I would like to get that information before the City of Boston, which is now in the real estate business, is deluged with any more such properties, as the result of the 1932, 1933, 1934 and 1935 tax sales. I am fast coming to the belief that, while Mr. Hall assures us that he has been making every effort to give us the information promptly, there might well be somewhat more haste. It does seem that if a real effort was being made, we should have the information by this time, and that where there is a delay of three and one-half months, it would almost seem that an effort is being made to hold back the information, because the City of Boston is afraid to come out and sell those tax title properties on Beacon, Hereford and other streets at \$5,000 or \$6,000. They are afraid to show that during this period of the depression they have been assessing the property owners of the city in this way. If they were making a real fight, a real endeavor to keep down the taxes, they could have reduced the rate from \$37 to \$30, and certainly if the taxpayers are, in any event, entitled to a fair and square balance sheet of the property of the City of Boston. The real effort should be toward an honest-to-God assessment of the real estate of the City of Boston, and then we will know whether it is good policy to borrow money this year to pay next year's bills, to be paid later by our taxpayers and their children. So I urge that the Mayor of Boston be on the level with the property owners of the city, before this year's tax bills are sent out and the money paid into the treasury of the City of Boston. Let us find out what the balance sheet of the city, the real balance sheet shows. We have been told a lot of times about the splendid condition of the city, how solvent it was, that it was able to borrow money from the banks and financial institutions at a lower rate than any other city. But that is foolish, as any child of ten years of age knows. Everybody who knows anything knows that the banks and financial institutions of the state are crammed with money that they cannot loan, because industry is where it is, and they are only too glad to loan that money to the

only outfit, a city or town, that perhaps can give it back at some time. So the fact that we can borrow money to pay the salaries in the Police Department for the last sixty days of last year does not show that we are on a sound financial basis. It is our right, however, to know what the real balance sheet of the city is, and then if we think there is extravagance in the City of Boston or the Commonwealth of Massachusetts, we will be able to put some force into our arguments. But let us find out what these properties that we have been taking for non-payment of taxes are really worth. So I ask again that the Superintendent of Public Buildings, after the three and one half months' delay on our previous request, give us the information desired, especially on the 90 or 100 properties which are not vacant land, those properties that have buildings upon them.

The order was passed under suspension of the rule.

FINE AGAINST CERTAIN GASOLINE STATION OWNERS.

Coun. WILSON offered the following:

Ordered, That the Committee on Ordinances be requested, with the aid of the Corporation Counsel, to draft a new City Ordinance providing for the imposition of a fine against such gasoline station owners or proprietors as display a sign or signs advertising special rates on odd-gallon lots of gasoline, but who fail to attach to each of the gasoline pumps delivering such gasoline a sign of similar style and dimension.

Coun. WILSON—Mr. President, for the benefit of the other members of the Council, and I promise that I will run down after this order—this is aimed at another racket that has come to my attention, which is being practiced, and which I imagine may be somewhat familiar to other members of the Council, by those still fortunate enough to own or operate gasoline stations. Throughout the city you will see large signs at entrances of competing stations, "Seven gallons for 90 cents" or "Eight gallons for \$1," whatever the differential may be. The automobile driver goes into one of these stations to have gasoline put in his tank, and invariably finds out when he comes to pay the bill that the seven gallons for 90 cents or the eight gallons for \$1 does not apply to the particular pump at which he stopped, that he was not at the right pump to take advantage of the big sign at the sidewalk. I think it is time that this chiseling was stopped, and I am asking the Law Department to assist the Committee on Ordinances in drafting an ordinance which will make it necessary for the gasoline station proprietor to duplicate that sidewalk sign, putting a sign of the same dimensions at the particular pump where the supposed eight gallons for \$1, or whatever the price may be, is sold. I think this is a chiseling procedure that should be put a stop to, and the sooner the better.

The order was passed under suspension of the rule.

PAYMENT TO HARRY STARNFIELD.

Coun. BRACKMAN offered the following:

Resolved, That the City Council of the City of Boston favors the enactment of legislation for the payment of a sum of money to Harry Starnfield, for injuries received in a public school in the City of Boston, provided that such legislation contains a referendum to the Mayor and the City Council of the city of Boston.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. KERRIGAN, for the Committee on Public Lands, submitted the following:

1. Report on message of Mayor and order (referred February 3) for release of land in Brookline—that same ought to pass.

Coun. TOBIN—Mr. President, I move that the matter be sent to the Executive Committee.

Coun. KERRIGAN—Mr. President, I ask the member from Dorchester why he wants to send the matter to Executive? Will the clerk read the order? It is very plain.

(The clerk read the order.)

President FITZGERALD—Do you insist on your motion, counselor?

Coun. TOBIN—Yes, Mr. President.

The report was accepted, and the President put the question on the motion to refer to the Executive Committee. The Chair, being in doubt, ordered a rising vote, and the order was declared referred to the Executive Committee.

ELECTRIC LAMPS IN WARD 13.

Coun. PETER J. FITZGERALD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to supplant all gas lamps in Ward 13 with electric lights.

Passed under suspension of the rule.

SEAVER STREET.

Coun. ROSENBERG offered the following: Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to consider the advisability of making Seaver street one way, from Blue Hill avenue to Columbia road, Ward 14.

Passed under suspension of the rule.

WARD 14 STREETS.

Coun. ROSENBERG offered the following: Ordered, That the Commissioner of the Public Works Department be requested, through his Honor the Mayor, to resurface with smooth paving the following streets and avenues in Ward 14:

Clarkwood street, Bowdoin avenue, Rosseter street, Radcliffe street, Wales street, Woolson street, Ballou avenue, Jones avenue, Stanwood street, Stratton street, Devon street, Deering road, Fernboro street, Lawrence avenue, Harvard street, from Blue Hill avenue to Walk Hill street.

Passed under suspension of the rule.

BRANCH HOSPITAL IN DORCHESTER.

Coun. ROSENBERG offered the following: Ordered, That the Board of Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to investigate conditions and report to the City Council the advisability of the establishment of a branch hospital in the Dorchester area.

Passed under suspension of the rule.

GROCERY ORDERS FOR WELFARE APPLICANTS.

Coun. ROSENBERG offered the following: Ordered, That the Overseers of the Public Welfare Department be instructed, through his Honor the Mayor, to issue grocery orders, pending investigation of the application, in all cases where the application for relief includes more than two persons.

Passed under suspension of the rule.

COLLECTION OF GARBAGE IN DORCHESTER.

Coun. ROSENBERG offered the following: Ordered, That the Commissioner of the Public Works Department be requested, through

his Honor the Mayor, to investigate the conditions of the Dorchester district relative to the present collection of garbage.

Coun. ROSENBERG—Mr. President, this is an order that deals with the collection of garbage in the Dorchester district. It has been called to my attention by a large number of the residents in my ward that for the last two weeks garbage has not been collected. One of the residents of the ward has told me that he has been burning garbage in his furnace, but does not think he will be able to keep the furnace going much longer with garbage in it. I also believe, following along a line similar to that taken by my colleague (Coun. Wilson), that perhaps constables of the city might be used to investigate the matter of the delivery of coal, that some such steps might be taken to investigate this matter of the collection of garbage in the Dorchester district.

The order was passed under suspension of the rule.

RECESS.

The Council voted at 3.10 p. m., on motion of Coun. SELVITELLA, 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 FITZGERALD at 4.03 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred today) for loan of \$500,000 for sewerage works—that same ought to pass.

The report was accepted and the question came on the passage of the order.

Coun. SHATTUCK—Mr. President, as I understand it, this is a loan order of \$500,000 for carrying on sewerage work. Last year we had \$250,000, and I believe in other years it has been \$500,000. But it has been an annually recurring expense. It is continuing to do work that must be done from year to year. It should be a part of the annual budget, should be treated as such, and by right should be raised from taxation each year. We should not borrow a nickel for it. I shall vote against the order, being opposed to borrowing for annually recurring purposes that should be included in the regular budget for the year and taken out of revenue.

President FITZGERALD—Still, it is for permanent construction work, and last year P. W. A. money was used, which has not been used this year.

Coun. SHATTUCK—I understand that it is permanent, but it comes in annual installments. We know in advance that we must spend the \$500,000 a year on sewers. Therefore, we should include it in the budget and vote for it as a budget appropriation. We should not load ourselves down with debt for such a purpose. It is just as much an annually recurring expense as maintenance of streets, buildings and other property.

Coun. WILSON—Mr. President, I move as an amendment that the proposed loan order be reduced from \$500,000 to \$250,000.

Coun. Wilson's amendment was declared lost. Coun. WILSON doubted the vote and asked for yeas and nays.

Coun. Wilson's amendment was rejected, yeas 4, nays 14:

Yeas—Coun. Norton, Shattuck, Tobin, Wilson—4.

Nays—Coun. Agnew, Brackman, Doherty, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Kerrigan, Kilroy, McGrath, Mellen, George A. Murray, Rosenberg, Selvitella—14.

The question came on the passage of the order as reported.

Coun. NORTON—Mr. President, I rise to a point of information. I would like to have the gentleman from Ward 5 tell us what his line of reasoning is for taking this money out of the tax levy?

Coun. SHATTUCK—Mr. President, if we know that we must spend a certain amount of money every year for maintaining sewers and keeping them up to date, it is an annual question and an annually recurring expense that should not be subject to borrowing. The legitimate purpose of borrowing is to provide for unusual expenses, non-recurring expenses, like the building of a city hall or of a court house, for instance. At one time schools were considered a subject for borrowing, and it was then found each year that it was necessary to build a certain number of schoolhouses. So for a number of years we went on the pay-as-you-go policy on school buildings, building such structures out of the revenue of the particular year. During the last several years we have lapsed from the policy, and, in my opinion, we should go back to it.

The order was given its first reading and passage, yeas 15, nays 3:

Yeas—Coun. Agnew, Brackman, Doherty, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Kerrigan, Kilroy, McGrath, Mellen, George A. Murray, Rosenberg, Selvitella, Tobin—15.

Nays—Coun. Norton, Shattuck, Wilson—3.
President FITZGERALD—The order has received its first reading and will come up for its final reading and passage in two weeks.

Coun. GALLAGHER in the chair.

2. Report on order (referred today) to release restrictions on land in Brookline—that same ought to pass.

Report accepted; said order passed, yeas 16, nays—Coun. Tobin—1.

PAYMENTS TO EDWARD McHUGH & SON.

Coun. SELVITELLA offered the following: Ordered, That the City Auditor be requested, through his Honor the Mayor, to withhold all payments due, or to become due, to Edward McHugh & Son for the removal of ashes and garbage in the East Boston district unless and until he receives a certificate from the Commissioner of Public Works that the terms of the contract have been strictly complied with, and that he be further requested to deduct from payments due, or to become due, under said contract the amount, if any, allowed said Edward McHugh & Son for snow-removal work.

Coun. SELVITELLA—Mr. President, on one other occasion I filed a similar order inquiring into the propriety of certain payments made to contractors who were engaged in the removal of ashes, but who used their trucks for the removal of snow. For purposes of the record I quote registration B173 and B176, used as part of the equipment of Edward McHugh & Son, who had the contract for removal of ashes and garbage in East Boston. The total equipment of this concern amounts to four trucks, which are used or supposed to be used under the terms of the contract for six days in the week throughout the year. During the month of February, at the time of the snowstorm, the trucks I have mentioned were engaged in the removal of snow in East Boston, leaving only two trucks for the removal of ashes. This contractor received from the City of Boston \$2,499 for the removal of ashes and garbage. Up to the present time he has received, or will receive, for the removal of snow in East Boston \$1,165 for the month of February. I say it is unjust and unfair that men who become a party to a contract and obligate themselves to perform a certain service should, at a time when their trucks are being so engaged, take from the service two of the four trucks used, and in return get paid by the City of Boston for the use of the trucks, in this instance, in the snow-removal service. It does not require a practical mind to understand that if two of the four trucks are removed from the work of taking away ashes and refuse, that service is curtailed and complaints follow. That has

been the practice for a number of years, and I think some action ought to be taken by this Council to stop this growing evil and prevent contractors from receiving double payment from the City of Boston. Men who may legitimately engage in snow-removal work with their trucks are not able to get snow work, yet these favored few are able to put on such work the very trucks that they are being paid to employ in another service. This contractor has received, or will receive, for the removal of snow in East Boston for the month of February \$1,165, and if the Commissioner of Public Works is sincere and wants the facts he has but to go to the East Boston yard and ascertain them. If he finds that these trucks are being paid for in this way, or will be paid for, I am calling upon the auditor to withhold payment until such time as this matter has been properly adjusted, and if this order is referred to the Committee on Public Safety I hope the chairman will call a public hearing. Let us get the facts and, once and for all, stop this growing practice.

Coun. BRACKMAN—Mr. President, year after year we hear hundreds of complaints of a similar nature from practically all the districts where the contractors are doing work. It seems to me we should have some machinery of the City Government that will enable us to have a check and balance on contractors who have contracts with the City of Boston and are placed under bond for performance of their contract, so that they will live up to their duties. Although we do not have contractors in my ward to collect garbage and ashes, I am deeply interested in the situation that exists in the city at large. I think these contractors get away with murder, violating their contracts left and right. Hundreds and hundreds of complaints are made, and yet nothing is done to relieve the situation. It seems to me, as one who has had some legal training, that the proper place for this to go is to the Law Department, where the question of whether these contracts are being violated can be passed upon, and then if it is found that the contractors are breaking their contracts, they can be sued for violation of the contract. I am thoroughly in accord with the action the councilor is seeking, and I hope something will be done by the Law Department to protect the citizens of Boston.

The order was passed under suspension of the rule.

CONTRACT WITH JOSEPH P. McCABE COMPANY.

Coun. McGRATH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to cancel the contract between the City of Boston and Joseph P. McCabe Company, for removal of ashes and garbage in the Dorchester district, for the reason that the said contractor has failed to abide by the terms of the contract, and has so neglected the removal of ashes and garbage as to cause serious inconvenience and discomfort to the residents of the Dorchester section.

Coun. McGRATH—Mr. President, I have telephoned Mr. McCabe, who had the contract in the Dorchester district, about twenty-five times, leaving my telephone number so that he might call me, because of this neglect to collect ashes and garbage. In my own instance he did not make the collection for thirteen days on one occasion and twelve days on the next. When you phone to his office he is never there; if you telephone his house they tell you to call his office. I would like to know where he can be found. I believe he has trucks on the snow, and the Public Works Commissioner informs me that he will let me know. I have had about one hundred complaints in my district. Yesterday I received twenty complaints about the ashes. One morning about a month ago I was walking up the street about quarter after six, and one of the men was working. I said, "Aren't you

out rather early?" He said, "Yes." And what time do you get through?" "I may get through at six, it may be seven, or it may be eight at night." "How much do you receive a day?" "\$4." "How much was received under the previous contractor?" "\$4.50." I said, "Can I use your name?" He said, "No; I will get fired." I have asked the chairman of the Public Safety Committee to call a hearing upon this contractor, bringing him in here where he cannot duck out and having him give an account to the people of my district of why he has not removed the garbage.

Coun. TOBIN—Mr. President, I am glad to supplement the remarks of my colleague from the neighboring ward. The holder of this contract was always a chiseler, and his service to the city in the past has been unsatisfactory. I am satisfied that the contract has been violated by him and that he should lose it. In the first place, as stated by the other councilor from Dorchester, he does not fairly treat his employees. For many years the contractors who have taken over this work in the district, where they have succeeded other contractors, have always employed the men employed by the previous contractor. That was a gentleman's understanding, understood by everybody in the district. But this man who took the contract over this year, when it had been held by a different man last year, refused to employ the men in the district employed by the previous contractor, but hired men outside of the city and in at least two instances, men outside the state and in one instance a man outside the country. Furthermore, the service given to the people of Dorchester has been very poor. During my service I have before this received occasional complaints, but in this particular instance, since this man has had the contract, they have been so numerous, so general, so well founded, that as a matter of public duty, I rise to protest against the treatment this man is giving the city and the people of Dorchester. I am satisfied that if a hearing is held, as suggested, the evidence will reveal that this man has violated the contract and therefore should lose it. I am not interested in any particular contract, but it is very important for us to consider in this man's case that he secured the contract as a low bidder. He is carrying it out as a spite contract, caring not if he did not make a quarter. He secured it simply because he wanted to take it away from the previous contractor. Because of that fact the people of Dorchester are suffering and the citizens are not getting what they are paying for.

Coun. NORTON—Mr. President, I believe the power to remedy the situation exists in the Council, as expressed in executive session. We have the power to remedy the situation by holding public hearings, and I think then we will find after a few weeks that something has been done. It will be a good thing for the city to hold such hearings, as well as on the coal and oil delivery question. If we go on in the usual way and simply argue, we will get nowhere. I will guarantee that if public hearings are held here in regard to East Boston, Dorchester and other sections, we will obtain a remedy for this situation.

Chairman GALLAGHER—The order will be referred to the Committee on Public Safety.

Coun. AGNEW—Mr. President, as chairman of the Committee on Public Safety I want to assure the councilors who have spoken and who have received complaints in regard to various contractors, that I will call a meeting of that committee as quickly as possible. But when the meeting is called, I hope the councilors who have raised these objections and told us about the many complaints they have received will be present at the meeting and will also have some evidence that will be directed to the point they have in mind. If there are any councilors who have complaints they wish to register, I shall be more than pleased if they will do so and if they will be present at any meetings we may have.

Coun. NORTON—Mr. President, I rise to a point of information. Do I understand that there is to be a public hearing?

Coun. AGNEW—Mr. President, the Committee on Public Safety can hold a public hearing, if that is the wish of the Council. The committee is at the service of the Council.

Coun. NORTON—Then, Mr. President, if it be in order I would move that there be a public hearing on this matter. Let us have that settled right here and now, so that we may remedy this situation.

Chairman GALLAGHER—The Chair will rule that the Committee on Public Safety can handle the matter, and that the committee can decide whether it will hold a public hearing or not.

Coun. NORTON—Mr. President, if in order I would move that that committee be directed to hold public hearings.

Chairman GALLAGHER—We cannot direct. We can request.

Coun. NORTON—Then, Mr. Chairman, I make the motion that this body request that public hearings be held.

Coun. Norton's motion, requesting the Committee on Public Safety to hold public hearings on the matter, was carried.

ELECTRIC LAMPS IN WARDS 15 AND 16.

Coun. McGRATH and TOBIN offered the following:

Ordered, That the Commissioner of the Public Works Department be requested, through his Honor the Mayor, to supplant all gas lamps in Ward 16 and Ward 15 with electric lamps.

Coun. McGRATH—Mr. President, there is a contract, I believe, coming up with the gas company, and I think there is something in the contract which says that they will allow the electric light company to install 4,700 electric lights in place of gas lights without changing the contract. In my section of Dorchester, on one of the oldest streets out there, we have gas lights, through no fault of the people, who have complained for the last eight years. I would like to see every street in my section with electric lights in place of gas lights. I move a suspension of the rule for the passage of the order.

The order was passed under suspension of the rule.

CLEANING OF SOUTH BOSTON STREETS.

Coun. KERRIGAN and GEORGE MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to promptly clean all streets in the South Boston district so that they will be in proper condition for the Evacuation Day celebration on March 17.

Passed under suspension of the rule.

COLLECTION OF ASHES IN WARD 7.

Coun. KERRIGAN offered the following: Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to instruct Joseph P. McCabe, Inc., to comply with the terms of his contract and make immediate collections of ashes and garbage now in containers on the various streets in the Dorchester section of Ward 7 and to arrange for prompt and regular collections in the future.

Referred to the Committee on Public Safety.

DISPLAY OF FLAGS MARCH 4.

Coun. FINLEY offered the following: Ordered, That his Honor the Mayor be requested to consider the feasibility of ordering the flags displayed on Public Buildings to be displayed at half-mast on March 4, 1936, and

each year thereafter, in commemoration of the deceased Presidents of the United States.

Coun. FINLEY—Mr. President, just a few words on this order. My purpose in introducing it is this We have had thirty Presidents of the United States, and of this number twenty-four were inaugurated on the 24th of March. Something more than the customary display of the flag at half-mast at the time of the death of our deceased Presidents should be accorded to them For instance, on the birthdays of Washington, Lincoln and Grant the flag is displayed. For those three heroes this would be an added honor, and for the others it would be a just tribute. March 4 is associated with so many of our Presidents that I believe it would now be fitting to observe it in recognition of those who have passed away. If the intention of this order is carried out, we will display the flag at half-mast in honor of our deceased Presidents on the fourth of March. I think that would be very appropriate, inasmuch as the fourth of March is now to be discontinued as inauguration day.

The order was referred to the Committee on Ordinances.

ELIMINATING PERFORMANCE BONDS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of eliminating performance bonds.

Coun. NORTON—Mr. President, this order has to do with performance bonds on city work. The Governor of New York State recently, in his address to the New York Legislature, recommended, in so far as New York State is concerned, that performance bonds be eliminated. The Mayor of New York at the present time has made recommendations along that same line, stopping performance bonds for New York City. I am asking our Mayor here to stop performance bonds in Boston. If that is done it will eliminate the so-called bonding racket in this city, to which I have always objected and which I have for many years felt should be eliminated. Of course, it is proper for the city to cover itself by certain provisions of the contract relative to payments, providing certain conditions upon which payment shall be made. If the great state and city of New York can see fit to eliminate so-called performance bonds, saving a million dollars a year, in this city, with a probable saving of \$100,000 a year, we ought to be interested in doing the same thing.

The order was passed under suspension of the rule.

PREFERENCE TO FORMER EMPLOYEES.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of giving preference in re-employment to those city employees, with good records, let go during the first part of his administration.

Coun. NORTON—Mr. President, this order has seemed to cause a little difficulty in the Council, but one gentleman here says that it doesn't cause any trouble in the Council, but downstairs! I think that is well put. I don't want to be unfair, but I have introduced this order at every meeting since these folks were let go, and I intend to do so as long as I am in the Council. I have informed the Mayor of Boston that I am doing so without the slightest bit of rancor or feeling, but because I think a very serious injustice has been done. I don't know of anything that touches any one so much as to see a man let go when he has served the city for thirty-eight, thirty or twenty-five years. I know that all Mayors have done that, that this is not the first Mayor to do it. Nevertheless, two wrongs do not make a right. It is a terrible thing to send

a man out on the streets after thirty-eight years of faithful labor for the city. I think every member of the Council will agree with that. Of course, there is only one thing I can do, and that is to continually present this order at every meeting of the Council. You ask, "What good does that do?" Well, it may do some good. Some cognizance may be taken of the order that I have been putting in so continuously, and which at our last meeting was sent to the Committee on Rules. Just what that committee is for, nobody knows. Nevertheless, for two years I have been introducing this order, and I propose to continue. The Chair may think that it is out of order. Somebody downstairs, perhaps, does not want to hear about it. However, without any feeling, I think I have a right to introduce the order. I am simply asking that these poor unfortunates, who were sent home after twenty-five to thirty-eight years of employment by the city be given preference in re-employment. Doesn't that sound fair? Apparently somebody doesn't like this repetition of orders on the floor of the Council. I am sorry for that, as I have no intention of creating hard feelings on the part of anybody. I think, however, that that is an entirely fair request.

Chairman GALLAGHER—Inasmuch as the wording of the order has been changed, it might be acted on by unanimous consent, if there is no objection.

Coun. AGNEW—I would ask if it might not be well to frame the order so as to include the names of individuals concerned?

Coun. NORTON—I can give the names of enough individuals, if that is desired. It would no doubt make the order far stronger to give the names of individuals. But I don't think it would be fair to the individuals or to their families to hold them up to publicity. I don't think I would like to have my father's name mentioned if he had worked for thirty-eight years for the city and then had been fired.

There being no objection the order was passed under suspension of the rule.

IMPROVEMENT OF STREETS WITH W. P. A. LABOR.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the matter of arranging to fix every non-major street in Boston with the aid of W. P. A. labor.

Coun. NORTON—Mr. President, we have a smaller street mileage than any other city in America with a population of 700,000 or more people. We have 600-odd miles of streets, Detroit has 2,600, Philadelphia 2,400, Cleveland 2,100 miles. Yet we have hundreds of miles of streets that are in bad condition. Uncle Sam, through the medium of the W. P. A., offers us an opportunity, if we furnish the materials, to fix the streets. An engineer in the Public Works Department informs me that it would not be a hard thing to do. Using a bituminous product, four inches of crushed stone and a little binder and a roller, it can be done for 97 cents a square yard. That is what the Legion Boulevard cost per square yard in Roslindale. Here is an opportunity to fix the roads still more cheaply. Road engineers tell us that with the use of bituminous products and crushed stone and a roller, putting in several inches, they can fix these streets for a nominal sum. Next year it may be too late. I certainly trust, for the benefit of the streets in my ward and in other wards, this order will pass.

The order was passed under suspension of the rule.

Adjourned at 4.40 p. m., on motion of Coun. McGRATH, to meet on Monday, March 2, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 2, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Coun. GALLAGHER in the chair in the absence of President Fitzgerald. Absent, Coun. John I. Fitzgerald, Gleason, Peter A. Murray, Shattuck.

JURORS DRAWN.

Jurors were drawn under the law, Coun. ROBERTS presiding at the box in the absence of the Mayor, as follows:

Eighty-three traverse jurors, Superior Criminal Court, to appear April 6, 1936:

Daniel J. Driscoll, Ward 1; Charles A. Halstead, Ward 1; William J. McCaul, Ward 1; Joseph F. Sullivan, Ward 1; James J. Walsh, Ward 1; Thomas L. Broderick, Ward 2; Robert R. MacMillan, Ward 2; Earl Woods, Ward 2; Thomas E. Reilly, Ward 3; Charles B. McLaughlin, Ward 4; William D. Strong, Ward 4; Dana J. Walton, Ward 4; Frederick L. Johnson, Ward 5; Thomas Patrick Mahoney, Ward 5; George M. Schrodt, Ward 5; Clifford D. Stewart, Ward 5; Raymond A. Warren, Ward 5; William F. Danwer, Ward 6; Michael J. Lee, Ward 6; Peter Joseph Seanlon, Ward 6; Joseph F. Cahill, Ward 7; Thomas J. Curran, Ward 7; Patrick H. Jennings, Ward 7; William H. Lynch, Ward 7; John J. Ring, Ward 7; Michael O'Neill, Ward 8; William W. Walsh, Ward 8; Thomas Currie, Ward 9; Burton B. Armstrong, Ward 10; Thomas Cunningham, Ward 10; Thomas J. Healey, Ward 10; George L. Wilfert, Ward 10; Philip Bellotti, Ward 12; George Brindley, Ward 12; William E. Harrington, Ward 12; Frederick W. Bartlett, Ward 13; James E. Doherty, Jr., Ward 13; Harris J. Fifield, Ward 13; Charles E. Mahoney, Ward 13; Hyman P. Halsband, Ward 14; Edward P. Howell, Ward 14; John F. Kelly, Jr., Ward 14; Myer Weiner, Ward 14; Richard Baker, Ward 15; Charles J. Brant, Ward 15; Albert C. Burgess, Ward 15; Aurel Otis Buzzell, Ward 15; Max Karp, Ward 15; John G. Merrick, Ward 15; Horace J. Craig, Ward 16; George H. Crowingsfield, Jr., Ward 16; Arthur S. Merrow, Ward 16; William Ohrenberger, Ward 16; Richard N. Ratchford, Ward 16; Mikkil Saul, Ward 16; Paul V. Scally, Ward 16; Henry A. Hunt, Ward 17; Henry G. Rankin, Ward 17; Louis Wallace, Ward 17; William G. Cranshaw, Ward 18; Alfred E. Feist, Ward 18; George W. Goodwin, Ward 18; Warren E. Holdridge, Ward 18; Michael B. Kenney, Ward 18; Ralph J. Lee, Ward 18; Francis Minahan, Ward 18; Edward M. Olson, Ward 18; George R. Tacey, Ward 18; Joseph C. Ernst, Ward 19; Edward H. Imberger, Ward 19; James McDermott, Ward 19; John J. Dailey, Ward 20; Charles R. Dean, Ward 20; Ferdinand A. Fruh, Ward 20; Arthur D. Gramer, Ward 20; Adam F. Hain, Ward 20; Ralph C. Holton, Ward 20; Frederick A. Publicover, Ward 20; Frederick C. Wolf, Ward 20; Frank B. Crocker, Ward 21; Herman Levi, Ward 21; Lloyd B. Lynch, Ward 21; Henry A. Sydel, Ward 22.

Ninety-seven traverse jurors, Superior Civil Court, April Sitting, to appear April 6, 1936:

Jacob Braff, Ward 1; Joseph S. Butt, Ward 1; Kenneth H. Goodwin, Ward 1; Joseph L. Russell, Ward 1; John W. Denehy, Ward 2; Manuel J. Enos, Ward 2; John Marshall, Ward 2; Joseph L. O'Brien, Ward 2; Isidor Barres, Ward 3; Anthony J. Fabiano, Ward 3; Michael P. Kelley, Ward 3; Alfred Liberatoro, Ward 3; James M. Murphy, Ward 3; Michael Penta, Ward 3; George A. Bolton, Ward 5; James F. McDonough, Ward 5; Alfred Nettle, Ward 5; Charles W. Treadwell, Ward 5; Clarence M. Warner, Ward 5; Bernard E. Campbell, Ward 6; John P. Cavanaugh, Ward 6; Thomas F. Joyce, Ward 6; William L. McCarthy, Ward 6; Michael J. Norton, Ward 6; George L. Schmidt, Ward 6; Thomas J. Cotton, Ward 7; Thomas J. Hennessey, Ward 7; George

H. Mathieson, Ward 7; Robert E. Murphy, Ward 7; James L. Ross, Ward 7; Joseph H. Baker, Ward 8; Robert Foley, Ward 8; John J. Goslin, Ward 8; Edmund Hassie, Ward 8; Edward J. Radigan, Ward 8; Joseph A. Haley, Ward 9; Niels Ingstrup, Ward 9; William J. O'Hara, Ward 9; John H. Hill, Ward 11; Edmund G. Infeldt, Jr., Ward 11; John W. Johns, Ward 11; Carl G. Lundell, Ward 11; James H. Monroe, Ward 11; James H. Allen, Ward 12; Herbert F. Burt, Ward 12; Alexander Morrison Gwynne, Ward 12; Jerome L. Kelly, Ward 12; Benjamin Tilt, Ward 12; Richard Arnold, Ward 13; John Thomas Collins, Ward 13; Lewis H. Holiday, Ward 13; William G. Hussey, Ward 13; Edwin J. Lennon, Ward 13; Lawrence J. Noel, Ward 13; Joseph Baker, Ward 14; Raphael Brown, Ward 14; Louis Harris, Ward 14; Herman Lewis, Ward 14; Harry Rosenberg, Ward 14; Samuel Schaffer, Ward 14; Morris Spitzer, Ward 14; Warren G. Boberg, Ward 15; Henry Goldsmith, Ward 15; George H. Hanlon, Ward 15; Stanley E. Marvin, Ward 15; Benjamin Wolf, Ward 15; Raymond H. Collins, Ward 16; Richard L. Gallivan, Ward 16; John A. Ide, Ward 16; William J. McGe, Ward 16; Leon R. Rhodes, Ward 16; James B. Russell, Ward 16; John J. Keating, Ward 17; Francis F. Maguire, Ward 17; Robert A. Ranton, Ward 17; George Revman, Ward 17; Carl F. Assnus, Ward 18; Edward G. Clement, Ward 18; Henry U. Holzer, Ward 18; Robert H. Kenney, Ward 18; John Albert Larson, Ward 18; John H. Martin, Ward 18; Herbert B. Norris, Ward 18; Herbert A. Ellis, Ward 19; Edward Emms, Ward 19; Francis A. Lynch, Ward 19; Arthur B. Blanchard, Ward 20; Edwin C. Long, Ward 20; Daniel K. Nelson, Ward 20; James F. Stevens, Ward 20; Charles Henry Watts, Ward 20; Roland Gallagher, Ward 21; Chester N. Grenier, Ward 21; Edward Russell, Ward 21; Martin V. Dowd, Ward 22; James C. Driscoll, Ward 22; Edward F. Loonie, Ward 22.

PETITIONS REFERRED.

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

Claims.

Boston Penny Savings Bank, for compensation for damage to property at 857 Beacon street, caused by city truck.

Carrie Champlin, for compensation for injuries caused by an alleged defect at Harrison avenue and Motte street.

Morris and Louis Cohen, for compensation for damage to car and injuries caused by city truck.

Paul Collins, for compensation for damage to car by city truck.

Driscoll's, for compensation for damage to property at 152 Washington street, caused by breaking of water main.

Mrs. Ida Gay, for compensation for damage to property at 47 Hansborough street, Dorchester, by lightning.

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

James T. Killian, for compensation for damage to car caused by an alleged defect at 1016 Harrison avenue.

Effie Lee, for compensation for injuries caused by an alleged defect at Welles avenue and Dorchester avenue.

Dr. Phillip Levine, for compensation for damage to car by fire truck.

Etta Lichter, for compensation for injuries caused by an alleged defect in Humboldt avenue.

Edna F. Mosher, for compensation for injuries caused by an alleged defect in Nassau street.

Oscar Auerbach and Philip Needle, for compensation for damage to property and injuries caused by city car.

Lettie I. Rolsten, for compensation for damage to property at 630 South street, caused by ash collector.

Silver Star Cafe, for refund on part of fee paid for six-day license.

Ryan Cab Company, for compensation for damage to cab caused by city truck of Paving Division.

Executive.

Petition of Catherine V. Goode, to be paid an annuity on account of the death of her husband, James E. Goode, a member of the Fire Department, who died of injuries received in performance of his duty.

CHANGING NAMES OF STREETS.

A communication was received from the Board of Street Commissioners, stating the Board had voted to change the names of the following streets:

Berry street, West Roxbury district, from Canterbury street to Cummins Highway, new name, Mt. Calvary road.

Astor street, Roxbury district, from Massachusetts avenue to Hemenway street, new name, Burbank street.

Bonnie road, Brighton district, northerly from Faneuil street for a distance of approximately 515 feet, new name, Adair road.

Placed on file.

ORGANIZATION OF BOSTON HOUSING AUTHORITY.

Notice was received of organization of Boston Housing Authority on January 24 as follows: Francis J. Murray, chairman; Harold Field Kellogg, vice chairman.

Placed on file.

MENINGITIS CASES.

Coun. ROBERTS offered the following:

Ordered, That his Honor the Mayor request the Health Commissioner to enforce a strict quarantine of all meningitis cases reported in Boston, using all modern fumigation methods at any residence or house in which a patient has been confined with this disease.

Ordered, That his Honor the Mayor investigate the circumstances relative to the death of Walter McDonough, 15 Rutland square, who was allowed to leave Long Island while suffering from meningitis and who did not receive medical attention for a number of hours while in Boston, in spite of repeated calls to the City Hospital and, finally, why the Health Commissioner has taken no precautions to guard against the spread of the disease by taking proper precautions on the premises at 15 Rutland square.

Coun. ROBERTS—Mr. President, just a word in regard to these two orders. I do not like to hastily condemn or hold responsible the Health Commissioner of Boston, because he is newly appointed for what happened in this particular case to Walter McDonough, a guard employed at the Long Island Hospital. While there he was taken down with an illness similar to meningitis. Instead of holding him at Long Island, however, where he could be quarantined, they sent him back to Boston, to 15 Rutland square, where he had a room. I understand, while I have not been able to check this up, that the authorities at Long Island called up the City Hospital and asked that his particular case be watched, although I don't understand that there was a suggestion that he should be, because of the nature of the disease, confined. After several hours without medical attention, and after numerous calls to the hospital, an ambulance was sent to 15 Rutland square and Walter McDonough was on his way to the City Hospital when he died. There is, however, a much larger question involved than the McDonough case. He might have been saved with proper attention; it may be that if he had stayed on the Island he would be alive today. But there is this aftermath. When people are on Long Island and are on the point of leaving, and there is reason to suspect that they have this disease, surely they should not be allowed to leave the Island under such circumstances. The facts, therefore, call for an investigation by the Mayor as to why first, he was allowed to leave the hospital, and, second, it would be interesting to know why the Health Commissioner, when such a case had been reported, has taken no action to fumigate the premises or has taken no further precautions to prevent the spreading of the disease. I don't know how serious the menace has been to the occupants of 15 Rutland square. I understand that the landlady called the Health Department five times, asking what they intended to do. She has had the floor of the house containing the room that McDonough last used shut off, and it is not being used. But, as regards the clothing or other articles in the house, the Health Commissioner or the hospital authorities have done nothing to prevent the spread of the disease. I don't know what more could be required of the landlady. She evidently did what she could and she can hardly be supposed to under-

take the cost of fumigation herself. She is operating a small lodging house, getting in return a small amount of money, and it was not her fault that the lodger was sent back to the house with this disease. These orders call upon his Honor the Mayor to see what the Health Department has been doing or is doing in such matters, and they call for an investigation of the circumstances surrounding the death of Walter McDonough.

The orders were passed under suspension of the rule.

NAMING OF JOSEPH A. TOMASELLO PARK.

Coun. SELVITELLA offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to name the North End Park Joseph A. Tomaseello Park.

Coun. SELVITELLA—Mr. President, a week ago last Friday Boston lost one of its finest citizens. The death of Joseph Tomaseello brought the greatest regret to everybody, regardless of race, color or creed. We knew him as a well-known contractor for public works, including the building of roads, bridges, sewers, race tracks and waterworks. He was one of the largest employers of men in New England. Every man who worked for him loved him; everyone who knew him, or even knew of him, was familiar with his quiet philanthropies, his unflinching friendships, his splendid qualities as a husband, father, employer and citizen. His place in our hearts can never be filled. He held many positions of honor and trust in our community, including chairmanship of the Board of Appeal and Building Examiners of the City of Boston. He was one of the first of his race to serve as Boston's Fourth of July orator. He was a director of the Home for Italian Orphan Children, formerly a president of the New England Road-builders Association, director of several banks, president of the League of Italian-American Neutrality, vice president of the Eastern Racing Association. I know of no better way in which to perpetuate the memory of the late Joseph A. Tomaseello than by naming for him a park in the heart of the North End, where he was born and brought up, so that those living in that district may be inspired by his life and by his successful struggle. There could be no more fitting memorial at this time than the naming of this park for Joseph A. Tomaseello.

The order was passed under suspension of the rule.

(Coun. Selvittella also had the following editorial from the Boston Traveler of Monday, February 24, 1936, inserted in the record.)

"ART AND HEART HAD HE.

"Modestly among us, for not enough years (he died at forty-eight), lived a mighty builder who was yet a patron of the exquisite. Dually the artist, Joe Tomaseello wrought stone and steel and mortar into works of beauty and durability; equally accomplished was he in appreciation and patronage of finer arts, particularly of music, operatic and instrumental.

"But he had a far higher quality. He had charity. Today many an eye is drenched with tears at the passing of this generous man who with a smile of friendship and understanding had tried so often to belittle his own benefactions to individuals uncounted and to good causes of all sorts.

"Whether as a general, supervising great works, or as a formally-dressed opera-goer, Joe Tomaseello walked the world in the fragrance of kindness. Quick to smile, a smile of quiet dignity and full friendship, Joe Tomaseello lifted many a heart. Always he was ready to listen patiently to the troubles of others, always he was ready to help. If he had cares and worries of his own he burdened no one with them. He was too considerate of others to do so. Yet he gladly shared their cares. And these memories of Joe Tomaseello are his best monument, as enduring as the mightiest of his works."

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. KERRIGAN, for the Committee on Public Lands, submitted the following:

1. Report on message of Mayor and order

(referred November 12, 1935) that \$10,000 be transferred from Sale of City Property to Playground, Wood Avenue, Hyde Park—that same ought to pass.

The report was accepted, and the question came on giving the order its first reading and passage.

Coun. WILSON—Mr. President, I realize, of course, that this is very near to the heart of a member of the Council from an adjoining ward. But I do understand that this \$10,000 means in effect the exempting of a rather large amount of taxes owed by Mr. Foss, formerly Governor of the State, to the city. I suggest, therefore, that the matter be sent to Executive Committee, so that we may at least find out the amount of the unpaid taxes and whether the city should not, perhaps, instead of making a credit, do in this case what is done to the average poor property owner, take the property through Land Court procedure.

Chairman GALLAGHER—The order requires two readings, and this is only the first. It will come up for final action in two weeks.

Coun. NORTON—Mr. President, if it were possible to take the land through such proceedings as have been spoken of by the councilor from Ward 17 (Coun. Wilson) I feel sure that the city authorities would have done so. Here is a piece of land adjacent to the Hyde Park High School. Not one cent is to be paid out by the city, but in lieu of such payment ex-Governor Foss has made an arrangement with the city officials whereby the land is to be taken at its assessed value. In the opinion of Mr. Timothy Murphy, chief assessor, this is a good bargain for the city, and apparently such is the feeling in the Mayor's office. The gentlemen from Ward 17 spoke of this as something that I am especially interested in. No. Vote it down, if you wish. Look at it on its merits. I am not asking any favor on this particular order. I knew nothing about it until the Mayor sent it in. I don't want anybody to think that in voting for it he is doing me a favor. I would not put myself in that position. If any member does not like it, vote against it. Somebody has facetiously remarked that Norton is always against spending money. Yes; he has been and will be. But here is a chance for the city, without expenditure of money, in lieu of such expenditure, to put through this bargain. Furthermore, I have always contended in the years I have been in the Council, that an opportunity should be afforded in every section of the city to have a suitable playground, a play area, where children can play and keep off the streets. We lose twenty or more children by death every year, killed by automobiles in the highways, and we have thousands of children injured. Here is an opportunity where the city can take this vacant land in Hyde Park for a play area, a section where it is much needed according to those who have studied the situation. It has not got to be a big playground. A playground perhaps twice as large as this room would do very well for small children; so that they would not have to play in the streets. We are told that there should be an acre of ground for each child. Well, Boston would have to go far before it got to that point! Now, gentlemen, what are we going to do? Simply stand by? Are we going to sit, stare and do nothing? Are we going to place obstacles in the way of this movement? I favor the idea of municipal buildings, playgrounds, anything at all that will give the youngsters a chance. You will never find me opposing a play area. I never have and never will, where land can be taken for anywhere near the assessed value, because in the next ten years we are going to need more play areas. 90 per cent of the crime comes from 10 per cent of our area, and most of the juvenile delinquencies come from crowded and congested sections. 95 per cent of those who entered Concord last year were under the age of twenty-three. This will give a chance for a playground adjacent to the Hyde Park High School to children about there and in the adjoining area, and the city is not going to spend a cent. The city has driven this bargain with Mr. Foss who owns a large area out there, and the city thinks it is a good bargain.

Coun. WILSON—Mr. President, apparently I did not make my point clear. I intended no attack on playgrounds. The point I was gropingly trying to make is this: That Mr. Foss owed the city a large amount in unpaid taxes. I don't know for what year or on what land. But if he owes a substantial amount of money for unpaid taxes, over two or three years, I see no reason why the same procedure that is followed with others,

that is followed with poor people in this city, should not be followed with Mr. Foss, you, me or any one else. I therefore raise the question about this \$10,000 simply because I wanted to get the facts, and I thought it should go to the Executive Committee. I was not arguing against playgrounds, but I would like to know the situation in regard to Mr. Foss's holdings.

Coun. NORTON—Mr. President, the City of Boston has never taken any piece of land of anything like the size of this under confiscatory proceeding. Why start now, unless it is absolutely necessary? I am perfectly willing to send this to the Executive Committee, but why hold the thing up. But I don't like this holding up business. In November of last year an order was sent in here which would have resulted in the carrying through of this project with the help of \$225,000 from the Federal Government. That would have meant putting men at work on the project, \$225,000 ear-marked down there for this purpose. The moment we passed it here that moment the men would go to work. That thing should have been put through. We have had it here since November 25 of last year. The National Government said that it would spend \$225,000 putting men at work on that project, men not only from that district but from every district of Boston. But since November 25, 1935, we have done nothing about it. Now, somebody criticizes the national administration for doing nothing, the same as we have criticized other administrations for doing nothing. Let us remember, however, that the National Government simply stood ready to appropriate \$225,000 on this project, and said to Boston, "Spend it." Just ask John Murphy, the chief engineer of the Park Department, in charge of this project, if that is not the situation. I wondered how they were going to spend \$225,000 out there—

Coun. WILSON—And so do I!

Coun. NORTON—But he says that it will not be done by machinery but will be done by hand labor; that it is proposed to level that off with hand labor. It may be, says Mr. Murphy, that when the Council gets around to passing the order, the Government will not have the money. Here that thing has been pending since November 25 of last year, the Federal Government saying, "We will spend \$225,000 putting men at work out there," and still, in spite of unemployment because of the depression, nothing has been done with that order in this Council. Men are walking the street, and we are criticizing the national administration for doing nothing. Who is to blame? Who will answer that question? Does anybody care to take the responsibility? Should we care? Should we hold this thing up for months longer?

Coun. WILSON—Mr. President, may I ask if there is anything on file from Uncle Sam, or anybody in charge of his business, to the effect that \$225,000 will be spent on this land, which still belongs to Mr. Foss?

Chairman GALLAGHER—The Chair knows of none.

Coun. NORTON—I know of it, and you ought to know. Just send for John Murphy, in charge of these projects. You can conjure up a thousand reasons, if you want to, why action has not been taken, but the fact remains that ever since November 25, in spite of this proposal from Uncle Sam to allow \$225,000 for this project, which will be spent on labor, nothing has been done.

Coun. ROBERTS—Mr. President, will the councilor furnish information in regard to what the Council has been holding up since November?

Coun. NORTON—The Mayor's order in connection with this piece of land. I understand Councilor Kerrigan to say that on November 25 this order came in here.

Coun. KERRIGAN—May I say to Councilor Norton that the new committees for this year were not appointed January 1, but since they were appointed our committee has had several meetings upon the order.

Coun. NORTON—Well, my statement is substantially correct, that this thing has been held here since November 25 without any action being taken. That information is open to any citizen, and I refer to John Murphy as authority to any statement I have made in regard to the proposal of the National Government.

Coun. DOWD—Mr. President, I am thoroughly in accord with the councilor from Hyde Park in his position in regard to playgrounds. But, if I may say so, this is the first time I have had knowledge of this order. I disagree with the

gentleman, however, when he says that the Boston City Council is holding this up. This is not a fair statement. I agree, in view of the facts that when John Murphy said it is time the Council should pass the order, that is undoubtedly correct, and that if we do not do so, we may have no money left. But I also say to the Park Commissioner and to Mr. Murphy that if they were on the job and kept us informed of the situation, as they should have done, action would have been taken and people would have been placed at work. I thoroughly agree with the councilor from Hyde Park that we should not hesitate. If the Government is going to spend \$225,000 or \$50,000, we should pass the order immediately. But I resent the statement that the Council is in any way responsible, because we all understand and know that that order came in to us practically on the first of December, when the old Council was dying, and we all realize that orders coming in at such a time are usually held over until after the first of the year. We all realize, also, that it takes the President of this Council or any president two or three weeks to appoint his committee, and when the committees were appointed, I understand that the chairman of the Committee on Public Lands held his committee meetings and has today presented the order. We are going to act upon it favorably, there is no question at all of that. But it is unfair for either Mr. Murphy or for the chairman of the Park Department, who get their salaries from the Boston City Council, to blame us in this matter, if they do. They should get on to themselves in regard to these projects and keep us informed, particularly if there is a danger of money otherwise available being taken away from Boston. Certainly, the Council would not be responsible for that. The committee has now acted on the matter and has reported favorably, and I know that the Council as a whole stands ready to act favorably.

Coun. NORTON—Mr. President, do I understand the gentleman from Roxbury (Coun. Dowd) to think that this matter has been acted upon with expedition or in the normal run of events?

Coun. DOWD—Mr. President, I said that the Council has acted upon it just as quickly as they possibly could.

Coun. NORTON—Mr. President, I am astounded at that answer. I don't know whether my ears belie me! Uncle Sam made this offer as far back as November 25. If it had gone through at that moment the Government stood ready to spend \$225,000 to put men at work. But three months have gone by and nothing has been done, with 100,000 men walking the streets. Do you say that is expeditious? Do you say that that is proper procedure, in the light of what is going on in this city? Uncle Sam says to Boston, "Here is \$225,000 to put men at work," and the Mayor sent it in here on November 25, 1935. Over three months have gone by, and not one man has gone to work. The Council has been holding up this order in the worst winter that our city has ever known, holding it up for three months, and then the councilor says it is all right. It may be all right, and I may be all wrong. But that statement sounds rather queer to me.

Coun. KERRIGAN—Mr. President, as chairman of the Committee on Public Lands, although I am wholly in accord with the councilor from Hyde Park (Coun. Norton) on playgrounds, I think he is unfair. He is unfair to the members of my committee, and he is unfair to me in saying that we have been slow this year, and for purposes of the record I want to say here that our committee has held three meetings on this matter. Neither the Committee on Public Lands nor any other committee was appointed in this body until the latter part of January, and now it is only the first of March. So I think the councilor from Hyde Park should correct some of his remarks in regard to the committee of this year, anyway.

Coun. NORTON—Correct what remarks, Mr. President? Correct what remarks. I made the remark that this order had been in this body for three months, that over three months ago we were informed that the Federal Government stood ready to spend \$225,000 on this project, which would have gone for labor, and yet nothing has been done to date.

Coun. ROBERTS—Mr. President, if the councilor from Hyde Park felt that way about it, let me simply say that he has been a member of the body all this time, and that at any time he could have

called for a report of the Committee on Public Lands.

Chairman GALLAGHER—The clerk will call the roll on the passage of the order.

Coun. WILSON—Mr. President, what has become of my motion to refer to the Executive Committee?

Chairman GALLAGHER—The councilor suggested that it be sent to that committee, but made no motion.

Coun. WILSON—I now move, Mr. President, that it be sent to Executive.

Chairman GALLAGHER—The roll call has been ordered.

The order was given its first reading and passage, yeas 17, nays 1:

Yeas—Coun. Agnew, Brackman, Doherty, Dowd, Finley, Peter J. Fitzgerald, Gallagher, Kerrigan, Kilroy, McGrath, Mellen, George A. Murray, Norton, Roberts, Rosenberg, Selvitella, Tobin—17.

Nays—Coun. Wilson—1.

The order will take its second and final reading and passage in not less than fourteen days.

REPORT OF COMMITTEE ON CLAIMS.

Coun. SELVITELLA, for the Committee on Claims, submitted the following:

1. Report on petition of Max Levine (referred February 24) to be reimbursed for amount of judgment issued against him on account of his acts as operator of motor vehicle belonging to Sanitary Division of the Public Works Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of seventy-five dollars be allowed and paid to Max Levine in reimbursement for amount of judgment issued against him on account of his acts as operator of a motor vehicle belonging to the Sanitary Division, Public Works Department, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

2. Report on petition of Max Levine (referred February 24) to be reimbursed for amount of judgment issued against him on account of his acts as operator of a motor vehicle belonging to Sanitary Division, Public Works Department, recommending passage of accompanying order, viz.:

Ordered, That the sum of three hundred and twenty-five dollars be allowed and paid to Max Levine in reimbursement for amount of judgment issued against him on account of his acts as operator of a motor vehicle belonging to the Sanitary Division, Public Works Department, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

3. Report on petition of Hilary A. Gasper (referred February 24) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Police Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of three hundred and fifty dollars be allowed and paid to Hilary A. Gasper in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Police Department, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

AUTOMATIC TRAFFIC SIGNALS.

Coun. KERRIGAN offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to provide for the installation of automatic traffic signals, either as a P. W. A. project or otherwise, at the 101 intersections with high-accident frequency mentioned in the report of the Boston Traffic Commission submitted to the City Council under date of July 15, 1935, in order that the great increase in traffic this coming summer will not bring a consequent increase in the number of deaths and injuries which will surely come unless these traffic precautions are taken without delay.

Coun. KERRIGAN. Mr. President, I hope the Mayor will get in touch with the Traffic Commissioner and make every arrangement possible to bring about what is suggested in this order. There are 101 dangerous street intersections in our city, and unless these are eliminated we are going to continue to have plenty of accidents. So

I hope the Mayor of Boston will push this through as a P. W. A. project or otherwise.

The order was passed under suspension of the rule.

WARD 11 IMPROVEMENTS.

Coun. KILROY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Byron court, Ward 11, as a public highway.

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals at the junction of Amory and Boylston streets, Ward 11.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to replace the gas lamps in Ward 11 with electric lights.

Severally passed under suspension of the rule.

ELECTRIC LIGHTS FOR WARD 6.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to supplant all gas lamps now in use in Ward 6 with electric lights.

Passed under suspension of the rule.

REPAVING OF WARD 14 STREETS.

Coun. ROSENBERG 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 Dorchester, Ward 14:

Greenheys street, Magnolia street, Kerwin street and Glenarm street.

Passed under suspension of the rule.

BUS LINE FROM FRANKLIN PARK STATION.

Coun. ROSENBERG offered the following:

Ordered, That the Board of Trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, to establish a bus line from Franklin Park Station at Columbia road and Blue Hill avenue to run down Columbia road through Edward Everett square to Columbia Station and terminate at Carson Beach, during the summer months, at such times as it is deemed advisable for the convenience of the patrons of these beaches, and that said route be at the five-cent rate.

Coun. ROSENBERG—Mr. President, the people of Dorchester, as well as the people of other sections of the city, want to reach the beaches along the Strandway in the most convenient and comfortable manner. The Strandway was developed with a great deal of work by the present Governor of the Commonwealth, James M. Curley, spending a great deal of money upon it, and it is certainly now desirable that access to the waterfront there should be facilitated as much as possible. The people of Dorchester, especially from my section, sometimes have to change to three or four lines in order to reach the beaches along the Strandway. The central terminus at Franklin Park, at the corner of Columbia road and Blue Hill avenue, is a convenient place to establish a bus line. It would there connect up with the Egleston-Mattapan line, the Ashmont-Dudley-Talbot and Blue Hill avenue line, and the Columbia road car that comes from Andrew square to Franklin Park, Blue Hill avenue and Columbia road. It would connect with and serve that group of lines. The establishment of this bus line, at Columbia road and Blue Hill avenue, running down Columbia road, through Edward Everett square to Columbia Station and terminating at Carson Beach, running during the summer months, would not only accommodate the residents of Ward 14, but also of Wards 13 and 15 and other sections. It would be of great convenience, and would not result in any great expense.

The order was passed under suspension of the rule.

EXPENSES OF LAWYERS IN DOLAN CASE.

Coun. McGRATH offered the following:

Ordered, That the Corporation Counsel, through his Honor the Mayor, be requested to inform the City Council if the City of Boston is to pay the expenses of a group of lawyers who are to travel to Florida for the purpose of witnessing depositions in the so-called Dolan case, and also to inform the Council upon what authority the City Auditor may allow such payments.

Coun. McGRATH—Mr. President, without discussing the merits of the so-called Dolan case last week I read in the newspapers that about ten or twelve lawyers were going to Florida to interview a witness. One of the principal subjects of discussion in this Council every week is, how we can save the taxpayers some money. I think we can save money right here. Send for this man and bring him up here. I would like to go to Florida myself, but I cannot afford it. If I put in a requisition for a fountain pen, I have to pay for it, and somebody took the last one! Now, I hold no brief for Eddie Dolan. I hardly know the man. But I don't think it is fair to the city to send ten or a dozen lawyers South to interview witnesses in this case. If they have information, let them tell it in the court, not spending the taxpayers' money in this way.

The order was passed under suspension of the rule.

USE OF SCHOOLHOUSES FOR ADULT EDUCATION.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of conferring with the School authorities relative to the matter of using the 300-odd school buildings in Boston for adult educational purposes during late afternoon and evening hours.

Coun. NORTON—Mr. President, we have 300 school buildings in Boston, erected at a cost of more than \$60,000,000, that are idle most of the time. People over forty years of age must go to school again. What they learned from five to twenty they must now relearn because of progress. Many were educated for a world that no longer exists. It may be important in this way to build up education for adults, so that if business picks up—if it ever does—they will be prepared for new jobs. This is at least something that we should be thinking of.

The order was passed under suspension of the rule.

STUDY OF USES OF TEACHERS COLLEGE.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of conferring with the School Committee relative to the matter of having a study made as to the advisability of discontinuing Teachers College for the training of teachers, but using it for the giving of regular collegiate courses to the 5,000 or more graduates of Boston's high school system who prepared for college but who are unable to enter because of the depression.

Coun. NORTON—Mr. President, rather than continuing to turn out teachers who can never obtain work but will only add to the 1,000 unemployed graduates, Teachers College should give collegiate courses to the 5,000 or more graduates of our high schools who prepared for four years for college but are unable to enter because of the depression. Many of these high school grads are now walking the streets. They would benefit by such a plan as this.

The order was passed under suspension of the rule.

PREFERENCE TO FORMER EMPLOYEES.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of giving preference in employment to those city employees let go during the first part of his administration.

Passed under suspension of the rule.

GREATER USE OF BUSES.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of conferring with the officials of the Boston Elevated Railroad system relative to the more extensive use of buses in Boston.

Coun. NORTON—Mr. President, there are hundreds of schools in Boston where transportation facilities are far removed from the homes, and the same thing is true of much of our adult population in getting to and from business. The Boston Elevated Railway system should use more buses. The old-fashioned electric car, in many instances, is slow, noisy, and inefficient compared to the modern bus. President Sheeran of the New York Railways Corporation advises that all surface cars there be replaced by buses this summer. The modern bus in Boston can go through districts that the old-fashioned electric car never properly serviced. Some people walk a mile or more to the nearest Boston Elevated service today.

The order was passed under suspension of the rule.

GARMENT CUTTING SERVICE.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of conferring with W. P. A. authorities relative to the matter of establishing a "garment cutting service" to supplement the "garment making" projects.

Coun. NORTON—Mr. President, 200 children a day are kept from school because of having no proper clothes. A W. P. A. clothes cutting service would help these unfortunates. We have the help and the materials. I introduced an order two weeks ago and nothing has been done. I am now

asking that the Mayor of Boston use his influence to have a clothes cutting service inaugurated, to cut garments for children. As I say, we have the help and the materials, and all we need is the executiveship to put the idea into action.

The order was passed under suspension of the rule.

UNPAID TAXES IN WOOD AVENUE SECTION.

Coun. WILSON offered the following:

Ordered, That the Board of Assessors be requested, through his Honor the Mayor, to advise the City Council not later than March 16, 1936, full information concerning unpaid taxes owed to the City of Boston by the present owner of the tract of land in the Wood avenue section of Hyde Park which it is contemplated the city shall purchase for the \$10,000 item set forth in order submitted to the Council on November 7, 1935, and which order received its first reading on March 2, 1936, giving in detail (1) the size and location of the area, consisting of "approximately nine acres," which it is proposed to purchase for \$10,000; (2) the amount of the unpaid taxes outstanding on said tract for each of the years 1931 to 1935, inclusive, plus accrued interest on the same; (3) the total amount of all unpaid taxes owed to the city by the taxpayer in question for each of the years 1931 to 1935, inclusive, plus accrued interest on the same; and (4) the exact disposition proposed to be made of the \$10,000 requested to be transferred from Sales of City Property and which the City Council has been informed is to be applied to certain unpaid taxes of the owner.

Passed under suspension of the rule.

Adjourned, on motion of Coun. DOWD, at 3.10 p. m., to meet on Monday, March 9, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 9, 1936.

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

FUEL FOR NEEDY FAMILIES.

The following was received:

City of Boston,

Office of the Mayor, March 6, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Supplies relative to your order of February 10, 1936, concerning changes in the form of proposals for furnishing fuel to needy families through the Public Welfare Department in 1936.

Respectfully,

JOHN I. FITZGERALD, Acting Mayor.

City of Boston,

Supply Department, March 5, 1936.

Hon. Frederick W. Mansfield,

Mayor of Boston.

Dear Mr. Mayor,—Replying to yours of March 3, 1936, re attached order passed by the City Council upon motion of Councilor Wilson, you are respectfully informed that this department will comply with the requests contained in the attached order.

Respectfully yours,

D. FRANK DOHERTY,
Superintendent of Supplies.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Jacob L. Borison, for compensation for injuries caused by an alleged defect at L Street Solarium.

Robert C. Burke, for compensation for damage to car and injuries caused by city workers.

Jennie and Mary DeMaggio, for compensation for damage to property at 69 Hale street, caused by backing up of sewage.

John B. Hickey, Jr., for compensation for damage to car caused by an alleged defect in Huntington avenue.

Abraham Kurker, for compensation for damage to property at 9 and 11 Highview avenue, West Roxbury, caused by backing up of sewage.

Mary McInerney, for compensation for injuries caused by an alleged defect in Scollay square.

Joseph B. Moulton, for compensation for damage to car by city car.

Bartholomew Murray, for compensation for damage to property at 55 Easton street, caused by overflow of sewer.

New England Laundries, Inc., for compensation for damage to truck by city truck.

Overton W. Stuteville, for refund on victualer's license.

Universal Motor Mileage Corporation, for compensation for damage to truck by city truck.

National Garage, Inc., for compensation for damage to property at 295 and 297 Columbus avenue, caused by break in water main.

Rosa Covino, for compensation for damage to property at 39 Grove street, caused by excessive pressure of water.

Executive.

Petition of National League Baseball V Club of Boston for license for outdoor athletic sports on Sunday between 1.30 and 6.30 p. m. for term ending October 10, 1936, on premises at 32 Gaffney street.

Committee on Jitney Licenses.

Petition of Eastern Massachusetts Street Railway Company for license to operate motor vehicles, Boston-Revere boundary line and Plaza contiguous to Traffic Tunnel exit in, and/or Dock square and Haymarket square.

Committee on Public Lands.

Petition of Sarah A. B. West for release of restrictions on land at 164 West Springfield street.

BOND OF JAMES H. HISCOX.

The bond of James H. Hiscox on school bus was received and placed on file.

LIQUOR LICENSES AT BASEBALL PARKS.

Coun. McGRATH offered the following:

Ordered, That the Licensing Board of the City of Boston be requested, through his Honor the Mayor, to delay the granting of licenses for the sale of alcoholic beverages at the major league baseball parks in Boston until such time as the City Council of Boston grants such baseball clubs a license to conduct Sunday sports at such ball parks.

Referred to Committee on Licenses.

PERMIT FOR CHILDREN TO APPEAR.

A petition for children under fifteen years of age to appear at places of public amusement was received, and permit granted under usual conditions, viz.:

Gino Gallozzi, Michelangelo School, March 11.

WARD 3 IMPROVEMENTS.

Coun. JOHN I. FITZGERALD offered the following:

Ordered, That the Commissioner of Public Works be requested to have Bowdoin street, between Cambridge street and Bulfinch place, resurfaced.

Ordered, That the Commissioner of Public Works be requested to have the Water Department place the water box, situated at the corner of Cambridge and Staniford streets, put in proper condition.

Severally passed under suspension of the rule.

WARD 12 IMPROVEMENTS.

Coun. BRACKMAN offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Park Commissioner to make provision for a wading pool in Ward 12 section of Boston.

Ordered, That his Honor the Mayor be requested to instruct the Park Commissioner to build a roller skate rink in Franklin Park.

Ordered, That his Honor the Mayor be requested to instruct the Public Works Commissioner to repave with smooth paving the following streets: Howland, Ruthven, Rockland, Ottawa, Sherman and Gaston.

Severally passed under suspension of the rule.

BORROWING CAPACITY OF CITY.

The following was received:

City of Boston,
Commissioners of Sinking Funds,
February 25, 1936.

To the Members of the City Council.

Gentlemen,—In accordance with the provisions of chapter 93, Acts of 1891, chapter 267, Special Acts of 1916, and chapter 225, Acts of 1931, it is estimated that the amount which the city will be able to borrow during the present municipal year within the debt

limit established by law, is \$6,202,298.12, as per schedule annexed.

Respectfully,

ELIOT WADSWORTH,
WILLIAM ARTHUR DUPEE,
GUY W. COX,
WILLIAM SPOTTISWOODE,
MICHAEL H. CORCORAN,
JOHN E. HANNIGAN,

Board of Commissioners of Sinking Funds,
CHARLES J. FOX, City Auditor,
JOHN H. DORSEY, City Treasurer.

DEBT INCURRING POWER IN 1936.

Total debt incurring power within the debt limit (2½ per cent of \$1,675,264,600, the average assessed valuation for three years less abatements).....		\$41,881,615 00
Debts incurred:		
Total funded debt, city and county.....	\$165,402,166 61	
Funded debt outside the debt limit (debt exempted from the operation of the law limiting municipal indebtedness):		
City debt.....	\$38,131,300 00	
Water debt.....	288,000 00	
Traffic Tunnel debt.....	16,000,000 00	
Traffic Tunnel debt, "Series B,".....	3,000,000 00	
Traffic Tunnel debt, "Series C,".....	300,000 00	
County debt.....	962,666 61	
Rapid Transit debt.....	57,789,700 00	
	\$116,471,666 61	
Funded debt for Public Works Administration projects, issued under authority of chapter 366, Acts of 1933, as amended by chapter 21, Acts of 1934,	4,689,000 00	
		121,160,666 61
Funded debt within the debt limit.....		\$44,241,500 00
Offsets to funded debt:		
Sinking funds.....	\$30,892,462 08	
Less sinking funds for debt outside the debt limit:		
City.....	\$10,306,099 25	
County.....	853,250 36	
Rapid Transit.....	13,872,379 66	
Traffic Tunnel.....	97,711 00	
Traffic Tunnel, "Series B,".....	36,066 00	
	25,165,506 27	
Premiums on loans inside limit.....	\$5,726,955 81	
	2,155 64	
Offsets to funded debt within the debt limit.....		5,729,111 45
Net indebtedness within the debt limit December 31, 1935.....	\$38,512,388 55	
Loans authorized but not issued (within the debt limit).....	1,192,000 00	
Used debt incurring power within the debt limit.....		\$39,704,388 55
Unused debt incurring power within the debt limit, January 1, 1936.....		\$2,177,226 45
Estimated increase during the year by:		
Interest on sinking fund investments.....	\$206,000 00	
Appropriation for sinking funds for debt within the debt limit.....	92,405 00	
Serial bonds redeemable during year.....	3,726,666 67	
		4,025,071 67
Estimated amount of indebtedness that may legally be incurred within the debt limit during the municipal year.....		\$6,202,298 12
	Placed on file.	

NON-RESIDENT SCHOOL TEACHERS.

Coun. KERRIGAN, McGRATH and DOWD offered the following:

Ordered, That the School Committee, be requested, through his Honor the Mayor, to conduct an investigation relative to non-resident school teachers and to consider the advisability of replacing such nonresidents, wherever possible, with bona fide resident teachers of Boston.

The order was passed under suspension of the rules.

Coun. BRACKMAN—Mr. President, I don't want to enter into a prolonged discussion of this order, but it seems to me we are running things in everybody's jurisdiction but our own. This is a matter that pertains to the Boston School Committee, over which this body has no jurisdiction and has not had for a great many years. It seems to me we are constantly passing orders affecting the Boston School Committee and that they might very well retaliate by passing orders affecting the City Council. But they are gentlemanly enough to mind their business up there. I am heartily in accord with the substance of

this order, that all employees should be residents of Boston. If the city is good enough to get a salary from it should be good enough to live in. But I am rather tired of listening to orders dealing with matters concerning which we have no authority or responsibility. We have absolutely no authority over the subject matter of this order. I understand that in 1932 they passed a rule that from that time on every person employed in the School Department of the city should be a resident of Boston. I understand, however, that they have no power to go back of 1932 to accomplish that purpose, that it could not be retroactive. It seems to me we have work enough to do in cleaning our own house, dealing with matters with which the City Council of Boston is properly concerned. At present I know of no law that requires employees of the City of Boston to live in Boston or to be legal residents. It is true that there is an ordinance on the books which the Corporation Counsel in 1934 said was illegal and could not be enforced. That is a rather lengthy opinion, at page 396 of the Minutes of 1934, in answer to an order introduced by Councilor Finley, in

which he asked whether or not we have authority to pass an ordinance requiring employees of the city to live in the city, and in which the Corporation Counsel stated that we have no such authority, that it is definitely vested in the Civil Service Commission and the Legislature. I think if we really want to do something effective for our constituents in Boston, something that will prevent this discrimination against citizens of Boston, we should endeavor to have some steps taken at the State House to pass legislation which will cover the matter, providing that only citizens of Boston be employed. That can be done, and according to this opinion it can only be done by legislation. I intend to introduce such an order later on.

President FITZGERALD—The Corporation Counsel changes his opinion, too.

Coun. Dowd — Mr. President, while I agree somewhat with what my colleague has said in so far as the order being an empty order, dealing with a matter over which we have no direct jurisdiction, is concerned I would like to say that, as a matter of fact, we are elected by the people of Boston, just as the School Committee are, to spend the money of the city and spend it wisely. We find the situation in the City of Boston, that out of 5,400 employees in the School Department 1,609, getting salaries from \$2,000 to \$3,500 a year, in the aggregate about \$3,000,000 a year, live outside of the City of Boston. Whether we have any jurisdiction or not, it certainly is our business to take the initiative and see that, so far as we can help in bringing it about, every one getting a salary from the city should at least live in Boston and pay a poll tax here. It was three years ago—I believe on June 5, 1933—that I introduced an order on this very subject, and I asked the School Committee at that time to prepare legislation and to require the employees living outside of Boston after six months' time to move into the city or to forfeit their jobs. We find the Everett City Council taking action in this matter, to require teachers in Everett to live in that city, and I am not criticizing them for doing so. If I were a member of the Everett City Council I should take the same action that they are taking, firing teachers living in Boston; and, by the same token, we in Boston should have enough courage, both in the City Council and the School Committee, to immediately take steps to remove from our roll 1,609 salaried people in the School Department living outside of Boston. They get pretty good jobs here, at \$2,000 to \$3,500, and immediately join the high-class Irish and move out to one of the suburban towns. Boston is no longer good enough for them to live in, although it is good enough to pay their salaries. If I were in authority and had anything to do with the situation, I would fire those 1,609 school teachers who are living in other places, but are employed here. God knows there are plenty in Boston looking for jobs who can fill their places, and I would let them go back to Milton and other cities and towns to live. While we have no direct jurisdiction over them, this is certainly an important matter. Take young girls born in Boston, going to the Teachers College, learning how to teach, and then being unable to get a job. Can they go and get a job in Milton, where there are 151 Boston school teachers residing? Can they get a job in Everett, where there are twenty-five teachers of the City of Boston, getting salaries from Boston, residing? Oh, no. Could they go to Somerville or Brookline and get jobs? Of course not. Still, we find 24 per cent of the teaching population of the City of Boston living outside the city. I say to the School Committee it is about time that they got on to their job. It is about time that they realized, as we should, that Boston money is meant for Boston people. Therefore, while I agree with the councilor from Ward 12 (Coun. Brackman) that we have no jurisdiction over the matter, I still feel that steps should be taken to prepare legislation under which these teachers may be im-

mediately ordered to live in Boston or forfeit their jobs. I really doubt even that legislation would be required if the School Committee should take action in the matter. If that Board should call before it these outside teachers getting from \$2,000 to \$3,500 a year—and twenty out of the twenty-two members of this Council would be willing, I daresay, to quit their jobs here tomorrow if they could get a \$3,000 salary—there would be no legislation required. Those people would come into Boston. If they were threatened with the alternative of losing their jobs or moving into Boston they would come here very quickly. So I say to the Mayor of Boston it is time that he looked into this matter to see what can be done, and while he is about it I believe he should contact every department head so as to find out about those who live in the city and those who do not. Where they do not live in the city they should be fired. Not a single soul drawing money from the taxpayers of this city, and who does not live here, should be retained. If Boston is not good enough for them to live in it is not good enough for them to draw salaries from. That same argument, no doubt, is the reason for the action of the city officials of Everett. I say again that I commend the attitude of the Everett city officials. They are absolutely right. The only people who are wrong are those having authority in this city who do not have the courage to act in the same way, possibly for fear that they will lose a few votes when election time rolls around. I say to the Mayor of Boston, I say to you, Mr. President, and I say to every member of the Council and to the School Committee, that it is a damnable outrage to allow such a thing to go on. Out of 5,400 employees 1,609 live outside of Boston and are not even paying a poll tax here. I now go on record as saying that if I had authority, or ever will have authority, I would fire every nonresident drawing a salary from the City of Boston.

Coun. MELLE—Mr. President, if the gentleman from Ward 8 (Coun. Dowd) feels so strongly in this matter, I would suggest that he take the action proposed by the gentleman from Ward 12 (Coun. Brackman), cleaning our own house first; and I will be with him one hundred per cent when he takes the initiative in cleaning our own house first, dealing with the situation as it affects employees of the city with whom we have something to do.

Coun. BRACKMAN—Mr. President—

President FITZGERALD—The order has been passed.

Coun. BRACKMAN—Well, Mr. President, I ask unanimous consent to make a statement. I think just a few words more may be necessary to explain my stand on this measure. I am one hundred per cent in accord with what the gentleman from Roxbury (Coun. Dowd) has just said, and I think he knows that. I introduced a similar order some time ago. But I am going to vote against this order today, as I am against meddling with public officials elected by the City of Boston as an independent body, as we are, as a body over whom we have no control, and I think, further, that that body has the interest of the people of Boston at heart as much as we have. This is their responsibility and not ours. They are elected to perform their duties and will have to go before the people and explain their position. They are the body elected to deal with school affairs. I will back the councilor from Roxbury on any order he puts in relating to employees of the City of Boston dealing with any matter with which we have the right to meddle. But I am against this order.

Coun. WILSON—Mr. President, not having been here when the order was first introduced and read, I wish to be recorded at this time in favor of the joint order that has been introduced. I feel that the situation in regard to the school teachers is a great deal stronger than that of even the average city employee outside of the schools, because I have in mind the fact that the City of Boston, through the taxpayers, supports the Teachers College, formerly called a normal school, attended not

by children out of the kindergarten or the grammar or common schools, but by high school graduates in high grade A's or B's, or those who get into it as the result of a rigid examination. They spend four years in that college at the expense of the taxpayers of this city, learning to teach school in accordance with the requirements of the Boston School Committee, and they should not be left walking the streets in many cases for anywhere from two to eight years. I bear in mind in connection with that college, carried on with the money of the taxpayers, that over seven hundred graduates of the school are still not in permanent positions, and that that is the fact after all these years. I feel, therefore, that the case of the graduates of the Boston Teachers College is extremely strong as compared perhaps with the case of the average city employe. While I feel, also, that such a rule, if enforced in Boston, will call for retaliation by other cities and towns, knowing that we are employing in the School Department 1,609 who live outside of Boston, and that there are 700 graduates of the Teachers College not yet placed at work, we can perhaps stand a little such retaliation from the outside cities and towns and still function.

Coun. MELLEN—Mr. President, it seems to me that any position we may take with regard to school teachers holds with equal force as applied to those holding other positions in the city's employ. I think the argument in favor of Boston employes living in Boston is equally forcible whether applied to school teachers or to men shoveling a sidewalk.

WARD 14 IMPROVEMENTS.

Coun. ROSENBERG offered the following:
Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install traffic signal lights at the junction of Blue Hill avenue, American Legion Highway, Dorchester, Ward 14.

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install traffic signal lights at Blue Hill avenue and Glenway street, Ward 14.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for better lighting facilities at Ellington street and Old road, Ward 14.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to consider the advisability of replacing all gas lamps now in use in Ward 14 with electric lights.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving, Bradshaw, Fowler, McLellan and Bernard streets, Ward 14.

Severally passed under suspension of the rule.

LEGAL RESIDENCES OF EMPLOYEES.

Coun. BRACKMAN offered the following:
Ordered, That the Legislative Committee of the City Council be instructed to draw suitable amendments to the General Laws, said amendments to pertain to employes of the City of Boston, requiring the same to have a legal residence in Boston at the time of employment by the city, and that said legal residence must continue during the entire period of employment as a City of Boston employe.

Coun. BRACKMAN—Mr. President, this is something that the Boston City Council can do. I understand that our city ordinance has been construed to be illegal by our

Corporation Counsel. Whether or not his opinion will change later I don't know. But the opinion of 1934 is the latest opinion, and that ordinance, if construed strictly, applies only to the time of employment. But a man might be a resident of Boston at the time of his employment and then cease that residence a month later, and nothing can be done about it. Furthermore, the ordinance applies to males, and, unless construed, having in view the present rights of women, would not apply to females. It is an archaic ordinance, having been many years in existence. We should try to bring it up-to-date with something that has teeth in it, through some legislation passed by the Legislature.

The Corporation Counsel states that under the present law the Civil Service Commission has no alternative but to approve, in accordance with the law, whether they be residents of Boston or not. If that is so, we ought to have the provision changed as soon as we possibly can, and it is the sworn duty of every one of us to appear before the Legislature and urge something of this kind. It is the only way in which we can actually make effective what we all desire—to have all employes in the City of Boston live in our city. It seems to me an outrage that we have no control over this matter under a strict construction of the statutes and laws. That opinion of the Corporation Counsel leads me to believe that he is right and that we have no power at the present time. The next step is to try to get this power. I filed an order over two years ago in connection with which I stated that a thousand employes were living outside of Boston. I think I was conservative in making that statement. The loss of taxes to the city because of this nonresidence is great, because most of the employes own their own homes in other cities and towns. I feel that this is an important order, and I hope it will pass.

Coun. SHATTUCK—Mr. President, there can be no doubt, I think, other things being equal, that it is desirable to have employes of the City of Boston reside here. But in my service in the Council, when matters having to do with the School Department have come up, I have not heard anything—

Coun. BRACKMAN—Mr. President, I rise to a point of order. This does not apply to the School Department.

President FITZGERALD—The Chair will have to rule that it is a related matter, and that the remarks are relevant.

Coun. SHATTUCK—When questions come up regarding matters of this kind, the question of the city's service does not seem to be stressed. It would seem to me the most important thing is to have competent, efficient, faithful and honest people, and that is particularly true in the schools, for instance. We hear a great deal about the question of where the teachers shall live, but we hear very little about the quality of their teaching, which is the most important thing. And so it is in the other departments to a somewhat less degree. I hope that this measure will be referred to the Committee on Legislative Matters, which has to do with questions before the Legislature.

Coun. DOWD—Mr. President, I hope that the councilor from the Back Bay (Coun. Shattuck) does not want the people of Boston to believe that there are not plenty of men and women school teachers living in Boston with as much ability to teach our pupils as those living outside. If he wants us to believe that, I certainly cannot agree with him, because I am firmly convinced that there are men and women living in Boston just as smart and able as any individuals living in any city in America.

Coun. SHATTUCK—Mr. President, I believe the question of merit should be considered, and if, considering their qualifications here as teachers, they are the best, of course they should be appointed from every point of view. But I say the most important thing is to get the best qualified teacher, and if the best qualified teacher in a particular branch does not live in Boston, we

should have that teacher in preference to one less well qualified.

Coun. MELLEN—Mr. President, speaking to the order, for which I intend to vote, it seems to me that it does lack force, because every one of us knows what an easy matter it is to obtain legal residence in any city or town. I just want, therefore, to suggest that thought.

Coun. McGRATH—Mr. President, I believe in 1932 or 1933 the School Committee passed an order that in the future all school teachers must be bona fide residents of Boston. The order, I understand, was not retroactive. But, in answer to Councilor Shattuck, I would suggest this thought. I will agree that we should get the best teachers possible, that we should have examinations and select the outstanding teachers. But I would also like to add this,—after they are selected let them become taxpayers of Boston. I know of a case in point where a girl from Cambridge took the examination, and in order to comply with what she thought, a few years ago, were the rules of the School Committee, she purchased a house in Brighton, in order to become a resident and taxpayer of the City of Boston. If we had more of that type it would be a good thing. And it could be easily done. If they originally come from Maine, New Hampshire, Vermont, Rhode Island or other places, if they come from any city or town outside of Boston, let them then become taxpayers. We have a military instructor in our schools, named Kelly, and, if I am correctly informed, he has said that nobody teaching in our schools here would care to bring up his children in Boston. I say, let such a man stay in Belmont. We can find plenty of military instructors in Boston to take Mr. Kelly's place.

The order was referred to the Committee on Legislative Matters.

CLEANING OF CATCH-BASINS.

Coun. BRACKMAN offered the following:

Ordered, That his Honor the Mayor be requested to make suitable provisions in the annual budget for the cleaning of catch-basins. Passed under suspension of the rule.

PROVISIONS OF PUBLIC WORKS CONTRACTS.

Coun. PETER J. FITZGERALD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to instruct all inspectors in his department with reference to the provisions of all contracts awarded by him and as to their powers in the supervision of such contracts.

Coun. PETER J. FITZGERALD—Mr. President, I am prompted to file this order after the hearing we had last Friday relative to the ash contract in Dorchester. We had the spectacle of ten inspectors of the department appearing before the Committee on Public Safety and stating that they did not know that there was a provision in the contract calling for the return of barrels to the homes from which they were collected. The Mayor of Boston in his inaugural message calls special attention to the fact that all ash contracts throughout the city required that barrels must be returned, and the commissioner stated that he understood that all men were instructed to see that that provision of the contract was enforced. Still, apparently the inspectors knew nothing about the provision. When we stop to think that \$169,000 of the taxpayers' money is being spent for these inspectors and that they are being paid anywhere from \$1,500 to \$1,800 a year, and still don't know the provisions of these contracts, something is wrong. I don't blame the inspectors. I blame it to the commissioner's office, not to the commissioner himself. I am satis-

fied that the commissioner issued those instructions but somebody under him has failed. If we are going to spend an enormous amount of money in supervising contracts; I think we have a right to at least expect that those contracts shall be enforced. I am sick and tired of seeing contractors, once they get a contract, dictating not only to the City Council but to the Mayor of Boston, irrespective of who he may be. The contractor should be taken from his throne and we should get the full benefit of the money spent for the removal of ashes and garbage.

The order was passed under suspension of the rule.

ALL-NIGHT OPENING OF CRESCENT AVENUE ENTRANCE.

Coun. PETER J. FITZGERALD offered the following:

Ordered, That the trustees of the Boston Elevated Railway Company be requested, through his Honor the Mayor, to keep the Crescent avenue entrance of the Columbia Station open all night.

Passed under suspension of the rule.

\$500,000 SEWERAGE LOAN.

President FITZGERALD called up, under unfinished business, No. 1 on the calendar, viz.:

1. Ordered, That under the provisions of chapter 426 of the Acts of 1897, as amended by chapter 204 of the Acts of 1908, and by chapter 178 of the Acts of 1930, the sum of \$500,000 be, and hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, for Sewerage Works, and that 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 24, 1936, the foregoing order was read once and passed, yeas 15, nays 3.

The order was given its second reading and passage, yeas 17, nays 4:

Yeas—Coun. Agnew, Brackman, Doherty, Dowd, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Gleason, Kerrigan, Kilroy, McGrath, Mellen, George A. Murray, Rosenberg, Selvitella, Tobin—17.

Nays—Coun. Norton, Roberts, Shattuck, Wilson—4.

PAYMENT TO FATHER OF MARY MARGARET KEENE.

Coun. GALLAGHER, for Coun. Murray, offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the City of Boston to pay a sum of money to the father of Mary Margaret Keene, a minor, provided that said legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON SOLDIERS' RELIEF.

Coun. KERRIGAN, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families for the month of March, 1936.

Report accepted; said order passed.

SIDEWALK CONSTRUCTION.

Coun. KERRIGAN offered the following: Ordered, That the Commissioner of Public Works make a sidewalk along Annabell street, Ward 7, in front of the estates bordering thereon; said sidewalk to be from 3 to 10

inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

NAMING OF SULLIVAN SQUARE.

Coun. KERRIGAN and PETER FITZGERALD offered the following:

Ordered, That the space at the junction of Columbia road and Moseley street, Ward 7, be named James F. Sullivan square in honor of said Sullivan, who is a late veteran of the World War, and that suitable signs be erected designating same.

Passed under suspension of the rule.

PARKING VIOLATIONS BETWEEN 9 P. M. AND 7 A. M.

Coun. McGRATH offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to report to the City Council whether or not it is possible and advisable to arrange that arrests on default warrants in cases arising out of automobile parking violations shall not be made between the hours of 9 p. m. and 7 a. m.

Coun. McGRATH—Mr. President, it has been called to my attention the past week that two of my constituents were taken out of their homes about two o'clock in the morning by a couple of Sherlock Holmes for parking their automobiles overtime. I think it could have been very easily arranged that they appear in court without being served with a warrant for their arrest for parking overtime in the city at such an hour. I think if the Police Commissioner knew that this sort of thing was going on he would put an end to it.

The order was passed under suspension of the rule.

DORCHESTER UNIT FOR DISTRIBUTION OF FOOD AND CLOTHING.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor request the Federal Commodities Administrator to establish a local unit for the distribution of food and clothing in the Dorchester district.

Coun. ROSENBERG—Mr. President, certainly residents of Dorchester should not be expected to come into Park street to secure necessary food and clothing that has been distributed by the Federal Government. A number of times people have come into Boston and have been told that there were no supplies available and that they might come back at a later date. I believe, for the convenience of those poor and needy persons who apply for food and clothing, some place should be located in the central part of Dorchester, so that they could go there and receive assistance that is being provided by the Federal Government. In that way, also, a local agency could be established which would give employment to those engaged in the work of handling such food and clothing for the poor people of the Dorchester district.

Coun. McGRATH—Mr. President, Park street happens to be in my district. I agree with the councilor that more men should be employed. I think perhaps another branch might be opened up. I would object, however, to any order that would take away from my constituents the convenience they now have.

Coun. ROSENBERG—Mr. President, let me say that, from the information given me by a group of people, I thought it was necessary for them to go to an office on Park street in Boston, not Dorchester. If there is already one established in Councilor McGrath's ward, I would like to have my order read so that another one may be opened in Ward 14.

The order was amended to read "an additional local unit" instead of "a local unit," and as amended was passed under suspension of the rule.

RELEASE OF AQUEDUCT PROPERTY.

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

2. Whereas, The City of Boston, acting under the authority of an act of the Legislature dated March 30, 1846, acquired property for aqueduct purposes in a certain part of the town of Brookline more fully described in a taking recorded in Norfolk Deeds, Book 181, page 203; and

Whereas, The Commissioner of Public Works of the City of Boston has notified the City Council of the City of Boston that a portion of the said aqueduct property is no longer needed for public purposes; 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, and by a written instrument in form satisfactory to the Law Department of the City of Boston, to release all its right, title and interest in and to a portion of said aqueduct property in the following described parcel of land owned by Margaret A. O'Neill, to wit, a certain parcel of land in Brookline, County of Norfolk, Commonwealth of Massachusetts, bounded and described as follows:

Northerly by Crafts road, ten and 57-100 (10.57) feet; and by land of the town of Brookline, by two lines measuring respectively ninety-six and 27-100 (96.27) feet and twenty-six and 67-100 (26.67) feet; westerly by land of the town of Brookline and by Eliot street, nine and 47-100 (9.47) feet; northerly again by Eliot street, by three lines measuring respectively ninety and 26-100 (90.26) feet, forty-three and 03-100 (43.03) feet, and about one hundred eighty (180) feet; southeasterly on land of town of Brookline, about three hundred and ten (310) feet; southwesterly on Reservoir road, fifty-nine (59) feet; westerly by lots 7 and 6 on plan dated November 24, 1925, recorded with Norfolk Deeds, Book 1681, page 141, one hundred forty-eight and 67-100 (148.67) feet; southerly by lots 6 and 4 on said plan by two lots measuring ninety-seven and 35-100 (97.35) feet, and two hundred one and 24-100 (201.24) feet; westerly by other land of said O'Neill, one hundred two and 97-100 (102.97) feet, to the point of beginning, containing about 718,000 square feet.

A portion of said premises is shown on plan of land in Norfolk Book of plan 85, plan 413, and the remainder of said premises is shown on plan by H. F. Bryant & Son, dated November 24, 1925, and recorded with Norfolk Deeds, Book 1681, page 141.

It is hereby further ordered that his Honor the Mayor be, and he hereby is, authorized to deliver to the said Margaret O'Neill the said release in form and with conditions satisfactory to the Law Department of the City of Boston upon the payment to the City of Boston by the said Margaret A. O'Neill of the sum of one dollar.

On February 24, 1936, the foregoing order was read once and passed, yeas 16, nays 1.

The order was given its second and final reading and passage, yeas 19; nays—Coun. Tobin—1.

PREFERENCE TO FORMER EMPLOYEES.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of showing preference in re-employment to those old city employees, with good records, let go during the first part of his administration.

President FITZGERALD—The order is out of order.

Coun. NORTON—Mr. President, I thought I was back in good graces again! I have introduced this order at least a couple of hundred times, asking the Mayor of Boston

to show preference in appointment of old employees who were let go during the first part of his administration—one man, for example, who had been for thirty-eight years in the service, and others who had occupied offices in the city for many years. You may rule this out of order if you wish, Mr. President. I don't want to be unfair in the matter. Yet I am encouraged to see that some one thinks enough of it to rule this out of order. It shows that some one is thinking about it and that I have made a little progress. I am sorry that the order antagonizes anybody. It is too bad that a man who has been in the service for thirty-eight years and has been dropped, should be remembered! But you can do as you please with the order, Mr. President. I would like to know, however, what is the objection to introducing it?

President FITZGERALD—It is before the Committee on Rules, and we are awaiting a report upon it from that committee.

Coun. SHATTUCK—Mr. President, we have learned once a week for a great many weeks what the gentleman thinks on this subject, and no doubt the Mayor has learned the same thing once a week for a great many weeks. So it seems to me this is almost an abuse of privilege. Suppose every one of the twenty-two members who thought a certain thing should be done decided every week to introduce the same order; it would be clearly something that could not go on. I don't think we should allow one member to do what we wouldn't allow all the members to do. I think if such an order should be introduced, say, once in three months, it would advise both this body and the Mayor what the member thought about this particular situation.

President FITZGERALD—I think Councilor Shattuck has clearly stated the issue here.

Coun. NORTON—Well, Mr. President, that may be your opinion and Councilor Shattuck's. He wants it introduced once every three months; I have felt that it should be introduced once a week. I am sorry if that order antagonizes any member of the Council, yet I am tremendously pleased to think that calling attention to this matter is at least having some effect. How cold the world can be if the gate is locked against us! One man who has been in the service of the city thirty-eight years, another man twenty-five years, and then let go. I am sorry that the introduction of this order each week, as I say, antagonizes anybody. Perhaps I should confine its introduction to once every three months, or once every six months, or possibly for a year, or until we are about to go out of office. But I think a manifest injustice has been done some of these old employees. It is nothing that this Mayor has started. Other mayors have done the same thing. Nevertheless, it is wrong, and how can we draw attention to it except by iteration and reiteration every week? True, some may feel, "Well, a man is fired, let us forget it! Who cares about it?" That is human nature, perhaps. To some the introduction of such an order every three months might seem all right, but I rather think I am going to take advantage of every possible legal prerogative to have this matter come not only before this Council but before the Mayor of Boston. I wonder how the individuals and families who have lost their jobs feel about it? I wonder if they are anxious to have it forgotten or if they object to having attention called to it?

President FITZGERALD—There have been a number of requests made to the Mayor by members of the Council, and they have waited on him in regard to the matter. It has not been overlooked by other members of the Council, by any means.

Coun. NORTON—Mr. President, I have waited on the Mayor, myself. The last time I was in his office was in reference to this matter. Perhaps we should forget it. Perhaps committees have spoken to the Mayor. But I venture to say that nothing has brought it to his attention more forcibly than these orders I have introduced here each week.

LOWER PRICED CARS FOR DEPARTMENT HEADS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of supplying all department heads with lower priced popular cars when the present autos are turned in.

Passed under suspension of the rule.

OPERATION OF BOSTON TEACHERS COLLEGE.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of conferring with W. P. A. Federal and State authorities relative to working out a program whereby the national and state governments would contribute towards operating the Boston Teachers College as a regular academic institution with the power to grant degrees.

Coun. NORTON—Mr. President, we have 6,000 college graduates in Boston. This is the third, fourth or fifth time that I have introduced this order. We have graduates of college and graduates of high school, with no job and with no place to go in this depression, in every ward in the City of Boston. We have this Teachers College with thousands of graduates without jobs and with no opportunity offered to most of them in the future. I think this is a matter that should be considered as a W. P. A. and possibly a state proposition, working out a program whereby the National and State Governments would contribute toward operating this college as a regular academic institution with the power to confer degrees. Whether this can be worked out is impossible to say without some such investigation. It is a fact, however, that we have some three hundred school buildings in Boston that are only partially utilized at the present time. We have thousands of people who, particularly in times like this when they are not employed, would like to go to school and be brought up to date educationally. Many over forty years of age, for example, would like to go back to school for a spell and catch up in a changing world. Here is a possible opportunity to cooperate with the Nation and State, through the W. P. A. or otherwise, in a project of this kind.

The order was passed under suspension of the rule.

RELIEF GIVEN BY BOSTON TYPOGRAPHICAL UNION.

Coun. NORTON—Mr. President, I would like to make a statement, with unanimous consent. I think you will all be very much interested to learn that the Boston Typographical Union during the depression, in the past five years, has disbursed \$324,467.94 in relief to its unemployed members, which sum has been raised by a voluntary assessment on employed members. In order to meet the unemployment situation, the International Typographical Union, through a referendum, voted that all situation holders on newspapers give out one day's work a week to unemployed members—which amounted in money to over \$52,000 in Boston alone during the past year. It has been the proud boast of the Boston Typographical Union that through the raising of this fund for unemployment relief, the burden on the City of Boston has been lightened by not having their members apply for welfare relief. I think that is a splendid contribution to the common weal, and that this statement should be incorporated in the record.

(The letter quoted by Coun. Norton is in full as follows:

Boston Typographical Union No. 13,
262 Washington Street,
Boston, February 11, 1936.
Coun. Clement A. Norton,
City Hall, Boston.

Dear Councilor,—Knowing of your interest in such humanitarian undertakings, I am sending under separate cover an edition containing a historical sketch and pictures of the Union Printers Home located at Colorado Springs, Colorado, which, I believe, will prove interesting to you. This home is maintained by payment of 40 cents per member each month to the International Typographical Union.

I might also add that Boston Typographical Union No. 13 during the past five years has disbursed \$324,467.94 in relief to our unemployed members, which sum has been raised by a voluntary assessment of employed members.

In order to meet the unemployment situation the International Typographical Union, through a referendum, voted that all situation holders in newspapers give out one day's work a week to unemployed members—which amounted in money to over \$52,000 in Boston alone during the past year.

It has been the proud boast of Boston Typographical Union that through the raising of this fund for unemployment relief the burden on the City of Boston has been lightened by not having our members apply for welfare relief.

Wishing you continued success and good health, I am,

Very truly yours,
J. ARTHUR MORIARTY,
Secretary-Treasurer.)

SAVINGS BANK LIFE INSURANCE FOR WELFARE RECIPIENTS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of conferring with the trustees of Public Welfare relative to the matter of advising families, now on welfare, holding insurance policies, regarding the economies to be gained by taking out Massachusetts Savings Bank Life Insurance.

Coun. NORTON—Mr. President, this is perhaps the fifteenth time I have introduced that order. I don't know of any way of bringing the matter to the attention of the Mayor and the trustees of Public Welfare. You may call it abusing my privilege here as a member. Well, that is an argumentative point. But the order points out something that should be considered. Some families on welfare, with four children, are paying \$4.50 for insurance that they could get for 80 cents a week, perhaps. I am simply asking the department to afford such protection to these families. I am asking that attention be drawn to the advantages of Massachusetts Savings Bank Life Insurance. I believe this is a question in which the people of Boston are vitally interested. I would like to present for the record these figures that I have. Now, what am I to do? Introduce an order once and forget about it? I don't think so.

Following are the figures submitted by Coun. Norton:

SAVINGS BANK INSURANCE.

INSURANCE IN FORCE.

	September 30, 1935.	January 31, 1936.	Average Increase Per Month.
Level.....	\$96,997,332	\$101,091,433	\$1,023,525
Group.....	11,543,900	11,990,100	111,550
One-year term.....	717,400	715,400	500
Total.....	\$109,258,632	\$113,796,933	\$1,134,575
	September 30, 1934.	January 31, 1935.	Average Increase Per Month.
Level.....	\$88,818,278	\$91,327,793	\$627,379
Group.....	10,488,150	10,908,650	105,125
One-year term.....	700,000	701,000	250
Total.....	\$100,006,428	\$102,937,443	\$732,754

INSURANCE ISSUED.

	September 30, 1935, to January 31, 1936.	Average Amount Issued Per Month.
Level.....	\$5,194,605	\$1,298,651
Group.....	581,425	145,356
One-year term.....	13,000	3,250
Total.....	\$5,789,030	\$1,447,257

The order was referred to the Committee on Public Welfare.

WARD 9 IMPROVEMENTS.

Coun. GLEASON offered the following:
 Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to resurface with smooth paving. Juniper terrace, Ward 9.

Ordered, That the Commissioner of Public Works make a sidewalk along Juniper terrace, Ward 9, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Severally passed under suspension of the rule.

TRAFFIC LIGHTS, WARD 9.

Coun. GLEASON and DOHERTY offered the following:

Ordered, That the Traffic Commissioner be

requested, through his Honor the Mayor, to install traffic signal lights at the junction of Tremont street and Columbus avenue, Roxbury, Ward 9.

Passed under suspension of the rule.

SIDEWALK ON HEATH STREET.

Coun. DOHERTY offered the following:
 Ordered, That the Commissioner of Public Works make a sidewalk along Heath street, Ward 10, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

Adjourned at 3.10 p. m., on motion of Coun. GALLAGHER, to meet on Monday, March 16, 1936, at 2 p. m.



CITY OF BOSTON.

Proceedings of City Council.

Monday, March 16, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Peter A. Murray and Tobin.

Coun. GALLAGHER in the chair.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments, viz.:

Weighters of Goods: John Day, 93 F street, South Boston; Charles Newton, 2 Summer street, Sharon, Mass.

Weighters of Coal: John Biddescomb, 212 Lexington avenue, Cambridge; William Currie, 64 Goran street, Cambridge; Donald W. Lamb, 36 Fairfield street, Boston; W. Chester Welch, 71 Franklin street, Arlington.

Severally laid over a week under the law.

REMOVAL OF CONSTABLE.

The following was received:

City of Boston,
Office of the Mayor, March 9, 1936.
To the City Council.

Gentlemen,—You are hereby notified that I have this day removed from office the following-named constable for failure to file the bond required by law:

David Bashitsky, 237 Quincy street, Dorchester.
Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Placed on file.

EXPENSES FOR DOLAN LAWSUIT.

The following was received:

City of Boston,
Office of the Mayor, March 16, 1936.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Corporation Counsel requesting an appropriation of \$12,000 for the purpose of defraying the expenses incident to the suit now pending between the City of Boston and Edmund L. Dolan and others.

In compliance with the request, I respectfully recommend the adoption of the accompanying order by your Honorable Body.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Law Department, March 13, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—This department is representing the City of Boston in a proceeding in equity now pending in the Superior Court for the County of Suffolk, brought by the city against Edmund L. Dolan, former City Treasurer, and others. For the protection of the interests of the city in this proceeding certain expenses must, of course, be incurred. In view of the nature of the proceeding, I recommend most strongly that a special appropriation from Reserve Fund be made to cover such expenses and estimate that \$12,000 will be a sufficient sum. I am therefore inclosing a form of appropriation order, which I trust will be passed at as early a date as possible.

Very truly yours,

HENRY E. FOLEY,
Corporation Counsel.

Ordered, That the sum of twelve thousand dollars be appropriated, to be expended under the direction of the Corporation Counsel, for the purpose of meeting necessary and proper expendi-

tures which may be incurred in connection with the suit now pending in the Superior Court for Suffolk County between the City of Boston and Edmund L. Dolan and others, said sum to be charged to Reserve Fund, when established.

Referred to Executive Committee.

RESURFACING OF FRANKLIN FIELD
TENNIS COURTS.

The following was received:

City of Boston,
Office of the Mayor, March 16, 1936.
To the City Council,
Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of February 17, concerning the resurfacing of the tennis courts at Franklin Field and the screen-inclosing of the courts.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, March 13, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of March 11, with inclosure, order from the City Council that the Park Commission be requested to resurface the tennis courts at Franklin Field, and also to have the courts screen-inclosed.

It is a pleasure to assure the City Council that the tennis courts will be placed in their usual good condition as soon as the weather permits. There is, however, no necessity for further wire inclosures.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

ISSUANCE OF GROCERY ORDERS.

The following was received:

City of Boston,
Office of the Mayor, March 16, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Overseers of the Public Welfare relative to your order of February 24, 1936, concerning the issuance of grocery orders pending the investigation of applications for relief.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Overseers of the Public Welfare,
March 13, 1936.

Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—This is to acknowledge receipt of your communication of March 11, 1936, inclosing the following order from the City Council, dated February 24, 1936:

"Ordered, That the Overseers of the Public Welfare Department be instructed, through his Honor the Mayor, to issue grocery orders, pending investigation of the applications in all cases where the application for relief includes more than two persons."

I beg to say that it is a fundamental rule of this department if a person presents a prima facie condition of need, a grocery order is immediately given to him and a visit made thereafter.

Yours truly,

JOHN C. L. DOWLING,
Executive Director.

Placed on file.

TESTS OF FUEL FOR WELFARE
RECIPIENTS.

The following was received:

City of Boston,
Office of the Mayor, March 16, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Supplies relative to your order of February 24, 1936, concerning tests of fuel received in homes of welfare recipients from the Babcock Coal Company and Alfred E. Ventola.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Supply Department, March 12, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—Replying to your communication of March 11, 1936, with attached order from the City Council relative to fuel deliveries, I have taken up this matter with the Overseers of the Public Welfare and I am awaiting the names and addresses of the welfare recipients.

When I receive this information I shall give you a further report upon the matter.

Respectfully yours,
D. FRANK DOHERTY,
Superintendent of Supplies.

Placed on file.

MONTHLY CHECK-UP ON FUEL DELIVERIES.

The following was received:

City of Boston,
Office of the Mayor, March 16, 1936.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Overseers of the Public Welfare relative to your order of February 24, 1936, concerning a monthly check-up on the fuel deliveries made by the Babcock Coal Company and Alfred E. Ventola to welfare recipients.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Overseers of the Public Welfare,
March 13, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—This is to acknowledge receipt of your communication of March 11, 1936, inclosing the following order from the City Council, dated February 24, 1936:

"Ordered, That the Overseers of Public Welfare be requested, through his Honor the Mayor, to assign one or more employees to promptly check up monthly with reference to the promptness, amounts and qualities of fuel deliveries ordered and made to welfare recipients by Alfred E. Ventola and by the Babcock Coal Company."

I beg to report that coal orders are under the charge of Miss Margaret P. Quinn of this department, who handles all matters connected with delivery, quality and quantity of fuel delivered.

Yours truly,
JOHN C. L. DOWLING,
Executive Director.

Placed on file.

BUS LINE, FRANKLIN PARK TO CARSON BEACH.

The following was received:

City of Boston,
Office of the Mayor, March 13, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the trustees of the Boston Elevated Railway relative to your order of March 2, concerning the establishment of a bus line from Franklin Park to Carson Beach during the summer months.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Boston Elevated Railway Company,
March 12, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—Replying to your letter of March 11 with copy of order of the City Council requesting establishment of bus line from Franklin Park Station at Columbia road and Blue Hill avenue to run down Columbia road through Edward Everett square to Columbia Station and terminate at Carson Beach during the summer months, as stated in my letter of February 14, 1936, we have previously received similar requests and filed petitions with the City Council in 1924, 1925 and 1930 for a license to operate bus service over practically the same route during the summer months, which petitions have never been granted. The last petition filed in 1930 was for a license to operate buses from the junction of Blue Hill avenue and Talbot avenue to Marine Park via Blue Hill avenue, Columbia road, Columbia Station and Carson Beach.

Very truly yours,
EDWARD DANA,
Executive Vice President and General Manager.
Placed on file.

REOPENING OF CHARLESTOWN STAIRWAY.

The following was received:

City of Boston,
Office of the Mayor, March 10, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Public Works Department relative to your order of February 3, 1936, concerning a request to reopen the stairway leading from the high bridge to Water street, Charlestown, making same available for public use.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, March 10, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of February 8 with attached order of the City Council dated February 3, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to reopen the stairway leading from the high bridge to Water street, Charlestown, making the same available for public use."

and to state that the stairway referred to was built by the owner of the abutting property, Charles F. Morrill, and maintained by said abutter until the stairs rotted and were pulled down.

In order for the City of Boston to build a flight of stairs on the easterly side of the bridge it would be necessary for the city to acquire property from the abutters.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

INFORMATION FROM PARK DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, March 13, 1936.
To the City Council.
Gentlemen,—I transmit herewith five letters from the chairman of the Park Department relative to five orders passed by your Honorable Body as follows:

Date of Order.	Subject.
1. 1/27/36	Trucks, garages and chauffeurs.
2. 1/27/36	Arranging to hold Championship Tournament of National Public Playgrounds Tennis Association at Franklin Field, this year.
3. 2/3/36	Erecting club house and convenience station on Franklin Field.
4. 2/3/36	Installation of drinking fountain at, or near, the Columbia Mall entrance to Franklin Park.
5. 2/10/36	Renovating Franklin Field locker building with W. P. A. funds.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, March 10, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum with inclosure, order from the City Council that the Park Commission advise the City Council as to—

1. Total number of trucks under its supervision—38 trucks.
2. Park Department holding rating of chauffeurs, etc. All drivers are Civil Service employees, with the exception of the men working on W. P. A. projects, and these trucks are not allowed on departmental work.
3. Location of garages hired by Park Department for storage, etc. This department hires no garages—all trucks are garaged in our own department buildings.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

City of Boston,
Park Department, March 10, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum with inclosure, order from the City Council that the Park Commission be requested to consider the advisability of renovating the locker building on Franklin Field with W. P. A. funds.

A large portion of this building is used at the present time for storage. It will be possible to renovate this building, in fact, it has to be done each year on account of the large amount of usage it receives,—and we will attempt to start renovations at the earliest moment.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

City of Boston,
Park Department, March 10, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum with inclosure, order from the City Council that the Park Department be requested to make the necessary arrangements to hold the Championship Tournament of the National Public Playgrounds Tennis Association at Franklin Field.

I regret exceedingly to inform you that the National Tennis Tournament was awarded to this city with the distinct understanding that same would not be held in Franklin Field.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

City of Boston,
Park Department, March 10, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum with inclosure, order from the City Council that the Park Commission consider the advisability of the erection of a club house and convenience station on Franklin Field.

It will be a pleasure to consider the advisability of such a request, but there is very little chance of complying with same, due to economic conditions, also due to the fact that at the present time at Franklin Field, which is one of the largest recreational centers in the city, there is a large field house on the Blue Hill avenue side.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

City of Boston,
Park Department, March 10, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum with inclosure, order from the City Council that the Park Commission be requested to install a drinking fountain at the Blue Hill avenue entrance to Franklin Park.

The terrain at this particular point is very ledgy. I feel, however, it will be possible for the Park Department to place a fountain somewhere in the immediate vicinity.

Very respectfully yours,
WILLIAM P. LONG, Chairman.
Placed on file.

BOSTON CONSOLIDATED GAS COMPANY
CONTRACTS.

The following was received:

City of Boston,
Office of the Mayor, March 11, 1936.
To the Honorable the City Council.

Gentlemen,—On January 13, 1936, I submitted to your Honorable Body two contracts between the City and the Boston Consolidated Gas Company for

- (1) furnishing illuminating gas for street lighting; and
- (2) lighting, extinguishing and maintaining gas lamps.

As I informed your Honorable Body in said letter of transmittal of January 13, 1936, if the five-year contracts under Item 1 (for a term of five years for approximately 9,500 single-burner lamps) are approved by your Honorable Body and me prior to March 1, 1936, the company has agreed to give to the city a total discount or allowance from the purchase price of \$12,607.60.

Although a public hearing was held on said contracts on February 4, 1936, no further action was taken by your Honorable Body prior to March 1, 1936; and in order to keep open the opportunity of obtaining the discount or allowance of \$12,607.60 the city has entered into an agreement with the Boston Consolidated Gas Company whereby the city will obtain said discount or allowance if said contracts are approved by your Honorable Body and me prior to March 16, 1936.

I recommend prompt consideration by your Honorable Body of said contracts.

Respectfully submitted,
FREDERICK W. MANSFIELD, Mayor.

Referred, on motion of Coun. AGNEW, to the Committee on Municipal Lighting.

COST OF GAS LAMPS ON YEARLY BASIS.

The following was received:

City of Boston,
Office of the Mayor, March 10, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Public Works Department relative to your order of February 10, 1936, concerning a request that certain information pertaining to gas lamps be secured from the Boston Consolidated Gas Company.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, March 9, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of March 3, 1936, with attached City Council order dated February 10, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to secure for the City Council the following information from the Boston Consolidated Gas Company: What will be the cost per unit of furnishing light for the 9,500 gas lamps now in use, said lighting to be contracted for by the year,"

and to state that the cost per unit of furnishing light for the 9,500 gas lamps now in use, said light to be contracted for by the year, will be at the rate of \$23.12 per lamp per year. This information has been obtained from Mr. Barnum, President of the Gas Company.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Benjamin Berkowitz, for compensation for injuries caused by an alleged defect at 7 Edgewood street, Roxbury.

Caroline G. Claus, for compensation for damage to property at 471 Beech street, Roslindale, caused by breaking of sewer connections.

Harold Herman, for compensation for damage to car by city truck.

Bernard F. Murphy, to be reimbursed for execution issued against him on account of his acts as operator of truck of Street Cleaning Division.

Charlotte Rhea Bakeries Corporation, for compensation for damage to property at 1 Ellery street, South Boston, caused by water seeping into cellar.

Catherine A. Riley, for compensation for injuries caused by ice falling from roof of Old State House.

Russell C. Smith, for compensation for damages to car by car of Fire Department.

W. A. Theiling, for refund on refuse tickets.

Samuel Thomas, for refund on refuse tickets.

John Coenen, for compensation for damage to property at 17 Pershing road, Jamaica Plain, caused by raising grade of sewer.

Roy W. Pigeon, for compensation for damage to car in East Boston Tunnel.

LEAVE FOR MINOR CHILDREN TO APPEAR.

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

Mildred Davenport, Repertory Theatre, May 29.

Leave was granted under usual conditions.

REPORT OF FINANCE COMMISSION ON SNOW REMOVAL.

The following was received:

Finance Commission,
Boston, March 14, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Honorable Sir,—For several months past the staff of the Finance Commission has been engaged in an effort to determine the actual cost of snow-removal work to the City of Boston for the year 1935.

An analysis of the data obtainable indicates that the city has been defrauded of hundreds of thousands of dollars because the Mayor and the Commissioner of Public Works, whose sworn duty covers executive and administrative action in this case, did not go behind the skeleton reports. If they had done so, the records would have shown them that the contractors claimed to load and unload snow faster than light travels.

In no case investigated by the Finance Commission has there been developed more justification than in this for penalizing city officials and employees obviously guilty of gross indifference and perhaps corruption in the expenditure of large sums of city money, or for compelling recipients of this money to pay back ill-gotten gains.

It was not the system nominally pursued that was at fault, but rather the blind or reckless indifference to it of those assumably in charge of it, that hundreds of thousands of dollars were inexplicably spent in 1935 (and in 1934) for snow removal.

The City Auditor testified before the Finance Commission that had he known of the basis of the bills submitted to him in 1935 for snow-removal work, he would not have allowed them to be paid. The Public Works Commissioner testified that he had "faith in his subordinates," and admitted that had he seasonably known of the disclosures by the Finance Commission of the unreliability of the records of his department, he would have ordered these bills held up.

All the disclosures herein are based on facts and figures contained in the records of the Public Works Department.

The city paid \$1,117,154.84 from funds specifically appropriated for snow-removal work in 1935. But there were other sums expended on this work. There was approximately \$100,000 from welfare funds; there was yet another amount, estimated by W. P. A. officials at \$175,000 from E. R. A. money. In addition to all these, a considerable portion of the appropriations for regular maintenance work of the Paving and Sanitary Divisions was utilized for snow-removal work in the year of 1935. It has been variously estimated that the total cost was in the neighborhood of \$2,000,000. This enormous cost of snow work in 1935 was far in excess of the cost recorded in any previous administration.

E. R. A. funds were not available for snow work previous to 1934. While welfare funds previous to 1934 helped out to some slight extent in city snow work, they were never previously used in the measure they were used in 1934 and 1935. In 1935 the city paid for snow work approximately \$3 for every \$1 paid in 1926, the year of the highest snow costs in any year preceding the Mansfield administration, and from \$5 to \$10 for every \$1 spent for snow work by other administrations in comparable period.

The Finance Commission finds difficulty in establishing comparative snow costs in the several years previous to 1931 because the costs in those years are arrived at in many different ways and are not based on a classification of snow expenses uniform throughout those earlier years.

The only item in the City Auditor's official annual reports for the past twenty-five years which indicates the cost to the city for snow removal affords the following comparison:

YEARS.	Administration.	Removal Cost.
1914-18...	James M. Curley.....	\$101,973 88
1918-22...	Andrew J. Peters.....	497,075 76
1922-25...	James M. Curley.....	302,199 81
1926-30...	Malcolm E. Nichols.....	459,630 48
1930-34...	James M. Curley.....	476,019 39
1934-35...	Frederick W. Mansfield..	1,832,205 51

These differences in costs cannot be justified on the basis of greater or more snowfalls alone. This is apparent from the following figures obtained from official records of the United States Weather Bureau:

YEARS.	Administration.	Snowfall In Inches.	No. of Days On Which Snow Fell.*
1914-18.....	James M. Curley.....	206.8	122
1918-22.....	Andrew J. Peters.....	160.0	88
1922-25.....	James M. Curley.....	151.6	78
1926-30.....	Malcolm E. Nichols.....	203.2	97
1930-34.....	James M. Curley.....	141.9	86
1934-35.....	Frederick W. Mansfield.....	90.9	43

* These figures do not include days on which only "traces" of snow fell.

Since 1931, the City Auditor testified, the snow costs given in the auditor's annual reports are the total of all city moneys spent for snow work, excepting expenditures of welfare funds. These

costs as given, having a common basis, are comparable. From the figures given by the City Auditor, the Finance Commission therefore offers this comparison of unit prices:

MAYOR CURLEY.	Total Fall.	Days.	Total Cost.	Cost Per Inch.
1931.....	34.4	19	\$122,723 84	\$3,567 55
1932.....	31.4	21	58,009 38	1,847 43
1933.....	50.5	28	275,564 84	5,456 72
MAYOR MANSFIELD.				
1934.....	45.8	21	715,050 67	15,612 46
1935.....	45.1	22	1,117,154 84	24,770 61

In each of the above five years many welfare recipients were employed on snow-removal work, but only in 1934 and 1935 were E. R. A. men, paid out of Federal Funds, employed on this work. The number of welfare recipients on snow work did not reach its peak until 1934 and 1935. The amount paid to them, estimated to be approximately \$100,000 in 1935, is not included in the above figures. The sum paid for the time of E. R. A. employees on snow work in 1935, as given by Federal authorities, was approximately \$175,000. This amount is not included in the above figures. These two facts serve to emphasize the enormity of the 1934 and 1935 figures.

The Public Works officials have attempted to explain these astounding discrepancies in the cost from year to year on the alleged basis that 1934 and 1935 had deeper snowfalls than other years. The Commissioner of Public Works testified that it is the practice of his department to call out the contractors for removal of snow only when the depth of the snowfall has reached 5 or 6 inches.

To compare the amount of work required to be done from this angle, the Finance Commission has examined the statistics relating to the number and depth of the storms since 1931. The United States Weather Bureau records disclose that in 1931 there were storms of 7.4 inches, 5.8 inches and 6.4 inches in the nineteen days on which snow fell. In 1932 there was one storm of 8 inches in the twenty-one days on which snow fell. In 1933 there were storms of 10.5 inches, 9.1 inches and 9.4 inches in twenty-eight days of snowfall. In 1934 there were storms of 6.8 inches, 15 inches, 9 inches and 8.3 inches in the twenty-one days on which snow fell. In 1935 there were storms of 13.4 inches and 5.2 inches in the twenty-two days on which snow fell.

Because 1934 had four storms of sufficient depth to call out the snow contractors against three in 1931, there would seem to be some justification for an increase in costs of 1934 over 1931. But the great spread in costs, as shown by figures from the City Auditor's reports,—\$122,723.84 for 1931 and \$715,050.67 for 1934,—cannot be justified by the fact that there was one more snowfall in 1934 than in 1931. The year 1935, on the other hand, had only two storms of the importance that is necessary to bring out the city contractors, which are less in number than in either 1931 or 1934, and yet the cost of snow removal in 1935, according to the auditor's figures, was a still greater sum than in 1934, namely, \$1,117,154.84. This great spread in costs is more striking when it is recalled that in 1931 there was no E. R. A. assistance on snow work and very much less assistance from welfare recipients than in 1934 or 1935.

To what extent fraud and collusion among city contractors and employees colored the records on which the 1935 payments were based can be surmised. That there was fraud and collusion is glaringly apparent from the following disclosures made before the Finance Commission at public hearings and under oath:

1. In one district where the contractor was paid for 5,730 loads of snow removed, records of approximately 2,000 loads were examined and it was found that the records of approximately 900 loads were grossly irregular in form. In another district in which the contractor is credited with 4,412 loads, the records of 1,683 loads were examined and approximately 590 found to be irregular.

2. The records of one day's work in the Charlestown district credit the contractor with 704 loads in a period of eleven and one half hours. The inspector at this dumping place informed the Finance Commission that there was only one scupper or manhole open to receive all this snow. The records credit the contractor with having dumped into this one hole a load of snow every fifty-eight seconds continuously for eleven and one half hours. Such a record of performance is preposterous. In contrast, the Finance Commission has been informed by the district engineer in charge of the Charlestown district in the 1936 work that it required eighty-one hours to load and dump 3,100 loads at the same locus but with four scuppers open. This means that in 1936, at Charlestown, snow was dumped at the rate of one load a hole every six and one-fifth minutes as against a load dumped every fifty-eight seconds in 1935 when there was but one scupper open. The Finance Commission has been unable to find any one of experience in this work who will accept such a record of achievement, except the Public Works Commissioner, who states, "If the record is there, I believe it was done."

3. The records of one day's work credit the contractor in the Charlestown district with having dumped 475 loads before the time of loading at points from one half to three quarters of a mile away. This contractor is credited also by the dumping inspector with having dumped 101 loads at the same minute at which they are recorded as being loaded at a point one half to three quarters of a mile away.

4. In the records of another day, the dumping inspector records 359 individual loads as having been dumped at the same hour and minute given by the loading inspector as the time of their loading. On this day the dumping inspector records fifty-two individual loads as having been dumped before the hour and minute given by the loading inspector as the loading time.

5. On still another day, the records of the dumping inspector credit the contractor with having dumped seventy-six individual loads at an hour and minute earlier than the loading inspector records as the loading time of those loads, and the same dumping inspector credits the contractor with having dumped thirty-one individual loads at the same hour and minute at which the loading inspector records the loading.

6. In the Charlestown district the contractor was credited on the dumping inspector's records with a total of 295 loads for which there is no yellow slip (the original crediting record) to be found.

7. The Finance Commission was informed by one loading inspector that he frequently met the dumping inspector at meal time and arranged records so that they might check one against the other.

8. A district engineer admitted that, contrary to the plain instructions of the department, he made a practice of taking his records and the records turned over to him by the loading and dumping inspectors to his home first "for examination purposes" before he turned them in to the clerical department at City Hall.

These are but a few of the many discrepancies found in the records for contract snow-removal work in 1935. The system of recording them in operation in 1935 and also in 1936, with slight and almost negligible variations, has been described by the Public Works Commissioner as "air-tight" and "fool-proof."

The Commissioner of Public Works having requested the Finance Commission to return to him at once all records and data belonging to his department relating to snow removal, the commission now announces its compliance with that request. Even if such request had not been made of it, this commission would find it impracticable at this time to pursue further this investigation because of the imperative demands of current matters upon its time and its limited resources.

The commission, however, believes that the evidence revealed at the recent public hearings has established beyond doubt that there was fraud and collusion between city employees and contractors, as a result of which contractors were given credit for having removed a grossly exaggerated number of loads of snow in the winter of 1935. The city subsequently paid for this exaggerated number of loads and that accounts for a substantial portion of the abnormal amount of money paid for snow removal in 1935. It is obvious, therefore, that it is incumbent on you as Mayor of the city to do these two things: First, to attempt to get back for the city the money unjustifiably paid out; and secondly, to obtain prosecution of those who made such payment possible.

The Finance Commission has made a tabular analysis of portions of the records in three districts which are available to you and to anyone who, on your request or authorization, undertakes to obtain action either in the civil or criminal courts. This case is one that reflects on your own administration, and, therefore, it is particularly appropriate that you commence the actions.

Respectfully submitted,

E. MARK SULLIVAN, Chairman,
PHILIP A. CHAPMAN,
ROBERT ROBINSON,
JAMES E. MAGUIRE,
JOSEPH A. SCOLPONETTI,
The Finance Commission.

Placed on file.

NIGHT CLINIC.

Coun. BRACKMAN offered the following:
Ordered, That his Honor the Mayor be requested to direct the Superintendent of the Boston City

Hospital to establish a night clinic in the Out-Patient Department, also night service in the X-Ray Department for emergency cases.

Coun. BRACKMAN—Mr. President, this matter has been up before the City Council on a number of occasions. It seems to me a very important thing to have a night clinic in the Out-Patient Department of the City Hospital, and also night service in the X-Ray Department for emergency cases. There have been many cases of serious accidents at night where the X-ray service was not available until the next day, and in the meantime great damage can result because of such delay. So I think it very important particularly to have some X-ray service at night in emergency cases.

The order was passed under suspension of the rule.

CLEANING OF STREETS.

Coun. BRACKMAN offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Public Works Commissioner to immediately provide sufficient men to clean the streets.

Passed under suspension of the rule.

CITY COLLECTION OF ASHES AND GARBAGE.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of having the Sanitary Division of the Department of Public Works, beginning in 1937, take over the collection of ashes and garbage in the suburban sections of Boston which is now being collected by contractors.

Coun. ROSENBERG—Mr. President, it has become clear from my experience in the Council and the complaints that have been coming continuously, I understand for years, that the contractors to whom the work of collecting garbage and ashes in the suburban sections of Boston has been let have never lived up to the contracts, that garbage and ashes have been strewn around in front of premises, that cans have been thrown back in every manner, broken and busted, and that in certain instances ashes and dirt have had to be picked up by tenants and owners of property. I think we have reached a state in the operation of municipal government, and certainly in our Public Works Department, when, rather than have such continuous complaints of improper action in the collection of garbage and ashes, the work should be taken care of by city employees, so that if it is not being done efficiently and promptly we will not have to look to the contractors, but can look directly to our department, and so that a proper standard of wages may be maintained, not leaving it to contractors who apparently fail to pay the standard rate of wages and who work the men overtime without overtime payment, the men not daring to complain for fear they will lose their jobs. You and I know how hard it is to get a job today, and those men, regardless of the fact that they are being worked overtime and underpaid, do not want to come in and complain. I believe that our city department could well take over this service, having it done by city employees, and not bother with the contractors, who have been chiseling the city for years.

The order was passed under suspension of the rule.

TAXATION OF TELEPHONE MANHOLES, ETC.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to at once file a report with the City Council as to how many manholes, terminals, conduits, and other appurtenances in use by the New England Telephone and Telegraph Company underground are now located in or under Boston streets, with the location and surface area of each.

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to promptly advise the City Council as to the ability or right of the City of Boston to tax the New England Telephone and Telegraph Company on various

manholes, terminals, conduits, and other appurtenances in use by said company underground and located in or under Boston streets.

Coun. WILSON—Mr. President, in these days when real estate values are rapidly dropping and when the average home throughout the city is being taxed, in my opinion, for about twice what it could be sold for in the open market, it occurs to me that it might be an excellent idea to check up on the situation with reference to the Telephone Company and perhaps other utilities, with reference to their use of city streets. I have in mind the massive work going on in Tremont street near the Common, incident to which there is a small-sized cave, that, I believe, is being constructed by Federal work, I think for one of their terminals. The space beneath our city streets, I understand, is honeycombed with the conduits and other properties of the New England Telephone and Telegraph Company. It may be that this vast amount of taxable property is included in the annual tax assessed on that particular corporation, although I don't understand that it is. I read with interest, although with disagreement, the recent suggestion of the President that there be a further substantial tax on the surplus of many of the companies. I assume that the Telephone Company would be one of the companies that would be hit. While I disagree with that suggestion, that any company or individual should be taxed because it or he has had foresight enough to lay aside money for a rainy day, I do wonder whether such property of the Telephone Company under our streets is now taxed. For that reason, and hoping that the information will be furnished with some degree of promptness, so that we may determine the situation in regard to this under-the-surface property; and I believe we should also have the opinion of the Corporation Counsel as to the right of the City of Boston to levy a substantial annual tax on this property, if it is not already being done.

The order was passed under suspension of the rule.

HARRIET A. BALDWIN SCHOOL.

Coun. AGNEW—Mr. President, I would ask unanimous consent to make a statement.

Chairman GALLAGHER—If there is no objection, the councilor will proceed.

Coun. AGNEW—Some time ago I introduced an order in regard to the Harriet Baldwin School in my district, where children were being housed in the basement of the school. I visited that school with Superintendent Campbell, and I have here a communication from the superintendent that I would ask to have incorporated in the record.

Chairman GALLAGHER—If there is no objection, the communication will be incorporated in the record.

City of Boston,

School Committee, March 10, 1936.

Hon. James E. Agnew, Councilor, Ward 21, 92 Wal-
lingford Road, Brighton, Mass.

My dear Councilor Agnew,—During our visit to the Harriet A. Baldwin School on Saturday, you requested certain information in reference to the improvement of conditions in the classrooms located in the basement of that building. You then informed me that some objection was raised on the part of parents to the housing of children in these basement rooms. Of course you will understand that in order to provide accommodations for the children attending this particular school it became necessary to fit up these basement classrooms. As the quickest way to provide accommodations, it was the best possible thing to do under the circumstances.

Realizing your great interest in this matter, I respectfully submit for your information the following facts:

1. It was proposed to provide accommodations in three portables in the yard of this school building. It is my own personal feeling, however,—based on many years' experience,—that portable buildings are cold and wholly unsatisfactory for school purposes. Therefore this plan was abandoned.

2. A proposed addition to this school building was considered. As the building now stands, it is impossible satisfactorily to make further additions to it. Furthermore, considering the financial condition of the city, it appears to me that if an addition could be constructed it would be three

or four years before such an addition could be made ready for occupancy.

3. Another plan which was discussed was to send some of the children to another building in the district. I am very much opposed to this plan, because I consider it a great danger to the children to compel them to cross automobile thoroughfares in order to attend a building in the other part of the school district.

In view of the above I believe that the best solution has been arrived at in placing the children in these basement rooms. The level of the basement, as you know from your visit Saturday, is well above the street level and the floor is dry and comfortable at all times.

I feel, however, that until we can give up these basement rooms we should improve them, which I believe can be done at a reasonable cost. Therefore I am recommending the following:

1. Divide the large classroom into two rooms by installing a suitable partition.
2. Install wooden floors.
3. Remove large platform now located in one of the temporary classrooms.
4. Furnish and install blackboards and tack-boards.
5. Whiten ceiling.
6. Check and relocate if necessary the present electric lights.
7. Permanently fasten in place pupils' desks.
8. Install in each of the classrooms a teachers' closet.
9. Remove from these rooms the present wash bowls and locate same in the corridor.
10. Provide suitable pupils' wardrobes and locate them in the rear of the classrooms.

These recommendations, you will understand, also apply to the third classroom now located at the other end of the building. In the carrying out of these recommendations I am assured that the three basement classrooms will be made very attractive and comfortable.

Respectfully submitted,
 PATRICK T. CAMPBELL,
 Superintendent of Public Schools.

REPORT OF COMMITTEE ON
 ORDINANCES.

Coun. GALLAGHER, for the Committee on Ordinances, submitted the following:

Report on order (referred February 24) that proper signs as to price be placed on each pump selling gasoline—recommending passage of following ordinance, viz.:

City of Boston.

In the Year Nineteen Hundred and Thirty-Six.
 An Ordinance.

Be it ordained by the City Council of Boston, as follows:

Section one of chapter thirty-nine of the Revised Ordinances of nineteen hundred and twenty-five is hereby amended by inserting after section eighty-nine of said chapter the following new section,—

Section 89A. No person engaged in the sale of gasoline by pump shall display or suffer the display of the price thereof by sign or other marking located at or near the premises upon which such person is so engaged unless such sign or other marking or a similar sign or other similar marking is attached to the pump or pumps to which said price applies, or unless such sign or other marking clearly indicates the pump or pumps to which said price applies.

Report accepted; said ordinance passed.

2. Report on communication from Mayor and ordinance (referred January 27, 1936) concerning sounding of automobile horns—recommending passage of accompanying new draft, viz.:

An Ordinance Concerning Sounding of
 Automobile Horns.

Be it ordained, etc.

Section 92 of chapter 39 of the Ordinances of the City of Boston is hereby amended by adding thereto the following:

"No person shall sound an automobile horn between the hours of 11 p. m. and 7 a. m. anywhere in the City of Boston, except in cases of extreme emergency"—

so that said section shall read as follows:

"The commissioner of public works shall, at the request of the hospital authorities, place and maintain a sign or signs displaying the words, 'Warning! Hospital—Make No Noise' at such points as he

may determine on public streets and places in the vicinity of hospitals accommodating more than fifty patients. No foot traveller, driver of a vehicle, motorman of a street car or operator of a motor vehicle shall make any unnecessary noise in the vicinity of such hospitals so as to unreasonably disturb patients therein.

"No person shall sound an automobile horn between the hours of 11 p. m. and 7 a. m. anywhere in the City of Boston, except in cases of extreme emergency."

Coun. DOWD—Mr. President, I am going to vote against this ordinance because I am convinced that there are no drivers in the City of Boston who would deliberately sound their horns and make an unnecessary noise, unless it was absolutely necessary to do so. I think we have enough blue laws in the City of Boston now, without adding to them for the highbrows or the members of the Hotelmen's Association and a few more who want such an ordinance passed. I think this is going to give the Police Department a chance to arrest anybody they see fit who sounds the horn in a way that they think is unnecessary, and I am satisfied that no driver of an automobile does that deliberately.

Coun. ROBERTS—Mr. President, I would like to say a word for the hotel owners of the city. I think we may all be well proud of many of our hotels and of their managers, and of the accommodations they furnish to visitors. There are a great many hotels in my district, and there are no finer men anywhere than those operating our hotels. They have the interests of Boston at heart, and are doing all they can to bring business here, and I am convinced that they are right in wishing the passage of an ordinance of this kind. Therefore, I am sorry to take issue with my good friend from Roxbury (Coun. Dowd), with whom I am pleased to be in accord on a great many occasions. But on this occasion, living in the Back Bay district, where people park their cars until after eleven o'clock at night and where they frequently blow their horns late to attract attention of passersby or people in houses, and where this horn blowing has become a good deal of a nuisance, I feel that I must favor the proposed ordinance. This horn blowing has certainly become a nuisance to the people of the Back Bay district of Boston, entirely apart from the men running hotels. When you talk of people who may be back of such an ordinance, I know of no interest that you could not call a good interest that is back of it. New York has passed similar legislation, as well as Chicago, and I think Councilor Dowd will agree with me that if the ordinance is reasonably enforced there will be no trouble arising from it. The whole question is, whether our Police Department can reasonably enforce it, and I believe they can. It is aimed at the horn-blowing pest, late at night, using the automobile horn for a purpose for which it was never created. I have in mind the fact that the Legislature some years ago repealed the statute regarding the blowing of horns when approaching an intersection, on the theory that a person was supposed to have his automobile slowed down and under control, anyway, near a crossing. But I do believe this ordinance is worthy of favorable consideration at this time.

Coun. SELVITELLA—Mr. President, I am a member of the Committee on Ordinances, but due to illness was not able to be present when the meeting was held in regard to this matter. I want to be recorded as dissenting, as a member of the committee, from the report, and I shall vote against this particular ordinance.

Coun. McGRATH—Mr. President, I happened to attend the meeting of the Ordinance Committee, being interested in these affairs of the city although not a member of the committee, and the word "emergency" struck me. I asked the Corporation Counsel of the City of Boston what his opinion of that emergency was and how it would be determined in the event that the driver of an automobile sounded his horn. He said, "Of course, the courts will determine that." Now, if I blow my automobile horn and the police don't think it is an emergency, I don't think I should be obliged to go to court. I think that is extending the ordinance a little too far. While I agree with Councilor Roberts that the hotel men in his district are a fine type of men, I still say that the orchestras are going in their hotels until two o'clock in the morning, and I don't see why they should object to automobile horns at that same time.

Coun. AGNEW—Mr. President, may I ask the Committee on Ordinances what became of the order, of greater magnitude, calling for the restriction of other noise-making devices besides automobile horns?

Chairman GALLAGHER—Although chairman of the Committee on Ordinances, I do not remember such an ordinance coming before the committee.

Coun. AGNEW—I introduced the order myself Mr. President.

Chairman GALLAGHER—Last year?

Coun. AGNEW—Yes.

Chairman GALLAGHER—It died with the outgoing Council.

Coun. WILSON—Mr. President, I am inclined to agree with the argument advanced by Councilor Roberts and to believe that this prohibition should be extended into the residential sections of the city. I can appreciate the handicap that the continual blowing of horns in downtown Boston must be to the carrying on of legitimate hotel business; but in my opinion the particular nuisance is in our residential sections, particularly in our suburban districts, and I think the automobile operators in those sections are the principal offenders. There is at least one pest in every neighborhood who will drive around in front of houses at six o'clock in the morning, perhaps to take somebody to work, and instead of ringing the doorbell will simply blow his horn; and there is always somebody late in the evening who will call at a house and, instead of going to the door and ringing the bell, will press on the Klaxon horn to attract the attention of the one he is calling for. It is at such indefensible noises as that that the ordinance is chiefly aimed. With reference to the suggestion as to the difficulty of proving unreasonable blowing of the horn, I would suggest that the law is supposed to prevent a person operating an automobile going at a greater speed than is proper under the circumstances, and that drivers are called into court to prove whether they were going along on the turnpike or to Worcester at a greater speed than was reasonable and proper. It does seem to me that an ordinance like this, which has the support of many taxpayers and hotel proprietors, which deals with a nuisance which is continually in evidence in our residential districts, should be passed. It is something which not only concerns downtown Boston but the suburban areas. I believe the ordinance is fairly worded and should be passed. Certainly, such an ordinance, which has been passed in the city of New York and other large cities of this country, should properly be placed on the law books of the City of Boston.

Coun. BRACKMAN—Mr. President, while I don't think it is necessary to prolong the discussion, I do think this is a very sensible ordinance and one that, if not passed now, is bound to be passed at some later date. There is nothing more disturbing, in the city proper, or in the residential section, to people trying to get to sleep, or to poor unfortunates who are sick, than to have these drivers blowing automobile horns where it is not necessary. Many of them will go tearing through the streets blowing their horns at intersections instead of trying to bring their cars down to the proper rate of speed. I think the ordinance should pass.

The report was accepted and the ordinance was declared passed.

Coun. DOWD doubted the vote and asked for the yeas and nays.

The roll was called and the ordinance was passed, yeas 11, nays 8:

Yeas—Coun. Agnew, Brackman, Finley, Peter J. Fitzgerald, Gallagher, Kerrigan, Norton, Roberts, Shattuck, Rosenberg, Wilson—11.

Nays—Coun. Doherty, Dowd, Gleason, Kilroy, McGrath, Mellen, George A. Murray, Selvitiella—8.

CENTRAL CARD INDEX.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be urgently requested not to discontinue the Central Card Index by Habitations and Cross-Reference Alphabetical Index created in July, 1932, by the Statistics Department following City Council order approved by the Mayor, and especially designed for the purpose of indicating measures of greater economy in the administration of the Public Welfare and Soldiers' Relief Departments, and preventing fraud.

Coun. WILSON—Mr. President, in my opinion, this is an important enough matter to take a little time about, even before the big holiday in South Boston tomorrow, and so I may go into it at reasonable length. Those of us who have served in the Council for some years past were gratified at the result of a City Council order approved by a former Mayor, resulting in a project carried through by the Statistics Department of the City of Boston by which a habitation index was made of every adult resident of Boston by wards, precincts, streets and number,—an index kept upstairs originally by Mr. Balfe, as I remember, primarily for the checking up of welfare and hospitalization cases. No members of the Council, I assume, certainly not myself, have any criticism to make of poor families in Boston who should be receiving aid; but all of us who have urgently desired not only proper welfare and soldiers' relief, but even larger relief than has been given to families of five, six and seven, have seen the growing up of fake cases, which automatically cut down the amount that should be receivable and payable to the poor families legitimately entitled to receive it. The biggest thing in cutting our fraud in the Welfare and Soldiers' Relief Departments of the City of Boston was this work done by the Statistics Department under that gentleman, Mr. Balfe, whose experience and ability were such as to guarantee the very best results in such a tabulation. That index is a wonderful thing. Perhaps some of the new members of the Council have not seen it. It has been kept in this building, with 2,115,000 cards available up into December of 1934, and with a quarter of a million cross-reference cards available, listing every adult in the City of Boston by ward, precinct, street and number, and through the use of colored tabs it could be instantly found whether some one died of a contagious disease in a certain house, with another notation showing whether there was real estate ownership, and showing the financial record and status of everybody in the city. It showed, for example, each police registered poll, by ward, precinct, street and number, whether any person in a particular family was receiving welfare, whether any person was receiving soldiers' relief, whether any person owned real or personal property for which, if he did, he should be assessed, whether anybody there had died of a communicable disease, which would throw some light on the question of whether a special section of the city was unhealthy, whether any person in the family had registered in his name an automobile, whether he was a city, state or county employee, and whether anybody in that particular location had been to the City Hospital and the bill should properly have been thrust back on to some other city or town for reasons of settlement. I was amazed to learn last week that the work that has been done since that index was created in July, 1932, is not only to be discontinued, but that those thousands of cards are to be stored in the attic or down in the cellar somewhere, or destroyed. The Statistics Department started that important record in July of 1932. It was a C. W. A. project, and a splendid one, one of those where the men were not only drawing money from the government but were producing something for the money they obtained, in the carrying on of that C. W. A. work, from December, 1931, to April, 1934. It was carried on as an E. R. A. project from April, 1934, to December of last year. Now all of that work, all of these valuable records—valuable to the Welfare Department, to the Assessing Department, to the Soldiers' Relief Department, valuable to the families themselves in many instances, valuable to the Boston City Hospital, and valuable in other ways,—is not only to be discontinued, I understand, but this work of months and years is to be almost literally thrown out the window. I understand that the expense to the City of Boston itself as a C. W. A. and an E. R. A. project, was only from \$1,000 to \$1,200 a year for the cards and material. It may or may not be that the government is willing to continue it as a government project, although it has received the commendation not only of state and local E. R. A. officials but of the national coordinator himself. I feel that it is a matter that should not be thrown out the window, because during 1932 and in 1933, at an annual expense of but \$1,000 or \$1,200 for materials, this work went on. We have men on public welfare, hundreds of them, men of ability who have seen better days, who perhaps cannot go out with a pick and shovel or cannot even rake leaves,—so-called white-collar men, men who have been bank tellers and cashiers and who understand

clerical work, and there is no reason in God's world why this work, carried so far by the white-collar workers, a work so valuable to different departments of our city who have to deal with those requiring aid, and which has been carried on under the supervision of the Statistics Department at this small expense for materials, should be thrown out the window. So I ask for the adoption of this order, which urges the Mayor not to undo the work that has been done since 1932, but to continue what I myself feel is the most valuable record that we have in the City of Boston at the present time, ranking even the Police List itself as a matter of record, not only for the departments particularly interested but for the different families of the city, giving their death and sickness records and not only up-to-date, but if possible for years to come.

The order was passed under suspension of the rule.

TRAFFIC LIGHTS.

Coun. GALLAGHER, for Coun. John I. Fitzgerald, offered the following:

Ordered, That his Honor the Mayor request the Traffic Commissioner to include in his budget the sum of \$2,800 for traffic lights to be installed on Charles street at the foot of Allen street.

Passed under suspension of the rule.

RETAINING FENCE AND WALL, CHARLESBANK PARK.

Coun. GALLAGHER, for Coun. John I. Fitzgerald offered the following:

Ordered, That his Honor the Mayor instruct the Park Commissioner to replace the retaining fence and wall which was removed during the rebuilding of Charlesbank Park.

Passed under suspension of the rule.

SIDEWALK ON WASHINGTON STREET, WARD 9.

Coun. GLEASON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Washington street, from Circuit street to Dale street, Ward 9, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

MUSIC AND DRAMA PROJECT.

Coun. ROBERTS offered the following:

Ordered, That his Honor the Mayor request the W. P. A. Administrator to investigate the conduct of the Music and Drama Project located at Paine Memorial Hall.

Coun. ROBERTS—Mr. President, I understand that this investigation has been already ordered, but I am also informed that the W. P. A. administrator of the City of Boston has nothing to do with the music and drama project and has no control over that matter whatsoever. I understand that there has been very much question raised over these music and drama projects, that there are Communists and Socialists in positions of importance on the project, that they are not properly carried on, and I understand that in many of them the girls are complaining because they are simply seats for the distribution of communistic literature.

The order was passed under suspension of the rule.

FINGERPRINTING OF WELFARE WORKERS.

Coun. AGNEW offered the following:

Ordered, That the Mayor of Boston request the Police Commissioner to withdraw the order calling for fingerprinting of welfare workers employed in police buildings, and destroy those already taken.

Coun. AGNEW—Mr. President, it has been called to my attention that the welfare workers employed in the police building have been finger printed by the department and that their finger prints have been filed away for future reference, although not being placed in the criminal files. But the questions troubling me in regard to the particular situation are twofold. In the first place, I don't understand for what reason or purpose welfare recipients are assigned to the Police Department for work; secondly, I don't know what work they would do in the police buildings. Furthermore, the idea of the Police Department finger printing welfare recipients merely because they are assigned to any one of the police buildings for work is beyond comprehension on my part. Why not finger print the welfare recipients sent to other places to work, as well as those sent to the police buildings? Perhaps it is because the department of finger printing would like more experience and for that reason would like to have more customers, therefore taking advantage of the welfare recipients. So I am, in this order, asking that the Mayor request the Police Commissioner to not only withdraw the order calling for the finger prints of welfare recipients that have already been taken and filed away, but to stop the continuation of that work. I see no necessity for it. The reason given is that the recipients of welfare, those employed, in case of dishonesty can be identified, and so, to protect the department, the welfare recipients are penalized to that extent. I do not think that to any member of this Council that will seem a good and sufficient reason. I don't think any of us would want our finger prints on file at police headquarters, and I hope the Mayor will send this order to the Police Commissioner and that the Police Commissioner will see the wisdom of doing away with this regulation.

Coun. WILSON—I don't like to differ with Councilor Agnew, as I realize that he always speaks one hundred per cent as he believes. I freely admit that I am sorry to see any particular section of our population on welfare singled out for the finger printing. Personally, however, I would like to see every resident of the City of Boston, including myself, have a finger print record. I am one of those who fails to see criminal connection between the fact that you have had your finger prints taken and a criminal record. An organization to which I belong has made the excellent rule for many years, that when you receive your membership card it has upon it not only a sample of your handwriting, but an imprint of your thumb. The members have not reared up for fear that it would be placed in the rogues' gallery. For many purposes finger prints can be extremely valuable. Take the case of missing girls we read about, people mutilated beyond recognition in street railway or railroad accidents, finger prints can be extremely valuable to the family; and I can see not the least logical objection on the part of any man or woman in Boston to being finger printed, at police headquarters or anywhere else, even when he or she are not wanted by the police.

Coun. AGNEW—Mr. President, I appreciate the force of what my colleague says in regard to finger prints that have been taken, apart from this particular instance. The only reason, however, why the Police Department are taking the finger prints of these individuals, welfare recipients, is because they happen at the present to be employed in the police building, and in case any wrongdoing is committed in any one of those buildings they will first say, "Let us look over the finger prints of the recipients of welfare who are here." True, I will agree with the councilor from Dorchester in regard to the value of a general finger print record. I sent my finger prints to Washington, and every veteran has his finger prints on file. But I don't think a special case should be made of welfare recipients, only those employed in a police building. It is done there for a particular reason, and, as I say, I believe it is in case something wrong takes place in any of the police buildings, the reference will first be made to the finger prints of the welfare recipients. I don't think any welfare recipient, whether working in a police building or anywhere else, should be subject to a regulation calling for finger prints, photographs or anything else, to be used for specific identification purposes, any more than any other class of the community.

Coun. WILSON—Mr. President, do I understand that the members of the Police Department working at headquarters are not also finger printed? If that were not so, I would be glad to see an order

introduced that they also be finger printed. But isn't it a fact that each member of the Police Department has his finger prints on the records?

Coun. AGNEW—I will say that it is, yes, but what of it, so far as welfare recipients are concerned? The order was passed under suspension of the rule.

CHARLESTOWN STAIRWAY.

Coun. MELLEN offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to consider the advisability of purchasing the property abutting the stairway, now closed, leading from the high bridge to Water street, Charlestown, with the object of again making the stairway available for public use.

Passed under suspension of the rule.

SIDEWALK, CHELSEA STREET.

Coun. MELLEN offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of a sidewalk along the left-hand side of Chelsea street, from the Chelsea South to the Chelsea North Drawbridge, Ward 2.

Passed under suspension of the rule.

CITY BUDGET.

Coun. NORTON offered the following:
Ordered, That the Mayor present a tentative county and city budget to the Council as soon as possible.

Coun. NORTON—Mr. President, two and one half months of the year have gone by, and there is no budget before the Council. As in previous years, the rush hour will soon be on and we will be told that we will have to pass it this week or the boys won't have their pay next week. The result will be insufficient time to go into the budget properly. It is true that the Legislature has not finished on the budget, but the chances are nine out of ten that it will be about the same as in previous years. We ought to have here a tentative budget, so that we may get busy and not be rushed upon it at the last moment.

The order was passed under suspension of the rule.

ACCEPTANCE OF ALABAMA STREET.

Coun. NORTON offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out that part of Alabama street, Ward 18, from the beginning of Alabama street at Almont street to the corner of Currier street.

Passed under suspension of the rule.

REPRESENTATION OF CITY IN RE CHELSEA DIVISION.

Coun. NORTON offered the following:
Ordered, That the Mayor of Boston be requested to consider the advisability of informing the Council why it was that no official representative of the City of Boston appeared at the hearing before the Massachusetts Department of Public Utilities to protest against the taking over of the Chelsea-Revere branch of the Eastern Massachusetts Railway by the Boston Elevated Railroad system.

Coun. NORTON—Mr. President, a public hearing was held last week by the Department of Public Utilities on the question of the Boston Elevated taking over the Chelsea branch of the Eastern Massachusetts Railway. Boston pays over 60 per cent of the Boston Elevated expense, and here it is proposed that we take over another bankrupt outfit, another streak of rust, at a high price, adding to the cost which comes upon the City of Boston. And yet no official representing the city appeared at that hearing to oppose it.

The order was passed under suspension of the rule.

MILK FOR WELFARE RECIPIENTS.

Coun. NORTON offered the following:

Ordered, That the Director of Public Welfare, through his Honor the Mayor, be requested to reconsider the advisability of furnishing welfare recipients with milk at a price below the standard retail price.

Coun. NORTON—Mr. President, for some months now I have been interested to see if it were not possible for the Welfare Department of the city to furnish welfare recipients with milk, say at 8 cents a quart. Milk is the most important food for people on relief. I have been interested to look into the situation in other cities, and I find that in some of the cities milk is not only furnished to welfare recipients but to others not having enough to eat. They are given a card, and with that card they are able to buy milk for 8 cents a quart, or at some price below the usual market price in those places. There is no reason I can discover, after looking into this matter for months and examining into what is being done by Federal milk officials, why the city cannot arrange so that welfare recipients here may have a card and go to certain stores where they can buy milk at 8 cents a quart. It certainly means a great saving to them and it means furnishing a valuable food, nutriment, to the poor people of this community who do not have enough to eat. It is a very important thing. I have here letters from the Health Commissioner of New York City and from the Administrator of the Baltimore Emergency Relief Commission, which I would like to have included in our record.

(The letters referred to are as follows:

The Commissioner of Health,
City of New York,

March 13, 1936.

Mr. Clement A. Norton, Boston City Council,
City Hall, Boston, Mass.

My dear Mr. Norton,—Your communication to Mayor LaGuardia has been referred to this department. Although the Milk Control Board has set a price of 12 cents for the retail sale of milk, it has given permission to the city of New York to distribute, or arrange for the distribution, of milk to the needy through official agencies at 8 cents per quart.

Arrangements have been made with several of the milk companies in the city to distribute milk at this price through our Baby Health Station and the Commodity Distribution Depots of the Emergency Relief Bureau. We have approximately 145 such stations in the city at which this milk is being distributed from 6.30 to 8.30 a. m. This milk is delivered, serviced and sold by an employee of the company.

Each recipient of this 8-cent milk must present a card which is issued after determining their financial status. This is done by the nurse in charge of the Baby Health Station or the Depot Chief Clerk in the Commodity Depots.

Inclosed find forms used for this purpose.

Yours very truly,

JOHN L. RICE, M. D.,
Commissioner.

Baltimore Emergency Relief Commission,

Baltimore, Maryland,

Howard C. Beck, Jr., Administrator.

Mr. Clement A. Norton, Boston City Council,
Council Chamber, City Hall, Boston, Mass.

My dear Mr. Norton,—This will acknowledge receipt of your letter of March 5 addressed to Miss May Reid, who was formerly our Director of Social Work, making certain inquiries relative to the price we are now paying for milk. We are still paying the price of 7½ cents per quart, that was originally bid by the dairy handling the business for their Grade A milk, which is retailing on the street at 12 cents per quart.

Trusting that this information will answer your purpose, I am,

Yours very truly,

HOWARD C. BECK, JR.,
Administrator.)

This order simply asks the Mayor of Boston to intercede with the directors of public welfare and see if it is not possible to work out such a scheme here. If other cities can do this, why cannot Boston do it? The leading milk companies—the Whiting Companies, the Elm Hill Farm and others—claim that it can be done.

Coun. McGRATH—Mr. President, I think this order offered by Councilor Norton contains

a good idea. Mrs. William Randolph Hearst is spending a large amount of money in the course of a year in the city of New York in this same way, and it seems to me it is something that can well be done here. I am in favor of the order.

Coun. AGNEW—Mr. President, at the present time the Mayor of Boston has under consideration an order introduced by me sometime ago, relative to conducting a milk fund in Boston, and I think it would be a splendid thing to cooperate with outside influences in this work, which, when made to function in a proper manner, can be exceedingly valuable. I know it is the desire of the Mayor that the under-nourished children of Boston shall have a good supply of milk given to them without any cost, if possible.

Coun. NORTON—Mr. President, I appreciate what the councilor states, but that has to do with a milk fund. It is easy enough to raise a fund. I wanted Joe Louis to come over here and talk for a milk fund, and he was willing to do so, but it seemed that there were many loopholes in the thing. Shaughnessy, a backer of Joe Lewis, said that if he ever came to Boston nothing would please him better than to box for a milk fund. But that represents a different angle of this thing. Mrs. William Randolph Hearst conducts a movement of this sort every year in New York City. This is fine and good, but here is something that can be done immediately, to meet present day necessities. People are buying milk every day, not only those on welfare but others, people who have to conserve their resources to the last cent. They are entitled to 8-cent milk, and I trust that they may get it.

Coun. McGRATH—Mr. President, we don't need outside help. I think we can run the thing right here. We don't need Joe Louis; we can do something else. We can have an athletic contest and raise thousands for this fund. Paul Bowser, the man who stages the wrestling shows in Boston, has contributed a good deal of money for this sort of thing every year. I think Mr. Bowser will be glad to cooperate with the Mayor and the members of the City Council in putting such a thing through, and I think we could follow that up with other athletic events and probably get a couple of hundred thousand dollars. That is not to be laughed at, and it is not a great deal of money when we look back at the figures of what Mrs. William Randolph Hearst has done and is doing in New York City.

The order was passed under suspension of the rule.

FIXING OF NON-MAJOR STREETS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of fixing every non-major street in Boston with the assistance of W. P. A. employees.

Coun. NORTON—Mr. President, if we don't act quickly we are going to lose the finest opportunity this city has ever had to fix up its streets. I wish every one who goes down to that office would ask the Mayor to take advantage of a chance we will never have again. After this year the thing will blow up; the Federal Government assistance will blow up after this year. This is the last round, the last chance to get W. P. A. help on fixing our streets. Good roads can now be made, we are told by engineers, on a very economical basis, at less than 75 cents a square yard, and perhaps under 50 cents, although in the past we have probably been paying \$2 in many cases. Put on this bituminous product, cheap and easily obtained and easily put on the surface, and you can put in good shape streets that are now nothing but mud holes. There are streets in my ward today that you can only go through with a boat. Police cars start out on them, and have to be pulled out. Those are conditions that are existing today in this city. I will admit that we have been having an unusual situation in Boston within the last week because of floods, but entirely apart from the present conditions in that respect there is great need to have our streets put in proper shape. Many of the children in our suburban area—I know of many cases in Ward 18—are unable to get back and forth between their homes and school. Here is a chance, with the help of Uncle Sam, to put 20,000 or 40,000 men at work. Uncle Sam will pay their wages, and why shouldn't we fix up every street in the City of Boston?

Coun. FINLEY—Mr. President, I can't let the opportunity pass by to indorse every word that the councilor from Hyde Park has said. I want to add to his remarks and to say that we are faced with a very serious situation in the suburban section of Boston unless remedial measures are adopted to relieve existing conditions. I believe every effort should be made by the Mayor and the Street Commissioners to carry out such action as is proposed in this order today, having the interests of those outlying sections at heart. I was much surprised this morning in talking with the Commissioner of Public Works to find, with regard to a substantial number of streets where work was to be commenced in the very near future, unaccepted streets in my district, that that work most likely will be eliminated because of the amount of money it has been necessary to use for the removal of snow. If that is the case, we are going to face a very serious situation, which will result in drastic protests from the residents of the suburban sections of this city. I hope, therefore that this order will be given every possible consideration, because I know if it is not given the consideration it deserves residents of such sections of the city as Wards 18 and 20 are certainly going to protest in a very emphatic way.

Coun. ROSENBERG—Mr. President, I am in accord with the measure introduced by the councilor from Ward 18, who happens to be my neighbor in an adjoining ward. The local Dorchester papers have been saying for some time that they dread to see the conditions existing in the Dorchester section, on the streets, sidewalks and gutters, with the disappearance of the snow and ice. I know that probably quite a task may be placed upon the city or P. W. A. to resurface all the streets in the suburban areas of Boston, but I believe some measures should be taken for at least a partial fixing up of those streets that are now in almost hopeless shape. I know that if such work is done it is going to probably save the city thousands of dollars in claims that will be coming in for broken springs of automobiles, and that sort of thing, on these non-major streets. I am informed that some of the streets in my ward have not been fixed up for thirty years, that they are sunken and full of mud holes, and the reports sent in to the Paving Division indicate that, as the music goes "round and round," when a rain storm comes the water goes round and round, resulting in mud holes and ruts. In the old Dorchester section of the city where the original streets were laid out with cobblestones, gravel and sand have been washed in, and the water from the rains and the melting snow has practically ruined the streets. I believe if the fixing up of the non-major streets in the suburban parts of the city is arranged, we are going to save many claims against the city, and we are also going to give a large number of men a chance to work. I believe it will also afford protection to the small home owners, the protection that is now received on the major streets.

Coun. BRACKMAN—Mr. President, this order sounds awfully good, but I wish I could be as optimistic as some of my colleagues. I would not want anybody to think that I would not like to see all the streets paved with smooth paving or otherwise; but I feel that this is the most unseasonable order that has been presented to the body. I believe it would take a space of ten years to do what the councilor would like to see done, because it has already taken six months to do what the W. P. A. have been doing on the streets of Boston, and the streets where such work has been done, I believe, can be counted on the fingers of your two hands. I know how the streets in my ward have been tied up for months with excavations and one thing and another, and in my opinion it will take ten years to do this work.

Coun. NORTON—Mr. President, that is an extraordinarily interesting point of view. Then, let us go home and do nothing. I am willing to argue this from a technical engineering standpoint. We have 675 miles of streets in Boston, Detroit has over 2,500 miles and Cleveland over 2,000, and St. Louis 2,200. We are the oldest city in the country and have been at this street work for years, I agree. But a ten-year period required to do the streets of Boston! That is ridiculous, Mr. President. Here we have Paul Edwards, through Tom Sullivan, trying to find work for men to do, and we are told that it will take ten years to fix up our streets. There have been more streets fixed up in my ward in the last two years than were fixed up in any previous ten-year period. That is encouraging. When you really go at a

thing of this kind, something is done. Instead of fixing up forty streets, we need to fix up four hundred. When you get this work going under engineers, they run right along, and it is surprising when the work is laid out, how rapidly it can be done on these non-major streets. You don't have to go along on those streets with four inches of crushed stone, binder and filler. You merely look out for your irrigation, and you just put this bituminous coating on and roll it. Here we have 20,000 people looking for that kind of work, and when you put them on to it under proper engineers it will go rapidly. To say that it will take ten years is bunk. What is the use of arguing that proposition? My answer to the councilor is this. Go to any responsible engineer in the Public Works Department of the city and see if he will not verify what I have said. I claim that every non-major street in this city can be placed in passable condition, and that is all I ask for, in the next two years, if the Mayor of Boston will go at this with the proper spirit and will appropriate a sufficient amount of money for the coal-tar mixture that they use for fixing the streets.

The order was passed under suspension of the rule.

NEW SCHEDULE OF FEES.

Coun. NORTON offered the following:

Ordered, That the Street Commissioners, through his Honor the Mayor, be requested to draw up a new schedule of fees for the taxing of various kinds of signs, and submit such schedule to the Council.

Coun. NORTON—Mr. President, I am informed that a new schedule of fees, put into effect by the Street Commissioners, will bring in an increased revenue to the city of at least \$25,000. This comes from a man who happens to be an expert on that particular subject, and I ask that this memorandum be included in our minutes.

(The memorandum referred to is as follows:

No fee in excess of \$1 is now allowed to be charged for any projecting sign in the City of Boston. In the case of an awning with lettering thereon, \$1 is charged for the awning and \$1 is charged for the lettering, making a total of \$2 in this instance. \$1 is likewise charged for a marquee and \$1 additional is charged for each side of the marquee which carries lettering. Thus, the fee for a marquee may run from \$1 to \$4.

A scale of fees figured on the amount of sign space on the projecting sign would be far more equitable and give a greater return to the city.

Illuminated Signs: \$3 for 20 square feet or less; \$5 up to 40 square feet; 10 cents per square foot in excess of 40 square feet. No illuminated sign to project more than 5 feet over the highway without an additional charge of \$1 a linear foot or fraction thereof.

Plain Signs: \$2 per year for 20 square feet or less; 10 cents per square foot in excess of 20 square feet.

Marquees: \$5 for plain marquee; 10 cents a square foot for any lettering thereon.

(Should increase revenue at least \$25,000.)

The order was referred to the special committee on license fees.

WARD 6 IMPROVEMENTS.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to make provisions for additional lockers during the coming season in both the women's and men's sections at the Head House, Ward 6.

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to include in his budget for this year a sum sufficient to provide for the installation of automatic traffic signals at the intersection of D street and Broadway, Ward 6.

Severally 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 2.30 and 4.30 p. m., on Saturday, April 11, for the cross-country run of the Cathedral Club, the expense incident thereto to be charged to the appropriation for City Council, Flags, Ropes and Stakes.

Passed under suspension of the rule.

HEARING ON SCHOOL EXPENDITURES.

Coun. NORTON—Mr. President, I ask unanimous consent to make a statement.

Chairman GALLAGHER—If there is no objection, the councilor may proceed.

Coun. NORTON—Mr. President, next Sunday, I understand, the \$17,500,000 which is proposed to be spent by the Boston School Committee is to be made a subject of discussion in a hall in this city. It does seem as if in these difficult days a board that proposes to spend \$17,500,000 should be expected to defend its position. Next Sunday, I understand, an opportunity will be offered to them to do so, and anybody who would like to take part in the discussion will be welcome.

Adjourned at 3.39 p. m., on motion of Coun. McGRATH, to meet on Monday, March 23, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March, 23, 1936.

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

VETO OF ANNABEL STREET SIDEWALK.

The following was received:
 City of Boston,
 Office of the Mayor, March 18, 1936.
 To the City Council.
 Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on March 9, 1936, for the making of a sidewalk with granite edgestones on Annabel street, Ward 7.

I am informed by the Commissioner of Public Works that there are no funds available at the present time for this construction. Under the circumstances I am constrained to veto the order.
 Respectfully,
 FREDERICK W. MANSFIELD, Mayor.
 Placed on file.

VETO OF JUNIPER TERRACE SIDEWALK.

The following was received:
 City of Boston,
 Office of the Mayor, March 18, 1936.
 To the City Council.
 Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on March 9, 1936, for the making of a sidewalk with granite edgestones on Juniper terrace, Ward 9.

I am informed by the Commissioner of Public Works that Juniper terrace is a private way and consequently the city has no jurisdiction. Under the circumstances I am constrained to veto the order.
 Respectfully,
 FREDERICK W. MANSFIELD, Mayor.
 Placed on file.

RIGHT OF WAY ALONG NEW YORK, NEW HAVEN & HARTFORD RAILROAD TRACKS.

The following was received:
 City of Boston,
 Office of the Mayor, March 16, 1936.
 To the City Council.
 Gentlemen,—I transmit herewith a letter from

the Commissioner of Public Works relative to your order of February 10, 1936, concerning a right of way along the tracks of the New York, New Haven & Hartford Railroad Company from Harrison square to the Savin Hill Playground in Dorchester.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Public Works Department, March 13, 1936.
 Mr. John F. Gilmore, Jr.,
 Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of March 3 with attached order of City Council dated February 10 and reading as follows:

“Ordered, That the New York, New Haven & Hartford Railroad Company be requested, through his Honor the Mayor, to construct a right of way with a seven-foot guard fence along its tracks from Harrison square to the Savin Hill Playground in Dorchester, said right of way to be open to the public, also a seven-foot fence to be erected upon the request of the Mayor at any location along the railroad right of way considered hazardous to the safety of children.”

and to state that a conference was had with Mr. Arthur Tuttle, district engineer, of the New York, New Haven & Hartford Railroad, and as a result of this conference Mr. Tuttle informed us to the effect that the New York, New Haven & Hartford Railroad are in no condition financially at the present time to go to any expense to erect a fence and a right of way and consequently will not consider any suggestions from the city for the railroad to perform the work requested.

Respectfully yours,
 C. J. CARVEN,
 Commissioner of Public Works.

Placed on file.

UNPAID TAXES ON CERTAIN WOOD AVENUE LAND.

The following was received:
 City of Boston,
 Office of the Mayor, March 17, 1936.
 To the City Council.
 Gentlemen,—I transmit herewith a letter from the Board of Assessors relative to your order of March 2, 1936, concerning unpaid taxes owed to the City of Boston by the present owner of the tract of land in the Wood avenue section of Hyde Park.
 Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Assessing Department, March 16, 1936.

Hon. Frederick W. Mansfield,
 Mayor of Boston.
 Dear Sir,—The Board of Assessors respectfully submits the following reply to the appended City Council order dated March 2, 1936:
 “To advise the City Council, not later than March 16, 1936, full information concerning unpaid taxes owed to the City of Boston by the present owner of the tract of land in the Wood avenue section of Hyde Park.
 Query No. 1.—Size and location. Lot A, south side Westminster street. (Assessors' Block 339/372/P.127, Ward 18.)
 Query No. 2.—Amount of unpaid taxes outstanding, plus interest, for each of the years 1931 to 1935:

YEAR.	Owner.	Value.	Feet of Land.	Tax Plus Interest.
1931.....	Irving S. Chyett, Mortgagee in Possession..	\$12,600	1,258,815	\$537 47
1932.....	Suburban Realty Corporation.....	12,600	1,258,815	569 94
1933.....	Suburban Realty Corporation.....	12,600	1,258,815	493 53
1934.....	Suburban Realty Corporation.....	11,000	1,258,815	454 70
1935.....	Massachusetts Bond and Mortgage Company.	11,000	1,258,815	417 30
				Total...\$2,472 94

Query No. 3.—Massachusetts Bond and Mortgage Company is the present owner of this property, and owes unpaid taxes as follows:

WARD.	Year.	Tax.	Betterments.	Costs.	Interest.	Total.
18.....	1935	\$1,528 10*	\$95 43		\$48 28	\$1,671 81
19.....	1931-35	1,742 25		\$4 50	347 21	2,093 96
19.....	1931-35	2,963 34†		4 15	401 05	3,368 54
21.....	1935	2,405 00		35	69 45	2,474 80
Total tax plus interest as shown in Query No. 2.....						\$2,472 94
Total for taxes assessed in the name of the present owner, and accumulation of prior years on parcels owned at present.....						\$12,082 05

* This includes Lot A in question.

† Title acquired 1934.

Respectfully,
BOARD OF ASSESSORS,
T. W. MURPHY, Secretary.

Placed on file.

TRAFFIC LIGHTS, WARDS 9 AND 14.

The following was received:

City of Boston,
Office of the Mayor, March 19, 1936.
To the City Council.
Gentlemen,—I transmit herewith three letters from the Traffic Commissioner relative to your orders of March 9, 1936, concerning the installation of traffic signal lights at the following locations:

1. Junction of Tremont street and Columbus avenue, Ward 9.
2. Junction of Blue Hill avenue, American Legion Highway, Ward 14.
3. Blue Hill avenue and Glenway street, Ward 14.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, March 19, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated March 9, 1936, which reads as follows:
"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install traffic signal lights at the junction of Tremont street and Columbus avenue, Roxbury, Ward 9."
There are no funds available at this time for the installation of traffic signals at this location.

Very truly yours,
WILLIAM P. HICKEY, Commissioner.

City of Boston,
Traffic Commission, March 19, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated March 9, 1936, which reads as follows:
"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install traffic signal lights at the junction of Blue Hill avenue, American Legion Highway, Dorchester, Ward 14."

I regret to state that there are no funds available at this time for the installation of traffic signals at the above location.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

City of Boston,
Traffic Commission, March 19, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated March 9, 1936, which reads as follows:
"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install traffic signal lights at Blue Hill avenue and Glenway street, Ward 14."
There are no funds available for the installation of traffic signals at the above location.

This intersection is on a list of locations where this commission has previously recommended the installation of traffic signals if money is procured.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.
Placed on file.

TRAFFIC LIGHTS, WARD 11.

The following was received:

City of Boston,
Office of the Mayor, March 19, 1936.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Traffic Commissioner relative to your order of March 2, 1936, concerning the installation of automatic traffic signals at the junction of Amory and Boylston streets, Ward 11.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, March 19, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated March 2, 1936, which reads as follows:
"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals at the junction of Amory and Boylston streets, Ward 11."

This intersection is on a list of locations where this commission has recommended the installation of traffic signals if funds are procured.

There are no funds available at present for this installation.
The estimated cost of this traffic signal is \$2,400.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.
Placed on file.

WARD 14 TRAFFIC LIGHTS.

The following was received:

City of Boston,
Office of the Mayor, March 19, 1936.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Traffic Commissioner relative to your order of February 10, 1936, concerning the installation of signal lights at the intersection of Washington street, Bowdoin and Harvard streets, Ward 14.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, March 19, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated February 10, 1936, which reads as follows:
"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install signal lights at the intersection of Washing-

ton street, Bowdoin and Harvard streets, Dorchester, Ward 14."

I regret to state that there are no funds available at present for the installation of a traffic signal at this intersection.

The estimated cost of an installation at this location is \$3,500.

While the accident records in this office do not indicate that the accident hazard at this intersection is as serious as at many other non-signalized intersections in the city, it is the opinion of the engineers of this department that a traffic signal would operate successfully and would improve conditions at this location.

Respectfully yours,

WILLIAM P. HICKEY, Commissioner.

Placed on file.

SMOOTH PAVING, WARD 6 STREETS.

The following was received:

City of Boston,
Office of the Mayor, March 19, 1936.

To the City Council.

Gentlemen,—I transmit herewith two letters from the Commissioner of Public Works relative to your orders of February 10, 1936, concerning the repaving with smooth pavement of the following streets in Ward 6:

1. East Fifth street.
2. O street.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Public Works Department, March 16, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of March 3 with attached order of City Council dated February 10 and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement East Fifth street, Ward 6,"

and to state that East Fifth street from G to Farragut road is 5,047 feet in length and a roadway width of 34 linear feet, sidewalk width, 8 feet on each side of the roadway. The road surface is a waterbound macadam and the existing sidewalks are 93 per cent brick and the remaining 7 per cent is artificial stone. To repave this length of East Fifth street with a smooth pavement will cost approximately \$72,000 and at the present time this money is not available.

Respectfully yours,

C. J. CARVEN,
Commissioner of Public Works.

City of Boston,

Public Works Department, March 17, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of March 3 with attached order of City Council dated February 10 and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement O street, Ward 6,"

and to state that O street from East First street to Columbia road has a length of 2,327 feet and a roadway width of 34 feet. The sidewalk on either side of the roadway has a width of 8 feet. The present surface is of waterbound macadam. The existing sidewalks are of brick and to repave this length of O street with a smooth pavement will cost approximately \$34,000. At the present time there is no money available for this work.

Respectfully yours,

C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

WAITING BOOTHS, FRANKLIN PARK STATION.

The following was received:

City of Boston,
Office of the Mayor, March 19, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the trustees of the Boston Elevated Railway relative to your order of February 17, 1936, concerning

the advisability of inclosing the waiting booths at the Franklin Park Station on Blue Hill avenue.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Boston Elevated Railway,

March 17, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir.—The trustees considered request with regard to the advisability of inclosing waiting booths at Franklin Park Station.

They do not believe that under present conditions the added expense to accomplish this is justified in view of the fact that very suitable shelters now exist at this point and that if they were inclosed as suggested the space in rush hours would be very materially reduced. Experience has also shown that inclosed waiting rooms present very undesirable aspects and that this particular point is one where more protection is given than at many other points on the system.

Very truly yours,

EDWARD DANA,

Executive Vice President and General Manager.

Placed on file.

NUMBER OF MILES OF ACCEPTED STREETS.

The following was received:

City of Boston,
Office of the Mayor, March 23, 1936.

To the City Council,

Gentleman,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of February 24, 1936, concerning a request that your Honorable Body be advised as to the number of miles of accepted streets within the jurisdiction of each of the ten or eleven city yard districts for snow-removal work.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Public Works Department, March 20, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of March 11 with attached order of City Council dated February 24, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to advise the City Council with reference to the following desired information, namely, the number of miles of accepted streets within the jurisdiction of each of the ten or eleven city yard districts for snow-removal work,"

and to state that the number of miles of accepted streets within the jurisdiction of each of the ten district yards for snow-removal are:

District No. 1, South Boston.....	46.55 miles.
District No. 2, East Boston.....	35.45 miles
District No. 3, Charlestown.....	23.40 miles.
District No. 4, Brighton.....	60.75 miles.
District No. 5, West Roxbury.....	115.60 miles.
District No. 6, Dorchester.....	79.60 miles.
District No. 7, Roxbury.....	62.90 miles.
District No. 8, South End, Roxbury,	

City Proper and	
Back Bay.....	138.25 miles.
District No. 9, Dorchester North... 70.35 miles.	
District No. 11, Hyde Park.....	39.25 miles.

Total number of miles 672.10.

Respectfully yours,

C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

OVERHEAD PASS, WARD 14.

The following was received:

City of Boston,
Office of the Mayor, March 23, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of February 17, 1936, concerning the erection of an overhead pass leading from Blue Hill avenue, facing Hosmer street, and extending up to Duke street, Ward 14.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, March 17, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of March 11, with attached order of City Council dated February 17 and reading as follows:

"Ordered, That the Commissioner of the Public Works Department be requested, through his Honor the Mayor, to consider the advisability of the erection of an overhead pass leading from Blue Hill avenue, facing Hosmer street, and extending up to Duke street, for the safety and convenience of the children attending the Solomon Lewenberg School on Outlook road, Dorchester, Ward 14,"

and to state that the erection of any overhead pass from Blue Hill avenue to Ormond street will necessitate the crossing of private property both fronting Blue Hill avenue and Ormond street and this order should be referred to the Street Commissioners, who after considering the matter and making the necessary takings will then come to the Public Works Department for erection. The primary steps as to the question of taking and the cost of same is a function of the Board of Street Commissioners.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

PIER AND PREMISES, 337 MARGINAL STREET.

The following was received:

City of Boston,
Office of the Mayor, March 23, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Building Commissioner relative to your order of February 17, 1936, concerning an examination and report of the pier and premises at 337 Marginal street, East Boston, and condemnation proceedings if necessary.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Building Department, March 21, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—This will acknowledge the receipt of your letter of March 11 inclosing an order from the City Council, dated February 17, 1936, "That the Building Commissioner be requested, through his Honor the Mayor, to make an immediate examination and report to the City Council with reference to the condition of the pier and premises at 337 Marginal street, East Boston, and that he be requested to take condemnation proceedings if, upon examination, the said pier and premises are found to be in a dangerous and unsafe condition."

The district inspector makes the following report:

"Acting under the direction of Frank M. Curley, Supervisor of Construction, I made an examination of the wharf numbered 337 Marginal street, East Boston.

"I found that about 60 per cent of the diagonal bracing piles were decayed or broken free from the wharf. That about 50 per cent of the outer row of piles were rotted at their heads. At low water level, the piles show evidence of marine borer action, that has decreased the diameter. About 70 per cent of the pile capping at the edge of the wharf is decayed, missing or broken free, making any anchorage faulty.

"There is no horizontal bracing of the interior piles, leaving the entire structure subject to failure. About 40 per cent of the wharf flooring is decayed or missing, making this structure dangerous to life and limb. If this wharf is permitted to remain it should have all defective parts replaced and all piling securely stayed, braced and bolted.

"There is a two-story wood building 23 feet by 45 feet at the land end of this wharf. This building appears to be plumb but in a general dilapidated condition. About 50 per cent of the clapboards removed, window frames on the first story removed but boarded from the inside. Outside wall boarding is removed in some parts but the building is also boarded on the inside. Part of this building appears to have been cut off

at the north end and closed with a temporary partition. The wood girder carrying the second floor at center of building is shored from the outside. Some of the wall studs show decay at the foot. This building is closed to trespass. See photographs attached."

From the above report and from the inclosed photographs it can be seen that the wharf property is in an exceedingly unsafe condition. While the building on the wharf is in a dilapidated condition it is closed to trespass and is not structurally unsafe.

For your information I am quoting part of section 10, chapter 550, Acts of 1907, as amended, the Building Law of the City of Boston.

"The provisions of this act shall not apply to public highway and railway bridges, quays or wharves, nor to . . ."

Therefore it can be seen that while the Building Commissioner is responsible for the condition of a building erected on a wharf he has no jurisdiction whatever over the structural condition of the wharf property and cannot take the necessary steps to condemn the same.

I would recommend that the Commissioner of Public Works of the Commonwealth of Massachusetts be informed of the condition of this wharf so the condemnation proceedings may be properly carried out.

Respectfully yours,
EDWARD W. ROEMER,
Building Commissioner.

Placed on file.

INFORMATION RE NURSES, PATIENTS, ETC.

The following was received:

City of Boston,
Office of the Mayor, March 23, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of the Hospital Department relative to your order of February 24, 1936, concerning certain information pertaining to nurses, patients, equipment and household accessories at the hospital.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Hospital Department, March 20, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—I have received an order from the City Council that the Superintendent of the Boston City Hospital be requested, through his Honor the Mayor, to advise the City Council promptly as to the following:

1. Whether the nurses at the hospital are now working on approximately an eight-hour day and, if not, what are the present arrangements?
 2. The average number of patients, together with the total average number of nurses available at the City Hospital during the month of January for each of the past ten years.
 3. Whether or not there is a shortage of bed linen and blankets in various departments at the Boston City Hospital.
 4. With reference to the possibility of better ventilation and also the installation of proper weather strips for the windows in Peabody No. 1.
- I am transmitting herewith the following information in answer to the above questions:

1. Nurses are on an approximately eight-hour day.

YEAR.	Month.	Average Number of Patients.
1927,	January	744
1928,	January	833
1929,	January	868
1930,	January	944
1931,	January	1,099
1932,	January	1,201
1933,	January	1,347
1934,	January	1,330
1935,	January	1,303
1936,	January	1,301

Totals of the Entire Nursing Staff for all Hospital Departments for the Past Ten Years.

February, 1926	260
February, 1927	260
February, 1928	292
February, 1929	357
February, 1930	418

February, 1931.....	479
February, 1932.....	543
February, 1933.....	541
February, 1934.....	557
February, 1935.....	529
March 20, 1936.....	559

On April 1 we are accepting a class of fifty affiliating students.

Twenty-three will have completed their course March 31, and our count then will be 586 nurses. This count changes constantly by pupil nurses graduating.

3. There is no shortage of bed linen or blankets.
4. Storm sashes, with slide windows, are already in the process of being built to be placed on the inside frames on the porches of Peabody Nos. 1 and 2.

Yours sincerely,
 JAMES W. MANARY, Superintendent.

Placed on file.

FUEL ORDERS TO WELFARE
 RECIPIENTS.

The following was received:

City of Boston,
 Office of the Mayor, March 23, 1936.
 To the City Council.

Gentlemen,—I transmit herewith a letter from the Overseers of the Public Welfare relative to your order of February 24, 1936, concerning the names of welfare recipients who, during the final week of February and the first two weeks of March, 1936, were given fuel orders directed to the Babcock Coal Company and to Alfred E. Ventola.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Overseers of the Public Welfare,
 March 19, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—Your letter of March 11 received inclosing order of the City Council relative to furnishing the Supply Department with the names and addresses of welfare recipients during the final week of February and the first two weeks of March, 1936, who had been given fuel orders on the Babcock Coal Company and the Ventola Oil Company of Hyde Park.

I am replying to the order by stating that orders to the Babcock Coal Company amounted to 7,977, and to the Ventola Oil Company 2,420, a total of 10,397 during this period, and if we attempted to list these names it would take approximately the time of three clerks for two weeks; and inasmuch as the coal has been delivered and presumably used by this time, the sending of this list would accomplish no useful result.

May I say in passing that we have received reports from the Arthur D. Little Company on eleven tests made by them of coal delivered by the Babcock Coal Company. On seven of the tests this company recommended premiums ranging from 15 cents to 84 cents per ton; on two other tests, penalties of 52 cents and 75 cents; and on the two remaining no premium or penalty was recommended. The Arthur D. Little Company reported that on six tests made of oil delivered by the Ventola Oil Company, all of the oil was up to the standard set in the contract.

These samples were taken by the Weights and Measures Department while the coal and oil were in transit from the wharf or delivery point of the company to the homes of the welfare recipients.

Yours truly,
 JOHN C. L. DOWLING,
 Executive Director.

Placed on file.

TRANSFER WITHIN HOSPITAL
 APPROPRIATION.

The following was received:

City of Boston,
 Office of the Mayor, March 14, 1936.
 To the City Council.

Gentlemen,—I am in receipt of the attached request from the Acting President of the Board of Trustees of the Boston City Hospital for a transfer of \$661 within special appropriations under the control of the Hospital Trustees. This transfer is necessary in order to take care of the balance of

the commission due the architect in connection with the supervision of contract work at the hospital. I submit herewith an order providing for the transfer and respectfully recommend its adoption by your Honorable Body.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Hospital Department, March 10, 1936.
 Hon. Frederick W. Mansfield,
 Mayor of Boston.

Dear Sir,—You are requested to transfer the sum of \$661 from the appropriation for Kitchen Building, etc., to the appropriation for Hospital Buildings, Plans, etc.

This transfer is requested in order to take care of the balance of commission due James H. Ritchie and Associates on the contract of John Bowen Company for erection and completion of Kitchen Building, Boston City Hospital.

Very truly yours,
 CARL DREYFUS,
 Acting 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 Kitchen Building, etc., \$661, to the appropriation for Hospital Buildings, Plans, etc., \$661.

Referred to Executive Committee.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following:

Constables to serve civil process upon filing bond: Jacob Braunstein, 87 Devon street, Roxbury; Sidney Williams, 5 Hestia park, Roxbury.

Weighers of Goods: John G. Cassidy, 9 Gertrude road, West Roxbury, Mass.; Daniel J. Kelly, 44 Everett street, East Boston, Mass.

Severally laid over a week under the law.

PROPOSED EASEMENT TO STAR BREW-
 ING COMPANY.

The following was received:

City of Boston,
 Office of the Mayor, March 23, 1936.
 To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Commissioner of Public Works relative to the request of the Star Brewing Company to build over a sewer which runs through a portion of its premises on Shirley street, Roxbury.

I submit herewith an order authorizing me to grant to the Star Brewing Company the right and easement to build over the said land and recommend that said order be passed by your Honorable Body.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Public Works Department, March 21, 1936.
 To His Honor the Mayor.

The Star Brewing Company in a communication dated February 20, 1936, which is sent herewith, has requested permission to build over a sewer which runs through a portion of its premises on Shirley street, Roxbury.

The land over which the Star Brewing Company is desirous of placing its building was taken for sewer purposes by a resolve and order of the Board of Aldermen of the City of Boston, approved by the Mayor of the City of Boston, April 15, 1896. This instrument of taking did not include, as many of the later takings do, a provision permitting the Mayor of Boston to grant a license for the person owning land through which the sewer passes to build over the said land, provided the said building does not in any way injure the sewer taking.

It will be necessary, therefore, for an order to be passed by the City Council, with the approval of your Honor, granting to the said Star Brewing Company the right to place its building over the said sewerage works in accordance with plans which have been approved by the Commissioner of Public Works.

A draft of an order, which has been prepared by the Law Department, is attached. I respectfully

recommend that your Honor submit the request of the Star Brewing Company and the order which has been prepared to the City Council for appropriate action.

Yours respectfully,
C. J. CARVEN,
Commissioner of Public Works.

Whereas, The Board of Aldermen of the City of Boston by a vote of said Board, approved by the Mayor of Boston on April 15, 1896, took for and in behalf of the City of Boston for sewerage purposes a certain parcel of land situated in that part of Boston formerly Roxbury, and more fully described in said vote of the Board of Aldermen; and

Whereas, The Star Brewing Company, a corporation organized under the laws of the Commonwealth of Massachusetts, is the present owner of a portion of the land adjacent to the lands so taken for sewerage purposes as aforesaid and more fully described in a deed from the Star Brewing Company to the Star Manufacturing and Producing Company, dated April 29, 1922, and recorded with Suffolk Deeds November 1, 1926, Book 4847, page 374; and

Whereas, The Star Brewing Company, desires to erect upon a portion of its said land a building which will extend over a portion of the said land taken for sewerage purposes as aforesaid and shown on plans marked "Plot Plan, Scale 1/16"-1' 0", Additions for Star Brewing Company, Boston, Mass., Emil Hartmann, Brewery Engineer and Architect, North Middleboro, Mass., Drawn by J. F. N., Checked by E. H., date, January 13, 1936, No. P"; "Foundation Details Column Schedule, Additions for Star Brewing Company, Boston, Mass., Emil Hartmann, Brewery Engineer and Architect, North Middleboro, Mass., Drawn by J. F. N., Checked by E. H., date January 13, 1936, No. S2"; and "Foundation Plan, Scale 1/8"-1' 0", Additions for Star Brewing Company, Boston, Mass., Emil Hartmann, Brewery Engineer and Architect, North Middleboro, Mass., Drawn by J. F. N., Checked by E. H., date, January 13, 1936, No. S1"; and

Whereas, That portion of the premises so taken which will give to the Star Brewing Company the right and easement to place its buildings as shown on said plans is no longer needed for public purposes; now, therefore, it is hereby

Ordered, That his Honor the Mayor be, and he hereby is, authorized to grant, in the name and behalf of the City of Boston, by a written instrument and in form satisfactory to the Law Department of the City of Boston to the Star Brewing Company, a corporation duly organized under the laws of the Commonwealth of Massachusetts, and having a usual place of business in Boston, the right and easement to construct and maintain, in accordance with the above-mentioned plans and to the satisfaction of the Commissioner of Public Works of the City of Boston for the time being, the building over the said land taken for sewerage purposes as is shown on the above-mentioned plans, reserving, however, to the said City of Boston the right to go upon the said premises, by its agents or servants, at any and all times to maintain, repair and reconstruct the said sewerage works, and his Honor the Mayor is further authorized to deliver to the said Star Brewing Company, upon payment to the said City of Boston of one (1) dollar, the said written instrument.

Referred to Committee on Public Lands.

LOAN OF \$375,000 FOR RECONSTRUCTION OF STREETS.

The following was received:

City of Boston,
Office of the Mayor, March 23, 1936.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Commissioner of Public Works in which he requests that a loan of \$375,000 be made available for the reconstruction of streets.

It is essential that this loan be given early consideration in order that the Public Works Department may start actual construction as early as possible on this year's program. I submit herewith an order providing for this loan, and respectfully recommend its adoption by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, March 23, 1936.
To the Honorable Mayor.

Practically every year a sum of money is provided either by loan or in the budget for the reconstruction of various streets in the City of Boston. In the year of 1935 no money was requested, due to P. W. A. activities. This year, in going over the budget with the Budget Commissioner, the suggestion was made that the work of reconstruction of streets be handled by a loan.

I respectfully suggest that a loan appropriation for the reconstruction of streets be made in the sum of \$375,000. The streets to be reconstructed under this loan, and which are badly in need of said reconstruction are:

Fourth to West Seventh streets.....	\$27,300
Fulton street, Ward 3, Clinton to Lewis streets.....	15,100
Intersection of Gallivan Boulevard and Washington street.....	3,500
Merrimac street, Ward 3, Causeway to Portland streets (including Causeway and Portland street intersections)...	17,600
Morton street, bridge to Norfolk street..	11,000
Neponset avenue, section turned over to Public Works Department by the Commonwealth of Massachusetts...	10,000
North street, Ward 3, Ferry to Commercial street.....	3,500
State street, Ward 3, Washington street to Merchants row.....	12,200
Warren avenue, Wards 4 and 5, Berkeley street to Columbus avenue.....	55,400
Washington street, Ward 3, Haymarket square to abutment of Charlestown Bridge.....	48,200

In addition to the streets named, each year two asphalt patching contracts are awarded by public advertisement to do the necessary patching and repairing on all asphalt surfaced streets. The estimated cost of that work, namely, \$145,000, is included in the amount of \$375,000 requested.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Ordered, That the sum of \$375,000 be, and the same hereby is, appropriated, to be expended by the Commissioner of Public Works, for Reconstruction of Streets, 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 Executive Committee.

SEAVER STREET AS ONE-WAY STREET.

The following was received:

City of Boston,
Office of the Mayor, March 23, 1936.
To the City Council,

Gentlemen,—I transmit herewith a letter from the Traffic Commissioner relative to your order of February 24, 1936, concerning the advisability of making Seaver street one way from Blue Hill avenue to Columbia road, Ward 14.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, March 20, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated February 24, 1936, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to consider the advisability of making Seaver street one way from Blue Hill avenue to Columbia road, Ward 14."

Our engineers do not deem it advisable to make that portion of Seaver street between Blue Hill avenue and Columbia road one way. This street is of average width and the making of it one way would cause a great inconvenience to motorists because it would force them up Columbia road to Blue Hill avenue and thence down Blue Hill avenue to Seaver street, during which

detour they would encounter two traffic signals besides having to travel more than 1,500 feet out of their way.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

SURVEY OF LIGHTING CONDITIONS.

The following was received:

City of Boston,
Office of the Mayor, March 23, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of February 10, 1936, concerning a survey of the lighting conditions of the streets of the City of Boston.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, March 23, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of March 3 with attached order of City Council dated February 10, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to make a survey of the lighting conditions of the streets of the City of Boston and determine the street locations of overhead lighting service and also underground service. Also to determine the cost of replacing the 9,500 gas lamps now in use with electric lights,"

and to state that:

1. The Public Works Department already has at the present time the locations of all gas lamps and all electric lamps in the City of Boston.

2. To determine the cost of replacing 9,500 gas lamps now in use with electric lights the department has again contacted the Edison Electric Illuminating Company who again repeat that they can install approximately 4,700 80 candle-power street lamps to replace the corresponding number of gas lamps and this cost would be approximately between \$300,000 and \$350,000. The cost to said Edison Electric Illuminating Company includes new investment necessary to supply this service. The letter also states:

"In order to give you any reasonably near approximation of the money that would have to be spent to supply the balance of the lights in question a very considerable expense would be necessary and several months would be required in order to secure the necessary field data required to make the estimates.

"As you have already been advised we have at present no facilities on the streets where the balance of the lamps would be located."

It is to be borne in mind that in the installation of an underground system to be able to take care of 4,750 small candle-power lamps the city would be compelled to pay \$54 for each lamp post so installed, and in addition to the cost to the Edison Electric Illuminating Company, it would entail a cost to the City of Boston of approximately \$250,000, more or less.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

APPROPRIATION FOR HYDE PARK PLAYGROUND.

On motion of Coun. WILSON, the Council took up, under unfinished business, No. 2 on the calendar, viz.:

2. Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation of Sales of City Property, \$10,000, to the Appropriation for Playground, Wood Avenue, Hyde Park, \$10,000.

On March 2, 1936, the foregoing order was read once and passed, yeas 17, nays 1.

The question came on giving the order its second and final reading and passage.

Coun. TOBIN—Mr. President, I don't think we ought to act upon this matter at this time, out

of deference to the councilor from Hyde Park (Coun. Norton), who has not yet arrived. I know that he is very much interested in the order and, whether it is defeated or passed, I think it should be only acted upon when all the members are here. I think the only reason for calling it up at this time is that the councilor from Dorchester (Coun. Wilson) thinks that there will not be enough votes to pass it, and that it will therefore be defeated. I think out of courtesy to our fellow member from Hyde Park, who will be here in a few minutes, we should delay action.

Coun. WILSON—Mr. President, just a few words for the record. There is something in what the councilor from Ward 15 says. If the councilor who is so much interested in this particular order had not been so invariably against the spending of money for playgrounds and other matters, except when he is concerned in Hyde Park, there might be more sense in his advocacy of the order. It seems to me the members of the Council have had plenty of opportunity to look over the order submitted by the Mayor since March 16. If they wish further postponement, that is perfectly satisfactory to me. I do wish to repeat, however, what I said three weeks ago, that since it has been up to this particular taxpayer to settle his indebtedness to the city, going back to 1931, upon this land at the margin of Neponset river, and has not done so, I see no reason why the City of Boston should not take this property the same as it would take any dwelling house property, which might belong to you or me, upon which the owner had not paid his taxes back to 1931. I don't know why the city should make fish of one and fowl of another, but I will withdraw my motion and trust that the matter will be taken up in the Executive Committee.

CLEANING OF WARD 2 STREETS.

Coun. MELLEN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to immediately clean the streets and alleyways of Ward 2, even if it required an increase of the present working force.

Passed under suspension of the rule.

PROPERTY ACQUIRED BY TAX SALES.

The following was received:

City of Boston,
Office of the Mayor, March 23, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings relative to your order of February 24, 1936, concerning certain information relative to property acquired by tax sales.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
March 23, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In reply to request from the City Council of March 11, 1936, relative to information on property acquired by the City of Boston through foreclosures by the Law Department, I inclose a report covering all improved property on which the Law Department has been able to furnish information pertaining to amounts due the city.

The figures in the column showing amounts owed the city on date of decree are correct as far as they go, but I have not had time to check amounts due, if any, for street, sewer and sidewalk assessments, water bills or moth tax, etc. These amounts will be obtained for a final report later.

In the time I have had it has not been possible to obtain the requested information on the hundreds of vacant properties. However, I will continue to assemble these amounts and make a complete report.

Respectfully yours,
ROSWELL G. HALL,
Superintendent of Public Buildings.

REAL ESTATE DIVISION, PUBLIC BUILDINGS DEPARTMENT.—IMPROVED FORECLOSED PROPERTY LIST, MARCH 21, 1936.

STREET AND NUMBER.	Law Department File No.	Assessed Value Year Preceding Foreclosure.	Assessed Value 1935.	Amount Owed City Date of Decree.	Date of Decree.
BOSTON PROPER.					
365 Atlantic avenue.	12	\$49,000 00	\$50,000 00	\$18,233 91	Dec. 19, 1935.
27 Cambria street.	2814	7,000 00	6,500 00	1,395 96	Feb. 5, 1936.
1 Carlton street.	698	3,600 00	2,200 00	655 99	June 26, 1935.
206 Commercial street.	4	23,500 00	19,000 00	15,627 66	June 1, 1935.
112 Commington street.	709	17,200 00	14,000 00	5,926 00	Aug. 27, 1935.
3 Dartmouth place.	311	3,500 00	3,000 00	721 69	Sept. 30, 1935.
8 Dartmouth place.	312	3,500 00	3,000 00	720 13	Sept. 30, 1935.
16 Dartmouth place.	313	3,500 00	3,000 00	720 13	Sept. 30, 1935.
6 Douglas court.	5	500 00	500 00	807 96	Mar. 25, 1935.
8 James street.	6	6,000 00	6,000 00	2,305 06	Feb. 12, 1935.
46 Kendall street.	1349	2,000 00	1,700 00	540 75	Sept. 25, 1935.
109 Kendall street.	1754	1,500 00	1,100 00	320 51	June 11, 1935.
115 Lenox street.	1352	3,000 00	500 00	776 32	Jan. 27, 1936.
2 Lovett place.	2897	2,100 00	2,600 00	509 01	Jan. 24, 1936.
50 Lucas street.	448	1,000 00	1,000 00	307 36	Oct. 31, 1934.
62 Sawyer street.	2578	1,600 00	1,200 00	278 97	Feb. 3, 1936.
6 Trumbull street.	1744	900 00	800 00	219 73	Dec. 9, 1935.
3 Wall street.	267	7,600 00	4,800 00	1,821 00	Dec. 31, 1934.
23 Woodbury street.	7	1,000 00	700 00	227 54	May 8, 1935.
24 Woodbury street.	568	1,100 00	600 00	303 59	Jan. 25, 1935.
BRIGHTON.					
Hano street.	3817	4,200 00	2,700 00	922 99	Nov. 21, 1935.
CHARLESTOWN.					
49-51 Rutherford avenue.	936	4,000 00	3,200 00	869 43	July 22, 1935.
1-2 Stanley place.	705	6,000 00	4,800 00	1,363 60	Dec. 31, 1934.
EAST BOSTON.					
336 Border street.	100	99,200 00	99,200 00	38,064 96	Mar. 25, 1935.
91 Marginal street.	2769	2,500 00	2,500 00	443 85	Oct. 3, 1935.
HYDE PARK.					
219 Dana avenue.	1086	2,000 00	2,000 00	665 08	Jan. 20, 1936.
ROXBURY.					
4 Alpine terrace.	1527	2,000 00	1,300 00	478 13	July 15, 1935.
16 Chalden place (Boston).	1654	1,700 00	1,400 00	375 62	Oct. 7, 1935.
64 Heath street.	578	2,500 00	2,500 00	748 20	May 14, 1935.

REAL ESTATE DIVISION, PUBLIC BUILDINGS DEPARTMENT.—IMPROVED FORECLOSED PROPERTY LIST, MARCH 21, 1936.

STREET AND NUMBER.	Law Department File No.	Assessed Value Year Preceding Foreclosure.	Assessed Value 1935.	Amount Owed City Date of Decree.	Date of Decree.
ROXBURY.—Continued.					
33 rear and 35 Kent street.....	449	\$3,500 00	\$1,700 00	940 44	Apr. 25, 1935.
7 King terrace.....	1,753	1,800 00	1,000 00	226 78	Oct. 7, 1935.
6-8 Linden avenue.....	202	5,800 00	1,000 00	1,111 24	Dec. 10, 1934.
12-14 Logan street.....	451	8,000 00	6,000 00	593 13	Dec. 10, 1934.
37 Sterling street.....	590	1,400 00	1,400 00	368 25	Mar. 19, 1935.
135 Warwick street.....	205	3,900 00	2,900 00	854 21	Dec. 19, 1935.
2802 Washington street.....	1,955	9,000 00	5,600 00	962 22	July 29, 1935.
DORCHESTER.					
911 Dunkeld street.....	1,422	1,000 00	1,000 00	295 78	Nov. 21, 1935.
SOUTH BOSTON.					
42 A street.....	215	3,900 00	3,500 00	929 19	Mar. 15, 1935.
44 A street.....	217	3,900 00	3,500 00	927 44	Mar. 25, 1935.
46-48 A street.....	214	3,900 00	3,000 00	1,087 60	Mar. 15, 1935.
3 Barnard place.....	527	300 00	300 00	99 17	Oct. 4, 1935.
166 Bowen street.....	2,448	900 00	600 00	171 40	May 31, 1935.
767 East Fourth street.....	340	3,900 00	3,900 00	772 29	Jan. 11, 1935.
819 East Sixth street.....	1,624	5,300 00	4,800 00	1,122 81	Nov. 18, 1935.
1 Hayden place.....	1,640	400 00	400 00	68 73	Feb. 3, 1936.
2 Hayden place.....	1,659	400 00	400 00	68 73	Feb. 3, 1936.
3 Hayden place.....	1,658	400 00	400 00	64 36	Feb. 3, 1936.
Old Colony avenue (corner Lark street).	1,508	2,400 00	2,400 00	534 87	Nov. 21, 1935.
27 Silver street.....	216	3,300 00	3,000 00	875 19	Mar. 25, 1935.
15 Springer street.....	2,190	1,400 00	1,000 00	370 43	Nov. 14, 1935.
107 West Second street.....	2,480	2,000 00	1,000 00	515 98	Nov. 21, 1935.
410 West Second street.....	1,008	2,600 00	1,300 00	421 94	Jan. 8, 1935.
28 West Fifth street.....	1,035	2,600 00	2,100 00	683 72	Oct. 21, 1935.
124 West Sixth street.....	1,029	2,400 00	2,200 00	502 17	Jan. 16, 1935.
126 West Sixth street.....	1,631	2,500 00	2,300 00	540 00	Aug. 26, 1935.
WEST ROXBURY.					
6-8 Emsella terrace.....	1,437	10,000 00	9,000 00	2,591 34	Dec. 14, 1935.
7 Wheaton square.....	1,447	2,300 00	2,300 00	610 79	Nov. 21, 1935.
9 Wheaton square.....	1,448	2,300 00	2,300 00	612 35	Nov. 21, 1935.

NOTE: The amounts owed the City of Boston are listed from figures obtained from the Law Department and in some cases do not include assessments due for betterment, water bills, moth tax, etc.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Boston Baking Company, Inc., for compensation for damage to truck by city truck.

Lillian A. Catarius, for compensation for damage to car caused by an alleged defect at 881 Huntington avenue.

Anne M. Connolly, for compensation for damage to car caused by an alleged defect at Jamaica way and Huntington avenue.

Bessie S. Deveaus, for compensation for injuries caused by an alleged defect in Webber street.

Mary Fay, for compensation for injuries caused by an alleged defect at 11 Aldworth street, Jamaica Plain.

Galassi Company, for compensation for damage to car by city truck.

John Kennedy, for compensation for damage to property at 6 Atlantic street, South Boston, caused by stone from street.

Mitchell A. Mintz, for compensation for damage to car caused by an alleged defect at 103 Humboldt avenue, Roxbury.

Michael Needham, for compensation for damage to property at 140 and 142 Boston street, caused by ice and snow lifting device.

Rita Ryan, for compensation for damage to coat caused by an alleged defect at Greenwood and Erie streets.

Suffolk Real Estate Trust, for compensation for damage to property at 423 Beverly street, caused by broken water hydrant.

Ernest Watson, for compensation for damage to property at 4019 Washington street, Roslindale, caused by negligent maintenance of sewer.

William C. Williams, to be reimbursed for judgment issued against him on account of his acts as operator of motorcycle of Police Department.

Helen Wright, for compensation for injuries caused by an alleged defect in Boylston street.

Executive.

Petition of Boston American League Baseball Company for season license for Sunday sports.

Committee on Jitney Licenses.

Petition of Middlesex and Boston Street Railway Company for license to operate motor vehicles between Newton line and Cleveland Circle, on Beacon street, over Beacon street to Cleveland Circle and around the circle.

Petition of Medway and Dedham Bus Lines for license to operate motor vehicles from Dedham line to Park square, viz.: from Dedham-Boston line on Route 1, thence over State Route 1 to Spring street; thence on Spring street to Centre street; thence on Centre street to Columbus avenue; thence on Columbus avenue to Park Square; and return over same route.

SIDEWALK ASSESSMENTS.

A communication was received from the Commissioner of Public Works together with order assessing half of cost of construction of sidewalks adjoining estates on Thornton street, viz.:

Thornton street, Ward 11, half cost, \$152.16.
Report accepted; said order passed.

SOLDIERS' RELIEF.

Coun. KERRIGAN, 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, 1936.

Report accepted; said order passed.

WARD 11 AUTOMATIC SIGNALS.

Coun. KILROY offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of installing automatic traffic signals at the junction of New Heath street and Columbus avenue, Ward 11.

Passed under suspension of the rule.

SOCIAL SECURITY ACTS.

Coun. BRACKMAN offered the following:

Ordered, That the Legislative Committee of the Boston City Council be instructed to appear before the Legislature and urge the passage of the bill now pending before said Legislature which purports to make our state law conform with the Federal social security act which reduces the eligible age for old age pensions from seventy to sixty-five years.

Coun. BRACKMAN—Mr. President, this matter is now before the Legislature and has been since before the start of this session. It is proposed to bring our laws into conformity with the Social Security Act passed in the last session of Congress. The present age in Massachusetts at which the old-age pension law goes into effect is seventy. The proposed law reduces the age to sixty-five, so that we may receive the benefit of the amount to be given to various states to take care of this pension. I think now is the time to act upon the matter, while it is pending before the committee, and I hope the order will pass.

The order was referred to the Committee on Legislative Matters.

REVISION OF W. P. A. REGULATIONS.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to intercede with President Roosevelt and Harry L. Hopkins, Federal Relief Administrator, to consider the advisability of revising the present regulations of W. P. A. to permit assignments to applicants for relief work who have registered after May 31, 1935.

Coun. ROSENBERG—Mr. President, you and I and other members of the body have probably had the experience of being approached by applicants for relief, who have gone down to seek employment from the W. P. A. office, and have found upon doing so that unless they were registered prior to May 31, 1935, they were not eligible to a place on the roll. I believe that is an unjust regulation—that those registered prior to May 31, 1935, are to be given preference, while those not registered at that time, and who may be in as great or even greater need, are not to be considered. I believe the rules should be amended so that every person needing relief may have an equal opportunity to consider employment under the W. P. A. regulation. The fact that they were not registered on May 31, 1935, should not be a barrier or bar. I know many will say that hundreds and thousands on the records today here will not be employed. I agree with that. We know of families where seven, eight or nine members are out of employment, are not working, and every one of them has gone down to a W. P. A. office and registered, although under the regulations only one in such a case can receive employment. But the regulations should not bar those who have not been able to file prior to May 31, 1935. All should be given an equal opportunity to secure employment. This is not a question like filing an income tax, which must be done by March 1 or March 15. In this case a purely arbitrary date is named, and those who were not registered by May 31, 1935, under the rules are barred. That certainly is not just, and that rule should be amended.

Coun. DOWD—Mr. President, if there is no objection I move that this be sent to the Executive Committee, and that the local administrator, Colonel Sullivan, be sent for, so that we may find out the exact status of those who are working for the W. P. A.

Coun. Dowd's motion was carried, and the matter was referred to the Executive Committee.

REPAVING WARD 14 STREETS.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving, Warner street and Floyd street, Ward 14.

(Coun. ROSENBERG submitted for the minutes the following, from a constituent:

May I not call your attention to the deplorable and dangerous condition of Warner street, Dorchester? Last year I wrote to our then councilor and called his attention to the same, and at that time I inclosed a petition signed by all the tenants,

neighbors and owners of the properties on Warner street, asking that the street be repaired. All that was done was a shovelfull of macadam thrown here and there. The street is actually in a dangerous condition. The excavations and holes are a nuisance and are probably costing the city more money in personal injuries and damages to property than would be the expense in having the street macadamized. Cannot something be done? Will you not use your efforts and see that Warner street is repaved or macadamized?

The order was passed under suspension of the rule.

BUS LINE TO CARSON BEACH.

Coun. ROSENBERG offered the following: Ordered, That the trustees of the Boston Elevated, through his Honor the Mayor, be requested to establish a bus line from Franklin Park Station, at Blue Hill avenue and Columbia road, to run down Columbia road through Edward Everett square to Columbia Station and terminate at Carson Beach, during the summer months, at such time as it may be deemed advisable to operate said route and that a five-cent fare be charged.

Coun. ROSENBERG—Mr. President, speaking on that last order referring to the proposed bus line. I was speaking to Mr. Dana of the Elevated and he told me that the previous order never reached him, and suggested that I introduce this order again, so that it may be taken up and acted upon by the Trustees of the Boston Elevated.

The order was passed under suspension of the rule.

RECESS.

The Council, at direction of President FITZGERALD, at 2:37 p. m., took a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President FITZGERALD at 4:43 p. m.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President FITZGERALD called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor March 16, 1936, of John Day and Charles Newton, to be Weighers of Goods; and John Biddescomb, William Currie, Donald Lamb and W. Chester Welch, to be Weighers of Coal.

The question came on confirmation. Committee, Coun. Agnew and Mellen. Whole number of ballots, 17, yes 16, no 1, and the appointments were confirmed.

APPROPRIATION FOR HYDE PARK PLAYGROUND.

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

2. Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Sales of City Property, \$10,000, to the appropriation for Playground, Wood Avenue, Hyde Park, \$10,000.

On March 2, 1936, the foregoing order was read once and passed, yeas 17, nays 1.

The question came on giving the order a second and final reading and passage.

Coun. WILSON—Mr. President, not so hasty. I understand that this is the \$10,000 order which we have spent a large part of the afternoon upon. Just for purposes of the record let me say that my opposition to this order is not because of any feeling against playgrounds for children or for the poor of the city. It was largely through my efforts that the Dunbar Avenue Playground was obtained in Ward 17, and I voted for the Fallon Playground, in the district of the gentleman near to me (Coun. Finley). I believe at that time the councilor from Hyde Park (Coun. Norton) voted against that. But that is neither here nor there. I simply say this to show that I am not against playgrounds as playgrounds. But I do not want to see the natural desire for the establishment of playgrounds in any section of the city used as a vehicle for somebody to take an advantage to which he is not entitled. This land in

Hyde Park comes to us under peculiar circumstances. We heard first that it was ex-Governor Foss' land, that he had owned it for years, and that he wanted to sell it to the city, or that he was in a position where he might be teased into selling it to the city for \$10,000. Then we heard that he would not require quite so much teasing as was thought, when it was found that the Park Department had discovered some other land for sale. But suddenly, strange to say, we find that Mr. Foss thought, as appears from some source, that he was going to get \$25,000 for this piece of land, although that may be simply salesmanship. And then we are told that if this particular piece of ground in Hyde Park were to be bought for use as a playground, a quarter of a million dollars of Federal money would be spent upon it, although Mr. Murphy told us that there were a lot of better places to spend it. But we find that there are unpaid taxes on the land since 1931; also, incidentally, that Mr. Foss is not the owner of the land, but that it stands in the name of the Massachusetts Bonding & Mortgage Company; that instead of its being the wonderful bargain that some of our members seem to think, the land is assessed for only \$11,000, and that during the five years from 1931 to 1935 taxes upon it amounting to 2,472.94 have accumulated. I was under the impression a couple of weeks ago, when this order was introduced, that it was simply a question of the payment of the 1931 taxes, but it appears today that while the tax title has been outstanding since as long ago as 1931, unpaid and accumulating taxes have apparently carried down, since the happy days of 1927, 1928 and 1929, unpaid taxes, on this very property, seemingly dating back to those old happy days. I cannot help thinking that if it were property of the ordinary taxpayer in my ward, where people are up against it, and where the thing had not been running along anywhere nearly as long, my constituent or your constituent, the everyday man, would have lost his property under a tax sale. But, because we have here a case of an ex-Governor of the Commonwealth, it appears that out of the mist and dust of all these years we now find this offer to sell this property,—which under ordinary circumstances would have been lost to the everyday property owner and which is a proper subject for completing the city's title in the Land Court,—for, as we thought, \$10,000, and as it now appears, Mr. Foss thought, \$25,000. This, in spite of the fact, that there are over a series of years unpaid taxes to the amount of \$2,472.94 against the property, as well as presumably unpaid taxes of years gone by, and when the natural process would be for the city to complete its tax title in the Land Court, thereby wiping out the \$2,472.94 since 1931, applying the remaining \$7,500, or whatever it is, that might be realized, to other unpaid taxes that this owner owes the city. I see no reason why the Law Department of the City of Boston should not be instructed tomorrow morning to go ahead and complete this tax title in the Land Court, as would naturally be done with any other tax-title property of the city, whether at Roxbury Crossing, the Back Bay, Dorchester, or in other sections. Let the Corporation Counsel go to the Land Court and take steps to complete the title. Of course, the owner will still have his rights to reclaim the property upon proper payment. And let me say again that this does not mean that I am against playgrounds for children. I don't want any smoke screen started to that effect. Neither am I against paying the owner of that land the proper price for the property, if it should come to that, nor against giving him an opportunity to reclaim it. I do feel, however, that it has been entirely improper to allow the nonpayment of taxes on this property to go along as it has, with no land court action taken to complete the tax title in the City of Boston, admitting, of course, that in any proceedings any rights that the owner may have, as well as the rights of the city, should be preserved.

Coun. AGNEW—Mr. President, while not intending to impeach any of the statements made by the councilor from Ward 17, nevertheless, I am not entirely in accord with what he has said regarding this transaction. I would like to have it understood that I am not opposed at any time to playgrounds or to the improvement of playgrounds in any district of Boston, and that at any time I am able to encourage further playground facilities when I can possibly do so. At every opportunity so far as my own district is concerned, I have made request after request for playgrounds and the improvement of playgrounds therein.

But in this particular instance, while I do not want in any way to refute what has been so ably said by Councilor Wilson in regard to this particular transaction, in my opinion he has been a little off. In 1931 the city obtained a tax title, and in 1933 the period of redemption expired. Up to the present time the city has taken no steps to secure a Land Court title giving to the city that particular piece of property for the amount owed to the city, \$2,472.94. There has been some talk to the effect that if the city takes this piece of land and makes it into a playground—at the present time I understand that it is only a swamp—the Federal Government will spend \$225,000 in putting it into playground condition. It is the opinion of men dealing with property, the personal opinion of Mr. Murphy of the Assessing Department, that that amount is far, far in excess of what should be expended on any playground, but the mere fact that none of this money will be expended by the city is advanced as an enticement for us to vote for this particular order. Now, what difference does it make whether the City of Boston or the Federal Government will spend that money? A certain portion of that expenditure will fall on the backs of the taxpayers of Boston, one way or the other. Another argument set forth here is that many men will be placed at work on this playground. That is a myth, bunk. We know from practical experience that, no matter what the project may be, no more men can be assigned to W. P. A. projects, that we cannot get any more assigned. In my opinion, however, this offers a golden opportunity for a trade on this piece of land. It will produce a certain amount which can be used for taxes on this and other pieces of land, the city taking this property off the hands of the owner and applying the proceeds to whatever other tax money may be owed the city. Major Hall has several hundred pieces of property in hand that unfortunately he has not had an opportunity to trade with in this way. I say, therefore, that this particular transaction should go through the regular tax title channels, and then that later, when it is foreclosed in the Land Court and the city has obtained this piece of property it will be getting it for the outstanding taxes.

Coun. SHATTUCK—Mr. President, it seems to me there are two questions for us to consider. The first is, Do we want this particular piece of land for a playground? Is it so located with reference to the school that it is desirable for a playground? If it is desirable for a playground, what is its condition today? Is it under water? How much would have to be spent upon it, and who will do it? If it is decided that the land is so located that it is suitable for a playground and it can be developed at a non-unreasonable cost, and we know where the money is coming from and what it will cost, the question then is, whether \$10,000 is a proper price to pay for it. I think the two questions should be considered separately and that they should be considered before we are asked to vote on the matter. I certainly should like a full answer to the first question, namely—Is the land so located as to be desirable for a playground, what is its condition as to swampiness, and what it is going to cost to grade it and fix it up for playground purposes? I hope the gentleman from Hyde Park (Coun. Norton) will fully explain that part of the question before we come to the price.

Coun. NORTON—Mr. President, just a word in reply to the councilor from the Back Bay. The Park Department has approved this land as a playground area. We have had the worst luck, so far as flooding is concerned, in the history of Massachusetts in the past few weeks, and yet this land that is referred to is not today a swamp. There was no water on that land at 5 o'clock today. It is not a swamp. As I say, it has been approved by the Park Department as a playground area. It is strategically well placed, right in front of the Hyde Park High School, or perhaps not directly in front, but not farther away than the Boston Post Office. The Hyde Park High School has been obliged at times to lease ground from the Gaelic Football Association, their football field, for athletic games. I think, councilor, that is an answer to your question.

Coun. SHATTUCK—It does not quite answer my question. We are all familiar with the golf course out there that was acquired for a comparatively small price, but upon which half a million dollars has been spent, and I don't know how much more, and which is not a golf course yet. They had to blast a lot of ledges and remake the face of nature. Now, I want to know if they will

have to remake the face of nature on this land, and how much it is going to cost. I would like to see an estimate of what it will cost.

Coun. NORTON—Mr. President, the gift under the P. W. A. to put this in proper condition for playground purposes is about \$200,000. So the necessary amount in that respect will be forthcoming. Do you wish me to answer any other questions? I might answer the question of the councilor from Brighton (Coun. Agnew) as to why Mr. Foss is not treated the same as any other person. Mr. Foss is treated exactly the same as every other property owner. The City of Boston has never sold at public sale one of these pieces of property that has been referred to. You heard the chief assessor tell you that in his opinion Mr. Foss was treated worse than the ordinary property owner. The councilor from Brighton also asked why this does not go through the regular channel. It has gone through exactly the regular channel. The tax title has been taken for 1931 taxes. It is in exactly the same category as every other piece of property the taxes upon which were unpaid in 1931. Major Hall has not sold at public auction one of his 600 pieces of land, because the policy of the city has been, before it sells a piece of land, to try to get those taxes. It is not the policy of the city to sell the land for taxes if it is possible to get in the revenue in some other way.

Coun. SHATTUCK—Mr. President, I will ask the gentleman if he will object to postponing action on this question until we have been officially informed as to what the United States Government will do in reference to grading the land?

Coun. NORTON—Mr. President, I am not averse to postponing action, but this matter has been here for over two months, and the Federal Government has \$200,000 ready to spend on labor out there. Two weeks ago that question was asked. Of course, you can postpone it for a year, if you wish, and throw it out the window. But here is this piece of property, assessed for \$11,000 and for which we would pay \$10,000. If you want to find out more definitely the attitude of the Federal Government in regard to the proposed expenditure, you can telephone and find out in ten minutes that what I have said is so.

Coun. SHATTUCK—We have been told so often about money that was going to come from the Federal Government, and then we have not got it. We appropriated \$20,000, I think, for architects' commissions for a new City Hall, because we were going to get the money to build that building from the Federal Government—which did not arrive. And we also had a strong intimation that we were going to get Federal money to build a new courthouse, and then it did not come. So I think we are really entitled to a statement in writing as to what the Federal Government will do or will not do in this matter.

Coun. NORTON—Mr. President, in answer to that let me say that when we voted money for the architects' fees for the new City Hall, \$20,000, that was based upon information which did not turn out to be correct. The Federal Government did not approve an expenditure for that building. But here is a case where the money has been actually earmarked to spend for this purpose. In the cases the councilor refers to the United States Government had not approved the expenditures when we appropriated the money for architects' fees. In fact, they said no, they would not do it. But here is an earmarked approval of this expenditure.

Coun. SHATTUCK—Mr. President, if the councilor will show me a written authorized statement from the United States Government that they will spend this money, and it is made clear that it will be sufficient to do the work, I will vote for the measure.

Coun. NORTON—Then, send for John Murphy and ask for a written communication to that effect, and you can get it. We can get the information the councilor desires in three minutes. Of course, postpone action if you want to do so. I cannot for the life of me, however, understand the logic of the councilor from Ward 17 (Coun. Wilson) or his reasoning in this matter. Can some one here tell me why this able fellow stands up here and says that Mr. Foss is being treated differently from anyone else? Mr. Foss is being treated the same as anyone else—worse, in the words of the chief assessor. Now, here is a man who owes the city quite an amount in taxes. Here is a piece of land that would form a natural playground for the Hyde Park High School. It is the piece of land they want, a place where the boys can play. Here is a man who says that

this is going to Mr. Foss, this \$10,000. No, Mr. President, it is going for taxes on that land and on other land, and the National Government steps in and says, "Take it and we will give \$200,000 to fix it up," and that will put men at work. Now, in the name of common sense, why should you listen to these objections that have been made here? Just imagine,—what kind of reasoning or logic is it to take such a position when men are walking the streets here looking for work and when here is a chance to take this land which is needed for a playground, and fix it up, not a nickel for that fixing up going over the counter of the treasury of Boston. A thousand men will perhaps be given some weeks of work. Now, nothing is being done so far as this land of Mr. Foss is concerned that is not being done with other land. Suppose somebody does state that Mr. Foss wants \$25,000 for this piece of land. It might be natural for him to want it, but you heard what Mr. Murphy said. There will be no difficulty on that score. Go ahead and make any private or public investigation you want to make, and you will find at the end that Mr. Foss is not being treated differently from other people, the gentleman from Ward 17 to the contrary notwithstanding. Major Hall has all these other pieces of land, which have come from other people in the city, but they have not been disposed of, and no effort has been made in that direction. In the meantime, here is this land for which it is proposed to appropriate \$10,000 and the assessed valuation of which is \$11,000. Of course, Eugene Foss has a perfect right to go in and bid for the land, and will be given preference in the matter, so he will lose none of his rights. However, if you wish, as the gentleman from Ward 17 suggests, go up to the Land Court tomorrow and get the completed title. Fine! Let's go! But if you want to go ahead, having taken the land for unpaid taxes and sell it, proceed to do so. Mr. Foss can bid it in and the matter will then stand where we started. Shouldn't this whole thing be clear to us all? If we took a house in the councilor's ward and sold it at public auction, taking a home from some family, it might then be said that we were treating Mr. Foss differently and there might be some ground for complaint. But there has been no such case with any house in Boston. In the meantime, this matter has been before the Council for two months, there is a chance to take this land which is needed for a playground for that school, to take it at a very reasonable price, and the Federal Government will supply \$200,000 to put it in condition as a playground, putting a number of men at work at a time when work is needed. The councilor has referred to what he considers an inconsistency on my part with reference to action taken upon a playground in West Roxbury some time ago, which I voted against, Fallon Field, West Roxbury. Yes, I did vote against Fallon Field, West Roxbury. I went to the Real Estate Exchange and paid \$100 out of my own pocket to have a real estate expert sent out there. If you will call up the secretary of the Real Estate Exchange by telephone, you will find that that was the situation, that I paid \$100 for that purpose. The expert came around, made an impartial investigation, and found that what the City of Boston was expected to spend \$60,000 for was worth \$30,000 or less. Now, here is a piece of land assessed for \$11,000, which we can buy for \$10,000. Fallon Field was worth \$30,000 or less, and we were expected to pay \$60,000. And yet the colleague wants to know, "What is the difference?" Well, we have out there that piece of land which is needed for use by these kids, a piece of land which can be made into a good playground, and for which the Federal Government will spend \$200,000 and more. There is the best place in Hyde Park for a playground in connection with the Hyde Park High School. Gene Foss owns that land, and it is assessed for \$11,000, and can be purchased for \$10,000. It is in front of the Hyde Park High School. The kids have no place to play. They have to hire the field of the Gaelic Football Association, who bought a piece of land near there for an athletic field. The Federal Government steps in and says, "If you buy that piece of land, paying \$10,000 for it, we will spend \$200,000 to put it in shape for the youngsters in the high school." Why all this fuss, all this objection? We spend millions for playground purposes, and no objection is raised. Why should we now have this thing held up for two months under the circumstances I have stated? Now, let me say that I will donate \$100 to any

charity in Boston if the councilor from Ward 17 can show one case where we are treating this man Foss any differently from the way we are treating the poorest people in Boston. I will donate \$100 to any charity if any member of the body can show that there has been any preference shown toward the Foss land. The government stands ready to spend \$200,000 outright, cash, in fixing this land up and putting men in your ward and my ward at work, and here we have been holding it up for over two months.

Coun. BRACKMAN—Mr. President, I don't want to prolong this discussion, but I think some things that have been said here should be answered. I think if this piece of land was in my ward and I asked the city to buy it, under the circumstances which have been set forth here in regard to this particular property, the councilor who has just spoken would rise up in wrath and indignation and denounce every city official who was asking to have the order go through. I believe in calling them as I see them. I voted for this order two weeks ago, not knowing facts, but willing to vote to give it its first reading subject to subsequent investigation. I don't think anybody is getting a nickel out of the thing, but I do think our friend the ex-Governor is going to get a great break if it goes through. Here is a piece of land that Mr. Murphy says is not worth \$10,000. It looks to me like wiping off a deadhead, and we will probably wipe off some of the other deadheads, but we are doing it with the City of Boston's money. In other words, we are helping him to square his debts on these other parcels of land. I would like to believe that the W. P. A. is going to spend a lot of money and put a large number of my constituents at work. Unfortunately, however, we have letters here which show that they are tightening up, and that many of the men even who have been working on the W. P. A. have been dropped. Certainly, there will be no chance to employ new people. They have shut the thing down, and a lot of the people who should be employed under that project are not being employed. They have reached the end of their rope on W. P. A. So I can't see the Federal Government spending \$200,000 in fixing up this piece of land, for which the city is now asked to spend \$10,000. I, like the other members, am in favor of playgrounds. I have never voted against one since I have been in the Council. I have also voted for every possible improvement in that direction that would help the children of the district in recreation, in connection with their education in the public schools. But don't let us be swayed today with the promise of W. P. A. jobs.

Coun. NORTON—Mr. President, if the W. P. A. is not ready to spend the \$200,000, then everything is off, goes by the board. The whole thing is out the window.

Coun. ROBERTS—Mr. President, do I understand so far as either Foss or the Mortgage Company are concerned, that the whole deal is to be called off if there is not this assistance from the Federal Government?

Coun. NORTON—Mr. President, the land belongs to Mr. Foss, and unless this promised money from the Federal Government is to be put into fixing it up, the thing is off.

Coun. ROBERTS—Mr. President, I would like to ask why it is that the councilor from Hyde Park is in a position to know so much more about this than Mr. Murphy or others, as to the attitude of the Mortgage Company or Mr. Foss?

Coun. NORTON—The Mortgage Company are merely people that have the mortgage.

Coun. ROBERTS—Well, I have asked a question, and I would like to have an answer.

Coun. NORTON—Yes, Mr. President, I happen to know as much about that particular phase of it as anybody. In the first place, it is in my ward, and I have been in contact with various officials on the whole proposition for the last three months, and I say here categorically that if the government does not spend the money which it is proposed to put into this piece of land, the whole thing is off.

Coun. ROBERTS—Mr. President, I would like to ask what authority the councilor has for making that statement, not being an administrative officer of the city?

Coun. NORTON—Well, that is a nice sweet-heart of a question! But I am ready to answer you. I know that the city has no money to put into the fixing up of this land. That is common sense, and I am not going to ask the City of Boston to spend a nickel for that purpose. Your question is answered. But the Federal Government is to

spend \$200,000. You ask me to prove it? I think I have offered plenty of assurance and proof this afternoon.

President FITZGERALD—The Mayor sent the message in here with the understanding, as stated, that the government was going to provide the money.

Coun. ROBERTS—Well, Mr. President, that was not my question. I wanted to know what assurance there was that Mr. Foss and the Mortgage Company would call off the deal if the government did not spend the \$200,000?

Coun. NORTON—That can be easily verified by talking with Mr. Murphy, Mr. Foss, the officials of the Park Department and the W. P. A. people.

Coun. DOWD—Mr. President, I believe we have spent enough time on technicalities this afternoon. I cannot concur with the councilor from Ward 17 (Coun. Wilson) in regard to the tax title argument he has used. The only matter that interests me is the fact that whatever additional money there may be in the \$10,000, above the amount necessary to meet the taxes on this piece of land, will be paid on other taxes that are due to the city and that the city is going to get the money; and also that, with the government appropriation of \$200,000, men are going to be put at work in a time like this when employment is so much needed. If the assumption is correct that the United States Government is going to enter into this matter and place even fifty men at work for a period of three or four months, that will amply repay the members of the City Council for voting for this order; secondly, I assume that Hyde Park is entitled to a playground for the children. Therefore, I am certainly going to vote for this order, disregarding any mere technicalities. I shall vote for the order if it will put only fifty men at work. They are fathers, many of whom are now idle, and who need money for the support of their families. They are entitled to an opportunity to work. I think also that the children of Hyde Park, the same as those of any other section in Boston, are entitled to a playground.

Coun. McGRATH—Mr. President, Mr. Murphy was called into executive session, and said that Mr. Foss was treated worse than other individuals. He also said that he has held a piece of property since 1925, and I think \$35,000 was paid last week on it to the City of Boston. That is not the Foss property but the property of somebody else. So I don't think favoritism has been shown here in that respect. I have implicit faith in Mr. Murphy. I know Mr. Murphy's ability. He did not say that the property was not worth \$10,000. He said it was worth \$10,000 in the transaction that was to be performed. I had some experience two years ago with the tax titles, and, as I said in executive session, the men dealing in these tax titles were a lot of vultures, and I reiterate that statement. But, due to Mr. Doherty, the situation has been changed. So now anybody who wants to buy a tax title must put a substantial deposit on it. As long as we are talking about tax titles, what is to stop Mr. Foss going in and buying this piece of property back at a tax title sale? He can settle the taxes and clear the thing up through the Land Court. In regard to the other 600 or 700 parcels that we have, I say, give them back to the poor people who own them, if they can raise the money, and, if they cannot, make a substantial reduction. Take some action that will help the people of Boston. I voted awhile ago against the proposed Federal slum clearance plan here, feeling that it was unconstitutional. I said so when I voted against it, but it passed the Council. The United States Government about two weeks ago, however, withdrew it from the United States Supreme Court, when a judge down in Louisville, I believe, declared that the slum clearance idea was unconstitutional and that the government could not grant money for the purpose. But this is a different question. The amount involved here is \$10,000, so far as the city is concerned, for land for a playground, and the Federal Government promises to give \$200,000 to fit it up for playground purposes. Not a cent of this is to be given to Mr. Foss. We are all interested in playgrounds. I am seeking a playground in my district, in the Cushing Hill section. During my campaign in Ward 15 a committee of children met me. They said "Are you Mr. McGrath?" I said, "Yes." And then the spokesman for the children said, "We have to walk about a mile and a half to one playground and a mile to the other, across Gallivan Boulevard, and

when we get there we are tired, and when we play football we always get defeated, is there anything you can do to help us?" So I am in the position where I will ask for an appropriation for a playground there, and with so much dicker-ing and bickering on these matters I can see that the people of my section may not have the playground. But I will be in there fighting for it.

Coun. MELLEN—Mr. President, I started out originally by voting against this order, but I have had some chance to look into the matter and I have now changed my mind. I think this order providing \$10,000 is a vital one, because of the fact that men will go to work under this W. P. A. project. Anything that will be the means of furnishing employment to people at this time should be encouraged.

The order failed of its final reading and passage on roll call, a two-thirds vote being required for passage, yeas 13, nays 7:

Yeas—Coun. Doherty, Dowd, John I. Fitzgerald, Peter J. Fitzgerald, Gleason, Kerrigan, Kilroy, McGrath, Mellen, George A. Murray, Norton, Rosenberg, Tobin—13.

Nays—Coun. Agnew, Brackman, Finley, Gallagher, Roberts, Shattuck, Wilson—7.

On motion of Coun. NORTON, the rejection of the order was reconsidered and it was assigned to the next meeting of the Council.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition of National League Baseball Club of Boston (referred March 9) for season license for Sunday sports—recommending that permit be granted.

Report on petition of Boston American League Baseball Company (referred today) for season license for Sunday sports—recommending that permit be granted.

Reports accepted; licenses granted on usual conditions.

2. Report on message of Mayor (referred today) re letter from Board of Assessors relative to unpaid taxes by present owner of tract of land in Wood avenue section of Hyde Park—recommending that same be placed on file.

Report accepted; said message placed on file.

3. Report on order (referred today) that the Mayor be requested to intercede with President Roosevelt and Harry L. Hopkins, Federal Relief Administrator, to consider advisability of revising present regulations of W. P. A. to permit assignments to applicants for relief work who have registered after May 31, 1935—that same ought to pass.

Report accepted; said order passed.

4. Report on message of Mayor and order (referred today) authorizing transfer of \$661 from appropriation for Kitchen Buildings, etc., to Hospital Buildings, Plans, etc., Boston City Hospital—that same ought to pass.

Report accepted; said order passed, yeas 19, nays—Coun. Tobin—1.

5. Report on message of Mayor and order (referred today) appropriating \$375,000 to be expended by Commissioner of Public Works for reconstruction of streets—recommending reference to Committee on Finance.

Report accepted; said reference ordered.

ADDITIONAL FIREMEN AND POLICEMEN.

Coun. AGNEW offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to appoint immediately three hundred firemen to fill existing vacancies in the Fire Department and to insure the residents of Boston the protection to which they are entitled.

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to appoint immediately three hundred patrolmen to fill existing vacancies in the Police Department and to insure the residents of Boston the protection to which they are entitled.

Severally passed under suspension of the rule.

SUNDAY SERVICE, CITY HOSPITAL BUS LINE.

Coun. PETER J. FITZGERALD offered the following:

Ordered, That his Honor the Mayor request the trustees of the Boston Elevated Railway to operate the Savin Hill-City Hospital bus line on Sundays from 1 p. m. to 8 p. m.

Passed under suspension of the rule.

MUNICIPAL SERVICES TO FLOOD VICTIMS.

Coun. TOBIN offered the following:

Ordered, That the Mayor of Boston consider the advisability of instructing all department heads of the city to waive any residence requirements as to people in the flood area who desire use of our facilities, so that all municipal services of Boston may be available to flood victims during the present emergency.

Coun. TOBIN—Mr. President, a lot of our health facilities which are available to citizens of Boston are not available to nonresidents. Many municipal services furnished by the City of Boston to its citizens are not granted freely to nonresidents. I have in mind the fact that in the present emergency people from outside cities, not having the facilities we have, would like to take advantage of the opportunities that exist here, and that his Honor the Mayor might instruct the heads of departments in such cases to waive the usual requirements and give to those nonresidents the same treatment that the people of the City of Boston are receiving.

The order was passed under suspension of the rule.

WARD 20 IMPROVEMENTS.

Coun. FINLEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving, Aldrich street, Ward 20.

Ordered, That the Board of Street Commissioners, through his Honor the Mayor, be requested to accept and lay out, under the W. P. A. type of construction, Oak avenue, Ward 20.

Severally passed under suspension of the rule.

CONSTRUCTION OF WARD 16 STREETS.

Coun. McGRATH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to proceed with the acceptance and laying out of all unaccepted and unfinished streets in Ward 16 under the W. P. A. plan of construction.

Passed under suspension of the rule.

HARROW STREET, WARD 7.

Coun. KERRIGAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Harrow street, Ward 7, as a public highway.

Passed under suspension of the rule.

TAXES OF SUBURBAN REALTY CORPORATION.

Coun. WILSON offered the following:

Ordered, That the Board of Assessors be requested, through his Honor the Mayor, to at once advise the City Council as to the amount of unpaid taxes due the city from the Suburban Realty Corporation for each of the years from 1931 to 1935, inclusive, and if any tax titles are outstanding against said concern then for what years, in what amounts, and the date or dates of such sales.

Passed under suspension of the rule.

PAYMENT TO PARENTS OF ALEXANDER J. MCCARTHY.

Coun. GEORGE A. MURRAY offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the city to pay a sum of money to the parents of Alexander J. McCarthy, who died as a result of a fall in the Norcross School, South Boston, in July, 1929, provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

SIDEWALKS ON F STREET, WARD 6.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along F street, between Seventh and Eighth 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.

WARREN AVENUE, WARD 4.

Coun. ROBERTS offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Warren avenue, Ward 4.

Passed under suspension of the rule.

CHARGE FOR SCHOOL BUILDINGS TO UNIVERSITY EXTENSION.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of conferring with the School Committee relative to eliminating the charge for the use of school buildings by the University Extension division of the Commonwealth.

Coun. NORTON—Mr. President, I think it may be possible to work out some plan whereby, in the interests of this University Extension work, the use of schoolhouses might be given free for this purpose at certain hours of the day.

The order was passed under suspension of the rule.

AID TO "NEW POOR."

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of conferring with the Directors of Public Welfare relative to working out a policy to aid the so-called "new poor" as well as the "so-called" chronic poor.

Coun. NORTON—Mr. President, a man owns a house and has not applied for welfare. He has kept away from W. P. A. or from asking for relief under any circumstances, but is finally obliged to do so. It does seem that these men who have succeeded in keeping off welfare for months but who have finally been obliged to resort to it, should be helped as well as the other fellow. If a man does own a house, he cannot eat the house, and his children cannot eat the plaster.

The order was passed under suspension of the rule.

THE NEXT MEETING.

Coun. GALLAGHER moved that when the Council adjourn it be to meet on Monday, April 6, 1936, at 2 p. m.; declared carried (reconsidered later).

LAND SWAP WITH TELEPHONE COMPANY.

Coun. NORTON—Mr. President, I would like to ask what has happened with regard to the proposed swap of land with the telephone company?

President FITZGERALD—It is in the committee.

Coun. NORTON—Mr. President, how long do we expect that it will be in the committee? Do I understand that the committee will report either adversely or in favor at some definite date? I want to say that I have looked into this matter of the proposed swap with the telephone company and am pleased to stand here and state, from what information I can gain, that I believe it would be a pretty good idea for the city to go through with the swap. It is the first time I have had to differ with Bob Cunniff across the street, on the Finance Commission. I think this proposed swap stands on an absolutely fair ground, and that what is proposed by the telephone company will benefit that whole section and will result incidentally in benefits to the city treasury and to the whole community.

Coun. KERRIGAN—Mr. President, with unanimous consent I would like to say just a word. When the committee has its meeting upon this matter, we shall be very glad to notify the gentleman from Hyde Park (Coun. Norton).

Coun. NORTON—Thank you.

GOVERNMENT EXPENDITURE ON WOOD AVENUE LAND.

Coun. SHATTUCK offered the following:

Ordered, That his Honor the Mayor be requested to advise the City Council as to what agreement,

if any, has been made by the Federal Government to prepare the property at Wood avenue, Hyde Park, for playground purposes and at what cost.

Passed under suspension of the rule.

THE NEXT MEETING.

Coun. DOWD—Mr. President, I object to a two weeks' adjournment, because we never can tell what is going to come up in the next two days. I believe the Council should meet every Monday.

The Council voted to reconsider the passage of the two weeks' adjournment order.

REQUEST OF MUNICIPAL LIGHTING COMMITTEE.

Coun. NORTON—Mr. President, may I ask when the Committee on Municipal Lighting is to report on the gas light business?

Coun. DOWD—Just as soon as we get definite assurance from Commissioner Carven whether or not the Edison Electric Illuminating Company would be able to go ahead and electrify the city, whether within one month or five years. I suppose we will report next week if we get a report from Commissioner Carven.

Adjourned, on motion of Coun. DOWD, at 5.40 p. m., to meet on Monday, March 30, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 30, 1936.

Regular meeting of the City Council in the Council Chamber at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Peter A. Murray.

VETO OF SIDEWALK ORDER.

The following was received:

City of Boston,
Office of the Mayor, March 27, 1936.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on March 16, 1936, for the making of a sidewalk with granite edgestones on Washington street, from Circuit street to Dale street, in Ward 9.

I am informed by the Commissioner of Public Works that there are no funds available at the present time for this construction. Under the circumstances I am constrained to veto the order.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Placed on file.

Coun. GALLAGHER in the chair.

LOCKERS, HEAD HOUSE, WARD 6.

The following was received:

City of Boston,
Office of the Mayor, March 27, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of March 16, 1936, concerning additional lockers during the coming season at the Head House, Ward 6.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Park Department, March 23, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of March 21, with inclosure, order from the City Council that the Park Commission make provision for additional lockers during the coming season in both the women's and men's sections at the Head House, Ward 6.

I regret exceedingly to inform you that due to economic conditions this department has no funds available for this purpose, nor is there any possibility of the department doing the work in time for the opening, June 15, with W. P. A. help.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

CHARLESBANK PARK FENCE AND WALL.

The following was received:

City of Boston,
Office of the Mayor, March 27, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of March 16, 1936, concerning the replacing of the retaining fence and wall which was removed during the rebuilding of the Charlesbank Park.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Park Department, March 23, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of March 23, with inclosure, order from the City Council that the Park Commissioner replace the retaining fence and wall which was removed during the rebuilding of Charlesbank.

I regret exceedingly to inform you that the former wall was a retaining wall, with the changing of the grade a ten per cent beach slope was made into the Charles river.

In order to replace the wall and fence on same it will be necessary to change the entire grade and excavate to a depth of 4 to 5 feet.

The department cannot see any reason for doing this work even if the finances were available.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

EASTERN MASSACHUSETTS STREET
RAILWAY JITNEY LICENSE.

The following was received:

City of Boston,
Office of the Mayor, March 30, 1936.
To the City Council.

Gentlemen,—On January 13, 1936, a petition was received by your Honorable Body and referred to the Committee on Jitney Licenses, wherein the Eastern Massachusetts Street Railway Company applied for a license to operate motor vehicles from the city line over the Chelsea Bridge to Charlestown, and from City square to Haymarket square and on certain other streets and highways.

The petitioner obtained an emergency license, which expires on April 8, 1936, and under the statute the Department of Public Utilities has no power to extend that license, although it does have power to grant a permanent license not of an emergency nature.

In order that the Department of Public Utilities may grant a permanent license it is necessary for the petitioner to obtain approval of its petition by your Honorable Body and unless the petition is approved today insufficient time will remain for the petitioner to obtain a permanent license and all right to operate its buses through those streets and highways will be terminated.

Such a result would entail great inconvenience, not only to the people of Charlestown but to a very large body of persons who constantly come into Boston by way of Chelsea and the Charlestown Bridge. In order that this important section of Boston may have this very necessary service and that persons living to the north of Boston may have an opportunity to come here, with the least inconvenience, to trade with Boston merchants, I earnestly urge upon you the necessity and importance of favorable consideration of this petition and respectfully request that final action may be taken upon it at your meeting today.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Placed on file.

BOSTON CONSOLIDATED GAS
CONTRACTS.

The following was received:

City of Boston,
Office of the Mayor, March 30, 1936.
To the City Council.

Gentlemen,—There is now pending before your Honorable Body and under consideration by the Committee on Municipal Lighting two proposed contracts for street lighting in Boston. Under the terms of these contracts, had they been approved last year when they were disapproved by your Honorable Body, Boston would have saved approximately

\$25,000 a year for the ensuing five years, represented by a reduction under present prices. When the contract failed of approval it became necessary for the city to enter into provisional month-to-month contracts under the old rates. This resulted, as stated above, in a loss of about \$25,000 for the year 1935.

The Boston Consolidated Gas Company, however, is willing to give a discount to the city of about \$13,000 of the sum paid for lighting in 1935 and, if the contracts are approved by your Honorable Body today, to execute new contracts for the next five years at the same reduced figure, which would result in a saving to the city of about \$25,000 a year for each of the next five years. Failure to execute the contracts will result in a corresponding loss of the same amount for that period of time, plus the loss of the discount of about \$13,000 which the company now offers to give to the city. Furthermore, if the contracts are not approved by your Honorable Body and the Mayor and signed now, it will be necessary again to enter into provisional monthly contracts at the old rate, or possibly at higher rates because of the brevity of the provisional contracts and the uncertainty of their duration.

The Boston Consolidated Gas Company, while willing to agree to a further extension of time, has informed me that the Welsbach Company, a necessary subcontractor, will not consent to a further extension, and that if these contracts are not approved and signed before April 1, 1936 (to which date a further extension had been made from March 16), the proposed contracts at the reduced price will be withdrawn.

Under these circumstances I most earnestly urge upon your Honorable Body the importance and necessity of immediate action to the end that this proposed saving of practically \$138,000 may be preserved to the city.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Referred to Executive Committee.

ORDINANCE IN RE HAWKERS AND PEDLERS.

The following was received:

City of Boston,

Office of the Mayor, March 27, 1936.

To the City Council.

Gentlemen,—On November 30, 1935, I submitted to your Honorable Body a proposed amendment of section 19, chapter 39, of the Revised Ordinances of the City of Boston, requiring hawkers and pedlers of fruits, vegetables and certain other articles to present to the Health Commissioner a passport-size photograph to be attached to each license. On December 21, 1935, that order was rejected, without prejudice.

I am in receipt of the attached letter from the Health Commissioner, again requesting the proposed amendment for the reason stated in the letter. I am accordingly submitting herewith an ordinance providing for an amendment to section 19, chapter 39, of the Revised Ordinances of 1925. I respectfully recommend adoption of the accompanying ordinance.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Health Department, February 10, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I respectfully request your approval to forward to the City Council for action the following proposed amendment to the City Ordinances regarding licenses to hawkers and pedlers, with a request that it become effective upon passage.

I have been informed that the late Health Commissioner, Doctor Mahoney, submitted this request and that it was rejected by the City Council, without prejudice, on December 21,

1935, because of the fact that the Health Commissioner was unable to appear to explain the necessity for its passage.

The photographs suggested would cost only about 25 cents apiece and it is probable that from 150 to 200 additional pedlers would be licensed at \$5 each, if this amendment is adopted. It will also protect the legitimate pedler. The amendment proposed is as follows:

Revised Ordinances 1925, chapter 39, section 19, paragraph 1, sixth line, insert after the word "residence" the following: "and until a recent photograph of said applicant shall be presented to the health commissioner, to be attached to his license (said photograph to be a passport size, viz., 2 inches by 2 inches)" making said section 19, paragraph 1, read as follows:

"No person shall hawk or peddle any fruits or vegetables, or any of the articles enumerated in section 17 of chapter 101 of the General Laws and acts in amendment thereof or in addition thereto, until he has been assigned a number by the health commissioner, and until he has recorded with said commissioner his name and residence, and until a recent photograph of said applicant shall be presented to the health commissioner, to be attached to his license (said photograph to be a passport size, viz., 2 inches by 2 inches) and, if he hawks or peddles articles which are sold by weight or measure, a certificate from the sealer of weights and measures that all weights, measures and balances to be used by him have been properly inspected and sealed. The presence of unsealed weights or measures on the team, cart or person of such hawker or pedler shall terminate permission to hawk or peddle under such registration."

My reason for this request is because I have been informed that numerous complaints of violations of law by pedlers have been received, due to the fact that, without authority, they have transferred their licenses to others, to be used in violation of the law.

There are from 400 to 500 pedlers in the market district on Saturdays. Under our present system we have no means of properly identifying the holder of a license to peddle. At present the law requires that first citizenship papers be taken out before an applicant may receive a pedler's license, and we require a signature. The applicants may obtain their first papers without writing their signature. Furthermore, under the present system of the law, even though they cannot read or write, they are entitled to obtain a license upon presentation of first papers signifying intention to become a citizen of the United States.

Many of the pedlers are unable to write, and sign only by a cross, which makes it easy to sell licenses for the day to persons not entitled to such licenses. The captain and sergeant in charge of pedlers in the market district have been conferred with and heartily approve of the above plan.

The Fruit and Vegetable Association, Inc., all duly authorized pedlers, unanimously went on record as favoring the amendment above outlined.

Yours respectfully,

WILLIAM B. KEELER, M. D.,
Health Commissioner.

Be it ordained by the City Council of Boston, as follows:

Chapter thirty-nine of the Revised Ordinances of 1925 is hereby amended in section nineteen by inserting after the word "residence" in the first paragraph the following: "and until a recent photograph of said applicant shall be presented to the health commissioner to be attached to his license (said photograph to be a passport size, viz., 2 inches by 2 inches)"—so as to read as follows:

"No person shall hawk or peddle any fruits or vegetables or any of the articles enumerated in section 17 of chapter 101 of the General Laws and acts in amendment thereof or in addition thereto, until he has been assigned a number by the health commissioner, and

until he has recorded with said commissioner his name and residence, and until a recent photograph of said applicant shall be presented to the health commissioner, to be attached to his license (said photograph to be a passport size, viz., 2 inches by 2 inches) and, if he hawks or peddles articles which are sold by weight or measure, a certificate from the sealer of weights and measures that all weights, measures and balances to be used by him have been properly inspected and sealed. The presence of unsealed weights or measures on the team, cart or person of such hawker or pedler shall terminate permission to hawk or peddle under such registration."

Referred to Committee on Ordinances.

PETITIONS REFERRED.

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

Claims.

Martin C. Birchall, for compensation for damage to car caused by an alleged defect at 40 Jamaica way.

John Brabants, for compensation for injuries caused by city truck.

Louis Cohen, for compensation for injuries caused by city truck.

Morris Cohen, for compensation for damage to car by city truck.

Ralph H. Cooper, for compensation for injuries caused by an alleged defect at 63 Norfolk street.

Florence Dockharty, for compensation for injuries caused by an alleged defect at Chelsea and Tremont streets.

Anna Donnaruma, for compensation for damage to car caused by an alleged defect at 862 Blue Hill avenue.

Catherine G. Fenerty, for compensation for damage to property at 145 I street, South Boston, caused by water in cellar.

George S. Gifford, to be reimbursed for execution issued against him on account of his acts as operator of truck of Sanitary Service.

Louis H. Jacobs, for compensation for damage to car caused by an alleged defect in Robert street, Roslindale.

Jennie R. McEwen, for compensation for injuries caused by an alleged defect in Norfolk street.

Mrs. Joseph Monna, for compensation for damage to property at 6 Langley road, Brighton, caused by backing up of sewage.

Ellen Murphy, for compensation for injuries caused by an alleged defect in Greenwood avenue, Hyde Park.

Eleanor Sidel, for compensation for damage to car by city cart.

Harlow M. Smith, for compensation for damage to car by city truck.

Anne F. Sullivan, for compensation for damage to property at 84 Regent street and 1 Regent square, caused by water being shut off.

Margaret E. Sweeney, for compensation for personal injuries.

Sarah Wolf, for compensation for damage to property at 19 Heath place, caused by bursting of pipe line.

COMMUNICATION FROM HYDE PARK BOARD OF TRADE.

The following communication was received:

Hyde Park Board of Trade.
Hyde Park, Boston, Mass.

March 26, 1936.

To the Honorable the City Council of the City of Boston.

Whereas, It has come to our attention that at a hearing granted by his Honor Mayor Mansfield, on the question of a uniform gas rate for Ward 18, held in City Hall, Boston, March 25, certain irrelevant and wanton references were made which reflected on the personal character and integrity of your

Honorable Body in discharging the duties incumbent, in accordance with your oath of office.

We, the Board of Directors of the Hyde Park Board of Trade, of Ward 18, hasten to convey to you that we sincerely regret that such statements were made, that they were entirely unwarranted, and do not represent the attitude of the citizenry of our ward toward your Honorable Body, and herewith beg to assure you that in a marked degree you enjoy their confidence for honest, intelligent and able service.

- C. T. GRIFFITHS, President.
- W. W. PETRIE, Secretary.
- IVORY H. MORSE.
- MARTIN L. ODSON.
- JOHN F. ROONEY.
- GEORGE W. EARLE.
- THOMAS F. MCMAHON.
- JAMES D. GRANT.

Placed on file.

ABSENCE OF MAYOR FROM CITY.

Notice was received from the Mayor of his absence from the city February 9 to and including March 8.

Placed on file.

APPROVAL OF BONDS.

The following bonds were received in re Sunday sport licenses:

Boston American League Baseball Company, 24 Jersey street.

National League Baseball Club.

Severally approved.

MINORS' LICENSES.

Applications for minors' licenses were received from forty-two newsboys and four boot-blacks.

Permits granted on usual conditions.

REPORT OF COMMITTEE ON MUNICIPAL LIGHTING.

Coun. DOWD, for the Committee on Municipal Lighting, submitted report on proposed contracts with Boston Consolidated Gas Company for furnishing gas for, and for the equipment and lighting and extinguishing of gas lamps for street lighting—recommending reference to Executive Committee.

Report accepted; said reference ordered.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. SELVITELLA, for the Committee on Jitney Licenses, submitted the following:

1. Report on petition of Boston Elevated Railway Company (referred September 9, 1935) for permit to operate motor vehicles between Columbus square and junction of Washington and Northampton streets—that permit be granted.

Report accepted; permit granted under usual conditions.

2. Report on petition of Boston Elevated Railway Company (referred October 21, 1935) for permit to operate motor vehicles between South and North Stations—that permit be granted.

Report accepted; permit granted under usual conditions.

3. Report on petition of Boston Elevated Railway Company (referred January 4) to operate motor vehicles between Sullivan square and Everett line, over Main and Alford streets—that permit be granted.

Report accepted; permit granted under usual conditions.

PAYMENT TO DANIEL F. MCCARTHY.

Coun. MELLEN offered the following:
 Ordered, That chapter 157 of the Acts of 1936, entitled "An Act Authorizing the City of Boston to Pay a Certain Sum of Money to Daniel F. McCarthy of Boston," be, and hereby is accepted.

Ordered, That under the provisions of chapter 157 of the Acts of 1936 there be allowed and paid to Daniel F. McCarthy of Boston the sum of fourteen hundred dollars; said sum being a refund of the amount paid by said McCarthy for a retail package store liquor license, no right, power or privilege under said license having been exercised by said McCarthy; the amount so paid to be charged to the Reserve Fund.

Severally referred to the Executive Committee.

REINSTATEMENT OF SUPERVISORS.

Coun. McGRATH offered the following:
 Ordered, That his Honor the Mayor be requested to direct the Commissioner of Public Works to reinstate, for one day at least, the inspectors of that department who were suspended some time ago, in order that the said inspectors may have their Civil Service standing preserved.

Coun. McGRATH—Mr. President, it has been called to my attention that about fifty inspectors from this department will lose their civil service rating unless they are reinstated today, for one day. I am requesting the Mayor to reinstate them for one day so that they will not lose their civil service rating. I would ask the Chair to appoint a committee to wait on the Mayor and ask him if he will not do this today, and I understand that it is the last day, that if not reinstated today they will lose their civil service rating.

Chairman GALLAGHER—The order will be referred to the Executive Committee, and action looking to the appointment of a committee to wait upon the Mayor can be taken there.

Coun. McGRATH—Thank you.
 The order was referred to the Executive Committee.

INFORMATION RE DEPENDENT RELIEF ROLLS.

Coun. SHATTUCK offered the following:
 Ordered, That the Overseers of the Public Welfare in the City of Boston, through his Honor the Mayor, be requested to furnish the City Council with a classification of the persons on the dependent aid relief rolls, showing:

1. Total number on dependent aid relief.
2. Total number of these unemployable.
3. Total number of these employable, male.
4. Total number of these employable, female.
5. The present distribution of work to employables, giving the number at work in each department, and activity and type of work which is being done by the several groups.

Coun. SHATTUCK—Mr. President, at our meeting last week we had the Commissioner of Public Works before us, discussing work on the improvement of streets and, as I recall it, he said that he had only about 600 men from persons on relief working in his department, and that that was all he could get. Now, not counting the mothers' aid and the old age cases, I understand that there are about 21,000 persons on relief, and it would seem as though there must be some of those who are employable and might be used to improve our streets and do other work for the city. Therefore, my order is to find out how many of the persons on relief, not including mothers' aid and old age groups, are employable, how many are men and how many are women, and what they are doing.

The order was passed under suspension of the rule.

TRANSFER FOR HYDE PARK PLAYGROUND.

On motion of Coun. NORTON the Council took up assignment No. 3 on the calendar, viz.:

3. Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Sales of City Property, \$10,000, to the appropriation for Playground, Wood Avenue, Hyde Park, \$10,000.

On March 2, 1936, the foregoing order was read once and passed, yeas 17, nays 1.

The question came on giving the order its second and final reading and passage.

Coun. WILSON—Mr. President, in view of the broadside of misinformation issued this past week relating to the proposed Hyde Park Playground I, for one, again wish to try to make my position clear, and in order that there may be no more misquoting, I am making it clear in this way. The stenographic report of last Monday's meeting ought to be clear enough, but there are always those who welcome any opportunity to make political capital out of confusing some issue. Like the bag snatcher in the crowd, shouting "Fire" in order to get away with something, there are always those who will see the chance to raise the cry, "They voted against a playground for the kiddies!" But that is not the issue here, no matter how much dust is thrown. I understand that some gentleman from Hyde Park last week, in referring to members of this body as "aincompoops," threatened to drive some of us out of political life with his magic sound wagon. The young man in question has never before been elected to any office. And sound wagons are not wholly a new invention. When I was a little boy, years ago, I used to like to watch circus parades, and, especially in the country towns, at the very end of every circus parade was the sound wagon, the steam calliope, usually operated by some clown. The kids liked it. It made lots of noise, not much music, and plenty of smoke and dirt, and it was always at the end of the procession. After the parade they stored it out back of the main tent, with the wagons and the rest of the rubbish, while the real show went on. Now, these remarks are intended as a response to the gentleman who made that statement, are not intended for the gentleman from Hyde Park (Coun. Norton), and are not intended as a reply to that splendid body of gentlemen representing the Hyde Park Board of Trade, who have been fair enough to send to us today a message to the effect that such statements were not made with their authority. I have some friends in Hyde Park whom I hope I still retain as friends, and I think the members of the Hyde Park Board of Trade, in common with other business organizations of the city, would not expect any member of the City Council to vote on any measure otherwise than as his conscience dictates. I know that that is the position of the Hyde Park Board of Trade, the same as of other responsible organizations in this city. I for one certainly take that position on this, as on other matters coming before the body, and I thank the Hyde Park Board for their fairness as shown in the communication they have sent to the Council today. Now, for the facts in the present case. I am not opposed to a playground in Hyde Park, especially if the United States Government is willing to give away \$272,996 on it as a W. P. A. project. But that has nothing to do with this vote. This is an order, in effect, to pay \$10,000, whether in money or marbles, to an owner for some land on which no taxes have been paid for the past six or eight years, and a tax title to which, for earlier taxes, the City Collector tells us was bought in by the city as long ago as the spring of 1931. But let us take it a step at a time. In the first place, with reference to the money having been promised by the Federal Government for this particular purpose, let us have the truth. As I understand the situation, Boston has some \$35,000,000 of

approved projects in Washington, and we have been advised that we can have \$9,000,000 of the \$35,000,000. This is one of the projects included in the \$35,000,000, and with a limit of \$9,000,000 the Mayor can play whatever shots he wishes, up to the \$9,000,000. I certainly am glad to see a playground for Hyde Park chosen in preference to a new City Hall, for example. So, with all the dust that has been raised, let us get that straight. Colonel Sullivan's letter of March 25 is correct, as far as it goes. This \$272,996 item, being included in the \$35,000,000 of approved projects, can be put through now, or a week from now, so long as the Mayor does not use up the \$9,000,000 limit he has been granted. I don't know a more worthy project than a playground for Hyde Park. Now, for the method of acquiring this land for the playground. The original message from the Mayor calls for a transfer of \$10,000 from sales of city-owned property for the purpose of buying this land. Letters which you and I have received continually refer to this land as consisting of "500,000 square feet of land," assessed for "over \$11,000." I know that the error made by the councilor from Hyde Park, for instance, has been far from intentional. I know the enthusiasm he has for this project, and I don't blame him, as we sometimes do not always visualize all the facts when we are naturally enthusiastic. It only shows the danger of not knowing the facts. The official reply we received from the Assessing Department last week states that the \$11,000 assessment is on 1,258,815 square feet of land, as shown on page 1 of last week's City Council Minutes. So if I may be pardoned for sticking to the facts, if we are buying 500,000 square feet of land for \$10,000, we are not buying the land for less than the assessed value. We are paying about twice the assessed value for the part we are interested in. And at that, it may be a good bargain, even though Mr. Murphy of the Assessing Department says it is not worth \$10,000. But let us assume that it is worth \$10,000, or twice the assessed value, and that after we have bought it the government will spend some \$275,000 there—incidentally grading and filling it, as Colonel Sullivan says, and straightening and clearing out a brook. Fine! Hyde Park wants a playground there. I am for it. But why hand over \$10,000 for it? They tell us now that we are getting 500,000 feet. It is the whole tract of 1,250,000 that is assessed for \$11,000, and which has unpaid taxes outstanding on it amounting to some \$2,500, covering the five most recent years from 1931 to 1935. We learned from the City Collector last week that in addition the city got a tax title in the spring of 1931 covering years prior to that. I have to take the word of the Tax Collector. I don't keep his records or those of the Assessing Department. But that is what he told us in Executive Committee last week. I don't know what this talk is about selling it now at auction. Irrespective of the unpaid taxes from 1931 to 1935, if we bought in a tax title in June of 1931, covering the unpaid taxes for years prior to that, it is not a question of any sale or any auction, but a simple question of perfecting our title by a petition filed in the Land Court on the tax title that we have had ever since 1931. That is a question of a few weeks. It should have been done months ago. Read the partial list of properties with the amounts and the dates that the City Law Department put through the Land Court in 1934 and 1935, in the City Council Minutes of last week. Fifty-eight properties, none of them vacant, every one on the list having a building on it, and I think most of them homes, in every section of the city from Charlestown to South Boston. Not a single piece of vacant land. And, looking back to last week's minutes, there are some of them on which we perfected our tax titles as long ago as 1934. All of them involved taxes and tax sales far more recent than the outstanding tax title reported to be on this vacant land. Why action on them while this lay dead? If we are going to vote on this, let us at least understand what we are voting

on. We will never get the facts listening to some sound wagon, while the "music goes 'round and around." This is not a vote for or against a playground. I will venture to say that there are twenty-two votes in this Council for this playground. But just because there is going to be a playground here is no reason why it should be used as a smoke screen to treat this taxpayer or taxdodger a lot better than the little home owner in your ward or mine, who could not pay his taxes in 1933 or 1931 or 1928,—and his title is gone. Perhaps I am narrow enough to think that right is right. Now, for the argument that no money will change hands. What difference does it make to me whether my grocer hands to me \$100 in cash or crosses off \$100 in unpaid grocery bills that I owe him? The Assessing Department tells us that the owner of this property owes the city over \$12,000 in back taxes. In effect, we are going to pay the owner \$10,000 for less than half of a parcel of 1,250,000 square feet of land on which the city has held a tax title since 1931, with the understanding that the \$10,000 is to be applied to back taxes. And I still say that there is no reason why we should not perfect the title that the city already has, without the payment of any \$10,000, just as was done in the cases of the properties contained in the list furnished by Mr. Hall last week. No auction. No sale. The mere perfecting of a tax title for unpaid taxes, that the City Collector says that we have had since June of 1931. Those are facts. And I still say that I am for the Hyde Park Playground. I may be misunderstood, but I am answerable to my own conscience, and not to some clown on a sound wagon. When I start climbing up on the table every time some political mouse runs squeaking through the Hall, I will get out of political life, and I will not wait to be pushed. Take the land. Use it for a playground. Let the government spend \$275,000 there. Included in the \$9,000,000 they say we can have out of the \$35,000,000 of approved projects, let us count this suggested \$275,000 for this playground. Fine! But don't get so excited, seeing Santa Claus, that we waste \$10,000 of our own money when we don't have to. Handle this tax title property like any other piece would be handled, like the others have already been handled. I am not against the playground. I am against this proposed method of acquiring the land for the playground. We have a tax title to it. Why not perfect it?

Coun. SHATTUCK—Mr. President, the discussion we had on this subject at the last meeting, at which Mr. Murphy was present, showed very definitely that this tax title was not perfected, that another step was needed before it could be perfected, namely, registration in the Land Court, and that until a petition for registration in the Land Court had been filed and had been allowed, the owner still has a right to redeem. Now, that is a very material fact, if it is a fact. That is certainly the statement that I understood to be made at the last meeting. I would like to know if that statement is or is not correct?

Coun. NORTON—Mr. President, I think possibly everything that can be said has been said, and I don't want to take up further time unless some councilor would like to have me answer specifically any statement that has been made here.

President FITZGERALD—The clerk will call the roll.

Coun. SHATTUCK—Mr. President, I simply want to add just a word on another feature of the question—namely, the matter of appropriation or commitment by the government. It seems clear that the government has included this playground at about \$272,000 in a number of other projects totalling about \$35,000,000 or \$36,000,000, out of which \$9,000,000 may be allowed. I think it has not become clear, and never will be clear until the work is done, that the government will go through on that or that this program will be a part of the \$9,000,000. But I think there is sufficient hope that it may to justify our

acting on the question; and, with that hope, I shall accordingly vote for the measure.

Coun. DOWD—Mr. President, I will vote, as I voted last week, for this measure. I believe the arguments presented by Councilor Wilson are well founded, but are merely technicalities. I remember as a youngster that former Governor Foss, who at the present time is land poor, was one of the most liberal Democratic Governors that this Commonwealth had up to the time when he was elected. He was the first Democratic Governor to recognize Democrats in this state. I do think—and I don't want to be sentimental—that it should not be said in this Council that that man, who is now land poor, is a tax dodger. Ex-Governor Foss has been a very important man in Hyde Park and in our state, an employer of thousands and thousands of people, and at one time one of our largest taxpayers. The argument made against this is merely a matter of technicality. As I said last week, this really means what? First, a playground for the children of Hyde Park, and I well remember, speaking of playgrounds for that section, when Councilor Wilson, Gallagher, John I. Fitzgerald and myself voted for the Rugby Playground. I have always, like other members of this Council, favored playgrounds for the young of our city. I think we all want to see Hyde Park treated just as well as any other section of Boston. As I say, to my mind the argument that has been made against this is a technical one. Personally, like other members of this body, I favor playgrounds, and in this case I favor a playground for the children of Hyde Park, incidentally placing men at work. I favor placing even 50 men at work, although my colleague from Hyde Park believes that this will place 1,000 men at work. That may be a trifle exaggerated, but suppose it places 50, 100, 200 or 500 men at work, at the present time, that will repay for the few thousands spent on this order, rather than taking the land through Land Court proceedings.

Coun. WILSON—Mr. President, I appreciate some of the points that the councilor from Roxbury (Coun. Dowd) has made, but frankly I cannot agree that the position I have taken is a mere technicality. The land is not in the name of Mr. Foss, but in the name of the Massachusetts Bonding and Mortgage Company, and prior to that it was in the name of another Massachusetts corporation, the Suburban Realty Corporation. Nor do I think it only a technicality that instead of paying only about the assessed value, we are paying, or allowing to be paid, over twice the assessed value. Nor do I think it is a technicality that the owner of this piece of vacant land in Hyde Park has been allowed to get away with this since 1928, when home owners all over the city of Boston, from Charlestown to South Boston and Dorchester, who have owed taxes in more recent years, have seen the titles to their houses go through the Land Court and have lost them for good.

Coun. FINLEY—Mr. President, without attempting to prolong the discussion, I want to rise today and make a statement, as one who voted against the second reading of this particular order last week. I rise here today because I feel that I should do so after the knowledge I have acquired since the last meeting. I believe that the members of the Council should vote for this order and that the neighboring district to West Roxbury should have the playground facilities it is entitled to. I did not feel last week that we had sufficient information to assure us that this project would go through if the order was passed. I now feel that we have, in view of the letter sent in by Colonel Thomas Sullivan, and I shall vote for the order today.

The order was given its second and final reading and passage, yeas 18, nays 3:

Yeas—Coun. Agnew, Doherty, Dowd, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Kerrigan, Kilroy, McGrath, Mellen, George A. Murray, Norton, Rosenberg, Selvitella, Shattuck, Tobin—18.

Nays—Coun. Brackman, Roberts, Wilson—3.

Coun. NORTON—Mr. President, I now ask unanimous consent to make a statement. I do not desire to take up time unnecessarily on the matter, and I shall be brief. But I do think there should be an explanatory note in the record. I have had nothing whatever to do with this playground coming to Hyde Park. Many years ago a well-known man in the community, Mr. James B. Grant, who is now sitting in our gallery, started this proposition. I never thought it could be carried through, but through the efforts of the Hyde Park Board of Trade and through the support of this body, the thing has now culminated in what I know will be one of the finest playground areas in New England. Time and again I have stood on the floor of this body and called attention to the fact that Boston needs more playgrounds. There should be, according to the American Recreation Association, an acre of playground to each 100 people. It is the only antidote we have for vice, crime, juvenile delinquency, the outstanding social problem of today. We have 2,500 juvenile delinquents a year in our Juvenile Court. There is only one thing that we can do for the 100,000 juveniles, youngsters graduating from our schools and walking our streets, and that is to give them places where they will have an opportunity to obtain proper recreation. I am against extravagant expenditures by our city at the present time. You know my attitude upon that matter. But I do not feel, under the conditions which surround this matter, that it comes within that category. Not a cent is coming out of the city treasury to fix up this land, and it will afford the only opportunity that the youngsters in the high school out there will have for play and recreation. Now, just another word. In regard to the city taking a playground area in Hyde Park, the name of former Gov. Eugene N. Foss was brought into the discussion. Perhaps some folks may think the ex-Governor was desirous of selling land to the city. Such is not the case. He was sent for by Mayor Mansfield. Asked what he wanted for the land in question, he finally said to the Mayor: "I owe much to Hyde Park. I invested millions of dollars there in my factories. I want to leave something to the folks out there. Whatever price you name, Mr. Mayor is O. K. with me." What citizen has been more useful to our city than the ex-Governor? As a fifteen-year old boy, he came off a Vermont potato farm with 50 cents in his pocket. He worked hard, built the B. F. Sturtevant Company in Hyde Park, built the Becker-Brainard Company, operates the Maverick Mills, East Boston. Over 1,500 worked in the Sturtevant plant at one time. Over 1,000 work today in the East Boston mill. Called foolish years ago, he had faith in Boston, and built large buildings out at Governor's square and started that development. When he was Governor a movement was on foot to name it "Foss Square." He suggested "Governor's Square" and so it was. As Governor, he was the first to recognize all classes and creeds in his appointments to the bench. He represented tolerance. The present Chief Justice, Arthur P. Rugg, was appointed by Governor Foss, as was Chief Justice Perley Hall of the Superior Court. He appointed more judges than any Governor in history, and not one of them but what proved his metal. Today, with the Governor seventy-eight years of age, he says: "My judges—everyone of them—were the finest men I could get. Nothing pleases me so much today as this." Boston is proud of ex-Governor Foss.

President FITZGERALD in the chair.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President FITZGERALD called up, under unfinished business, Nos. 1 and 2 on the calendar, viz.:

1. Action on appointments submitted by the Mayor March 23, 1936, of Jacob Braunstein and Sidney Williams, to be Constables, authorized to serve civil process.

2. Action on appointments submitted by the Mayor March 23, 1936, of John G. Cassidy and Daniel J. Kelly, to be Weighers of Goods.

The question came on confirmation. Committee, Coun. Agnew and Mellen. Whole number of ballots, 18; yes 13, no 5, and the appointments were confirmed.

RECESS.

The Council voted at 3.15 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 FITZGERALD at 4.19 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on order (referred today) accepting chapter 157 of Acts of 1936, authorizing payment of money to Daniel F. McCarthy of Boston—that same ought to pass.

Report on order (referred today) that \$1,400 be paid to Daniel F. McCarthy, being refund of amount paid by him for retail package one store liquor license, same to be charged to Reserve Fund—that same ought to pass.

Reports accepted; said orders passed.

2. Report on order (referred today) that Mayor request Commissioner of Public Works to reinstate for one day at least inspectors of that department who were suspended some time ago, in order that said inspectors may have their civil service standing preserved—that same ought to pass.

Report accepted; said order passed.

3. Report on message of Mayor (referred today) asking for immediate action on Boston Consolidated Gas Company contracts—that same be placed on file.

Report accepted; said communication placed on file.

4. Report on message of Mayor and on contracts for street lighting by gas with Boston Consolidated Gas Company (referred today)—that said contracts be approved.

The report was accepted and the question came on the approval of said contracts.

Coun. PETER J. FITZGERALD—Mr. President, I am opposed to the acceptance of these contracts, chiefly because there is a principle involved. I represent a section of Dorchester, Ward 13, which contains some 33,000 men, women and children. We have in Dorchester, as I said in Executive, a city within a city, a population of over 180,000, and we have 3,300 gas lamps. Every morning, or at least two or three times a week, you will pick up your morning newspaper and find that there has been an assault, a bag snatcher or a sneak thief or thug has been operating in some part of the city. On checking up that part of the city you will find—whether it is in Dorchester, West Roxbury, or any other section—that the crime has taken place in the vicinity of a gas lamp. In my own immediate section gas lamps have been out for a week or more, and protests have been to no avail. You may call up City Hall or even the gas company, and no one shows any interest. Sometimes the thing adjusts itself and the light finally comes on again. It is a ridiculous spectacle to see a gas lamp in front of a house and yet see a man lighting a match to attempt to find out the number of a house. That may sound exaggerated, but it is the truth. You cannot distinguish a person within twenty feet of a gas lamp when it is lit. I am as much concerned as any man in Boston in saving money, the taxpayers' money, for the city, but when it

comes to the protection of human life, money should not enter into the question. Imagine a gas company or an electric light company furnishing the necessities of life, being forced to do something that the city wants, getting franchises from the city, and yet not being interested in providing the citizens what they want and need. I realize that in the old days the gas company, the electric light company and the telephone company had to do what they were told. By whom? By the old Board of Aldermen. They didn't dare to contradict or go against the wishes of the Board of Aldermen. Then the public service commission was established, and the Legislature blocked the power of the local authorities over the companies, giving that power to the public service commission, and that commission is just as weak today as it ever was. Men simply sit there and if you or I or the people of Boston want to get any consideration at their hands, do you suppose that we can do so? No. The only time when the people of Boston and Massachusetts have ever been able to get a break from the Public Utilities Commission has been under the term of the present Governor, who has forced them to prevent the companies from raising the rates. Otherwise, have they ever given the people—either in the matter of electric or gas light or telephones—a break? And as far as we sitting here as a City Council are concerned, we are simply told to take it or leave it. We are told here that we will get a refund if we sign the contract within a certain period. Councilor Dowd speaks of a refund and says that he is rather suspicious of that, and so am I. We are told that we will save \$12,000 if we accept the contract. Something is wrong, radically wrong, Mr. President, and I do not propose to stand here as a councilor and go along with this because the thing has a certain number of votes. Nobody will line me up, a utility or anything else, for something that hits the people of my district. Something should be done as a matter of law, and it ought to be done by the Mayor of Boston, as a lawyer. He should find out what recourse we have when a utility refuses to do what it ought to do. We ought to have some power with regard to what goes over or under our streets. Are we to understand that when we do not vote a certain way we are out of the picture? I am not a lawyer, corporation or any other kind, but I do feel that when important questions arise the people should have some redress when they are not properly treated. Boston has 3,300 gas lamps that do not throw light more than ten or twelve feet. I would offer a solution that may be taken as a joke or otherwise, that the Mayor hire or purchase every available plumber's torch in the City of Boston and arrange with householders to project flagpoles ten or twelve feet from their houses, with a torch at the end, so as to furnish some light in our streets beyond that which is furnished by the gas lamps. I am against the making of this contract, in the interests of the people of Boston as a whole, as well as of the people of my district.

Coun. ROBERTS—Mr. President, I don't see how I could possibly vote for the order without some sort of explanation. Of course, our street lighting should be electrified but, as the chairman of the Municipal Lighting Committee tells us, it is impossible to have the Edison Company, the only company with which the City of Boston can do business, undertake the complete lighting of all the streets, eliminating the gas lamps. For that reason there is nothing we can do but vote for this order, it seems to me. If we vote the order down, the lighting will be continued at the old rate, at a loss to the City of Boston. I dare say it would be very pleasant for the gas company to continue in that way, getting more money than it otherwise would get from month to month, because of continuing under the old rate. This Council awhile ago adopted an order I introduced calling upon the Mayor and the Governor to initiate a program before the Legislature, not for a municipal lighting

plant but for the sole purpose of competing with the Boston Edison Company in supplying the city alone with electricity. Knowing the obstacles with which we have had to contend in the line of legislation, the Mayor as the administrative officer of the city was urged to go forward with some legislation, at the Legislature, so that we could light our own streets and public buildings. It appears absolutely impossible for us to do that without legislation, and we have not the benefit of that legislation, and we cannot use the Edison Company as a competitor of the gas company. Therefore, it is with an apology that I shall vote for this order now, as I can see at the present time no alternative.

Coun. ROSENBERG—Mr. President, I come from the Dorchester district and only a short time ago I introduced an order asking that all the lights in my district be electrified. I believed that we might be able to arrive at some method of having the gas lights in my district supplanted by electric lights. However, after several meetings of the lighting committee and after conferring with the representatives of the gas company and the Commissioner of Public Works, we find that we are unable to get all the streets electrified, and we also find that if we carry on under the present arrangement, paying as we are from month to month, the taxpayers of Boston are going to pay \$160,000 more for our lights in the next five years. Since we are unable to electrify all the streets of Boston and can only at best electrify half of them, in which case we might probably get one or two electric lights on a street, but leaving the whole thing in an unsettled and haphazard form, and inasmuch as by making this proposed contract we will save the taxpayers of the city \$163,000, which could be well used by the Welfare Department, I shall, although under protest, vote for the order. I will add that I have no interest whatever in either the Edison or the gas company; that I neither own nor represent any stock in either of the companies or in any public utilities. I believe in a certain measure they are gouging us, holding us by the throat. But we are in the position of trying to do the best we can for the taxpayers of Boston under the circumstances. As a member of the committee, therefore, I am going to vote in favor of the measure, because I believe it is the only solution. Otherwise, we will have to pay an exorbitant rate on a month-to-month basis to the Boston Gas Company, and will be getting nowhere.

Coun. MELLEN—Mr. President, I also believe that we should have an opportunity to get a better bargain. As that seems impossible at the present time, I believe that it will be more advantageous to vote for the measure than to pay thousands of dollars extra from month to month by continuing on with the present arrangement. On that basis, I am going to vote for the measure, and only because of the situation which confronts us otherwise, and which we do not seem to be able to avoid.

Coun. WILSON—Mr. President, I would like to submit a few facts and figures as a matter of record, upon this matter, which I consider one of the most important matters that we have had come before us for some time. In 1934 there were 13,598 electric street lamps in the City of Boston, and in 1936 there are 13,680. With reference to the location of gas street lamps the following figures are somewhat illuminating, even if most of the lamps are not. Hyde Park has its own arrangement. The remaining sections of the city have the number of gas lamps listed as of each year, as follows:

The Back Bay, in 1934, none; in 1936, none.
 East Boston, in 1934, 429; in 1936, 429.
 Charlestown, in 1934, 512; in 1936, 509.
 South Boston, in 1934, 676; in 1936, 670.
 Brighton, in 1934, 1,030; in 1936, 1,030.
 Roxbury, in 1934, 1,208; in 1936, 1,197.
 West Roxbury, in 1934, 2,470; in 1936, 2,473.
 Dorchester, the district I have the honor to represent, in 1934, 3,212; in 1936, 3,205.

That is, of the 9,500 gas lamps throughout the entire city, in 1934, 3,212 were in Dorchester, and in 1936, 3,205, or something more than a third of the entire number in the City of Boston. That is the reason why I assume that the gentleman who so ably represents Ward 13 (Coun. Peter J. Fitzgerald) feels so strongly that our section of the city should be favored with more modern lighting. It will thus be noted that, although the Public Works Commissioner at the public hearing expressed a belief that 80-candle power electric lights on 30-foot 9-inch poles give less satisfactory light than 60-candle power gas lamps on 11-foot poles, the great majority of the remaining gas lamps are in such residential districts as Dorchester and West Roxbury without a single such lamp in the entire Back Bay district. But at the most recent meeting of the committee, held last week, Mr. Carven finally stated that, in his opinion, electric street lighting is not only more satisfactory but, to his mind, eventually inevitable in the City of Boston. During the past two years the number of gas lamps has only been reduced by 24—that is, from 9,539 to 9,515. As has been pointed out, the Edison Electric Light Company, if so requested, is prepared within six months to a year, at its own expense, to substitute electric lights for gas lamps at approximately 4,700 out of the present 9,513 gas lamp locations. Also, while the gas contract for Boston would call for over 9,500 lamps, as against the 1,218 gas lamps in the town of Brookline, the charge for that small number of lamps in Brookline is but \$26.13 per lamp, while the proposed gas company contract here provides for a penalty increase from \$20.50 per lamp to \$26.21 per lamp provided the city retains the right during the five-year period to substitute electric lights for gas lights at more than 5 per cent of the light locations, and then only up to 50 per cent of the total. In other words, our rate here in Boston for 4,800 gas lamps would be the same as the rate in Brookline with only 1,218 gas lamps. Even with that penalty provision, the additional cost to the city on a substitution of electric lights for some 4,700 of the gas lamps would be about \$2,500 per month. The changes in rates during successive years, and the comparative prices on the items in the proposed contracts, show rather clearly that the holding up of the price so far as Boston is concerned is due not to the Boston Consolidated Gas Company but its subsidiary. I do not profess to be a radical, and I don't assume that I am looked upon as a radical, but coming from a section that has within its borders almost a third of the old gas lamps in the City of Boston, and taking the same position in this matter that Councilor Roberts takes, I would assume that any member coming from such a residential section would want to see some awfully good reason for tying up the City of Boston for five years on a contract under which we could not shift from gas to electric light in those sections of the city. Therefore, I would rather see the City of Boston held up—and that is what it is—by the Boston Consolidated Gas Company and its subsidiary, than to see it put back for five years so far as modern lighting is concerned.

The Council voted to approve the contract. Coun. WILSON doubted the vote and asked for the yeas and nays.

The contracts were approved, yeas 17, nays 3:

Yeas—Coun. Agnew, Brackman, Doherty, Dowd, Finley, John I. Fitzgerald, Gallagher, Gleason, Kerrigan, Kilroy, McGrath, Mellen, George A. Murray, Roberts, Rosenberg, Selvella, Shattuck—17.

Nays—Coun. Peter J. Fitzgerald, Tobin, Wilson—3.

5. Report on message of Mayor and order (referred March 16) appropriating \$12,000 to be expended under direction of Corporation Counsel for purpose of meeting necessary expenditures *in re* suit between City and Edmund L. Dolan and others—that same ought to pass.

Report accepted, and the order was rejected on roll call (a two-thirds vote being required for passage), yeas 12, nays 8:

Yeas—Coun. Agnew, Brackman, Dowd, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Gleason, Roberts, Rosenberg, Shattuck, Wilson—12.

Nays—Coun. Doherty, Kerrigan, Kilroy, McGrath, Mellen, George A. Murray, Selvitella, Tobin—8.

On motion of Coun. AGNEW the vote was reconsidered, and the order was assigned to the next meeting.

EASTERN MASSACHUSETTS BUS PERMITS.

Coun. SELVITELLA, for the Committee on Jitney Licenses, submitted the following:

1. Report on petition (referred today) of Eastern Massachusetts Street Railway Company to operate motor vehicles from Boston-Revere boundary line and plaza contiguous to traffic tunnel exit in and/or adjacent to Haymarket square, on Union street, between Dock square and Haymarket square—that permit be granted on usual conditions.

Report accepted; permit granted on usual conditions.

2. Report on petition (referred today) of Eastern Massachusetts Street Railway Company for license to operate motor vehicles on Chelsea street between Chelsea-Boston boundary line and Haymarket square circle—that permit be granted on usual conditions.

Report accepted and the question came on granting the permit.

Coun. MELLEN—Mr. President, this is the first official knowledge that I have had of this matter. All I know about the Eastern Massachusetts operation in Charlestown is that the buses run very irregularly and very infrequently, and that they don't stop for pick-up but only for passengers alighting. I was always of the opinion that where a councilor's district was concerned, he was extended the courtesy of having a chance to be present at the hearing. Therefore, as this is the first I have heard of the matter officially I am going to vote against the permit. I move that the matter be laid on the table.

The motion to lay on the table was declared lost. Coun. MELLEN doubted the vote. A show of hands was taken to solve the doubt, and the motion to lay on the table was lost, 6 to 8.

Coun. GEORGE A. MURRAY—Mr. President, I further doubt the vote and ask for the yeas and nays.

Coun. DOWD—Mr. President, I am not a bit interested in the Eastern Massachusetts, but I am interested in giving some consideration to our fellow members. If there is a matter before the Committee on Jitneys that concerns the district of one of our members, certainly the courtesy of an invitation to attend a hearing or a meeting upon that matter should be given to him. I believe that common courtesy be given to the members of this Council.

Coun. SELVITELLA—Mr. President—President FITZGERALD—Councilor Selvitella, the acting chairman of the committee—

Coun. DOWD—Mr. President, you recognized me, and I have not finished. I object to being interrupted.

President FITZGERALD—The gentleman is out of order.

Coun. DOWD—I am not out of order, Mr. President, and I am talking on the question. As I said before, common courtesy and decency demand that the representative of the district concerned, Councilor Mellen, be given an opportunity to consider the question of whether or not these jitneys should run through his district. Every member of the Council knows that when it is proposed to run a jitney line through his district he is interviewed and his desires one way or the other are consulted. Councilor Mellen has asked a fair question, and that is the only reason why I shall vote against this permit. If he had been invited to the committee and asked if

the thing was all right, I would vote for the jitney line. But as it is, I shall vote against it. I hope the members will be fair. We older members realize that when a member's district is concerned in a proposed jitney permit he is always consulted and given an opportunity to consider whether it is going to help his district or not. I hope, therefore, that the matter will lie on the table until Councilor Mellen has an opportunity to look into it.

President FITZGERALD—Councilor Dowd's statement is out of order. The motion before the house is on the question of laying on the table. I have allowed the councilor to proceed, but he was really out of order.

Coun. DOWD—Very generous of you, Mr. President. I appreciate it!

Coun. SHATTUCK—Mr. President, I feel on this matter just the same as the gentleman who has just taken his seat. I don't know the merits of the measure; I have not heard of it before. I don't know how I shall vote upon it after I have heard it. But I think at present it should be postponed until the gentleman from Charlestown has a chance to look into it.

Coun. SELVITELLA—Mr. President, I wish to say just a word as acting chairman of the Jitney Committee. I wish to give the members of the body whatever information I have. This petition was sent in to the Council last January, but, due to the sickness of the chairman of that committee, Mr. Peter A. Murray, it stayed in the committee room until the Mayor's message that we received this afternoon urging immediate approval of the petition. Before the Chelsea drawbridge was closed for repairs, the Eastern Massachusetts had a surface line from Chelsea to Haymarket square, under arrangements made with the Boston Elevated and the City of Boston. Then those tracks were taken up and buses were substituted where formerly the surface cars ran. The Eastern Massachusetts is now running a bus line from Chelsea to Haymarket square under permission it has received from the Department of Public Utilities at the State House. That permit expires April 6, next Monday, and if we do not approve that petition the people of Chelsea and Charlestown will be deprived of the service they have been getting the past two months. Some action must be taken today, because it is necessary, under the law, to call a public hearing and get a certificate of convenience from the Department of Public Utilities. This petition is no different than the ordinary petition we receive from the Boston Elevated or the Eastern Massachusetts. It was my duty to invite the councilor, or the duty of the Clerk of Committees. Whether or not he was invited, I don't know, but I do know, that it is essential, if there is going to be a continuation of that service without interruption, that this be approved, as today is the last time we can act on the measure.

Coun. MELLEN—Mr. President, I ask unanimous consent to say a word. I recognize the fact that Councilor Murray is sick, and I place no blame on the gentleman who has taken over the duty of chairmanship of the committee involuntarily. I still maintain, however, that the service is of no value to the district I represent, Charlestown. The buses do not stop there regularly. I first knew of this matter today and, with the desire of investigating more fully, I still maintain that reconsideration of the approval should prevail.

Coun. GEORGE A. MURRAY—I, too, Mr. President, feel very strongly upon this matter, being a new member of the Council. Councilor Mellen feels that this is an issue which is vital to his district, and he certainly should have been consulted in the matter. The common courtesy of being invited to the meeting of the committee on this matter affecting his district should certainly have been extended. In so far as interruption of the service is concerned, because of time limitation, I feel that a temporary license could be given and then another meeting could be called for some future date. Certainly, how-

ever, the councilor from Charlestown who is vitally interested in this as a matter affecting his district should be given proper consideration.

Coun. SELVITELLA—Mr. President, in order to clarify the statements already made, I will say this, that under the rules and regulations of the Department of Public Utilities they can only grant the temporary permit under which the road is now operating, that they cannot grant another temporary permit.

President FITZGERALD—The Council understands that this has been in committee since January 24.

Coun. MELLEN—I had no knowledge of that, Mr. President. If, as the councilor from Ward 1 (Coun. Selvitella) says, no further extension can be made, it is very easy to hold a special meeting to take up this matter in a day or two, and I would so move.

Coun. KERRIGAN—Mr. President, as a member of the Jitney Committee I voted in favor of the granting of the license, but with all due respect to the colleague from Charlestown, I think we should be fair with him. I think the Clerk of Committees should have extended to him an invitation to be present at our hearing. I think there should be a hearing on the matter at which the colleague may be present. Apparently he received no invitation, so I would like to see a special meeting called at which he can be present. I am heartily in accord with that idea, and I suggest that such a motion be made and that it prevail.

Coun. MELLEN—Mr. President, I have already made the motion.

President FITZGERALD—The motion is out of order. The question is on solving the doubt on laying on the table.

The roll was called, and the motion to lay on the table was lost, yeas 7, nays 13:

Yeas—Coun. Dowd, Kerrigan, Mellen, George A. Murray, Roberts, Shattuck, Tobin—7.

Nays—Coun. Agnew, Brackman, Doherty, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Gleason, Kilroy, McGrath, Rosenberg, Selvitella, Wilson—13.

The question came on granting the license, and it was declared carried. Councilor MELLEN doubted the vote and asked for the yeas and nays.

The Council voted to grant the license, yeas 14, nays 6:

Yeas—Coun. Agnew, Brackman, Doherty, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Gleason, Kerrigan, Kilroy, McGrath, Rosenberg, Selvitella, Wilson—14.

Nays—Coun. Dowd, Mellen, George A. Murray, Roberts, Shattuck, Tobin—6.

Coun. MELLEN moved a reconsideration of the vote; declared lost.

Coun. GEORGE A. MURRAY doubted the vote and asked for the yeas and nays.

Reconsideration of the vote granting the permit was lost, yeas 6, nays 14:

Yeas—Coun. Dowd, Mellen, George A. Murray, Roberts, Shattuck, Tobin—6.

Nays—Coun. Agnew, Brackman, Doherty, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Gleason, Kerrigan, Kilroy, McGrath, Rosenberg, Selvitella, Wilson—14.

ROPING OFF STREETS FOR MARATHON RACE.

Coun. FITZGERALD offered the following:

Ordered, That the City Messenger be authorized to rope off the streets at such points as may be necessary for the Annual Marathon Race, under the auspices of the B. A. A. on April 19, 1936, the expense to be charged to the appropriation for Flags, Ropes and Stakes.

Passed under suspension of the rule.

WIDENING OF BAKER STREET.

Coun. FINLEY offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Law Department to institute at once the necessary proceedings to provide for the alteration of the crossing by an overhead railroad bridge of the West Roxbury branch of the New York, New Haven & Hartford Railroad at Baker street, West Roxbury, between Centre and Spring streets, so as to widen said Baker street at said crossing to correspond to its width on either side, and to provide a proper clearance and head room for vehicles using the street.

Passed under suspension of the rule.

TENNIS TOURNAMENT AT FRANKLIN FIELD.

Coun. ROSENBERG offered the following:

Ordered, That the Park Commissioner through his Honor the Mayor, be requested to make the necessary arrangements to hold the National Public Parks Tennis Championship at Franklin Field the week of August 17, 1936.

Ordered, That the Park Commissioner, through his Honor the Mayor, be requested to resurface with clay the courts at Franklin Field, erect a fence and stationary nets, in preparation for the National Public Parks Tennis Championship Tournament which will be held the week of August 17, 1936.

Coun. ROSENBERG—Mr. President, in connection with these two orders, looking to arrangements for the carrying out of the National Public Parks Tennis Championship Tournament at Franklin Field, I would simply like to call the attention of the members of the Council to the fact that for several years the Park Commissioner and the Mayor of Boston have been attempting to have that National Public Parks Tennis Championship Tournament come to Boston. It is due to such efforts that the tournament is now to be held here during the week of August 17. When it was originally proposed that it come here, it was thought that it would have to be held on a private playground, but since then the members of the different tennis associations have got together and decided, if agreeable to Commissioner Long, that the tennis tournament should be held on Franklin Field. That field contains some thirty-five tennis courts, and is the largest available tennis field in Boston. When you think of a distinctively tennis playground you think of Franklin Field, and I think the efforts that are being made will result in the tournament being held on Franklin Field. Touching on the importance of this tennis tournament, I would like to read a brief message that has been sent to me, under date of March 23, by Commissioner Long:

"You are probably not aware of the fact that Boston has been awarded the National Public Parks Tournament. This is one of the biggest events of the country in tennis, as boys and girls come from all over, as far west as Honolulu, also from all over the West and South."

I believe, to hold this tournament on Franklin Field would bring back the old tennis standing and prestige of the Dorchester district and will give the merchants of that district additional business. It will not only be a fine thing for the district and the City of Boston, but will afford the players an ideal place to play, on a tennis field that is well known throughout Greater Boston and also favorably known in this respect throughout the country.

The orders were passed under suspension of the rule.

BUS LINE TO FOREST HILLS STATION.

Coun. ROSENBERG offered the following:

Ordered, That the Board of Trustees of the Boston Elevated Railway consider the

advisability of establishing a bus line to run from Blue Hill avenue and Morton street to Forest Hills Station, fare to be five cents.

Coun. ROSENBERG—Mr. President, just a brief word in reference to this order. The people coming from the Forest Hills section to the Mattapan district of Boston have to go through Forest Hills, down to Egleston square, and then take the roundabout route going along Seaver street, up through Blue Hill avenue and back to Morton street. The establishment of such a bus line as is proposed in this order, running from Blue Hill avenue and Morton street to Forest Hills Station, will greatly relieve the congestion now existing in the Egleston square section. The people from Mattapan will be able to reach their homes very easily, and the line will also be accessible to people going to the state institutions from Forest Hills and Brookline. We have no so-called cross-country route, and the establishment of this line will greatly relieve the congestion during the busy hours and will also secure quicker transportation of people coming from Dedham and using the different lines terminating in the Forest Hills section. I ask that the order be passed.

The order was passed under suspension of the rule.

OVERHEAD PASS FROM BLUE HILL AVENUE.

Coun. ROSENBERG offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to consider the advisability of the erection of an overhead pass leading from Blue Hill avenue, facing Hosmer street, and extending up to Duke street, for the safety and convenience of the children attending the Solomon Lewenberg School on Outlook road, Dorchester, Ward 14.

Passed under suspension of the rule.

RESURFACING OF SHAFTER STREET, WARD 14.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works Department be requested, through his Honor the Mayor, to resurface with smooth paving Shafter street, Dorchester, Ward 14.

Passed under suspension of the rule.

LEAVE FOR JEWISH EMPLOYEES.

Coun. ROSENBERG and BRACKMAN offered the following:

Ordered, That his Honor the Mayor be requested to permit all city employees of the Jewish faith to take two days' leave of absence from their work on the occasion of the Jewish holidays, Tuesday and Wednesday, April 7 and 8, without loss of pay.

Passed under suspension of the rule.

IMPROVEMENTS AT DORCHESTER HEIGHTS.

Coun. KERRIGAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to

make the necessary improvements at Dorchester Heights, such as grading, sodding, repairing fence, etc., and to provide additional fences at the foot of the slopes at the various entrances to protect the embankment at these points.

Passed under suspension of the rule.

INFORMATION TO SOCIAL SERVICE WORKERS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor request that the Director of Public Welfare immediately proceed to stop all social service workers connected with private organizations other than that of the City of Boston from investigations or learning the names of anyone receiving aid from the City of Boston.

Passed under suspension of the rule.

CHANGE OF NAME OF BELMONT PARK.

Coun. SELVITELLA offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to change the name of Belmont Park, in the First Section of East Boston, to Michael J. Brophy Park.

Passed under suspension of the rule.

WARD 9 IMPROVEMENTS.

Coun. GLEASON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Dilworth street, Ward 9.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Lamont street, Ward 9.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light at the corner of West Brookline street and Shawmut avenue, Ward 9.

Ordered, That the Commissioner of Public Works make a sidewalk along Dilworth street, entire length, both sides, Ward 9, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of granolithic, 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 Lamont street, entire length, both sides, Ward 9, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of granolithic, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Severally passed under suspension of the rule.

Adjourned at 5.10 p. m., on motion of Coun. SHATTUCK, to meet on Monday, April 6, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 6, 1936.

Regular meeting of City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Gallagher, Peter A. Murray and Norton.

JURORS DRAWN.

Coun. AGNEW in the chair.

The Council drew jurors under the law (Coun. BRACKMAN presiding at the box in the absence of the Mayor), as follows:

Seventy-six traverse jurors, Superior Criminal Court, to appear May 4, 1936:

John Cadigan, Ward 1; Anthony Chiampa, Ward 1; William H. Frizzell, Ward 1; George Lemos, Ward 1; John J. Beliveau, Ward 2; William H. Fitzpatrick, Ward 2; Louis V. Kenney, Ward 2; Timothy F. McCarthy, Ward 2; Jeremiah A. O'Leary, Ward 2; George W. Swales, Ward 2; Richard Boonissar, Ward 3; Robert O'Malley, Ward 3; Andrew A. Canavan, Ward 4; James McConnell, Ward 4; Hector D. MacDonald, Ward 4; Daniel J. McFadden, Ward 4; Charles E. Mason, Jr., Ward 5; Alfred J. Obet, Ward 5; John A. Coughlin, Ward 6; Joseph L. Coleman, Ward 7; Peter F. Keenan, Ward 7; James J. Nagle, Ward 7; Thomas P. O'Keefe, Ward 7; William F. Wall, Ward 7; Philip Gagnor, Ward 9; James J. Hart, Ward 9; Harry Malone, Ward 9; Christopher F. Niles, Ward 9; Robert E. Brown, Ward 10; Frederick R. Harvey, Ward 10; John Caddle, Ward 11; Edward Baum, Ward 12; Charles E. Sherman, Ward 12; Henry P. Welby, Ward 12; Daniel J. Honen, Ward 13; John H. Phillips, Ward 13; Robert A. Southworth, Ward 13; Jeremiah F. Spillane, Ward 13; Alfred Bloom, Ward 14; Albert Meltzer, Ward 14; Joseph Pollak, Ward 14; Elias S. Reinstein, Ward 14; Thomas B. Callanan, Ward 15; John F. Clougherty, Ward 15; Harry W. Cummings, Jr., Ward 15; Fred H. Livingston, Ward 15; George W. Ray, Ward 15; Dwight F. Walker, Ward 15; Albert S. Eichel, Ward 16; John M. Fallon, Ward 16; John Troy, Ward 16; Hugh D. Gillis, Ward 17; John R. Newcomb, Ward 17; James R. Flynn, Ward 18; John G. Ray, Ward 18; Jacob F. Knecht, Ward 18; Louis H. Rosenberg, Ward 18; Harold C. Knapp, Ward 19; Axel N. Peterson, Ward 19; William M. Slattery, Ward 19; William Chauncey French, Ward 20; Charles D. Malaguti, Ward 20; Charles W. Phillips, Ward 20; William J. Samsel, Ward 20; Robert F. Babcock, Ward 21; George P. Boyd, Ward 21; Edward Goldman, Ward 21; Samuel Gordon, Ward 21; Oscar D. LeCain, Ward 21; Morris Selig, Ward 21; Frederick H. White, Ward 21; Hollis S. Harrington, Ward 22; Everett F. Howe, Ward 22; William H. Murphy, Ward 22; Thomas H. Murray, Ward 22; Frank X. Wright, Ward 22.

Ninety-eight traverse jurors, Superior Civil Court, April Sitting, to appear May 4, 1936:

Gaetano Bondanza, Ward 1; Cornelius F. Cahalane, Ward 1; Joseph Caprio, Ward 1; George F. Coffin, Ward 1; Samuel A. Colantuone, Ward 1; Ralph David Conkey, Ward 1; Patrick Curran, Ward 1; Thomas Donahue, Ward 1; Cornelius J. Donohue, Ward 1; William L. Fowler, Ward 1; Albert Kuchner, Ward 1; Peter LaCourt, Ward 1; Joseph Zona, Ward 1; Michael F. Dwyer, Ward 2; James P. Frizzell, Ward 2; William Howell, Ward 2; Daniel T. Mayo, Ward 3; Harold J. Mead, Ward 3; Charles B. Wallace, Ward 4; Edward E. Rice, Ward 5; Walter R. Bartlett, Ward 6; John J. Hanahn, Ward 6; Patrick J. Hurley, Ward 6; Francis Kahler, Ward 6; Burt L. Clifford, Ward 7; Frederick J. Gallagher, Ward 7; Charles C. Halstrom, Ward 7; Myer Kadiff, Ward 7; Harry Quimby, Ward 7; Vincent W. Travi, Ward 7; Thomas F. Beckwith, Ward 8; John A. Glynn, Jr., Ward 8; Edward J. Gatt, Ward 9; Donald A. McEachern, Ward 9; George B. Broome, Ward 10; Joseph P.

Cullinane, Ward 10; Frank E. Fisher, Ward 10; William F. Finan, Ward 11; Joseph P. Howley, Ward 11; Archie A. MacDonald, Ward 11; Joseph D. McLaughlin, Ward 11; James H. Phalen, Ward 11; Harold W. Shaw, Ward 11; Edward C. Walker, Ward 11; Walter C. Howland, Ward 12; Ralph J. Hutt, Ward 12; Russell A. McDonald, Ward 12; David H. Miller, Ward 12; Freemont A. Tarr, Ward 12; Andrew S. Carten, Ward 13; Joseph Glick, Ward 14; Harry Goldberg, Ward 14; Israel E. Goldman, Ward 14; Harry Hamel, Ward 14; Charles Pollack, Ward 14; Harry B. Rosenbloom, Ward 14; Simon Rosnosky, Ward 14; Fred Besnick, Ward 15; Arnold Blair, Ward 15; Ernest Frost, Ward 15; George A. Magner, Ward 15; Edward V. Maloney, Ward 15; John F. McNamara, Ward 15; Charles F. Dwyer, Ward 16; William L. McAnaul, Ward 16; Leo A. McDonnell, Ward 16; Joseph Rosenblatt, Ward 16; Philip H. Tukesbury, Ward 16; John C. O'Connell, Ward 17; Joseph E. Christian, Ward 18; Ernest M. Flint, Ward 18; Ralph C. Magnuson, Ward 18; James McIsaac, Ward 18; James McWhorter, Ward 18; William N. Sinclair, Ward 18; Robert L. Anderson, Ward 19; Albert G. Gunther, Ward 19; Fred L. Peterson, Ward 19; Harry D. Stevens, Ward 19; Axel Anderson, Ward 20; Ralph L. Booker, Ward 20; Richard L. Deshon, Ward 20; John Hamilton, Ward 20; Michael J. Prindeville, Ward 20; Walter H. Schlichting, Ward 20; James H. Fairclough, Ward 21; William T. Grant, Ward 21; Charles W. Pike, Ward 21; Guy F. Putnam, Ward 21; John A. Theall, Jr., Ward 21; Willard L. Tibbets, Jr., Ward 21; Eldridge L. Branch, Ward 22; William D. Howell, Ward 22; Thomas J. McVey, Ward 22; Thomas J. Morrissey, Ward 22; Robert L. Munroe, Ward 22; Edward J. Murphy, Ward 22; Coleman O'Toole, Ward 22.

TRAFFIC LIGHTS ON CHARLES AND ALLEN STREETS.

The following was received:

City of Boston,
Office of the Mayor, April 6, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Traffic Commission relative to your order of March 16, 1936, concerning the inclusion in the Traffic Commission budget of the sum of \$2,800 for traffic lights to be installed on Charles street, at the foot of Allen street.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, April 1, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated March 16, 1936, which reads as follows:

"Ordered, That his Honor the Mayor request the Traffic Commissioner to include in his budget the sum of \$2,800 for traffic lights to be installed on Charles street, at the foot of Allen street."

All traffic signals which have been installed in the city have been paid for out of special appropriations from loan orders or special funds diverted from other sources. There is no provision in the Traffic Commission departmental budget for the erection of new signals.

The intersection of Allen street and Charles street is on a list of locations where this commission has previously recommended to your Honor that traffic signals be installed if money is made available.

There are no funds available at present for this installation. The estimated cost of a traffic signal at this location is \$2,800.

Respectfully yours,
OWEN A. GALLAGHER,
Acting Commissioner.

Placed on file.

FEDERAL AGREEMENT IN RE WOOD AVENUE PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, April 6, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to

your order of March 23, 1936, concerning what agreement, if any, has been made by the Federal Government to prepare the property at Wood avenue, Hyde Park, for playground purposes and at what cost.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, April 1, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of March 30, with inclosure, order from the City Council requesting to be advised as to what agreement, if any, has been made by the Federal Government to prepare the property at Wood avenue, Hyde Park, for playground purposes and at what cost.

Under date of November 1, 1935, I submitted a plan for the taking of the proposed Wood Avenue Playground in Hyde Park and recommended the purchase of the land necessary for same. Acting under your instructions I made up a project and submitted same, which was accepted by the Federal Government under date of November 13, 1935, for \$234,847, of which \$26,450 is the city's contribution, that is, \$10,000 for the land and \$16,450 for supervision, materials, supplies, equipment and incidental expenses. The Federal Government's contribution is \$197,312 for labor and \$21,085 for materials and supplies, making a total of \$218,397.

To the best of my knowledge and belief, this amount of money is available at the present time. The only change, of necessity, will be in the date of completion, which was set for July 1, 1936. It will be impossible to complete this project at that time, due to the delay in the purchasing of the land.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

REPAVING OF CERTAIN STREETS.

The following was received:

City of Boston,
Office of the Mayor, April 6, 1936.
To the City Council.

Gentlemen,—I transmit herewith three letters from the Commissioner of Public Works relative to three orders of your Honorable Body of March 23, 1936, concerning requests that the following streets be repaved with smooth paving:

1. Warner street, Ward 14, and Floyd street, Ward 14.
2. Warren avenue, Ward 4.
3. Aldrich street, Ward 20.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, April 2, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of March 30, with attached order of City Council dated March 23, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving, Warner street and Floyd street, Ward 14,"

and to state that Warner street, from Harvard street to West Park street, has a length of 830 feet, roadway width of 34 feet and a sidewalk width of 8 feet. The existing pavement is of waterbound macadam laid in 1900; the sidewalks are artificial stone with loam spaces. To place a smooth pavement on a concrete base and the necessary regulating would cost \$12,000.

Floyd street, from Blue Hill avenue to Lucerne street, has a length of 696 feet, roadway width of 26 feet and a sidewalk width of 7 feet. The existing pavement is waterbound macadam, laid in 1912; sidewalks are of artificial stone. The roadway is in poor condition. To place a smooth pavement on a concrete base and do the necessary regulating would cost \$8,000. At the present time there are no funds available for this project.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

City of Boston,
Public Works Department, April 2, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of March 30, with attached order to City Council dated March 23, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Warren avenue, Ward 4,"

and to state that Warren avenue, from Berkeley street to Columbus square, has a length of 2,060 feet, roadway width of 54 feet and a sidewalk width of 13 feet. The existing pavement is wood block with a concrete base, laid in 1913, the sidewalks are brick and the entire roadway and sidewalk is in poor condition. To place a smooth pavement with a concrete base, artificial stone sidewalks and the necessary regulating would cost approximately \$50,000.

This street is included in the list of streets submitted in the request for Reconstruction of Streets loan of \$375,000.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

City of Boston,
Public Works Department, April 2, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of March 30, with attached order of City Council dated March 23, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving Aldrich street, Ward 20,"

and to state that Aldrich street, from Belgrade avenue to Beech street, has a length of 1,754 feet, roadway width of 26 feet and a sidewalk width of 7 feet. The existing pavement is waterbound macadam, laid in 1910, with dish gutters and artificial stone sidewalks with loam spaces.

To place a smooth pavement on a concrete base, granite edgestones and regulating the artificial stone sidewalks and loam spaces would cost \$22,000.

At the present time there is no money available for this construction.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

BUS LINE FROM FRANKLIN PARK STATION.

The following was received:

City of Boston,
Office of the Mayor, April 6, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the trustees of the Boston Elevated Railway relative to your order of March 23, 1936, concerning the establishment of a bus line from Franklin Park Station at Blue Hill avenue and Columbia road to run down Columbia road through Edward Everett square to Columbia Station and terminate at Carson Beach, during the summer months, and that a five-cent fare be charged.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Boston Elevated Railway,
Boston, March 31, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—Replying to your letter of March 30, the trustees have authorized me to file a petition for license to operate motor coach service during the summer months between a point on Columbia road near the Columbia Station of the Dorchester Rapid Transit extension to the junction of Columbia road and Blue Hill avenue via Columbia road, on which the fare will be five cents without transfer privilege.

This petition will be filed with the City Council in a few days.

Very truly yours,
EDWARD DANA,
Executive Vice President and
General Manager.

Placed on file.

MONEY FROM PUBLIC EMERGENCY FUNDS.

The following was received:

City of Boston,
Office of the Mayor, April 6, 1936.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Corporation Counsel relative to your order of February 3, 1936, concerning a request of your Honorable Body that it be furnished with any available information that he may have regarding the amounts of money, if any, still left in the Police Strike Fund, the Halifax Disaster Fund and other public funds of such a nature.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Law Department, April 1, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have received a memorandum from your office submitting the following order of the City Council:

"Ordered, That the Corporation Counsel, through his Honor the Mayor, furnish the Council with any available information that he may have regarding the amounts of money, if any, still left in the Police Strike Fund, the Halifax Disaster Fund and other public funds of such a nature, and if money still remains in said funds, what is proposed to do with the same."

An examination of the records of this department discloses no information regarding the Police Strike Fund, the Halifax Disaster Fund or other funds of a similar nature, and no information appears to be obtainable from other city departments with reference thereto.

Neither the Police Strike Fund nor the Halifax Disaster Fund were ever under the control or management of the city. I have been informed, however, that the Halifax Disaster Fund was administered by Kidder Peabody & Co. I also find a reference to the Police Strike Fund in the City Council Minutes, 1921, at page 33, wherein the then Police Commissioner advised the City Council that the fund was in the hands of a Board of Trustees named in his letter to the City Council.

As these funds are not under the control of the city, I am unable to advise as to what money, if any, may remain or as to their future disposition.

Very truly yours,

HENRY E. FOLEY,
Corporation Counsel.

Placed on file.

SIDEWALK ON CHELSEA STREET.

The following was received:

City of Boston,
Office of the Mayor, March 31, 1936.
To the City Council,

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of March 16, 1936, concerning the installation of a sidewalk along the left-hand side of Chelsea street, from the Chelsea South to the Chelsea North Drawbridge, Ward 2.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, March 30, 1936.
Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.
Dear Sir,—I beg leave to acknowledge receipt of your note of recent date with attached City Council order reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of a sidewalk along the left-hand side of Chelsea street, from the Chelsea South to the Chelsea North Drawbridge, Ward 2."

and to state that the total length of sidewalk requested on the left-hand side of Chelsea street is 2,152 linear feet, this length including 1,352 feet on the Boston & Maine viaduct and 800 linear feet on the Chelsea North Bridge approach. The viaduct is maintained by the Boston & Maine Railroad, said viaduct carrying the roadway over the various tracks to the docks on the harbor front.

The sidewalk constructed on this length of viaduct would have to be attached to said viaduct

and would require the consent and approval of the Boston & Maine Railroad. Due to the additional weight of overhanging sidewalk, the railroad would undoubtedly be compelled to perform expensive construction work in order to strengthen the present viaduct supports.

The estimated cost of sidewalk constructed in a manner similar to the present sidewalk on the right-hand side of Chelsea street, from Chelsea South to the Chelsea North Drawbridge, will be \$25,000. There is no money available for this work and, in addition, it is the opinion of this office that the present sidewalk answers all demands and that a sidewalk on the left-hand side is not needed.

The only openings on the left-hand side for the entire length of the viaduct are a ramp used by trucks to descend to the lower level and one flight of steps leading to the office building on the Boston & Maine property.

Very truly yours,

C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

APPROPRIATION OF \$4,000,000 FOR CARE OF DEPENDENTS.

The following was received:

City of Boston,
Office of the Mayor, April 6, 1936.
To the City Council.

Gentlemen,—Under the provisions of chapter 80 of the Acts of 1936, municipalities are authorized to borrow during the current year for Public Welfare, Soldiers' Relief and W. P. A. projects, amounts which in the aggregate will not exceed one half of one per cent of the average valuation for the three previous years. Under this authority the maximum amount which Boston may borrow in 1936 is \$3,376,323. In 1935 under similar authority the city borrowed \$7,000,000.

I have received a recommendation from the City Auditor that authority be secured at an early date to borrow under the provisions of chapter 80 for Public Welfare purposes. The auditor states that the amounts the Welfare Department is now spending must eventually be raised through the medium of the tax levy, since under the financial procedure of the city no retroactive charges can be made against a loan. In other words, until borrowings are authorized under the provisions of chapter 80, all welfare expenditures will constitute tax levy charges.

In order to relieve the tax levy of a portion of the relief disbursements of the Welfare Department I submit herewith an order providing for the borrowing of \$4,000,000, under the provisions of chapter 80 of the Acts of 1936, for Public Welfare purposes. This amount is approximately one half of the maximum amount authorized under chapter 80, and is \$3,000,000 less than the amount actually borrowed in 1935.

While it may be necessary to recommend at a later date additional borrowings under the provisions of chapter 80, it is my sincere intention to limit the issuance of loans for maintenance purposes during 1936 to an amount which will assure at the end of the current fiscal year a reduction in the net funded debt of the city. I respectfully recommend adoption of the accompanying order.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Ordered, That under the provisions of chapter 80 of the Acts of 1936 the sum of \$4,000,000 be, and hereby is, appropriated, to be expended under the direction of the Overseers of Public Welfare, for "Care of Dependents," 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 same to be issued outside the limit of indebtedness.

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Margaret Buttkus, for compensation for injuries caused by an alleged defect at Washington and Dimock streets.

Gulf Oil Company of Pennsylvania, for compensation for damage to car by city truck.

Gulf Oil Corporation of Pennsylvania, for compensation for damage to truck by Engine 28 of Fire Department.

Mrs. Asma Koram, for compensation for damage to property at 16 Florence street, caused by leak in water pipe.

William Leslie, for compensation for damage to raincoat caused by catching on waste paper container at Atlantic avenue and Summer street.

Charles G. Loring, for refund on building permit.

Helen E. MacCarthy, for compensation for injuries caused by an alleged defect at 80 Holden street.

John L. McCarthy, for compensation for injuries caused by an alleged defect at 35 Princeton street.

Elna M. Marston, for compensation for damage to property at 36 Dunlow street, caused by dynamiting for new school.

Abraham and Harry Millen, for compensation for damage to property at 400 Centre street, Dorchester, caused by leak in water main.

Ralph E. Mills, for compensation for damage to car caused by an alleged defect in Huntington avenue.

Mary J. Morgan, for compensation for damage to property at 617 Hyde Park avenue, caused by construction work.

Executive.

Petition of Catherine E. Roche, for annuity on account of death of her husband, James B. Roche, late of Police Department.

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

Edith M. Leavis, Repertory Theatre, June 22.

Lilla Frances Viles, Current Events Clubhouse, May 2.

A. Marie Govone, Repertory Theatre, May 27.

Viola K. Breiding, Repertory Theatre, June 4.

Doris W. Jones, Repertory Theatre, June 1.

Freyda Pransky, Repertory Theatre, June 15.

Lilla Viles Wyman, Repertory Theatre, May 16.

Gertrude Dolan DePetro, Repertory Theatre, June 12, 19.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway Company for license to operate motor vehicles between Columbia Station and Franklin Park Station, over Columbia road, traffic circle at junction of Columbia road and Old Colony Boulevard, Columbia road; Old road, Glenway street and Blue Hill avenue, return over Columbia road.

PROBATION OFFICER, EAST BOSTON COURT.

Communication was received from Charles J. Brown, Justice of East Boston District Court, of appointment of Clara M. Brown of Winthrop, as Female Probation Officer of East Boston District Court, to take effect May 1, 1936, at yearly compensation of \$1,800.

Referred to Committee on County Accounts.

APPROVAL OF CONSTABLE'S BOND.

The constable's bond of Sidney Williams, having been duly approved by the City Treasurer, was received and approved.

TRACK LOCATION.

Notice was received from the Board of Street Commissioners of 90th location to Boston Elevated Railway Company for double track on proposed new Chelsea Street Bridge over Chelsea creek, and on Chelsea street, East Boston, from Boston-Chelsea line.

Placed on file.

APPOINTMENTS BY THE MAYOR.

Notice was received from the Mayor of the following appointments:

Edward T. Kelly, as assessor, for term ending March 31, 1939, designated as chairman.

Owen A. Gallagher, member of Board of Street Commissioners, in Street Laying-Out Department, for three-year term commencing first Monday in January, 1936.

Francis B. McKinney, Election Commissioner, for term ending March 31, 1940.

Severally placed on file.

APPROPRIATION FOR DOLAN SUIT.

Coun. McGRATH called up assignment No. 2 on the calendar, viz.:

2. Ordered, That the sum of twelve thousand dollars be appropriated, to be expended under the direction of the Corporation Counsel, for the purpose of meeting necessary and proper expenditures which may be incurred in connection with the suit now pending in the Superior Court for Suffolk County between the City of Boston and Edmund L. Dolan and others, said sum to be charged to Reserve Fund, when established.

The question came on the passage of the order.

Coun. DOWD—Mr. President, I move that action upon No. 2 be postponed until after our executive session.

Coun. Dowd's motion was declared carried. Coun. SELVITELLA doubted the vote, and asked for the yeas and nays.

The roll was called, and the Council voted to postpone action on No. 2 on the calendar until after the meeting of the Executive Committee, yeas 13, nays 4:

Yeas—Coun. Agnew, Brackman, Dowd, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gleason, Kerrigan, Mellen, George A. Murray, Roberts, Rosenberg, Wilson—13.

Nays—Coun. Kilroy, McGrath, Selvitella, Tobin—4.

Following the recess, later in the session, Coun. McGRATH called up No. 2 on the calendar, and the question came on the passage of the order.

The order was passed, yeas 15, nays 3:

Yeas—Coun. Agnew, Brackman, Doherty, Dowd, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gleason, Kerrigan, Mellen, George A. Murray, Roberts, Rosenberg, Shattuck, Tobin—15.

Nays—Coun. Kilroy, McGrath, Selvitella—3.

COMMITTEE ON SOLDIERS' RELIEF.

Coun. KERRIGAN, for the Committee on Soldiers' Relief, submitted report recommending passage of order for payment of aid to soldiers and sailors and their families in City of Boston for month of April, 1936.

Report accepted; said order passed.

REPORT OF COMMITTEE ON CLAIMS.

Coun. SELVITELLA, for the Committee on Claims, submitted the following:

1. Report on petition of William C. Williams (referred March 23) to be reimbursed for amount of judgment issued against him on account of his acts as operator of motorcycle belonging to Police Department—recommending passage of following:

Ordered, That the sum of twenty-one dollars and seventy cents be allowed and paid to William C. Williams in reimbursement for amount of judgment issued against him on account of his acts as operator of a motorcycle belonging to the City of Boston, Police Department, said sum to be charged to the Reserve Fund.

Report accepted; order passed.

2. Report on petition of Bernard F. Murphy, (referred March 16) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Public Works Department, Street Cleaning Division—recommending passage of following:

Ordered, That the sum of two hundred three dollars and sixty cents be allowed and paid to Bernard F. Murphy in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Public Works Department, Street Cleaning Division, said sum to be charged to the Reserve Fund.

Report accepted; order passed.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. SELVITELLA, for the Committee on jitney licenses, submitted the following:

Report on petition (referred March 23) of Medway and Dedham Bus Lines for extension of route to Park square, Boston, from termination of present route on Spring street, West Roxbury—that license be granted.

Report accepted; license granted on usual conditions.

Later in the session Coun. BRACKMAN said: Mr. President, I move reconsideration of the vote passed earlier in the session giving a license for a bus line from Dedham to Boston. The report of the committee was read rather rapidly with a lot of other reports, and I think it escaped the attention of most of the councilors here. I know it escaped my attention, and I was listening very attentively. This bus line is to be run from outside of Dedham to Park square, Boston, and I think it will establish a very grave precedent, resulting in taking away considerable travel from the Boston Elevated Railway. I was present at a meeting of the Jitney Committee when the officials of the Boston Elevated appeared and testified that it would mean a considerable loss to their road. We understand now that the taxpayers of the City of Boston are paying from a million and a half to two million dollars yearly on the deficit of the Boston Elevated, which comes out of our tax rate. Why should we, therefore, encourage in this way the cutting down of travel on the Elevated and the taking of additional money out of the taxpayers' pockets? I see no reason for setting this very dangerous precedent, and I think it is up to us to stop this sort of thing right now. I trust that the vote whereby we granted the license will be reconsidered.

The motion to reconsider was declared lost. Coun. BRACKMAN doubted the vote and asked for the yeas and nays.

Coun. WILSON—Mr. President, I would like unanimous consent to ask the chairman of the committee a question. It is my understanding that this bus line is not allowed to pick up passengers along the line in Boston and thereby take away revenue from the Elevated.

Coun. SELVITELLA—Mr. President, in answer to the question I would say that that is perfectly correct. The license here proposed to be granted to this bus line is no different from that granted to the Eastern Massachusetts to come from Salem and other points to the north of Boston to Haymarket square. We are not here establishing any precedent. I understand that the Boston & Worcester line some years ago had the same privilege. These buses operating from Dedham to Park square will not be permitted to pick up passengers, once they reach the Boston line. The Boston Retail Merchants Association and the Chamber of Commerce have gone on record as favoring this as a means of bringing business into Boston. It was explained to the committee that many people using the buses will stop in Boston and do their shopping, and that it will be a great help to the retail merchants of the city. But I wish to repeat that there is no precedent established here, because similar permits have been granted in the past to the Eastern Massachusetts and the Boston & Worcester Company.

Coun. BRACKMAN—Mr. President, I want to say just a word in answer to the councilor. It is true that the buses are not going to pick up any passengers going through Boston. But it is going to injure the Elevated road just the same, in this way. Without this license, people would be brought to the Boston line and dumped there, and then would take the Elevated cars or buses to Boston. That is where, under this proposed license, the Elevated is going to lose its revenue.

Reconsideration of the granting of the license was refused, yeas 6, nays 13:

Yeas—Coun. Brackman, Finley, Peter J. Fitzgerald, Mellen, Rosenberg, Shattuck—6.

Nays—Coun. Agnew, Doherty, Dowd, John I. Fitzgerald, Gleason, Kerrigan, Kilroy, McGrath, George A. Murray, Roberts, Selvitella, Tobin, Wilson—13.

RESANDING DEWEY BEACH.

Coun. MELLEN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to make

provision in budget for this year for sufficient funds to resand Dewey Beach and to repair the buildings thereon.

Passed under suspension of the rule.

TRANSFER OF WELFARE VISITORS.

Coun. MELLEN offered the following:

Ordered, That the Overseers of Public Welfare be requested, through his Honor the Mayor, not to transfer or shift visitors now stationed regularly in local units of the Public Welfare Department.

Coun. MELLEN—Mr. President, I find that the Overseers of Public Welfare are contemplating a change in procedure, in shifting the location of visitors now dealing with the welfare cases. I hold no brief for the efficiency and ability of the visitors as they are now working, but it does seem to me that the burden of proof lies upon those who wish to change the present situation, because each visitor knows the cases that he or she is confronted with and is familiar with the peculiar conditions surrounding each case. The contemplated change, providing a circulating arrangement whereby visitors will go from the location where they are now to other locations, simply means that after a visitor becomes familiar with the conditions in his particular neighborhood, has familiarized himself with them, and is acquainted with the cases, he or she is then transferred to another neighborhood. It certainly seems that that means a waste of money of the city and a loss of efficiency in the department, giving new neighborhoods and new cases to visitors periodically. Because of that thought I have introduced this order.

Coun. TOBIN—Mr. President, I think that order should be adopted. I had prepared a similar order asking the Mayor to instruct the Overseers of Public Welfare not to change the visitors about. It seems that every so often the Public Welfare Department decides to make some drastic change. We have had proposed changes offered in the department before, but have been able to get them to change their contemplated new policy—for example, in the matter of giving single men, instead of \$4, a food order. They were going to adopt that, but the Council committee and the Mayor asked the Overseers not to put such a policy into effect, and it was not done. They were going to have the single men sleep in the Hawkins street home, but the members of the Council stopped that move. I think in this case the councilor from Charlestown has presented a good order. We have visitors who have been for some time in certain locations, who have become familiar with the people of the district, and who understand what the individual needs are. They know who the people who really need help are, and also know those who do not. Therefore from the standpoint of efficiency in carrying out the business of the city, and also of help to the people who need assistance, I believe it is all wrong to have such a wholesale change of visitors throughout the Welfare Department as is proposed. It is unfair to the visitors who have put in years of work and effort, who have maintained steady contact with the different people with whom they deal and who know the individual needs, to take them from districts with which they are familiar and where they know the people and put them in other districts. I had some trouble years ago out in my neighborhood, where a colored visitor was brought into the district, and where there was some feeling on the part of those receiving aid against that particular visitor. But I think the visitors we have in Dorchester are exceptionally kind and have been very friendly to the people with whom they have been brought in contact. So I think this proposed policy of shifting the visitors about is wrong. I am quite sure that if we appoint a committee to go down and see the Mayor, going over the whole situation, he will order the Overseers of Public Welfare to change their policy and leave the present system alone.

Coun. WILSON—Mr. President, I am constrained to disagree with the councilors from Charlestown and Dorchester who have just spoken opposing the contemplated shift of the various welfare visitors, although I understand that the proposed plan does not go as far as has been stated, that it involves only some one hundred and fifty visitors at the present time, although I personally wish that the shift were 100 per cent. I read with interest the reported reasons for the

proposed shift of Welfare Department visitors. Two additional factors suggest themselves to me. First, from the point of view of the taxpayers, I have not forgotten my visit to some alleged welfare case addresses in East Boston a few years ago, with the present President of the City Council, Councilor John I. Fitzgerald. As typical examples of laxity on some one's part, one address turned out to be a one-story meat market; another was a deserted loft over a store. How any visitor could have failed to find such so-called residences fraudulent is beyond me. And so, while I believe that the collusion which undoubtedly did exist at one time has been practically eliminated, I fail to see why a shift of operations now and then is such a bad idea. Second, from the point of view of the unfortunate welfare case, I suppose those on welfare, the same as the taxpayers, are entitled to consideration. After all, we are all human, whether we are welfare visitors, probation officers, or members of the City Council. A slant once taken against a person is sometimes hard to wipe out. Original impressions sometimes indefinitely prejudice a case. I believe more than one welfare family, unfortunate enough to be on the welfare rolls of the City of Boston, may welcome new faces and a new deal. Personally, I would like to see a complete shift of the personnel in the various districts every so often. A partial shift in a district might only result in the new visitor, instead of treating each case fresh on its own merits, taking too much on hearsay from such older officials of the department as may be left behind in a district following a general shift. From the point of view of the visitors themselves, I believe the proposed plan would not only keep them on their toes—where any city employee should expect to be—but offer an opportunity for greater experience and service, and make each individual of more value to the department. Getting in a rut is never beneficial to either employee or employer. A little shake-up in the Police Department now and then never did any harm. On more than one occasion, if I am any judge, it did plenty of good. If the third degree examination they give each new applicant for aid is justifiable, and if the detailed records they keep of each case is of any real value, and if no distinctions are really made among similar cases, then once a case is on the books there is no logical reason why Visitor B cannot attend to the case from then on as well as Visitor A. If the department limit for a family of three on Dependent's Aid, for example, is \$9, then while it remains a family of three there is no great leeway thereafter, unless or until the rates become more humane for all such cases. And I assume that all welfare cases are disposed of on a wholly impersonal basis, without any favoritism or distinctions. I therefore feel that the Welfare officials should be given a fair chance to try out the proposed changes. I personally would also like to see the various shifts accompanied by a prompt re-registration of all active welfare cases in each section of the city. We all remember that the Welfare budget jumped from about \$2,000,000 in 1928 to almost \$14,000,000 in 1934. The overhead of the department itself that year amounted to almost \$900,000, of which over \$600,000 was for pay roll alone. Any department that runs over half a million dollars a year for pay roll is big business, and any constructive steps calculated by those in charge to improve the efficiency of the department should not be discouraged without at least a fair trial. And so in closing, Mr. President, I urge that there be no Council opposition to this proposed measure of the Public Welfare Trustees—first, from the point of view of the taxpayer, who is entitled to have that department, one of the heaviest in the city, on its toes all the time, a department the pay roll of which has more than doubled in the last two years; and, in the second place, from the point of view of the welfare cases themselves, those of them that are on the level. Some of them will undoubtedly welcome a new face and a new deal in the district where they live, and if there has been some collusion existing a shift will not do the city any harm. Finally, I urge that there be no interference with the proposed plan from the point of view of the Welfare visitors themselves. I cannot believe that any Welfare visitor, other than a drone in the hive, would not welcome a broader viewpoint and an opportunity to make himself or herself more acceptable, at the present time or a year from

now, when possibly many Welfare visitors will be dropped from the pay roll of the City of Boston.

Coun. MELLEN—Mr. President, I fail to see the potency of the gentleman's argument. In the first place, he feels that while perhaps fraud did exist at one time, it does not exist now. Certainly, the fact that it may once have existed is no argument for a change at the present time. Also, shifting visitors about to unfamiliar districts might well increase that danger. Another thing, he speaks of the proposed change keeping the visitors on their toes. Keeping visitors on their toes is not a matter of geographical allocation, merely shifting a visitor from East Boston to Charlestown or West Roxbury. Then, by shifting visitors, you are discarding the great experience that they have obtained through continuous service in a certain locality. The work they do in that locality gives them valuable experience in accomplishing results. They are dealing with human people, finding out about them, about their particular needs, and the experience and knowledge they acquire in that way count for much. The councilor talks about detailed records. If I remember aright, a few weeks ago he fought detailed records in the Statistics Department. Also, at the present time, visitors working in certain neighborhoods, as a result of their contacts and their experience among the cases in those neighborhoods, acquire the sympathy that comes from knowledge of the people with whom they are dealing. The more you see of people the more you understand of their problems and their troubles, the more you get acquainted with their habits the greater sympathy you have and the greater the knowledge which enables you to deal with their particular cases. The gentleman also talks about re-registration. That would only increase the expenses of the department. He also says that the visitors will welcome such a shift. The fact is that they do not welcome it, and it seems to me there are very good reasons why they should not welcome it. They have given their lives to social work, to sincere effort to improve conditions in the neighborhoods where they are. They can work more sympathetically and with more knowledge under conditions with which they are familiar than with unknown conditions. For these reasons, I trust that the order will pass.

Coun. DOWD—Mr. President, I quite agree with the purpose of the order. As a matter of fact, I had prepared an order along similar lines. The only suggestion I would add is that, instead of talking about transferring or shifting a number of these visitors, in the case of some of the hard-boiled ones, they should be fired. I don't believe this shifting about is going to help the morale of the visitors. In some of the districts we have the good fortune to have visitors who have a heart and sympathy. In the case of others it is not so. But it is not fair to transfer 125 or 150 just because perhaps 25 are not doing their work right. I, for one, hope that the Council will go on record as against the wholesale transfer. If the Public Welfare Department has some visitors whom they do not want to offend, but who are not doing a good job, why do they not come right out and fire them? There are some of these visitors who do not recognize the fact that they are on the pay roll by the grace of the unfortunate individuals who are receiving welfare. To my mind, those arrogant visitors should be fired from the service, because they don't know how to treat the unfortunates who are on welfare. I certainly hope that the order will be passed.

President FITZGERALD—The order will be referred to the Committee on Public Welfare.

Coun. DOWD—Mr. President, I was going to suggest that, instead of referring it to the Committee on Public Welfare, it might well be referred to the committee of the whole Council, the Executive Committee, and ask Mr. Dowling to come up.

President FITZGERALD—Well, the Committee on Public Welfare will have a meeting on Wednesday.

The order stood referred to the Committee on Public Welfare.

RESCISSION OF GASOLINE STATION PERMIT.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor consider the advisability of rescinding the permit for the

gasoline station situated on the corner of Blue Hill avenue and Dudley street, Roxbury.

Coun. DOWD—Mr. President, a very unfortunate thing happened in my ward, something that I was not acquainted with until recently. Every member of the Council knows that it is at least the understanding that the Clerk of Committees shall notify a member of the Council when a gasoline station is to be erected in his district, so that he may have an opportunity to attend the hearing upon the matter. But unfortunately in this case no notice was sent out. I am not objecting to a gasoline station in my ward or in any other part of the city where it is not going to injure anybody, but here, close to the corner of Blue Hill avenue and Dudley street, you have St. Patrick's Church, within 35 feet you have the Little Sisters of the Poor, where there are old women of seventy-five to eighty years; within 500 feet you have the Hugh O'Brien School, where thousands of youngsters go to school every day; within 200 feet you have St. Patrick's High School, on Dudley street, and St. Patrick's Parochial School, on Mt. Pleasant avenue, where a thousand youngsters of between four and six years of age go to school; and within 300 feet you have the Sons of St. Patrick and within 400 feet the Carmelite Convent. And yet, over the objections of the pastor of my church, the Street Commissioners of the City of Boston have given the right to some individual to place a gas station at the corner of Blue Hill avenue and Dudley street. I was interested to find out who had enough political pull in the City of Boston to place a gasoline station almost on the very steps of St. Patrick's Church. Lo and behold! I find it is a gentleman who has been connected with public life for a long time, and he in turn, I assume, will sublet it to some one else. But I say to you, Mr. President, it is a sorry state of affairs when the pastor of a church representing practically two-thirds of my district, where 10,000 people worship on Sundays and holidays of obligation, should allow the placing of this gas station within a short distance of all these schools and religious institutions. I don't know who is responsible for it, but on checking up I find that back in 1933 the then Board of Street Commissioners gave at that time a permit. I don't know why the station was not built at that time. Perhaps it might have been because of the fact that the then chairman of the Board of Street Commissioners lived in the district and did not want the responsibility placed on his doorstep. Well, the responsibility is not going to be placed on my doorstep. I know that we cannot stop them from building there, but I will serve notice to the gas people that they will get damned little business from the people of Roxbury in that vicinity. The Street Commissioners never should have issued the permit, and in doing so showed little respect for the wishes of the pastor of my parish. They certainly should have invited the councilor from that district to say "Yes" or "No," and I am now asking the Mayor to rescind that permit. I know that he won't do it, but I am simply doing my part. It is a damnable shame, an outrage, that they should commercialize such a point, and the gentlemen who authorized the issuance of this permit should be held responsible.

The order was passed under suspension of the rule.

INSURANCE OF WELFARE RECIPIENTS.

Coun. DOWD offered the following:

Ordered, That the Committee on Public Welfare hold a hearing and invite to said hearing all representatives of the different insurance companies in order that they might definitely ascertain the attitude of the Public Welfare Department in reference to individuals who have small insurance policies and who are forced to cancel same under penalty of having their aid stopped.

Coun. DOWD—Mr. President, I believe it is about time that some drastic action was taken, in so far as insurance policies of recipients of public welfare are concerned. We were of the opinion that such recipients having small policies would be left alone, that they would have enough insurance left to give them a proper burial and to assure their not being buried in Potter's Field. I simply want, however, to read a letter that I have received, as one of the many complaints in regard to this matter:

"Councilor John Dowd.

"Dear Sir,—I want you to see what you can do about this case. Mrs. _____ of _____ avenue, a

widow, was getting \$5 a week, and because she has 45 cents a week insurance—she will be sixty-seven years old April 15—and is getting department aid they stopped it; this makes the second week now. My poor mother is almost insane thinking about how mean they were to cut her out because she would not sell her insurance. She said she wanted to be sure she had a burial and a mass when she died. A Mr. _____ of the insurance department said she was allowed to carry that, for she has had it since the 1890's some time. I think that it is a terrible disgrace for the city to do that to anyone in their old life. The insurance agent for the Welfare, a Mr. _____, told her if she didn't sign she would not get any more aid. So now it is two weeks. Don't you think it is a shame? So I am asking you to do what you can,"—

and so forth. I say, Mr. President and members of the Council, it is about time that these welfare insurance agents minded their own business and left a woman of that type, sixty-seven years of age, with only a few years more to live, alone in this matter, with her little insurance, instead of telling her that she must sell the insurance policy or her aid will be discontinued. I trust, therefore, that the Committee on Public Welfare will have a hearing upon this matter and will invite officials of the John Hancock, Prudential and other insurance companies in Boston to appear so that we may find out what is happening. Suppose the daughter of such a woman was paying for the insurance—is there any reason why the daughter should not carry it along? None whatever. But these so-called insurance agents of the Welfare Department will chop you down if you have a 45-cent a week or even less insurance policy, and stop you from getting welfare from the city, no matter how great your need may be. If the insurance policy was a substantial one, that might be one thing, but why should they act in this way when these poor people have these little policies upon which they are depending for their burial? It was bad enough when they cut people getting \$7 a week down to \$6.65 a week, saying, "That is what our dietitian thinks you can live on." And so it is all along the line. Oh, how proud the city officials of Boston should be to say, "We are saving 35 cents a week on this case," cutting these poor people down to such a starvation amount. This sort of thing is entirely wrong, Mr. President, and certainly the city should not do anything to stop these little policies which will simply help to give a small amount for decent burial.

The order was referred to the Committee on Public Welfare.

JURISDICTION OF MAYOR OVER CERTAIN DEPARTMENTS.

Coun. DOWD offered the following:

Ordered, That the Legislative Committee be requested to prepare legislation whereby all such departments as the Police, Licensing, Finance Commission, School Committee, and all county departments be placed directly under the jurisdiction of the Mayor.

Coun. DOWD—Mr. President, I have come to the conclusion that unless something is done in the course of the next few years our men and women employed by the city are going to suffer. It is very interesting to find out that, out of every dollar that comes in to the city treasury, the Mayor of Boston has direct control of only 45.25 cents. That means that the other 54.75 cents is not under his direct control. Still, the Mayor of Boston is held responsible for the tax rate and the people of Boston are of the opinion that he spends every dollar taken into the city treasury. As a matter of fact, the School Department spends, entirely outside of the control of the Mayor, 20.35 cents out of every dollar collected. Could any business concern function if carried on the way that our city is carried on in these respects, with over \$17,000,000 in the School Committee budget, more than 90 per cent for salaries, under the control of the School Department, and with no control of the expenditure by the Mayor, to say nothing of the fact that the same method applies in a number of other departments of our city? The answer is plain, unless something is done. I want to protect the men working for the City of Boston who are getting, say, \$3,000 a year. And I would like to see the School Committee

of Boston take a strong stand in favor of employment of Boston men and women in our schools. As our Commissioner of Education said yesterday, speaking before a gathering, it was his idea that nobody but Massachusetts men and women should teach in Massachusetts. At present, we have over 7000 coming from Vermont and New Hampshire. When it comes to that, however, I know what our School Committee is going to say. We have attempted time and again to get them to discharge the 1,500 nonresident teachers. If something is not done to control them now, in a few years, the way things are going, every individual in the city is going to suffer. We have this state of affairs in our Police Department, our Finance Commission, our School Committee, our Licensing Board, our county departments—all departments over which the Mayor has no control, departments which spend nearly fifty-five cents out of every dollar that goes into our treasury and which are not under the control of the Mayor. Let me say to the Legislature that their duty is very plain. They ought to say, "We are going to give to the Mayor of the City of Boston full authority and jurisdiction over every cent expended by the Police Department, the Finance Commission, the Licensing Board, the counties and other departments not now under the Mayor's control, and if anything goes wrong the Mayor of Boston is then to blame." At present, the Mayor is blamed,—not only this Mayor, but that has been the case with every Mayor,—although he has no authority over the expenditures of these departments. This condition has been going on for years. I say that the responsibility should be placed where it belongs, on the shoulders of the Legislature. We are the only large city in America where this condition exists. In every other large city the Mayor has practical control of every dollar that comes into the city treasury. How many of the people of Boston, how many of the reform organizations, recognize the fact that the Mayor of Boston has control of only forty-five cents out of every dollar that comes into the city treasury? The responsibility should be placed on the Mayor's shoulders, and then if things do not go right the Mayor can properly be blamed. Your county officials will not take any responsibility. And just look at the employees of Suffolk County. Many of them come from Cambridge, from Somerville, from Swampscott and other outside cities and towns, while Boston and Suffolk County boys and girls are unable to get a job in certain county offices. How long is that situation going to exist? Just as long as it is allowed to exist. I think it is a damnable outrage that we cannot take care of our own citizens. I think when we elect a Mayor of Boston he should be responsible for the expenditure of every five-cent piece that comes into the city treasury. I say to you, sir, that we cannot go along the way we have been going much longer. We are near the end of the rope, and something has to be done, and I certainly say that the sooner something is done to give the Mayor of Boston the authority he should have in this matter the better. As it is now, whom do we hold responsible? The School Committee throw up their hands and say, "We are not to blame for the budget or the tax rate." The county officials do the same thing, and they go on spending money, and when the tax bills go out the blame is placed on City Hall, the City Council and the Mayor of Boston. I know full well that the Legislature will not sanction any such thing as I have proposed here, but we can at least try, and I hope that the Mayor will do whatever he can to further this effort.

Coun. McGRATH—Mr. President, I would like to offer an amendment to Councilor Dowd's order, if it is in order—that, in drawing up such proposed legislation, the Council be given the veto power over the Mayor, in the event that the bill goes through.

Coun. DOWD—That is agreeable to me, Mr. President.

Coun. McGRATH—When we talk about employees of the city not living in the City of Boston, I have in mind that employees of the dog track at Revere are Revere residents, and I read something in the newspapers to the effect that every councilor holding office in Revere had the right to put residents of Revere at work on the dog track. I introduced an order here some time ago asking that employees at the race track in East Boston be residents of Boston. I think if they take that attitude in Revere, we should

take the same attitude at Suffolk Downs, and that only Boston people should be employed there.

The order was passed under suspension of the rule.

TOWELS FOR WARD 8 MUNICIPAL BUILDING.

Coun. DOWD offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to see to it that a sufficient number of towels are on hand at all times to take care of all persons using the shower baths at the Vine Street Municipal Building, Ward 8.

Passed under suspension of the rule.

GOOD FRIDAY CLOSING, CITY HALL.

Coun. KERRIGAN and DOWD offered the following:

Ordered, That his Honor the Mayor be requested to close City Hall, between the hours of 12 and 3 p. m., on Good Friday, April 10, 1936.

Passed under suspension of the rule.

ROPING OFF CENTRE STREET.

Coun. PETER A. MURRAY, DOHERTY, KILROY and FINLEY offered the following:

Ordered, That Centre street, Jamaica Plain, be roped off on Saturday afternoon, April 18, 1936, on the occasion of the Michael J. O'Connell Post Annual Road Race, the expense to be charged to the appropriation for City Council, Ropes and Stakes.

Passed under suspension of the rule.

President FITZGERALD in the chair.

TRANSFER WITHIN HOSPITAL APPROPRIATION.

President FITZGERALD called up, under unfinished business, No. 1 on the calendar, 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 Kitchen Building, etc., \$661, to the appropriation for Hospital Buildings, Plans, etc., \$661.

On March 23, 1936, the foregoing order was read once and passed, yeas 19, nays 1.

The order was given its second and final reading and passage, yeas 16, nays—Coun. Tobin—1.

RECONSTRUCTION OF McCONNELL PARK PLAYGROUND.

Coun. PETER J. FITZGERALD offered the following:

Ordered, That his Honor the Mayor request the Park Commissioner to furnish an estimate of reconstructing the McConnell Park Playground located at Savin Hill Beach, Dorchester, and the erection of bleachers thereon.

Passed under suspension of the rule.

CLEAN-UP AND PAINT-UP WEEK.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of setting aside the first week in May as "Clean-up and Paint-up Week."

Coun. ROSENBERG—Mr. President, this coming Sunday poor and rich alike will dress up and polish up for the Easter holiday, and I believe in the same way that the public are dressing up for that holiday, in this spring season, it would be fitting and proper to call the attention of the Mayor to the matter of cleaning the streets, alleys, yards and cellars of our city. Let there be a good clean-up all around; let us have a Clean-up-Week, setting aside the first week in May for that purpose. A large amount of refuse naturally collects

through the winter, cellars, back yards and alleyways are filled with debris, and let us all turn in and help in this good work, getting ready for the coming summer season. I am sure that the Press will be glad to cooperate in advertising and helping along this Clean-up-Week, and that business corporations, individual householders, our Health Department, Sanitary Department and Fire and Police Departments will be more than pleased to assist in helping to bring about healthful and clean conditions.

The order was passed under suspension of the rule.

SHUTTLE BUS LINE FROM FRANKLIN PARK STATION.

Coun. ROSENBERG offered the following:

Ordered, That the trustees of the Boston Elevated Railway, through his Honor the Mayor, be requested to consider the advisability of having a shuttle bus line from Franklin Park Station to Quincy street and Blue Hill avenue, Roxbury, in order that people living in the lower section can travel between these points at a five-cent rate.

Passed under suspension of the rule.

WARD 14 IMPROVEMENTS.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving, Hazleton, Greenwood, Mascot and Greenock streets, Ward 14.

Ordered, That his Honor the Mayor consider the advisability of including in the budget an amount sufficient for the installation of traffic signal lights at the corner of Harvard and Morton streets, Dorchester, Ward 14.

Ordered, That his Honor the Mayor and the Park Commissioner be requested to consider the advisability of the installation of a wading pool in Franklin Park, in the vicinity of Blue Hill avenue and the American Legion Highway.

Severally passed under suspension of the rule.

EMPLOYMENT BY PUBLIC LIBRARY.

Coun. TOBIN offered the following:

Ordered, That his Honor the Mayor request the trustees of the Boston Public Library to inform the City Council whether or not the fact that a person is a resident of Boston is thereby, because of his residence in Boston, deprived of the right to be employed by the Boston Public Library Department of the City of Boston.

Coun. TOBIN—Mr. President, I am at a loss to understand the attitude of the trustees of the Boston Public Library. I think the majority of our citizens want to know whether or not there is some special provision in the law which prevents people living in Boston from being employed by the Boston Public Library. The trustees have recently appointed three men to important positions, paying as high as \$6,500 a year, and those men do not live in this city. One came from Newburyport, one from Somerville and one from Cambridge. Their legal residences are established in those cities and their homes are there; but the trustees of the Public Library, without consulting anybody in the city, without apparently considering any citizens of Boston, have appointed these outside people. Now, in a way, the department is under the jurisdiction of the Mayor. That is, he is responsible for the appointment of the trustees and in that way can be said to O. K. or sanction the appointments that they make. They certainly serve at his pleasure, and yet we see men from outside of Boston appointed to these three important positions without even apparently considering Boston men. And I understand that these men were already occupying good positions, one of them working for the state and the others employed in some other responsible positions. How can the trustees justify the appointment of these nonresidents to positions that citizens of Boston are qualified to fill and where they need the work?

Coun. SHATTUCK—Mr. President, I have not heard the gentleman say one word about the

qualifications of these men, whether they are qualified to fill the positions to which they are appointed. That would seem to me the very important thing. We want the library efficiently run for the benefit of the people of Boston. We well know that for positions requiring certain technical ability it is sometimes necessary to comb the entire country for the best men for the particular places. If the gentleman wants to criticize, let him examine the qualifications of these men. If they are not qualified, or if he can show that there are some other individuals just as well or better qualified for the particular positions, and living in Boston, then perhaps there might be some basis for his criticism. But the mere fact that they do not live in Boston, without saying anything about their qualifications, would not seem to me a just criticism of the Library Trustees. The business of the trustees is to see that the library is staffed with people who know the job and who will run the library for the best interests of the people of Boston.

Coun. DOWD—Mr. President, I am rather surprised at the attitude taken by the councilor from the Back Bay, a very intelligent gentleman. He does not want us to believe that in this city of 700,000 or 800,000 people there are no men qualified to fill these jobs. What a lot of bunkum, Mr. President, that our citizens cannot furnish men and women qualified to fill any position. We know that we have among our citizens people qualified for any branch of the city service, and it is rather disgusting to sit here and listen to an intelligent gentleman like the councilor from the Back Bay taking the position he does. He speaks of qualifications. What qualifications have these employees got that cannot be found among our own citizens? I quite agree with the councilor from Dorchester that everyone working for the library or for any other department of this city, who does not reside in Boston, should be fired. We heard the same sort of talk about Mr. Loomis, when he was appointed Purchasing Agent, that they had to get an expert, and so they went to Needham. But he got through, and the Purchasing Agent now is doing a better job and in a more capable manner than Mr. Loomis ever did—and he comes from Boston.

Coun. SHATTUCK—Mr. President, possibly the gentleman has not had as much experience as I have had. I have had some experience in matters of this kind, and I know what I am talking about, and I am not going to accept such statements as have been made without specifications as to what the qualifications of these men are, when we simply hear the demand that any man taking a job for the city must live in Boston.

Coun. TOBIN—Mr. President, I would ask the gentleman from the Back Bay whether he sponsored the employment of Warren Loomis, a non-resident of our city?

Coun. SHATTUCK—I had nothing to do with it.

The order was passed under suspension of the rule.

TRAFFIC REGULATIONS, WARD 17.

Coun. WILSON offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install a traffic sign which shall warn operators of motor vehicles either to slow down or stop before entering Washington street from Ashmont street, Ward 17.

Passed under suspension of the rule.

SPECIFICATIONS FOR WELFARE COAL.

Coun. WILSON offered the following:

Ordered, That the Superintendent of Supplies be requested, through his Honor the Mayor, to consider such provisions as the following with reference to future contracts for coal deliveries to Boston welfare recipients.

The undersigned bidder agrees to furnish in all cases a sufficient number of men to deliver and house the coal, properly and without delay, and to the satisfaction of the Board of Public Welfare, and agrees to deliver promptly after the order is received, such coal as may be ordered from time

to time from the acceptance of this offer by the Board of Public Welfare, or their agent or agents in the City of Boston.

If the undersigned fails to carry out in all respects the contract awarded to him, he shall forfeit and pay to the city all damages sustained by it in consequence of such failure; and the Board of Public Welfare may direct that any sum unpaid under this contract be applied in satisfaction of such damages.

The coal desired is Pennsylvania anthracite, freshly mined, reasonably free from slate, bone and other impurities, and properly screened in accordance with the following sizing standards:

Size, nut, round mesh screens, through 1 9/16-inch and over 11/16-inch.

The coal desired shall contain not more than the following percentages of ash on the dry coal basis:

Size, nut, ash in dry coal, 12 per cent.

The coal delivered shall be as follows:

1. Maximum ash, 12 per cent.
2. That the dealer shall provide anthracite from the mines of companies or shippers who are members of the Anthracite Institute, and shall, when rendering bills to the department head, name the shipper or operator from whom the coal was purchased, and in the event any coal delivered is bought from a non-member of the Anthracite Institute, then this contract may be terminated at the option of the Board of Public Welfare and the contractor shall be liable for damages as herein provided.

Coal delivered which does not conform to the above specifications shall be subject to rejection and at the option of the Board of Public Welfare shall (1) be accepted and paid for at a reduced price, 6 cents per ton for each half of 1 per cent of ash or fraction thereof above the figures for ash content specified, or shall (2) be removed and replaced by other coal satisfactory to the Board of Public Welfare.

Coun. WILSON—Mr. President, briefly,—and without any pride of authorship, because very frankly I have taken these provisions from the contract that is used in the little city of Chelsea,—I believe that Chelsea can teach the City of Boston in this matter something as to the proper contract to be drawn with reference to fuel to be delivered to the poor of our city. When I say that I have in mind all of the items contained in these provisions, as set forth in the order. There is, for example, first the provision that the successful bidder agrees to furnish in all cases a sufficient number of men to deliver and house the coal properly and without delay, and to the satisfaction of the Board of Public Welfare, and agrees to deliver promptly after the order is received such coal as may be ordered from time to time from the acceptance of this offer by the Board of Public Welfare or their agent or agents in the City of Boston. That is, if the welfare family is not fortunate enough to be waiting on the front porch and living in the front of the house, the fuel will nevertheless be delivered and housed, men being paid for housing it, and that condition, of course, being included in the contract, and lived up to. I have in mind, also, the provision that exists in the contract of the City of Chelsea making a definite penalty provision if the coal in question has more than the specified amount of ash; also the specific provision in reference to proper screening of the coal, because there has been much discussion about coal that has been delivered to welfare recipients, and that you would not be able to hold in your trousers pocket. And the other provisions here in regard to the quality of the coal are important. In that connection I would refer to the last provision, containing an option on the part of the city that in the case of coal delivered that is not of proper quality, it shall be removed and replaced by other coal satisfactory to the Board of Public Welfare. It is evident that the city of Chelsea has been wise enough to include in its contract these different provisions, including a provision that the unpaid balance can be taken by the city as liquidated damage for the amount. So I offer these items, with no pride of authorship, because I did not write them, but with the feeling that we may learn something from the contract provisions that have been drawn for the city of Chelsea.

The order was passed under suspension of the rule.

RE-REGISTRATION OF WELFARE CASES.

Coun. WILSON offered the following:
Ordered, That the Overseers of Public Welfare, through his Honor the Mayor, be requested, incident to the proposed shifting of all welfare visitors, to consider the advisability of a fresh re-registration of all active welfare cases.

Referred to the Committee on Public Welfare.

PAYMENT TO PEARL J. CUMMINGS.

Coun. FINLEY offered the following:
Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the City of Boston to pay a sum of money to Pearl J. Cummings in compensation for property damaged by the Fire Department, provided that said legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

TRAFFIC SIGNALS, WARD 21.

Coun. AGNEW offered the following:
Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals at the junction of Mountfort and St. Mary's streets, Ward 21.

Passed under suspension of the rule.

SIGNAL LIGHTS, CHARLES AND ALLEN STREETS.

Coun. JOHN I. FITZGERALD offered the following:

Ordered, That the sum of \$3,000 be, and hereby is, appropriated, to be expended by the Traffic Commission, for traffic signal lights on Charles street, at Allen street, and that to meet said appropriation the City Treasurer be authorized to issue and sell bonds of the city to said amount for said purpose.

Referred to Committee on Finance.

RECESS.

President FITZGERALD appointed Coun. Dowd chairman of the Executive Committee in the temporary absence of Coun. Gallagher.

The Council voted at 4.10 p. m., on motion of Coun. AGNEW, 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 FITZGERALD at 4.27 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition (referred December 21, 1935) of Theresa F. Gilligan to be paid annuity on account of death of her husband, Michael J. Gilligan, late member of Boston Fire Department—recommending passage of accompanying order, viz.:

Ordered, That under the provisions of chapter 340 of the Acts of 1933 an annuity of one thousand dollars be allowed and paid to Theresa F. Gilligan, widow of Michael J. Gilligan, a member of the Fire Department, who died on March 17, 1935, as a result of injuries received in the performance of his duty; such annuity to date from March 18, 1935, to continue so long as said widow remains unmarried, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Report accepted; said order passed.

2. Report on petition (referred February 3) of Annie A. Sullivan to be paid annuity on account of death of her husband, Cornelius J. Sullivan, late member of Boston Fire Department—recommending passage of accompanying order, viz.:

Ordered, That under the provisions of chapter 340 of the Acts of 1933 an annuity of \$1,400 be

allowed and paid to Annie A. Sullivan, widow of Cornelius J. Sullivan, a member of the Fire Department, who died on January 16, 1936, as a result of injuries received in the performance of his duty; said annuity being made up of allowances as follows:

For the widow, Annie A. Sullivan, so long as she remains unmarried, \$1,000 per annum;

For each of the following-named children during such time as he or she is under the age of eighteen or over such age and physically or mentally incapacitated from earning, \$200 per annum: Mary R. Sullivan, born July 9, 1923; Shirley A. Sullivan, born July 30, 1930,—

the payments to date from January 17, 1936, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Report accepted; order passed.

3. Report on message of Mayor and order (referred today) that under provisions of chapter 80 of Acts of 1936 the sum of \$4,000,000 be appropriated, to be expended under direction of Overseers of Public Welfare, for Care of Dependents—that same ought to pass.

Report accepted; said order passed, yeas 16, nays—Coun. Shattuck—1.

4. Report on petitions (referred today) for children under fifteen years of age to appear at places of public amusement, viz:

Edith M. Leavis, Repertory Theatre, June 22; Lilla Frances Viles, Current Events Clubhouse, May 2; A. Marie Govone, Repertory Theatre, May 27; Viola K. Breiding, Repertory Theatre, June 4; Doris W. Jones, Repertory Theatre, June 1; Freyda Pransky, Repertory Theatre, June 15; Lilla Viles Wyann, Repertory Theatre, May 16; Gertrude Dolan DePetro, Repertory

Theatre, June 12, 19,—recommending that leave be granted on usual conditions.

Report accepted; leave granted on usual conditions.

DANGER AT SOUTH POSTAL STATION.

Coun. McGRATH—Mr. President, I wish to make a statement. It has been called to my attention that at the new South Station Postal Building, under construction on Dorchester avenue, eight men have already lost their lives through neglect. I don't believe that the Building Department of the City of Boston has any jurisdiction in the matter. I am not sure who is responsible, but when eight men lose their lives on such a small job there must be some reason for it. I would like to have the Council go on record as protesting against the working conditions—and, mind you, I don't know them, but I know that eight men, or about that number, have lost their lives there. Let us send a letter to our Congressmen and Senators asking for an investigation of the working conditions. I understand that the staging on that particular job is inadequate for the safety of the men, and I would like to have our President appoint some committee to investigate this job. We are talking about loss of life in connection with traffic lights. This is certainly something fully as important, and I think we should look into it immediately.

Adjourned at 4.35 p. m., on motion of Coun. AGNEW, to meet on Wednesday, April 22, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

SPECIAL MEETING.

Monday, April 13, 1936.

Special meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Brackman, Peter A. Murray and Shattuck.

The meeting was held pursuant to the following call:

Boston City Council,
April 8, 1936.

To the Members of the City Council:

Gentlemen,—You are hereby requested to assemble in the City Council Chamber, City Hall, on Monday, April 13, 1936, at two o'clock p. m., for the purpose of receiving the appointments by the Mayor of constables and minor officers and to transact such other business as may be presented.

Yours very truly,

JOHN I. FITZGERALD, President

Placed on file.

JURORS DRAWN.

Jurors were drawn under the law, Coun. ROBERTS presiding at the jury box in the absence of the Mayor, as follows:

Fifty traverse jurors, Superior Criminal Court, to appear April 15, 1936:

Antone G. Francis, Jr., Ward 1; E. Andrew Hodne, Ward 1; John P. Jones, Ward 1; John T. Stanton, Ward 1; John J. Galvin, Ward 2; Joseph Nassano, Ward 3; Harry A. Bixby, Ward 4; Martin J. Kilroy, Ward 4; Arthur J. Rogers, Ward 4; Alexander J. McMillan, Ward 5; Samuel D. Walker, Jr., Ward 5; William Dwyer, Ward 6; Joseph H. Gottlich, Ward 6; Lester D. Allen, Ward 7; George W. Bollard, Ward 7; James E. Cotter, Jr., Ward 7; Thomas H. Griffin, Ward 7; Joseph S. O'Brien, Ward 7; Charles J. Quinn, Ward 8; John E. Burke, Ward 9; Joseph A. Ehrhart, Ward 10; Walter H. Gladew, Ward 11; David W. Whiting, Ward 11; Llewellyn P. M. Johnson, Ward 12; Edward McMahon, Ward 12; Thomas M. O'Connor, Ward 13; Paul Natenson, Ward 14; John J. DeFreitas, Ward 15; Leo C. Finn, Ward 15; William F. Mahoney, Ward 15; Cornelius J. O'Neill, Ward 15; Walter J. Charland, Ward 16; James A. Peckham, Ward 16; John J. Borstell, Ward 17; George E. Kelley, Ward 17; Edward Thomas McHugh, Ward 17; Leonard H. Newman, Ward 17; Charles D. Doppler, Ward 18; Arthur S. French, Ward 18; Joseph L. Lang, Ward 18; Norman A. MacLeod, Ward 18; Leon K. McConnell, Ward 19; Frederick A. Reilly, Ward 19; Fred S. Whitmarsh, Jr., Ward 19; Harold F. Barrett, Ward 20; Maurice Aronson, Ward 21; Edmund L. Browne, Ward 21; Sidney Z. Charak, Ward 21; Robert Goldman, Ward 21; John C. Sylvester, Ward 22.

VETOES OF SIDEWALKS.

The following were received:

City of Boston,
Office of the Mayor, April 7, 1936.

To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on March 30, 1936, for the making of a granolithic sidewalk along both sides of the entire length of Lamont street in Ward 9.

I am informed by the Commissioner of Public Works that Lamont street, from Vernon street to Linden Park street, has at the present time an artificial stone sidewalk, said sidewalk being laid in 1931 and still under guarantee. Under the circumstances I am constrained to veto the order.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Office of the Mayor, April 7, 1936.

To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on March 30, 1936, for the making of a granolithic sidewalk with granite edgestones on both sides of the entire length of Dilworth street in Ward 9.

I am informed by the Commissioner of Public Works that there are no funds available at the present time for this construction. Under the circumstances I am constrained to veto the order.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Office of the Mayor, April 7, 1936.

To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on March 23, 1936, for the making of a sidewalk with granite edgestones on F street, between Seventh and Eighth streets, in Ward 6.

I am informed by the Commissioner of Public Works that there are no funds available at the present time for this construction. Under the circumstances I am constrained to veto the order.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Severally placed on file.

CLOSING OF CITY HALL ON GOOD FRIDAY.

The following was received:

City of Boston,

Office of the Mayor, April 8, 1936.

To the City Council.

Gentlemen,—I am in receipt of your order of April 6, 1936, requesting me to close City Hall between the hours of 12 and 3 p. m. on Good Friday, April 10, 1936, and would advise that on March 31, 1936, I issued a circular letter to this effect to all department heads.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Placed on file.

SUNDAY OPERATION OF SAVIN HILL BUS LINE.

The following was received:

City of Boston,

Office of the Mayor, April 11, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the trustees of the Boston Elevated Railway relative to your order of March 23, 1936, requesting the operation of the Savin Hill-City Hospital bus line on Sundays from 1 p. m. to 8 p. m.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Boston Elevated Railway,

April 9, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—Replying to your letter of March 30, with copy of order of the City Council requesting operation of the Savin Hill-City Hospital bus line on Sundays from 1 p. m. to 8 p. m., we have given the matter consideration but do not feel that the service would be sufficiently patronized on Sundays to meet the cost of operating it.

Patrons in the Savin Hill section now have service to the City Hospital on Sundays via Andrew Square Station and Southampton street. The service on Southampton street between Andrew Square Station and the hospital is operated on a seven and eight minute headway.

Very truly yours,

EDWARD DANA,

Executive Vice President and General Manager.

Placed on file.

UNPAID TAXES OF SUBURBAN REALTY CORPORATION.

The following was received:

City of Boston,
Office of the Mayor, April 7, 1936.
To the City Council.
Gentlemen,—I transmit herewith a report from
the Collecting Department relative to your order

of March 23, 1936, requesting advice as to the amount of unpaid taxes due the city from the Suburban Realty Corporation for each of the years from 1931 to 1935, inclusive, and if any tax titles are outstanding against said concern then for what years, in what amounts, and the date or dates of such sales.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

SUBURBAN REALTY CORPORATION.
REAL ESTATE ASSESSED 1931-1935, INCLUSIVE.
RECAPITULATION.

YEAR.	Ward.	Assessed Value.	Tax.	Sewer.	Year Sold.
1931.....	Ward 21	\$4,600	\$144 90		T. S. 9-15-31
1931.....	Ward 18	18,700	589 05	\$81 87	C. D. 12-7-32
1932.....	Ward 21	4,600	163 30		T. S. 9-15-31
	Ward 19	23,000	816 50		C. D. 12-18-33
	Ward 18	\$18,300	\$649 65	93 22	T. S. 12-7-31
	Ward 18	15,200	539 60		T. S. 9-15-31
	Ward 18	1,600	56 80		C. D. 8-27-34
		35,100	1,246 05		
	Ward 5	14,100	500 55		T. S. 9-15-31
1933.....	Ward 21	4,600	150 88		T. S. 9-15-31
	Ward 19	20,000	656 00		T. S. 12-18-33
	Ward 18	\$18,300	\$600 24	89 40	T. S. 12-7-32
	Ward 18	15,100	495 28		T. S. 9-15-31
	Ward 18	1,600	52 48		T. S. 8-27-34
		35,000	1,148 00		
	Ward 5	14,100	462 48		T. S. 9-15-31
1934.....	Ward 21	4,600	170 66		T. S. 9-15-31
	Ward 19	20,000	742 00		T. S. 12-18-33
	Ward 18	\$19,500	\$723 45	85 57	T. S. 12-7-32
	Ward 18	12,000	445 20	14 42	T. S. 9-15-31
	Ward 18	9,100	337 61		T. S. 8-27-34
		40,600	1,506 26		
	Ward 5	18,300	678 93		T. S. 9-15-31
1935.....	Ward 21	11,300	418 10		T. S. 12-18-33
	Ward 21	154,200	5,705 40		No sale.
	Ward 5	974,200	23,557 90	27 06	No sale.
Totals.....		\$1,397,000	\$38,656 96	\$392 54	

SUBURBAN REALTY COMPANY.
REAL ESTATE ASSESSED FOR THE YEARS 1931-1934,
WARD 21.

	Value.	Tax.	Remarks.
Lot G, Ss Boylston..... 1931.	\$4,600	\$144 90	T. S. 9-15-31
Lot G, Ss Boylston..... 1932.	4,600	163 30	T. S. 9-15-31
Lot G, Ss Boylston..... 1933.	4,600	150 88	T. S. 9-15-31
Lot G, Ss Boylston..... 1934.	4,600	170 66	

WARD 10.

	Value.	Tax.	Remarks.
3 Revere street..... 1932.	\$23,000	\$816 50	C. D. 12-18-33
3 Revere street..... 1933.	20,000	656 00	T. S. 12-18-33
3 Revere street..... 1934.	20,000	742 00	T. S. 12-18-33

WARD 8.

	Value.	Tax.	Remarks.
1932. Lot Ss Boylston street.....	\$14,100	\$300 85	T. S. 9-15-31
1933. Lot Ss Boylston street.....	14,100	462 48	T. S. 9-15-31
1934. Lot Ss Boylston street.....	11,300	419 23	T. S. 9-15-31
1935. Lot Ss Boylston street.....	11,300	418 10	T. S. 9-15-31
1934. Lot A, Na Van Ness.....	7,000	859 70	

SUBURBAN REALTY COMPANY.
REAL ESTATE ASSESSED FOR THE YEAR 1935.
WARD 5.

	Value.	Tax.
642-648 Beacon street.....	\$200,000	\$7,400 00
650-656 Beacon street.....	245,000	4,532 50*
537-539 Commonwealth avenue.....	110,000	4,070 00
398-410 Newbury street.....	95,000	1,110 00*
1089-1091 Boylston street.....	68,000	2,516 00†
V. L. Nes, corner Boylston and Kilmarnock streets.....	56,200	2,079 40
124-130 Brookline avenue.....	200,000	1,850 00*
	\$974,200	\$23,557 90

WARD 21.

	Value.	Tax.
V. L. Ss Peterborough street.....	\$29,500	\$1,091 50
V. L. Nes Peterborough street.....	43,100	1,594 70
V. L. Ss Boylston street.....	81,600	3,019 20
	\$154,200	\$5,705 40

* Balance.

† 1933 Sewer, \$27.06.
Placed on file.

IMPROVEMENTS AT DORCHESTER HEIGHTS.

The following was received:

City of Boston,
Office of the Mayor, April 7, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of March 30, 1936, concerning improvements at Dorchester Heights.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, April 6, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of April 6, with inclosure, order from the City Council that the Park Commission be requested to make the necessary improvements at Dorchester Heights, such as grading, etc.

Please be assured that the Park Department will take pleasure in renovating Dorchester Heights as far as it can possibly do so with its limited finances and limited number of men.

Respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

WATER BOX, CAMBRIDGE AND STANFORD STREETS.

The following was received:

City of Boston,
Office of the Mayor, April 7, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of March 9, 1936, requesting that the water box, situated at the corner of Cambridge and Staniford streets, be placed in proper condition.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, April 6, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of March 16, with attached City Council order dated March 9, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested to have the Water Department place the water box, situated at the corner of Cambridge and Staniford streets, in proper condition."

and to state that the permanent granite block pavement on Cambridge and Staniford streets has been restored in proper condition.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

TOWELS, WARD 8 MUNICIPAL BUILDING.

The following was received:

City of Boston,
Office of the Mayor, April 11, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of April 6, 1936, concerning a request that a sufficient number of towels be on hand at all times to take care of all persons using the shower baths at the Vine Street Municipal Building, Ward 8.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, April 9, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of April 8, with inclosure, order from the City Council that the Park Commission be requested to have a sufficient number of towels on hand to take care of persons using the shower baths at the Vine Street Municipal Building.

Please be assured that the department endeavors at all times to have a sufficient number of towels in its gymnasiums and bathhouses throughout the city. It is possible there are times when there is a shortage of towels, due to excessive bathing, but this condition does not exist very often.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

WADING POOL, FRANKLIN PARK.

The following was received:

City of Boston,
Office of the Mayor, April 13, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of April 6, 1936, concerning the advisability of installing a wading pool in Franklin Park in the vicinity of Blue Hill avenue and the American Legion Highway.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, April 10, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of April 8, with inclosure, order from the City Council to consider the advisability of the installation of a wading pool in Franklin Park in the vicinity of Blue Hill avenue and the American Legion Highway.

I regret exceedingly to inform you it would be very inadvisable to attempt to establish a wading pool in this vicinity or in any part of Franklin Park. Wading pools at their best are unsanitary.

The area suggested is practically all ledge—on account of economic conditions the cost would be prohibitive.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

MICHAEL J. BROPHY PARK.

The following was received:

City of Boston,
Office of the Mayor, April 13, 1936.
To the City Council.

Gentlemen,—The order adopted by your Honorable Body on March 30, 1936, requesting the Park Commissioner to change the name of Belmont Park in the First Section of East Boston to Michael J. Brophy Park was referred by me to Park Commissioner Long for consideration and report.

I am in receipt of a letter from Mr. Long notifying me "that at a meeting of the Board of Park Commissioners held on April 9, 1936, it was voted that the public park in East Boston known as Belmont Park be, and hereby is, renamed Michael J. Brophy Park, in honor and apprecia-

tion of the public services of the late Michael J. Brophy, a distinguished citizen of the district."

I am pleased to approve the action of the Park Commissioners.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

ARC LIGHT, WARD 9.

The following was received:

City of Boston,
Office of the Mayor, April 11, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of March 30, 1936, concerning the installation of an arc light at the corner of West Brookline street and Shawmut avenue, Ward 9.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, April 9, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of April 6, with attached order of City Council dated March 30, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light at the corner of West Brookline street and Shawmut avenue, Ward 9."

and to state that at the present time there is an arc lamp at the southwest corner of West Brookline street and Shawmut avenue and in the opinion of this department this one lamp is sufficient for lighting purposes at that particular intersection.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

SPECIFICATIONS IN FUTURE COAL CONTRACTS.

The following was received:

City of Boston,
Office of the Mayor, April 11, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Supplies relative to your order of April 6, 1936, requesting that consideration be given to a suggestion that certain provisions be inserted in future contracts for coal deliveries to Boston welfare recipients.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Supply Department, April 10, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—Replying to your letter of April 8, 1936, with attached order passed by the City Council, dated April 6, 1936, I shall give serious consideration to the recommendations contained in the order when we advertise again for coal for the Overseers of the Public Welfare.

Respectfully yours,
D. FRANK DOHERTY,
Superintendent of Supplies.

Placed on file.

RESANDING DEWEY BEACH.

The following was received:

City of Boston,
Office of the Mayor, April 11, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of April 6, 1936, concerning the making of provision in the Park Department budget for this year for sufficient funds to resand Dewey Beach and to repair the buildings thereon.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, April 10, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of April 8, with inclosure, order from the City Council relative to sand at Dewey Beach and the repairing of buildings thereon.

The department will try and obtain sufficient funds to do the necessary sanding that will be required. The buildings, I can assure you, will be placed in proper condition for the opening—June 15.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

NATIONAL PUBLIC PARKS TENNIS
TOURNAMENT.

The following was received:

City of Boston,
Office of the Mayor, April 11, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your two orders of March 30, 1936, concerning the arrangements to hold the National Public Parks Tennis Championship Tournament at Franklin Field in August of this year and the preparation of Franklin Field for this tournament.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, April 10, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of April 6, with inclosures, orders from the City Council that the Park Commission be requested to make arrangements to hold the National Public Parks Tennis Tournament at Franklin Field during the week of August 17, and make certain improvements in the courts at Franklin Field in preparation for this tournament.

I regret exceedingly to inform the City Council that the National Public Parks Tennis Tournament was awarded to this city with the distinct understanding that same would not be held in Franklin Field. The tournament is to be held at Soldiers Field.

The tennis courts will be placed in their usual good condition just as soon as the weather permits. There is, however, no necessity for further wire inclosures.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

PROPOSED PURCHASE OF FISKE WHARF
PROPERTY.

The following was received:

City of Boston,
Office of the Mayor, April 9, 1936.
To the City Council.

Gentlemen,—May I venture to remind your Honorable Body that the matter of proposed purchase of the Fiske Wharf property has now been pending before the Committee on Public Lands since November 12, 1935.

This offer includes valuable waterfront property which at one time was mortgaged for \$222,000 and then probably worth far more than that, but may be purchased now by the city, as I pointed out in my letter to you of November 7, 1935, for \$25,000. This is such an excellent opportunity to secure valuable waterfront property adjacent to the North End Park and available for future municipal development, possibly as a public landing stage, that the opportunity ought not to be lost, and I suggest that the offer may be withdrawn unless it is speedily acted upon. If this matter could be speedily reported and the purchase of this property authorized by the City Council, I am sure it would be for the best interests of the city.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

STATUE OF GOVERNOR JOHN
ENDECOTT.

The following was received:

City of Boston,
Office of the Mayor, April 9, 1936.
To the City Council.

Gentlemen,—On February 5, 1936, I received from Mr. G. H. Edgell, Director of the Museum of Fine Arts in Boston, a letter, copy of which is inclosed, whereby it appears that George Augustus Peabody, late of Danvers, Mass., died on May 3, 1929, leaving a will, to the executors of which he gave the sum of \$50,000 to be expended for the purpose of erecting a statue of Governor John Endecott, of whom Mr. Peabody was a direct descendant in the eighth generation.

The executors of the will, Mr. William C. Endicott and Mr. George P. Gardner, turned the principal of this \$50,000 fund over to the Museum of Fine Arts, to whom was entrusted the responsibility of selecting a site and building a monument. This was accepted by the trustees of the Museum of Fine Arts and a committee of the trustees employed Mr. Ralph Weld Gray, an architect, to assist them and after consultation Mr. Carl P. Jennewein was chosen as sculptor for the statue. Preliminary designs have been made and approved and a site has been selected in the triangle of land between the Fenway and Forsyth way, between the Forsyth Dental Institute and the Museum. The site has been approved by the Park Commission of the City of Boston and both the site and preliminary design have been approved by the Boston Art Commission, so that the committee appointed by the trustees of the Museum of Fine Arts is now ready to proceed with the erection of the statue, which cannot be done until it is formally accepted by the City of Boston. The letter closes with the specific offer, on behalf of the executors of the will of George Augustus Peabody, of this monument through the Art Commission of the city and no part of the expense of erecting the statue is to be borne by the City of Boston.

I inclose also copy of a letter from the Boston Art Commission, signed by Robert P. Bellows, chairman, dated February 6, 1936.

I referred this matter to the Corporation Counsel for an opinion, a copy of which opinion is submitted herewith. By that opinion it appears that the city is authorized to take and hold in trust such property as may be given it for the improvement or ornamentation of its parks, provided that if it is a work of art the design and site must be approved by the Board of Art Commission.

A form of order providing for the acceptance of this proposed gift, drawn by the Corporation Counsel, is transmitted herewith. I commend the acceptance of the gift and the passage of the accompanying order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Museum of Fine Arts,
Boston, Mass.

February 5, 1936.
His Honor, Mayor Frederick W. Mansfield,
Dear Mr. Mayor,—George Augustus Peabody, a resident of Burley Farm, Danvers, Mass., died May 3, 1929. Mr. Peabody was the eighth generation in descent from Governor John Endecott and was the son of George Peabody of Salem and Clarissa Endicott, his wife. By will, dated December 22, 1924, he appointed William C. Endicott and George P. Gardner executors of said will. By the tenth clause of said will he gave to said William C. Endicott and George P. Gardner the sum of \$50,000 to be spent on a statue of Governor John Endecott.

On August 1, 1929, Messrs. Endicott and Gardner turned the principal of this fund over to the Museum of Fine Arts, placing upon this organization the responsibility of selecting a site and creating a monument. This was accepted by the trustees of the Museum on October 17, 1929. A committee of the trustees employed Mr. Ralph Weld Gray, architect, to assist them in the problem. After due consultation Mr. Carl P. Jennewein was selected as sculptor. Preliminary designs have been made and approved. The site selected is the triangle of land between the Forsyth Dental Institute and the Museum. This site has been approved by the Park Commission of the City of Boston and both site and preliminary design have been approved by the Boston Art Commission.

The committee is now ready to proceed with the erection of the monument. This cannot be done

until it is formally accepted by the City of Boston. May I, therefore, on behalf of William Crowninshield Endicott and George Peabody Gardner, executors of the will of George Augustus Peabody, offer this monument through the Art Commission to the City of Boston? Needless to say the acceptance of this memorial will not involve the city in any expense.

Respectfully yours,
G. H. EDGELL, Director.

City of Boston,
Art Commission, February 6, 1936.
Hon. Frederick W. Mansfield
Mayor of Boston.

Dear Sir.—The Boston Art Commission has the honor to transmit to you the formal offer to the City of Boston of a memorial to John Endecott for erection on the park triangle between the Forsyth Dental Institute and the Museum of Fine Arts.

This site has the approval of the Park Commission and both the site and the design for the monument, as far as the design has yet been carried, are most heartily approved by the members of the Art Commission unanimously.

The completed work should be a distinguished ornament to the city and worthy of the heroic figure commemorated, "strong valiant" John Endecott, active from the beginning in the affairs of a striving colony, who "failed not of his trust."

Respectfully yours,
ROBERT P. BELLOWS,
Chairman, Boston Art Commission.

City of Boston,
Law Department, April 7, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor.—I have received a memorandum from your office dated February 7, 1936, with which was submitted a letter, returned herewith, addressed to you by G. H. Edgell, Director of the Museum of Fine Arts, relating to a proposed memorial to Governor Endecott. Mr. Edgell, in his letter to you, requests that the city formally accept the monument to be erected as such memorial.

George Augustus Peabody of Danvers died May 3, 1929. Article 10 of his will, which was allowed July 2, 1929, and under which William C. Endicott and George P. Gardner were appointed executors, provides, in part, as follows: "to the said William C. Endicott and George P. Gardner for a statue of Governor Endecott and its base, I give the sum of \$50,000."

Mr. Edgell in his letter to you states that on August 1, 1929, Messrs. Endicott and Gardner turned over the amount of said bequest to the Museum of Fine Arts, placing on the Museum the responsibility of selecting a site and creating a monument and that on October 17, 1929, said sum was accepted by the Museum. It is not clear from Mr. Edgell's letter whether or not it was intended that the Museum was to own the monument when erected.

Preliminary designs have been made for the monument and the site proposed therefor is the triangle of land, belonging to the city and under the control of the Park Department, between the Forsyth Dental Institute and the Museum. I understand that the site and the preliminary drawings of the statue have been approved both by the Park Department and the Art Commission.

Chapter 185 of the Acts of 1875 provides, among other things, for the establishment of a board of park commissioners.

Section 3 of said chapter 185 provides, in part as follows:

"Said board shall have power to locate within the limits of the city of Boston, one or more public parks; and for that purpose, from time to time, to take in fee, by purchase or otherwise, any and all such lands as said board may deem desirable therefor; or to take bonds for the conveyance thereof to said city, to lay out, improve, govern and regulate any such park or parks, and the use thereof;

Section 6 of said chapter 185 provides that: "The fee of all lands taken or purchased by said board under this act shall vest in the city of Boston, and said city shall be liable to pay all damages assessed or determined, as provided in the preceding section, and all other costs and expenses incurred by said board in the execution of the powers vested in them by this act. Said city shall also be authorized to take and hold in trust

or otherwise any devise, grant, gift or bequest that may be made for the purpose of laying out, improving or ornamenting any parks in said city."

Section 3 of chapter 410 of the Acts of 1898 as amended by section 2 of chapter 27 of the Special Acts of 1919 provides, with reference to the Board of Art Commissioners, in part, as follows:

"Section 3. The board shall have the custody and care of all works of art owned by the city and heretofore under the control of any department thereof. No work of art shall become the property of the city by purchase, gift or otherwise, until it, or a design or model thereof, and the situation proposed therefor shall have been approved by the board, and no work of art, until approved by the board, shall be erected or placed in, over or upon, or allowed to extend in, over or upon any street, avenue, square, park or other property belonging to the city. The board may, with the approval of the Mayor, order the removal, relocation or alteration of any existing work of art owned by the city, and no such work of art shall be removed, relocated or altered without such order and approval.

It is my opinion that by virtue of the provisions of section 6 of chapter 185 of the Acts of 1875 the city is authorized to take and hold in trust any property that may be given it for the improvement or ornamentation of its parks but that, in view of the provisions of section 3 of chapter 410 of the Acts of 1898 above quoted, the city may not accept any work of art until such work or a design or model thereof and the situation proposed therefor has been approved by the Board of Art Commissioners and that no work of art may be erected or placed in or upon any park until such work has been approved by said board.

In view of the foregoing and pursuant to your request, I have drawn and submit herewith an order which if it meets with your approval may be submitted to the City Council authorizing the acceptance of the proposed statue and base.

This order if passed will authorize you to accept the proposed statue and base when completed and ready to be placed upon the proposed location, provided that the statue and its base and the location therefor are approved both by the Park Commissioners and the Art Commissioners, subject to the condition that the city may remove said statue and its base to another location in the parks, if such removal is required in the city's interest.

The reservation of a right to remove said statue together with its base is, in my opinion, necessary as a matter of law and desirable as a matter of policy.

Before the inclosed order is submitted to the City Council, it would be well to have Mr. Edgell's approval and I am sending him today a copy of the proposed order.

I will advise you as soon as I hear from him.

Very truly yours,
HENRY E. FOLEY,
Corporation Counsel.

Whereas, By his last will, duly approved and allowed July 2, 1929, George Augustus Peabody of Danvers bequeathed the sum of fifty thousand dollars (\$50,000) to William C. Endicott and George P. Gardner, executors under said will, for a statue to Governor Endecott and its base; and

Whereas, Said executors have turned over the fifty thousand dollars (\$50,000) so bequeathed to the Museum of Fine Arts, Boston, Mass., for the purpose of selecting a site for the monument of Governor Endecott and constructing and erecting the same, and said sum was accepted by the trustees of said Museum of Fine Arts on October 17, 1929; and

Whereas, The site which has been selected for said monument is the triangle of land between Forsyth Institute and said Museum of Fine Arts which is the property of the City of Boston and part of its Park System; and

Whereas, Preliminary designs have been made of said statue of Governor Endecott and said designs and the proposed site of said statue have been approved both by the Board of Park Commissioners of the City of Boston and by the Art Commission of said city; now, therefore, it is hereby

Ordered, That his Honor the Mayor be, and he hereby is, authorized to accept, in the name and behalf of the City of Boston, said statue of Governor Endecott, including the base therefor, when completed, between the Forsyth Dental School and the Museum of Fine Arts, provided

that said statue including the base therefor and the location thereof shall have been approved both by the Board of Park Commissioners and by the Art Commission of the City of Boston; and it is hereby further

Ordered, That any acceptance of said statue by his Honor the Mayor, for and in behalf of the City of Boston, shall be made upon the condition that said statue, together with its base, may be removed, in the event that in the opinion of the Park Department the interests of the City require such removal, to another location in the Park System of the City of Boston which shall be satisfactory both to the Park Department of the City of Boston and to the Art Commission of the City of Boston or to those boards or officers, if any, which shall at the time of said removal have the same powers and duties as or powers and duties similar to the powers and duties now exercised by the Park Department of the City of Boston and the Art Commission of the City of Boston, respectively; and it is further

Ordered, That said statue, together with its base, when accepted by his Honor the Mayor, for and in behalf of the City of Boston, shall be placed in the care and custody of the Park Department of the City of Boston.

Referred to Executive Committee.

APPOINTMENTS OF CONSTABLES.

The following was received:

City of Boston,
Office of the Mayor, April 13, 1936.

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, 1936, authorized to serve civil process upon filing bond.

Since under the law all constables' terms expire on April thirtieth of each year, the commissions of all constables not named herein will expire on April 30, 1936, and such constables are hereby removed from office from and after May 1, 1936, for the good of the service.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Authorized to Serve Civil Process Upon Filing Bonds.

William A. Amsie, 24 South Munroe terrace, Ward 16; Henry Atwood, 25 Dalrymple street, Ward 11; Clarence L. Baker, 57 Humboldt avenue, Ward 12; Charles A. Bancroft, 32 Colorado street, Ward 18; David Belson, 111 Kilsyth road, Ward 21; Joseph L. Bennett, 20 Deckard street, Ward 12; Carl Birger Berg, 201 Norfolk street, Ward 17; Alfred Blaustein, 23 Fernboro street, Ward 14; Eugene Blunderman, 116 Greenwood street, Ward 14; John B. Blotto, 599 South street, Ward 19; Abram Bornstein, 1 Sunderland street, Ward 12; George Borofski, 39 Park Vale avenue, Ward 21; Thomas F. Brett, 15 Malta street, Ward 18; Charles B. Broad, 94 Corey road, Ward 21; Milton J. Bronstein, 87 Devon street, Ward 14; George W. Brooker, 20 Doncaster street, Ward 18; Francis E. Brown, 182 Thatcher street, Ward 18; Warren A. Brown, 562 Newbury street, Ward 5; Louis Budd, 32 Wildwood street, Ward 14; Edgar F. Callahan, 84 Gordon street, Ward 21; Thomas Cannizzaro, 96 H street, Ward 6; James A. Canton, 169 Glenway street, Ward 14; Daniel B. Carmody, 21 Wabeno street, Ward 12; Thomas C. Carr, 196 Savin Hill avenue, Ward 13; Morris Chalfin, 206 Norwell street, Ward 17; William K. Coburn, 116 Englewood avenue, Ward 21; Sydney Cohen, 151 Woodrow avenue, Ward 14; Henry G. Dahlquist, 1743 Dorchester avenue, Ward 16; Charles M. Daley, 4436 Washington street, Ward 20; John J. Daunt, 68 Adamson street, Ward 22; Walter F. Delaney, 6 Hutchinson street, Ward 16; Joseph O. DeSantis, 47 Reyem Circle, Ward 11; John J. Dillon, 25 Chesbrough road, Ward 20; Joseph Dinubile, 28 Porter street, Ward 1; Ashod Donabedian, 68 West Walnut park, Ward 11; Robert E. Donlan, 55 Penfield street, Ward 20; Walter A. Donlan, 250 Poplar street, Ward 19; Stephen J. Dunleavy, 6 Enfield street, Ward 19; George H. Evans, 29 Myrtle street, Ward 3; Thomas Freedman, 7 Iola street, Ward 14; Frederick J. Galvin, 62 Tower street, Ward 11; Paul R. Gast, 93 St. Rose street, Ward 11; Albert G. Gilbert, 87 Gordon street, Ward 21; Maurice J.

Glick, 38 Holborn street, Ward 12; Louis Goldberg, 55 Wildwood street, Ward 14; Samuel Goldkrand, 167 Homestead street, Ward 12; Marks Goldstein, 31 Hiawatha road, Ward 18; Myer Goldstein, 1398 Commonwealth avenue, Ward 21; Samuel Gordon, 85 Lowell street, Ward 3; Louis Gorfinkle, 35 Almont street, Ward 12; Solomon Gorfinkle, 70 Floyd street, Ward 14; Edmund C. Grady, 1066 Saratoga street, Ward 1; Sears H. Grant, 645 Beacon street, Ward 5; Salvatore Grassa, 791 Saratoga street, Ward 1; George W. Green, 14 Glenville avenue, Ward 21; William C. Gregory, 98 Lake street, Ward 22; St. Clair E. Hale, 32 Codman street, Ward 17; John F. Halligan, 460 Quincy street, Ward 15; Thomas J. Hayes, 90 West Cottage street, Ward 13; Richard Hegarty, 26 Alexander street, Ward 13; Joseph Herman, 93 Lucerne street, Ward 14; John H. Howard, 472 Gallivan Boulevard, Ward 16; Jacob Isgur, 82 Lorna road, Ward 18; Charles H. Jackson, 497 Huntington avenue, Ward 4; Max Jacobs, 49 Chambers street, Ward 3; Benjamin Jacobson, 112 Hazleton street, Ward 14; Harry Kahn, 140 Seaver street, Ward 12; Spiros Kaliris, 8 Auckland street, Ward 13; David B. Kaplan, 93 Lawrence avenue, Ward 14; George Katz, 12 Crowell street, Ward 17; Thomas H. King, 81 Roxbury street, Ward 9; David Klayman, 502 Norfolk street, Ward 18; Charles C. Knibbs, 9 Park Vale avenue, Ward 21; Bronis Kontrim, 120 Marine road, Ward 7; Mark H. Krasur, 447 Norfolk street, Ward 14; Nathan Kravitsky, 306 Washington street, Ward 14; Abraham Krinsky, 68 Johnston road, Ward 14; Abraham Landfield, 5 Leston street, Ward 14; Frank F. Lane, 41 Ederly road, Ward 5; Albert A. Levine, 7 Quincy street, Ward 12; Maurice Levine, 429 Warren street, Ward 12; Frank J. Macchia, 4 Charter street, Ward 3; Salvatore Maffei, 125 Faywood avenue, Ward 1; Leslie P. Mann, 8 Hanson street, Ward 5; Isie Martin, 12 Ashton street, Ward 14; John A. May, 25 Upland avenue, Ward 16; Daniel McConologue, 1 Johnson avenue, Ward 10; John T. McGovern, 34 Worcester square, Ward 8; Harry Meltzer, 199 Columbia road, Ward 14; William P. Miles, 11 Groom street, Ward 7; John Milgroom, 57 Stanwood street, Ward 14; John J. Miller, 45 Nottingham road, Ward 21; Harold C. Mitchell, 274 Brookline avenue, Ward 4; Bernard M. Mullen, 90 Homer street, Ward 1; Andrew W. Murphy, 185 Park street, Ward 20; Patrick H. Murphy, 25 Whitten street, Ward 16; Nathan Neitlich, 178 Columbia road, Ward 14; Edward Ober, 95 Nightingale street, Ward 14; Emil Ober, 20 Lynde street, Ward 3; Emil H. Ober, 102 Deering road, Ward 14; Michael W. Ober, 102 Deering road, Ward 14; Bert Oppenheim, 25 Mt. Hood road, Ward 21; Louis H. Oppenheim, 1638 Commonwealth avenue, Ward 21; Frederick Partridge, 107 West Cottage street, Ward 8; James G. Peters, 107 Sawyer avenue, Ward 13; Phillip S. Phillips, 829 Blue Hill avenue, Ward 14; George N. Pierce, 296 Dudley street, Ward 8; Leonard M. Pike, 17 Fuller street, Ward 17; Kenneth Prouty, 55 Calumet street, Ward 10; Max Rabinovitz, 36 Wilder street, Ward 14; David I. Rattet, 3 Morse street, Ward 14; Edward J. Rockett, 35 Central square, Ward 1; Maurice Rosenberg, 19 Melvin avenue, Ward 21; Benjamin Rosengarten, 25 Fernboro street, Ward 14; William T. Rosengarten, 51 Brookledge street, Ward 12; John Ruggiero, 13 Snow Hill street, Ward 3; Albert M. Sacks, 19 Brenton street, Ward 14; Alfred N. Sarno, 22 Juniper street, Ward 9; Almerindo Sarno, 1 Cedar square, Ward 9; Samuel Shain, 36 Fessenden street, Ward 18; Frank Shaw, 133 Penbrooke street, Ward 4; Sidney J. Sheinfeld, 166 Rosseter street, Ward 14; Isaac Shulman, 128 Devon street, Ward 14; Joseph L. Shurtleff, 504 Massachusetts avenue, Ward 9; Joseph Simansky, 61 Wales street, Ward 14; Michael F. Simmons, 13 Woodville park, Ward 8; Abraham S. Singer, 9 Lawrence avenue, Ward 14; Henry J. D. Small, 14 Windermere road, Ward 13; Leon Small, 8 Collins street, Ward 18; Clifford L. Smith, 87 Thetford avenue, Ward 17; Israel Spector, 100 Capen street, Ward 17; Paul Stancato, 185 Endicott street, Ward 3; Frank J. Staula, 83 Maple street, Ward 18; John Sualich, 3 Morse street, Ward 14; Jerome Suvalle, 40 Wales street, Ward 14; Benjamin J. Tackeff, 52 Columbia road, Ward 14; Philip Tepper, 122 Devon street, Ward 14; William Tepper, 107 Devon street, Ward 14; David Tobey, 88 Olney street, Ward 15; Francis J. Tobin, 29 Parsons street, Ward 22; Joseph Todisco, 149 Paris street, Ward 1; Joseph M. Torr, 133 Penbrooke street, Ward 4; Aber Uckerman, 21 Sonoma street, Ward 12; Roman J.

Vasil, 11 Granada avenue, Ward 18; Harry A. Webber, 455 Massachusetts avenue, Ward 9; Abraham I. Weiss, 3 Howland street, Ward 12; Sidney Williams, 5 Hestia park, Ward 12; Charles A. Woods, 428 Sixth street, Ward 7; John A. Wragg, 62 Shepton street, Ward 16; Louis Yacker, 1071 Blue Hill avenue, Ward 14; Maurice Zeeman, 191 Norfolk street, Ward 17.

Laid over for one week under the law.

City of Boston,

Office of the Mayor, April 13, 1936.

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, 1936, without power to serve civil process and to serve without bond.

Since under the law all constables' terms expire on April thirtieth of each year, the commissions of all constables not named herein will expire on April 30, 1936, and such constables are hereby removed from office from and after May 1, 1936, for the good of the service.

Respectfully,

FREDERICK W. MANSFIELD, MAYOR.

Connected with Official Positions.

William V. Bell, 40 West Walnut park, Ward 11; Edward Berman, 60 Phillips street, Ward 5; Kenneth W. Blennerhasset, 580 Commonwealth avenue, Ward 5; George J. Brackman, 89 Waunbeck street, Ward 12; Frank Broderick, 9 Cypress street, Ward 20; William W. Brooks, 145 Belgrade avenue, Ward 20; James D. Caneris, 6 Westland avenue, Ward 4; Manuel T. Cardoza, 194 Bennington street, Ward 1; Felix F. J. Carroll, 22 Cliff street, Ward 12; James D. Collins, 28 Draper street, Ward 15; Timothy J. Collins, 16 Fairbury street, Ward 13; Barney C. DeLuca, 72 Alexander street, Ward 13; John E. Desmond, 54 Parklawn road, Ward 20; Angelo DiPietro, 286 Sumner street, Ward 1; William Doherty, 4 Dunmore street, Ward 8; Charles O. Dooley, 111 Hutchings street, Ward 12; Charles E. Dowd, 102 Gainsborough street, Ward 4; Arthur J. Driscoll, 60 H street, Ward 6; Joseph Leo Duffley, 15 Spencer street, Ward 17; Cornelius L. Dundon, 181 Princeton street, Ward 1; James F. Farrell, 29 Romsey street, Ward 13; Martin J. Feeney, 15 Westland avenue, Ward 4; Edmund B. Flaherty, 30 Sawyer avenue, Ward 13; Thomas L. Gallagher, 7 Prescott street, Ward 2; William Gallagher, 696 Washington street, Ward 22; John F. Ganley, 98 Topliff street, Ward 15; James J. Garvey, 266 Dorchester street, Ward 7; Max Goldfarb, 31 Allen street, Ward 3; Harold M. Goldstein, 25 Crawford street, Ward 12; Ernest Gooding, 92 St. Botolph street, Ward 4; Gabriel Grappocio, 47 Auburn street, Ward 3; Charles F. Green, 789 Columbia road, Ward 7; Joseph A. Grover, 32 Circuit street, Ward 12; Henry J. Gurl, 20 Scotia street, Ward 4; George Halliday, 518 Sumner street, Ward 1; James V. Hartrey, 895 East Fourth street, Ward 6; Frank M. Hayes, 259 Third street, Ward 6; James P. Hayes, 39 Weld Hill street, Ward 19; Harry A. Higgins, 1125 Commonwealth avenue, Ward 21; Edward Hutchinson, 49 Grampian way, Ward 13; Charles W. Kelley, 845 East Third street, Ward 6; William P. Kelley, 716 Columbia road, Ward 7; David D. Kenney, 683 Shawmut avenue, Ward 9; Thomas H. Keough, 223 Trenton street, Ward 1; Thomas King, 8 Bostonia avenue, Ward 22; Walter P. Kirby, 8 Rowe street, Ward 19; Robert F. Leahy, 2 Mark street, Ward 10; Edward J. Leary, 90 Fenway, Ward 4; John L. Maloney, 588 South street, Ward 19; Andrew Martin, 28 Maynard street, Ward 18; James Mercurio, 252 Saratoga street, Ward 1; Edward F. McCarthy, 252 Chestnut avenue, Ward 19; Thomas A. McDonald, 51 St. Andrew road, Ward 1; Thomas J. McDonough, 113 Havre street, Ward 1; Joseph M. McKenna, 472 East Third street, Ward 6; Harry W. McNamara, 11 Priscilla road, Ward 21; Archibald P. McNeil, 14 Blanche street, Ward 16; Leo T. McNeil, 1395 Commonwealth avenue, Ward 21; Arthur R. Merritt, 263 Princeton street, Ward 1; James L. Molloy, 275 Humboldt avenue, Ward 12; Timothy F. Murphy, 29 Edison green, Ward 7; Michael F. Murray, 151 Terrace street, Ward 10; Clarence A. Nado, 41 Old Morton street, Ward 17; David I. O'Connor, 79 Hillside street, Ward 10; Walter O'Donnell, 3 Lincoln park, Ward 6; James O'Hearn, 820 River street, Ward 18; Edward J. Potter, Jr., 9A Bunker Hill

street, Ward 2; Timothy F. Regan, 614 South street, Ward 19; Myers Rosenberg, 576 Blue Hill avenue, Ward 14; John Skelly, 88 Dix street, Ward 16; Hyman Slate, 28 Phillips street, Ward 5; Raphael Leroy Sussman, 86 Bowdoin street, Ward 3; Roland Sweeney, 74 Romsey street, Ward 13; William B. Sweeney, 34 Sackville street, Ward 2; Joseph Thomas, 143 Tyler street, Ward 3; Herbert C. Timson, 117 Beacon street, Ward 18; Joseph Todesco, 33 North Bennet street, Ward 3; John W. J. Tuley, 68 Grampian way, Ward 13; Thomas Underwood, 63 Lawn street, Ward 10; John I. Walsh, 1279 Columbus avenue, Ward 11.

With Animal Rescue League.

Frederick O. Houghton, 363 Adams street, Milton; Archibald C. McDonald, 710 East Sixth street, Ward 6; Edwin L. Sanders, 202 Baker street, Ward 20.

With Massachusetts S. P. C. T. A.

Harry L. Allen, 180 Longwood avenue, Ward 4.

Van Drivers Appointed by the Court.

Patrick A. Gargan, 252 Chambers street, Ward 3; Charles M. Shea, 100 Vernon street, Ward 9.

Laid over for one week under the law.

APPOINTMENT OF MINOR OFFICERS.

The following was received:

City of Boston,

Office of the Mayor, April 13, 1936.

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, 1936. The appointments of all such officers not named herein are hereby revoked from and after April 30, 1936.

Respectfully,

FREDERICK W. MANSFIELD, MAYOR.

(Annexed was a list of minor officers, as contained in City Document 54.)

Laid over for one week under the law.

PETITIONS REFERRED.

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

Claims.

David Berry, for compensation for damage to car by city truck.

Lewis E. Chick, for refund on building permit.

Charles T. Collins, for compensation for loss of shoes while a patient at City Hospital.

Harry Finstein, for compensation for damage to car by city team.

Ethel M. Gately, for compensation for injuries caused by an alleged defect in Bowdoin street.

Charles E. Hamlyn, for refund on ferry tickets.

Kellogg Sales Company, for compensation for damage to truck caused by an alleged defect at 27 Bradshaw street, Dorchester.

Malcolm A. MacLeod, for compensation for damage to car caused by an alleged defect in Huntington avenue.

White City Market, to be reimbursed for expenses incurred in raising grade of sidewalk.

Patrick J. Nee, for compensation for collapse of water boiler at 737 Parker street, Roxbury, caused by shutting off water.

Marcella Tracia, for compensation for injuries caused by an alleged defect at 134 Porter street, East Boston.

Executive.

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

Josephine J. Leonard, Repertory Theatre, June 18.

Gino Gallozzi, Michelangelo School, April 15.

Marie Ryan, School of Dancing, Elliot Hall, May 25.

Dorothy M. Oliver, Repertory Theatre, June 13

APPROVAL OF GAS CONTRACTS.

Notice was received of the approval on April 13, 1936, by the Public Utilities Commission of the contracts with the Boston Consolidated Gas Company for furnishing gas and maintaining lamps for street lighting in the City of Boston.

Placed on file.

REPORT OF COMMITTEE ON CLAIMS.

Coun. SELVITELLA, for the Committee on Claims, submitted report on petition of George S. Gifford (referred March 30) to be reimbursed for amount of judgment issued against him on account of his acts as operator of motor truck belonging to Public Works Department, Sanitary Service—recommending the passage of accompanying order, viz.:

Ordered, That the sum of five hundred seven dollars and ninety-one cents be allowed and paid to George S. Gifford in reimbursement for amount of judgment issued against him on account of his acts as operator of a motor truck belonging to the Public Works Department, Sanitary Service, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

REPORT OF COMMITTEE ON FINANCE.

Coun. DOWD, for the Committee on Finance, submitted the following:

Report on order (referred April 6) that \$3,000 be appropriated, to be expended by Traffic Commission, for signal lights on Charles street at Allen street—that same ought to pass.

Report accepted; said order passed, yeas 18, nays—Coun. Tobin—1.

PAYMENT TO A. R. DOYLE COMPANY.

Coun. TOBIN offered the following:

Resolved, That the City of Boston hereby approves the enactment of legislation to authorize the payment of a sum of money, not exceeding fourteen hundred twenty dollars and ten cents (\$1,420.10) to A. R. Doyle, Inc., a corporation duly established by law and having its usual place of business in Boston, County of Suffolk and Commonwealth of Massachusetts, said payment being for labor and materials furnished by A. R. Doyle, Inc., in connection with a contract made by it with the City of Boston and entitled: "Sheet Asphalt Pavement in Beaver Place, Boston Proper," which work consisted of putting sheet asphalt pavement and furnishing labor and materials incidental to the same, provided said legislation includes a referendum to the Mayor and the City Council.

Referred to the Executive Committee.

PAYMENT TO MRS. DILETTA
DELSIGNORE.

Coun. ROSENBERG, offered the following:

Resolved That the Boston City Council favors the enactment of legislation for the payment of an annuity to Mrs. Diletta DelSignore and dependent children, of 11 Delmore place, Dorchester, whose husband, Vincenzo DelSignore, was killed while employed on snow removal on January 22, 1936. While dumping snow into Fort Point Channel at Dorchester avenue, between Congress street and Summer street, the truck slipped into the channel.

Referred to Executive Committee.

REPAVING OF WARD 14 STREETS.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving, Iola, Eldon and Wescott streets, Dorchester, Ward 14.

Passed under suspension of the rule.

BENCHES, FRANKLIN PARK
PROMENADE.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor request the Park Commissioner to consider the advisability of the erection of benches, suitably spaced, along promenade in Franklin Park, from the colonnade entrance to the bird house.

Passed under suspension of the rule.

DISTRIBUTION OF HANDBILLS.

Coun. DOWD offered the following:

AN Ordinance Concerning Distribution of Handbills.

Be it ordained by the City Council of Boston, as follows:

Section 41 of chapter 39 of the Revised Ordinances of 1925 is hereby amended by adding at the end thereof the following: "unless he has been granted a permit for such distribution by commissioner of public works."

Referred to the Committee on Ordinances.

NAMING OF NEW SURGICAL BUILDING
FOR DOCTOR DOWLING.

Coun. DOWD offered the following:

Ordered, That the City Council request his Honor the Mayor to request the trustees of the Boston City Hospital to name the new surgical building after the late superintendent, Dr. John J. Dowling.

Coun. DOWD—Mr. President, the new surgical building of the City Hospital will probably be opened within three or four months, and there has been some discussion in regard to an appropriate name for the new building. Of course, the citizens of Boston have always been grateful to people who have left money to the poor of Boston, and have frequently been influenced by that fact in the naming of new buildings. However, we are now living in a more modern era, and I am of the opinion that the building should be named for the man who gave his life to the Boston City Hospital, the former superintendent, who has been there for many years and who saw so much of the growth of the institution, which increased from a capacity years ago of 160 patients to a capacity of over 1,600 when the superintendent passed away. He personally supervised the building and management of practically every building belonging to the City Hospital at the present time. He personally took charge of the new building, although unfortunately he did not live to see it dedicated. I know of no man in the City of Boston who has given more to the medical profession or to the poor of Boston, and I certainly trust that the Mayor of Boston will see to it that the new surgical building is named for the late superintendent, Dr. John J. Dowling.

The order was passed under suspension of the rule.

RECESS.

On motion of Coun. GALLAGHER, the Council voted 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 President FITZGERALD at 3.18 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. GALLAGHER, 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.:

Josephine J. Leonard, Repertory Theatre, June 18; Gino Gallozzi, Michelangelo School, April 15; Marie Ryan, School of Dancing, Elliot Hall, May 25; Dorothy M. Oliver, Repertory Theatre, June 13—recommending that leave be granted, under usual conditions.

Report accepted; leave granted under usual conditions.

2. Report on resolve (referred today) for enactment of legislation for payment of \$1,420.10 to A. R. Doyle, Inc.—that same ought to pass.

Report accepted; said resolve passed.

3. Report on resolve (referred today) for legislation for payment of annuity to Mrs. Diletta DelSignore and dependent children, of 11 Delmore place, Dorchester—that same ought to pass.

Report accepted; said resolve passed.

4. Report on message from Mayor and order (referred today) accepting on behalf of city proposed statute of Governor John Endecott—that same ought to pass.

Report accepted; said order passed.

REPEATED APPLICATIONS FOR LIQUOR LICENSE.

Coun. WILSON offered the following:

Ordered, That the Committee on Legislative Matters be requested, with the aid of the Corporation Counsel, to draft such an ordinance or initiate such legislation as will prevent repeated applications for liquor license at the same location, within a limited period of time, in cases where the application has once been refused.

Coun. WILSON—Mr. President, I have introduced that order at this time assuming that other members of the Council have experienced the same difficulty that I have experienced, especially in residential sections of the city, where property owners who perhaps think they have more influence than they really have lease their properties and petitions are put before the Boston Licensing Board for liquor licenses at those places. People in the neighborhood, who naturally and quite properly object, appear before the Board, the license is refused, and then about a month later the entire neighborhood is again called upon to protect itself against a repetition of the same thing. Time and time again such petitions will be presented, will be objected to by the neighborhood and will be refused, and again in thirty days or two months the neighbors will again be called upon to defend themselves, and if the petition is again refused, they will shortly have to appear a third time. I have here letters from which I should like to read, for purposes of the record, showing the situation with which neighborhoods are confronted today. Here is one from Stockton street, Dorchester, under date of April 6, addressed to me:

"Again, another hearing is to be held on Tuesday, April 14, at 10.30 a. m., at 1 Beacon street, Boston, relative to another application to sell liquor at 821 Washington street, between Stockton and Rockwell streets. This time it is for a tavern and they wish to sell all intoxicating liquors. No doubt this is almost as much of a nuisance to you as to the residents in the immediate vicinity. There is no question but that the section is residential and the fact that the rear of the store is just eight feet from our bedroom windows is enough. Of course, the army of school children which pass the door on the way to the many schools in the immediate vicinity is also an important factor.

"This is not a personal issue, but strictly against liquor in this location, and, I think you will agree, is quite important. You were kind enough to testify to this at a previous hearing three months ago.

"Anything you may do to aid us in our fight, which we are determined to do, will be greatly appreciated. If there is any way that a law can be enacted to protect the property owners against the nuisance of a rehearing, another hearing, and another hearing on a location which has been turned down time and again, it will also be welcomed by us."

And I have here a second letter, also dated April 6, from a resident of Washington street, Dorchester:

"My dear Mr. Wilson,—No doubt you, as well as we, are getting tired of fighting liquor licenses in a location where they do not belong. It seems a shame that there is no law which protects taxpayers who protest against the granting of a liquor license near their residence, and even though said license is turned down for the third time, and within three months of a refusal by the Boston board to grant a license at the same location, another hearing is to be held on another application. If there is any way you can introduce a bill, or have it introduced, covering this nuisance, I know a great many residents of Boston, let alone this section of Dorchester, will welcome the same."

So I urge the adoption of this order that the Committee on Legislative Matters be requested,

with the aid of the Corporation Counsel, to draft such an ordinance or initiate such legislation as will prevent repeated applications for liquor license at the same location, within a limited period of time, in cases where the application has once been refused. As I say, a petition is presented for such a liquor license, the people in the neighborhood object and, to protect themselves, get together and oppose the granting of the license. In many instances their objection is upheld and the petition is refused, but almost immediately another petition along the same line is presented, and the citizens of the neighborhood for their own protection are again obliged to come in and object. In cases they are compelled to do so three, four or five times, where the petition is refused at the same location by a different applicant. Therefore, I strongly believe that there should be some ordinance or some provision of law which would automatically bar the continuous repetition of such petitions, certainly for a period of time, when they have once been refused. As it is, when such a petition is turned down the petitioners start in all over again almost immediately, and those who protest are obliged to get together again and object, although the petition may have been turned down already twice, or even three times.

Coun. PETER J. FITZGERALD—Mr. President, I wish to add my approval of this order. I have had a similar experience in my neighborhood, where a petition for an all-the-week license was presented, objected to, and turned down several times, and then on March 18 of this year we had to appear before the A. B. C. It had been before the local board in Boston three times and turned down, and then these people went to the A. B. C. Commission and the license was finally granted, the A. B. C. overriding the local board. I do feel that the opinions of people in such a neighborhood are entitled to consideration, people who simply feel that the particular place in question is not the proper place for this kind of a business. I certainly feel that where a hearing has been held before the local board and the petition has been refused, there should not be occasion for a rehearing almost immediately, that the thing should be considered settled for at least one year. Of course, I do not mean by that that a person who has once been refused should be denied the opportunity of appealing to a higher tribunal. That is a different question. But it is certainly not right to have these petitions brought repeatedly before the Board, with scarcely any lapse of time, after they have been refused. I hope, therefore, that the order will pass.

The order was passed under suspension of the rule.

RETENTION OF DIRECTOR DOWLING.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of conferring with the Overseers of Public Welfare relative to the retention in office of Director John C. L. Dowling of the Public Welfare Department.

Coun. NORTON—Mr. President, for five years I have fought here for decentralization of welfare and for other changes in the Welfare Department. It is my opinion that this man, Mr. Dowling, has brought order out of chaos in that department and that he has done, on the whole, a pretty good job. He certainly has, so far as my particular ward is concerned, anyway, and I believe that is the fact all over the City of Boston.

The order was passed under suspension of the rule.

FIXING OF NON-MAJOR STREETS BY P. W. A.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of making plans to fix every non-major street in Boston with W. P. A. assistance.

Passed under suspension of the rule.

PENSIONS FOR POLICE OFFICERS AT RETIREMENT AGE.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of conferring with the Police Commissioner relative to working out

an equitable system whereby all officers who reach the retirement age may be retired on an adequate pension.

Coun. NORTON—Mr. President, I have worded that order so as to request the Mayor to consider the advisability of conferring with the Police Commissioner relative to working out an equitable system whereby all officers who reach the retirement age may be retired on an adequate pension. Here is what I object to. We have a member of the Boston Police Department, Tom Towle, recognized throughout the city as the scholar of the Boston Police Department, who is now subject to retirement. Tom says, "I don't want to be retired; I would like to go along. I am a young man, and feel that I am still in good physical condition." Well, I don't think we ought to make fish of one and flesh of another. I think the tendency has been in Boston to allow certain influences to hinder retirement in the Police Department. The Boston police officials above the grade of patrolman are generally recognized as the oldest group of men in any large police department in the United States. That was one of the findings of the Harvard Crime Survey, headed by Leonard D. Harrison. I believe that situation should be remedied.

The order was passed under suspension of the rule.

WARD 3 IMPROVEMENTS.

Coun. JOHN I. FITZGERALD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Temple street, Ward 3.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement, Chardon street, Ward 3.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light at Cross and Salem streets, North End, Ward 3.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light at Curve and Tyler streets, South End, Ward 3.

Ordered, That the Commissioner of Public Works make a sidewalk along Hancock street, both sides, between Derne and Cambridge streets (granolithic), Ward 3, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Severally passed under suspension of the rule.

ELIMINATION OF BONDS ON CITY WORKS.

Coun. NORTON—Mr. President, I ask unanimous consent to refer to and to have included in

our minutes a statement I have received from Mr. Paul Blanshard, Commissioner of Accounts in the city of New York, with regard to the elimination of bonds on city work in that city. It appears from this letter that steps are now under way looking to such elimination in the city of New York, by Mayor LaGuardia, and that Governor Lehman has recommended the elimination of performance bonds on all state projects, being heartily backed up in that recommendation by Col. Frederick Stuart Greene, State Public Works Commissioner, who was General Peshing's road builder in France. I think also that these bonds are unnecessary in Boston, and that doing away with them will save considerable money. If there is no objection, I would like to have this letter included in our records.

The letter referred to is as follows:

City of New York,
Office of The Commissioner of Accounts,
2 Lafayette Street, New York, N. Y.

February 10, 1936.

Mr. Clement A. Norton, Boston City Council,
Council Chamber, Boston.

Dear Mr. Norton,—I have received your letter of February 7, asking about the elimination of bonds on city work. At present, modifications are being drawn in our local ordinance and city charter to eliminate performance bonds on all city contracts. The proposed legislation has not yet been submitted to the Board of Aldermen, which alone has the power to change our ordinance requiring performance bonds. Perhaps you know that our legislative system here is rather confused. Our ordinances are passed by our Board of Aldermen, and modifications in the charter must be made by the Municipal Assembly, which comprises both the Board of Estimate and the Board of Aldermen.

In order to eliminate performance bonds it will be necessary to get a new ordinance passed by the Board of Aldermen, and also a slight charter modification passed by the Municipal Assembly. In addition to these other changes, if we wish to eliminate performance bonds in the construction of city subways, we must have a modification of the State Law, since the construction of subways is controlled by the State Law.

I am sending you a copy of our report on this subject, which you may not have seen in full. It is impossible to say at the present moment what the prospects are for getting legislation eliminating performance bonds, but I believe that the legislation we desire will be passed.

At Albany, Governor Lehman has recommended the elimination of performance bonds on all state projects, and he is heartily backed up by Col. Frederick Stuart Greene, State Public Works Commissioner. With LaGuardia and Lehman both backing the new proposals, they have fair prospects of success.

Sincerely yours,

PAUL BLANSHARD,
Commissioner.

Adjourned, on motion of Coun. GALLAGHER,
at 3.32 p. m., to meet on Monday, April 27, 1936,
at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Boston, April 27, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Dowd and Norton.

QUALIFICATION OF COUNCILOR

PETER A. MURRAY.

The following was received:

City of Boston,
Office of City Clerk, April 27, 1936.
To the City Council.

Gentlemen,—You are hereby notified that Peter A. Murray, elected a member of the City Council from Ward 19, this day appeared and took the oaths of office prescribed by law, before me.

W. J. DOYLE, City Clerk.

Placed on file.

MAYOR'S VETOS.

The following were received:

City of Boston,
Office of the Mayor, April 24, 1936.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on April 13, 1936, for the making of a granolithic sidewalk with granite edgestones on both sides of Hancock street, between Derne and Cambridge streets, in Ward 3.

I am informed by the Commissioner of Public Works that there are no funds available at the present time for this construction. Under the circumstances I am constrained to veto the order.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Office of the Mayor, April 22, 1936.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature the order adopted by your Honorable Body on April 6, 1936, granting a petition to the Medway and Dedham Bus Lines, Incorporated, for a license to operate buses from the Dedham line to Park square in Boston.

At the present time the Boston Elevated Railway Company is receiving from all of its terminal points about \$400,000 per year in fares paid to it by passengers who are brought to those points by feeder lines. For example, the Eastern Street Railway Company alone delivers yearly to the Boston Elevated Railway Company lines at Quincy fares aggregating about \$98,000; at Ashmont, \$30,000; at Everett, \$29,000; at Spring street, \$15,000; at Forest Hills, \$14,000; at Mattapan, \$8,000. Other terminal points where passengers are delivered by other street railway or bus lines to the Boston Elevated Railway Company are Watertown square, Arlington Heights, Winthrop square, Medford, and Grove and Washington streets.

The permit in question would affect at the moment only the Spring street line, but it would mean at that terminal alone the loss of about \$15,000 per year to the Boston Elevated Railway Company and would not afford any adequately corresponding benefit. Passengers using this line at the present time are forced to transfer, but the fact remains that they are delivered into Boston by means of Boston Elevated Railway buses from the Spring street terminal. They have this service now. If this petition were granted it would merely mean that passengers would be able to come directly into Park square in their original buses without changing and, while more convenient for them, it would undoubtedly work a serious loss of revenue to the Boston Elevated Railway Company.

The deficit of the Boston Elevated Railway Company, which is one of the things that the Boston taxpayer is compelled to shoulder, has just been

announced at \$2,086,000 for the twelve months ending April 1, 1936. It seems obvious that if this license to operate into the Park square district of Boston were accorded to this particular line, every other line feeding the Boston Elevated Railway Company would probably apply for similar privileges with the inevitable result of adding very materially to the deficit of the Boston Elevated Railway Company now being borne by the taxpayers. Another minor consideration which, while not so important as the possible effect upon the finances of the Boston Elevated Railway Company, is still worthy of consideration is that the granting of this petition and others like it would result in further congestion by large and cumbersome buses in our already overcrowded streets.

I am not unmindful of the fact that some Boston merchants are of the opinion that the granting of this petition would make it more convenient for persons living along the route of the petitioner to get to Boston to transact business here, but that does not seem to me to outweigh the serious possibilities that I have outlined above.

In view of the fact that the rejection of this petition does not prevent the patrons of the petitioner from coming to Boston to do their shopping, but merely makes it more convenient for them by eliminating the necessity to transfer, and in view of the very serious consequences which may ensue to the Boston Elevated Railway Company with its inevitable augmentation of the taxpayer's burden, I am constrained to veto this order.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Office of the Mayor, April 22, 1936.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature the order adopted by your Honorable Body on April 13, 1936, favoring the enactment of legislation for the payment of an annuity to Mrs. Diletta DelSignore and dependent children, whose husband, Vincenzo DelSignore, was killed while employed on snow removal on January 22, 1936.

Investigation of this case discloses that the deceased was not in the employ of the city and was driving his own truck, which by accident he backed into the channel near the South Station, resulting in his death by drowning. No official or employee of the city had anything to do with this accident and it is difficult to see upon what ground such legislation could be justified. Under these conditions I am constrained to veto the order.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Severally placed on file.

PAVING OF CERTAIN STREETS.

The following was received:

City of Boston,
Office of the Mayor, April 24, 1936.
To the City Council.

Gentlemen,—I transmit herewith three letters from the Commissioner of Public Works relative to two orders of your Honorable Body dated April 13, 1936, and one order dated April 6, 1936, concerning requests that the following streets be repaved with smooth paving:

1. Chardon street, Ward 3.
2. Iola, Eldon and Westcott streets, Ward 14.
3. Hazleton, Greenwood, Mascot and Greenock streets, Ward 14.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, April 23, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of April 16 with attached order of City Council dated April 13, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Chardon street Ward 3,"

and to state that Chardon street, from Bowdoin square to Portland street, is 740 feet in length with a roadway width of from 25 to 70 feet. The side-

walk width is from 6 to 13 feet. The existing pavement consists of various kinds of granite block pavement laid in 1892 originally, and patched and repaired many times, and is now in very poor condition. The sidewalk, which is of artificial stone, is in a fair condition. To place a smooth pavement on a concrete base with the necessary regulating will cost \$10,300. This street being a manufacturing and business street, construction work should be done by contract in order to lessen the time the street is placed out of usage and the contract for this work should be included in the Reconstruction of Streets loan when same is accepted and approved.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

City of Boston,
Public Works Department, April 23, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of April 16 with attached City Council order dated April 13, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving Iola, Eldon and Westcott streets, Dorchester, Ward 14,"

and to state that Iola street, from Talbot avenue to Tonset street, has a length of 354 feet with a roadway width of 26 feet and a sidewalk width on either side of 7 feet. The existing pavement is 4-inch asphalt macadam, laid in 1935 by E. R. A. Federal funds, and the roadway is now in good condition. Due to the late completion of the roadway last fall, it is not considered advisable to replace the sidewalks and it is the purpose to construct and replace the present sidewalks in the very near future.

Eldon street, from Rosseter street to Washington street, has a length of 578 feet. The roadway width is 34 feet and the sidewalk on either side has a width of 8 feet. The existing pavement is waterbound macadam, laid in 1906, with occasional brick sidewalks, all in poor condition. The estimated cost of a smooth pavement on a concrete base, concrete edgestones and artificial stone sidewalks is \$11,000. It is the purpose of this department, however, to include this construction work in the W. P. A. project available after July 1, 1936.

Westcott street, from West Park street to Talbot avenue, has a length of 713 feet, roadway width of 26 feet and a sidewalk width on either side of 7 feet. The existing pavement is waterbound macadam, laid in 1911, granite edgestones and artificial stone sidewalks. The roadway is in exceptionally poor condition. To place a smooth pavement on a concrete base and regulate the granite edgestone and artificial stone sidewalks would cost \$8,600. A satisfactory street can be constructed under W. P. A. activities and there is an approved W. P. A. project at the present time.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

City of Boston,
Public Works Department, April 24, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of April 8 with attached City Council order dated April 6, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving, Hazleton, Greenwood, Mascot and Greenock streets, Ward 14,"

and to state that Hazleton street, from Blue Hill avenue to 565 feet northwest of Blue Hill avenue, has a length of 565 feet and a roadway width of 34 feet and the sidewalk on either side is 8 feet in width. The existing pavement is tar macadam, granite block gutters, granite edgestones, artificial stone sidewalks with loam spaces, laid in 1911. This resurfacing is now included in a W. P. A. project and will be started in the near future.

Greenwood street, from Erie street to Harvard street, has a length of 2,360 feet; roadway width of 26 feet and sidewalk width of 7 feet on either side. The existing pavement is about one half asphalt macadam, laid in 1933, and one half tar macadam, laid in 1911. This street is also in-

cluded in a W. P. A. project which has been approved and work will start in the near future.

Mascot street, from Mountain avenue to 141 feet south of Ballou avenue, has a length of 1,318 feet roadway width of 26 feet and a sidewalk width on either side of 7 feet. The existing pavement is about one eighth asphalt macadam, laid in 1919. The remaining seven eighths is tar macadam, laid in 1913. The reconstruction of this street is now included in the State program and work will start in the immediate future.

Greenock street, from Blue Hill avenue to Harvard street, has a length of 596 feet with a roadway width of 26 feet and a sidewalk width of 7 feet on either side. The existing pavement is asphalt macadam with granite block gutters, granite edgestones and artificial stone sidewalks, laid in 1913. It is the intention to do this work under a W. P. A. project and is included in a series of projects to start on or about July 1, 1936.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

RESURFACING OF TEMPLE STREET.

The following was received:

City of Boston,
Office of the Mayor, April 24, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of April 13, 1936, concerning the resurfacing of Temple street in Ward 3.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, April 24, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of April 16 with attached order of City Council dated April 13, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Temple street, Ward 3,"

and to state that Temple street, from Derne street to Cambridge street, has a length of 584 feet, roadway width of from 19 to 21 feet and a sidewalk width varying from 6 feet to 8 feet. The existing pavement is asphalt macadam, laid in 1914, cobble gutters, granite edgestones and brick sidewalks, all in very poor condition.

The cost of a smooth pavement with a concrete base and the necessary regulating will cost \$6,200. This street should be resurfaced, due to traffic conditions, and can be cared for in the Reconstruction of Streets loan when same is approved.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

CLASSIFICATION OF DEPENDENT PERSONS ON RELIEF.

The following was received:

City of Boston,
Office of the Mayor, April 17, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Overseers of the Public Welfare relative to your order of March 30, 1936, concerning a report containing in a certain detailed form a classification of the persons on the dependent aid relief rolls.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Overseers of the Public Welfare.
April 16, 1936.

Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—This is to acknowledge receipt of your communication of April 9, 1936, inclosing the following order from the City Council, dated March 30, 1936:

"Ordered, That the Overseers of the Public Welfare in the City of Boston, through his Honor the Mayor, be requested to furnish the City

Council with a classification of the persons on the dependent aid relief rolls, showing:

1. Total number on dependent aid relief.
2. Total number of these unemployable
3. Total number of these employable, male.
4. Total number of these employable, female.
5. The present distribution of work to employables, giving the number at work in each department, and activity and type of work which is being done by the several groups."

I answer immediately questions 1 and 5 and will send you as soon as possible, when the facts are tabulated, answers to 2, 3 and 4.

1.	20,477.	
5.	Public Works Department:	
	Paving Division	672
	Sanitary Division	2,190
	Water Division	78
	Sewer Division	13
	Garages	107
		3,060
	Park Department:	
	Parks	319
	Cemeteries	39
	Baths	118
		476
	Library Department:	
	Libraries	34
	Health Department:	
	Health Units	48
	Public Buildings Department:	
	Municipal Building	112
	Court House	39
		151
	Police Department:	
	Police Buildings	288
	City Hall Clerical	31
	City Hall Cleaners	116
	City Hospital	207
	Miscellaneous	343
		1,425
	Grand total	4,754

Yours truly,
 JOHN C. L. DOWLING,
 Executive Director.

Placed on file.

BENCHES IN FRANKLIN PARK.

The following was received:
 City of Boston,
 Office of the Mayor, April 21, 1936.

To the City Council.
 Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of April 13, 1936, concerning the advisability of the erection of benches, suitably spaced, along the promenade in Franklin Park, from the colonnade entrance to the Bird House.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Park Department, April 17, 1936.
 Hon. Frederick W. Mansfield,
 Mayor of Boston.

Dear Sir,—I have your memorandum of April 16, with inclosure, order from the City Council that the Park Commission consider the advisability of erecting benches, suitably spaced, along the promenade in Franklin Park, from the colonnade entrance to the Bird House.

It will be a pleasure to give this matter my personal investigation and consideration.

Very respectfully yours,
 WILLIAM P. LONG, Chairman.

Placed on file.

BUS LINE FROM FRANKLIN PARK.

The following was received:
 City of Boston,
 Office of the Mayor, April 23, 1936.

To the City Council.
 Gentlemen,—I transmit herewith a letter from the trustees of the Boston Elevated Railway relative to your order of April 6, 1936, concerning the advisability of having a shuttle bus line from Franklin Park station to Quincy street and Blue Hill avenue, Roxbury.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

Boston Elevated Railway,
 April 31, 1936.

Mr. John F. Gilmore, Jr.,
 Assistant Secretary, Mayor's Office.

Dear Sir,—Replying to your letter of April 8, with order of the City Council requesting that the railway consider the advisability of having a shuttle bus line from Franklin Park station to Quincy street and Blue Hill avenue, Roxbury, the trustees have considered the request but do not feel that they can consistently grant it. Such a shuttle bus line would be in competition with existing car service, and the ride between these two points may now be made for a ten-cent fare by transfer at Grove Hall.

Very truly yours,
 EDWARD DANA,
 Executive Vice President
 and General Manager.

Placed on file.

BUS LINE FROM BLUE HILL AVENUE.

The following was received:
 City of Boston,
 Office of the Mayor, April 23, 1936.

To the City Council.
 Gentlemen,—I transmit herewith a letter from the trustees of the Boston Elevated Railway relative to your order of March 30, 1936, concerning the advisability of the establishment of a bus line to run from Blue Hill avenue and Morton street to Forest Hills station.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

Boston Elevated Railway,
 April 21, 1936.

Mr. John F. Gilmore, Jr.,
 Assistant Secretary, Mayor's Office.

Dear Sir,—Replying to your letter of April 6, with order of the City Council requesting that the railway consider the advisability of establishing a bus line to run from Blue Hill avenue and Morton street to Forest Hills station, the trustees have considered the request but do not feel that they can consistently grant it. The proposed service would operate through non-residential territory, and the revenue would probably not be sufficient to meet the cost of operation. Opportunity now exists for persons in the vicinity of Blue Hill avenue and Morton street to reach Forest Hills station via Mattapan and Cummins Highway or via Egleston square and the Elevated.

Very truly yours,
 EDWARD DANA,
 Executive Vice President
 and General Manager.

Placed on file.

TAXATION OF NEW ENGLAND TELEPHONE PROPERTY.

The following was received:
 City of Boston,
 Office of the Mayor, April 24, 1936.

To the City Council.
 Gentlemen,—I transmit herewith a letter from the Board of Assessors relative to your order of March 16, 1936, concerning the right of the City of Boston to tax the New England Telephone and Telegraph Company on various manholes, terminals, conduits and other appurtenances in use by said company underground and located in or under Boston streets.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Assessing Department, April 23, 1936.
 Hon. Frederick W. Mansfield,
 Mayor of Boston.

Dear Sir,—Replying to the letter regarding the taxation of the New England Telephone and Telegraph Company on the various manholes, terminals, conduits and other appurtenances in use by said company underground, and located in or under Boston streets, I would say that the valuations of the machinery, poles, wires and underground conduits, wires and pipes of all telephone and telegraph companies are determined by the Commissioner of Corporations and Taxation, as provided by section 39 of chapter 59 of the General Laws.

The commissioner certifies to the assessors the amount to be assessed, annually, on or before the fifteenth day of March.

The assessors fix the value as determined by the commissioner under the provisions of said section 39.

In arriving at the valuation, the commissioner has before him the return of the Telephone and Telegraph Company, which contains all the information that he considers necessary to enable him to make the valuation, and he advises me that in arriving at his value he has taken into consideration all of the property that is taxable under the present law.

The assessors have no right to tax any property other than the real estate, excepting upon the certification of the Commissioner of Corporations and Taxation.

The amount certified by the commissioner for the year 1936 on the New England Telephone and Telegraph Company is \$13,645,450.

Very truly yours,

EDWARD T. KELLY, Chairman.

Placed on file.

REPORT ON NEW ENGLAND TELEPHONE PROPERTY.

The following was received:

City of Boston,

Office of the Mayor, April 17, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Board of Street Commissioners and a letter from the Commissioner of Public Works relative to your order of March 16, 1936, concerning a report as to how many manholes, terminals, conduits, and other appurtenances in use by the New England Telephone and Telegraph Company underground are now located in or under Boston streets.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Street Laying-Out Department,

April 8, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Your Honor,—Inclosed please find order of the City Council requesting certain information as to manholes, terminals, conduits, etc., used by the New England Telephone and Telegraph Company, together with your request for consideration and report.

In reply I wish to state that this information is not contained in any records of the Street Laying-Out Department, but I am informed that some of it may be secured from the Permit Office of the Public Works Department.

Respectfully,

OWEN A. GALLAGHER, Chairman.

City of Boston,

Public Works Department, April 16, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of April 11, with attached City Council order dated March 16, and reading as follows:

"Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to at once file a report with the City Council as to how many manholes, terminals, conduits and other appurtenances in use by the New England Telephone and Telegraph Company underground are now located in or under Boston streets, with the location and surface area of each,"

and to state that the Public Works Department has no complete set of records or plans from which the information desired can be obtained. While it is a fact that permits are issued by the Public Works Department to the New England Telephone and Telegraph Company for construction work, old records going back forty years, to 1896, at which date the underground construction was started by the Telephone Company, are not now available.

The procedure to obtain this information will be to have a survey made of every manhole location in Boston and to obtain from the Telephone Com-

pany the size of conduits on which manholes are built. It would take at least six months to obtain the correct data and information desired.

Respectfully yours,

C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

TRAFFIC SIGNAL, WARD 17.

The following was received:

City of Boston,

Office of the Mayor, April 16, 1936.

To the City Council,

Gentlemen,—I transmit herewith a letter from the Traffic Commissioner relative to your order of April 6, 1936, concerning the installation of a traffic signal which shall warn operators of motor vehicles either to slow down or stop before entering Washington street from Ashmont street in Ward 17.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Traffic Commission, April 13, 1936.

Hon. Frederick W. Mansfield,

Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated April 6, 1936, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install a traffic sign which shall warn operators of motor vehicles either to slow down or stop before entering Washington street from Ashmont street."

Orders have been issued to erect a "Slow" sign in Ashmont street, near Washington street.

Respectfully yours,

WILLIAM P. HICKEY, Commissioner.

Placed on file.

REPAVING WARD 9 STREETS.

The following was received:

City of Boston,

Office of the Mayor, April 11, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your two orders of March 30, 1936, concerning requests to repave with smooth pavement Lamont street and Dilworth street in Ward 9.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Public Works Department, April 9, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of April 6 with attached orders of City Council dated March 30, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Lamont street and Dilworth street, Ward 9."

and to state that Lamont street, from Vernon street to Linden Park street, has a length of 514 feet, and the existing pavement is one-third asphalt macadam, laid in 1928, and two-thirds tar macadam, laid in 1912. It is the intention of this department to resurface Lamont street, between Vernon street and Linden Park street, with asphalt macadam under a P. W. A. project, the work to start early in May.

Dilworth street, from Northampton street to Camden street, has a length of 324 feet with sidewalk width of 7 feet on either side. The pavement is asphalt macadam, laid in 1921. The existing sidewalks are brick. To lay a smooth pavement on a concrete base with artificial stone sidewalks, including necessary regulating, will cost \$4,000. There is no appropriation available at the present time for this construction work.

Respectfully yours,

C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Sister M. Aloysius, for compensation for injuries caused by an alleged defect on stairway of Administration Building.

Helen M. Bissett, for compensation for injuries and damage to property caused by an alleged defect at 21 and 23 Brook avenue.

Celia Caputo, for compensation for injuries caused by city truck.

Mary V. Clasby, for compensation for damage to car caused by an alleged defect at 31 Oakley street, Dorchester.

John F. Daly, for compensation for damage to car caused by an alleged defect in South street, Jamaica Plain.

Harold R. Darling, for compensation for injuries caused by an alleged defect at 18 Scollay square.

Salvatore Gozzo, for compensation for damage to car caused by an alleged defect at Salem and Cross streets.

May A. Hallinan, for compensation for injuries caused by an alleged defect in Roseland street.

Rose Katler, for compensation for injuries caused by an alleged defect in Cliff street, Roxbury.

P. J. Keefe, for compensation for injuries caused by an alleged defect at Franklin and Devonshire streets.

Martin A. Kenealy, Jr., for compensation for damage to car by ash team.

Mrs. C. McCabe, for compensation for damage to property at 345 Gallivan Boulevard, caused by broken water pipe.

New England Laundries, Inc., for compensation for damage to car by city truck.

Lizzie M. Piercy, for compensation for injuries caused by an alleged defect at 281 Bowdoin street.

Elizabeth Reddish, for compensation for injuries caused by city truck.

James Ross, for refund paid for dog license.

Solomon M. Salamy, for compensation for damage to property at 4011 Washington street, Roslindale, caused by negligent maintenance of sewer.

Catherine Waters, for compensation for damage to property at 83 Tower street, caused by city truck.

W. G. Williams, for compensation for injuries caused by an alleged defect at 15 Water street.

Committee on Jitney Licenses.

Petition of Interstate Passenger Service for license to operate motor vehicles from Cambridge line to Park square, from Sullivan square, Rutherford avenue, Prison Point Bridge, to Northern Artery, over bridge to traffic circle at foot of Charles street, Charles street to Park square.

Petition of Medway and Dedham Bus Line for license to operate motor vehicles from Dedham line to Park square, over State Route 1 to Spring street, Centre street, Columbus avenue, Park square.

Executive.

Petition of Mary M. McNamara for annuity on account of death of her husband, Charles C. McNamara, late member of Fire Department.

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

Ruth Taylor, Eliot Hall, May 4 and May 9.

Lucile Perry Hall, Repertory Theatre, May 26.

Miriam Winslow, Repertory Theatre, May 2.

Hazel Boone, Repertory Theatre, June 8.

COMMITTEE ON UNCLAIMED BAGGAGE.

Petition of Boston & Maine Railroad to sell unclaimed baggage at public auction on May 14, 1936.

APPOINTMENT OF JOHN P. O'HEARN.

Notice was received from the Mayor of appointment of John P. O'Hearn of 1509 Dorchester avenue, Dorchester, as assessor of City of Boston and member of Board of Assessors, to fill vacancy caused by death of Michael J. Brophy, for term ending March 31, 1938, said appointment to take effect at beginning of business Thursday, April 23, 1936.

Placed on file.

LOCATION TO TARRANT P. KING.

Notice was received from the Board of Street Commissioners of permission granted to Tarrant P. King and others, trustees of South Boston Industrial Track, for private spur track on East First street, Ward 6.
Placed on file.

MINORS' LICENSES.

Petitions were received for minors' licenses from forty-one newsboys and three bootblacks.
Licenses granted on usual conditions.

STREET RAILWAY POLICE.

Notice was received from the Mayor of Cambridge of appointment of street railway police for Boston Elevated Railway.
Placed on file.

SOLDIERS' RELIEF.

Coun. KERRIGAN, for the Committee on Soldiers' Relief, submitted report recommending payment of aid to soldiers and sailors and their families in the City of Boston for the month of April, 1936.

Report accepted; said order passed.

CONSTABLES SERVING CIVIL PROCESS.

On motion of Coun. AGNEW, the Council took up, under unfinished business, No. 2 on the calendar, viz.:

2. Action on appointments submitted by the Mayor April 13, 1936, of constables authorized to serve civil process upon filing bond, as contained in City Document No. 51.

The question came on confirmation of the appointments set forth in Document No. 51.

Coun. AGNEW—Mr. President, the Committee on Constables recommend that all names contained in Document 51 be approved, with the exception of the following: Clarence L. Baker, Charles A. Bancroft, Alfred Blaustein, John B. Blotto, Thomas Cannizzaro, Thomas C. Carr, Ashod Donabedian, Edmund C. Grady, St. Clair E. Hale, Thomas J. Hayes, Joseph Herman, Charles H. Jackson, Benjamin Jacobson, David B. Kaplan, George Katz, Salvatore Maffei, Harold C. Mitchell, Emil Ober, Emil H. Ober, Kenneth Prouty, David I. Rattet, Edward J. Rockett, Maurice Rosenberg, Israel Spector, Frank J. Staula, John Sualich, William Tepper, Abraham I. Weiss. Those names I have just called off, Mr. President, are held up for various reasons, either because there have been complaints against them in the Law Department or that they personally did not appear before the Committee on Constables.

Coun. WILSON—Mr. President, I am sorry that I have been unable to get in touch with the chairman since the close of last week, but now, with his permission, I will ask that the names of Alfred N. Sarno be held up for the present for good and sufficient reasons, which I will be glad to give to the committee but which did not come into my possession until Saturday.

President FITZGERALD—Does the chairman of the committee accept that amendment?

Coun. AGNEW—As chairman of the committee I will accept. I will also state that there were some matters called for in the questionnaires which some of them neglected to fill out, and that that is an additional reason why their names are not submitted for approval at this time.

Coun. McGRATH—Mr. President, I also have a few names here that I would like to have held up: William A. Ansie, 24 South Munroe terrace; William E. Delaney, 6 Hutchinson street; John H. Howard, 472 Gallivan Boulevard; John A. May, 25 Upland avenue; John J. Miller, 45 Nottingham road; Patrick H. Murphy, 25 Whitten street; John A. Wragg, 62 Shepton street.

Coun. ROBERTS—Mr. President, two of those names I happen to know about. I happen to know something, for example, about the qualifications of John J. Miller and I see no reason why his name should be held up. I know that he is

engaged in business with several of the councilors, and that they can vouch for him. I would like to ask that action on the list be postponed until after our recess.

The Council voted that action on the names be postponed until after the meeting of the Executive Committee.

CONSTABLES CONNECTED WITH OFFICIAL POSITIONS.

On motion of Coun. SELVITELLA, the Council took up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor April 13, 1936, of constables connected with official positions without authority to serve civil process, as contained in City Document No. 50.

The question came on confirmation of the names contained in Document 50.

Coun. AGNEW—Mr. President, the Committee on Constables recommend the approval of all names contained in Document No. 50, as is.

Coun. McGRATH—Mr. President, I would like to have the name of John Skelly, of 88 Dix street, held up.

President FITZGERALD—The question is on confirmation of all the constables whose names are contained in Document 50, with the exception of John Skelly of 88 Dix street.

Coun. WILSON—Mr. President, I shall be very brief on this. It may be that the procedure followed last year has been followed this year and that enough political plums in the way of patronage jobs have been thrown to the members of the Council so that there are here the necessary twelve votes for confirmation. I would, however, as I did last year, call the attention of the Council to the following figures. The record shows that Mayor Curley, who has always had a fairly good reputation in the matter of taking care of his friends, appointed only thirty-six of these constables in 1925 to city positions; that Mayor Nichols in the first year of his administration, 1926, appointed thirty-seven, in 1928, appointed twenty-five, and in 1929 appointed thirty, including eight men from Mayor Curley's administration. Last year these political appointments mounted to a new high in the history of the city, seventy-six in all, and this year we are topping that high and carrying a list of seventy-nine. Of course, I do not need to tell any member of the Council, because we all know it, that this constable racket is simply a procedure of each administration to put in under cover, for the most part, political friends of the administration and of certain councilors who are in favor with the administration. I do not make this remark with reference to all constables appointed to city positions, because some of them who are appointed year after year are necessary, and some on this particular list are old and tried city employees, men who have been doing good work and whom I would like to see reappointed. But, of course, we all know that there is no rhyme or reason in these depression times, when even vacancies in the Police Department are not being filled, with the result that the residential districts are in large part unprotected, to appoint seventy-nine constables to city positions. We know that the only reason why they are appointed is to get around the civil service law, with the result that many of our constituents who are looking for positions as clerks under the civil service, and who are on the civil service list, with veterans at the top, stand no chance for appointment, because of just this sort of thing. So I say to those members who are interested in such people that they need have little hope, because of the appointment of all these men as constables at this time, and that it will do no good for them to complain later on when the annual budget comes before us and when they will have to tell the men in their wards who are on the civil service clerical list, many of them veterans, that because of these constables being appointed in this way, outside of the civil service list, men for whose confirmation they have voted, these other friends of theirs who are on the civil service clerical list will have no chance. I am going to ask for a roll call on this, Mr. President.

The roll call was declared not ordered. The question came on confirmation of the names of the list, with the exception of John Skelly, and Coun. Gallagher and Selvitella were appointed as

the committee. Whole number of ballots 17, necessary for confirmation 12. Yeas, 16, nays, 1, and the appointments, with the exception of John Skelly, were confirmed.

WEIGHERS OF GOODS, ETC.

President FITZGERALD called up, under unfinished business, No. 3 on the calendar, viz.:

3. Action on appointments submitted by the Mayor April 13, 1936, of weighers of goods and other minor officers paid by fees, as contained in City Document No. 54.

The question came on confirmation of the appointment. Committee, Coun. Mellen and Agnew. Whole number of ballots 15, yeas 15, and the appointments were confirmed.

LOAN FOR CARE OF DEPENDENTS.

President FITZGERALD called up, under unfinished business, No. 4 on the calendar, viz.:

4. Ordered, That under the provisions of chapter 80 of the Acts of 1936 the sum of \$4,000,000 be, and hereby is, appropriated, to be expended under the direction of the Overseers of Public Welfare, for Care of Dependents, 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 same to be issued outside the limit of indebtedness.

On April 6, 1936, the foregoing order was read once and passed, yeas 17, nays 1.

The order was given its second and final reading and passage, yeas 17, nays—Coun. Wilson—1.

ADDITIONAL LAND NEAR CITY HALL.

President FITZGERALD offered the following: Ordered, That a special committee, to consist of five members of the City Council, be appointed to make a study and investigation as to the advisability of the city acquiring additional land or buildings in the vicinity of the present City Hall for the purpose of housing the departments now occupying rented quarters.

The order was passed under suspension of the rule.

OPENING OF L STREET BATH CONVENIENCE STATION.

Coun. GEORGE A. MURRAY and KERRIGAN offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to open the L Street Bath convenience station facilities for the accommodation of W. P. A. workers employed in that district.

Passed under suspension of the rule.

PERMIT TO SOUTH BOSTON INDUSTRIAL TRACK.

Coun. GEORGE A. MURRAY and KERRIGAN offered the following:

Ordered, That his Honor the Mayor request the Board of Street Commissioners to revoke the permit issued to Tarrant P. King and others, trustees of the South Boston Industrial Track, as the present track is sufficient to adequately provide for them and no additional permits are necessary.

Coun. GEORGE A. MURRAY—Mr. President, last week there was a hearing before the Board of Street Commissioners with reference to the South Boston industrial track. At the present time along East First street in South Boston, those people who have business there are served by the New York, New Haven & Hartford Railroad along that street. This petition is brought by one Tarrant P. King and others to extend the track from M street down to Farragut road. At the present time their track runs as far as M street and no farther. Sometime ago, when a hearing was held before the Department of Public Utilities, it was brought out that the section is chiefly a residential one and it being such, I wish to object to any additional track being extended through that part of my ward.

The situation is very adequately covered at the present time, and there is no necessity for such additional trackage rights being given to Tarrant P. King.

The order was passed under suspension of the rule.

TRAFFIC LIGHTS, WARD 21.

Coun. AGNEW offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install traffic signal lights at Beacon and Mountfort streets, Ward 21.

Passed under suspension of the rule.

ADDITIONAL MEN FOR FIRE DEPARTMENT.

Coun. MELLEN offered the following:
Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to make provisions in his budget to provide for the addition of three hundred men to that department.

Passed under suspension of the rule.

RESURFACING PLEASANT STREET, WARD 2.

Coun. MELLEN offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving Pleasant street, Ward 2.

Passed under suspension of the rule.

CHARLESTOWN MUNICIPAL BUILDING BOILERS.

Coun. MELLEN offered the following:
Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to advise the City Council as to the condition of the boilers in the Charlestown Municipal Buildings, which are alleged to be defective, with a view of making immediate repairs by regular city employees, so that the work can be done in the shortest possible time to make possible the keeping of this building open during the entire summer for the accommodation of the residents of the Charlestown district.

Coun. MELLEN—Mr. President, let me say, very briefly, that I have continued to receive complaints with reference to the policy of removing and replacing barrels in the Dorchester district. I was in receipt recently of a letter from a constituent to the effect that, despite the fact that the new contracts specifically provide that the barrels shall be removed from an easily accessible spot and returned to the same place, it is not being done. This constituent, endeavoring to get in touch immediately with Mr. Carven, was informed, not by Mr. Carven personally but by another person, that this agitation for the removal and replacing of the barrels was only a publicity stunt. But Mr. Carven explained that when that provision of the contract was not observed he was holding back payments due the Dorchester contractor, and that an adjustment would be made. Of course, the constituent quite properly pointed out the fact that, while that might be of some assistance, it still would not put back the barrels where they belonged. But there seems to be no doubt of Mr. Carven's intention in the matter, and I thought it might be well to check up and see just what results, if any, were being obtained in this direction.

The order was passed under suspension of the rule.

RESURFACING WARD 14 STREETS.

Coun. ROSENBERG offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving Willowood street, Ellington street and Browning avenue, Ward 14.

Passed under suspension of the rule.

WADING POOL, FRANKLIN FIELD.

Coun. ROSENBERG offered the following:
Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to consider

the advisability of the erection of a wading pool in Franklin Field for the convenience and comfort of the children of that district.

Passed under suspension of the rule.

SOUTH BOSTON AQUARIUM.

Coun. WILSON offered the following:

Ordered, That the Park Commissioner, through his Honor the Mayor, be requested to arrange for keeping the South Boston Aquarium open to the public each day for a longer period than from 10 a. m. to 5 p. m. during the summer, especially on Saturdays, Sundays and holidays.

Coun. WILSON—Mr. President, speaking very briefly, and not, of course, wishing to interfere even indirectly with the very able representatives of South Boston, this Aquarium is for the benefit of the people of this city generally, and especially of the children. I personally was in that section yesterday afternoon, and, frankly, was rather surprised to find that on Sunday afternoon the doors were closed at five minutes past five. It does seem that, especially on Saturdays, Sundays and holidays, it should be kept open longer than the usual hours. I would urge the practice, with regard to aquariums and that sort of activity that is adopted in New York and other cities, of having a seven-day week and overtime hours. From the very nature of such activities that practice should be adopted. I would suggest, therefore, to the Park Commissioner that on Sundays, holidays and Saturdays the time should be extended in the latter part of the afternoon, especially with daylight saving, having in mind the fact that very few people would naturally be there until the afternoon and later hours and that, accordingly, it would be well to stay open until a later hour than five in the afternoon.

The order was passed under suspension of the rule.

DORCHESTER ASHES AND GARBAGE CONTRACTS.

Coun. WILSON offered the following:

Ordered, That the Public Works Commissioner, through his Honor the Mayor, be requested to advise the City Council promptly what financial adjustments, if any, have been made, incident to the ashes and garbage contract in the Dorchester district, following failure by the contractor to comply with contract agreements that barrels and receptacles be returned to the easily-accessible location from which they have been removed.

Coun. WILSON—Mr. President, let me say, very briefly, that I have continued to receive complaints with reference to the policy of removing and replacing barrels in the Dorchester district. I was in receipt recently of a letter from a constituent to the effect that, despite the fact that the new contracts specifically provide that the barrels shall be removed from an easily accessible spot and returned to the same place, it is not being done. This constituent, endeavoring to get in touch immediately with Mr. Carven, was informed, not by Mr. Carven personally but by another person, that this agitation for the removal and replacing of the barrels was only a publicity stunt. But Mr. Carven explained that when that provision of the contract was not observed he was holding back payments due the Dorchester contractor, and that an adjustment would be made. Of course, the constituent quite properly pointed out the fact that, while that might be of some assistance, it still would not put back the barrels where they belonged. But there seems to be no doubt of Mr. Carven's intention in the matter, and I thought it might be well to check up and see just what results, if any, were being obtained in this direction.

Coun. McGRATH—Mr. President, I also thought it desirable to introduce such an order, and not for publicity reasons. I introduced it, and, cooperating with other councilors from Dorchester, we had a hearing. At that time I believe the contractor who was not seeing to it that this provision was carried out was reprimanded and told that if the barrels were not put back he would have his contract revoked, if possible. I think the service since then has been improved. However, I am still receiving complaints about the barrels not being put back, although I understand that there has been an arrangement made to have them

put back, that the contractor has promised the Public Works Commissioner that it will be done. The information I have received is from my brother councilor, Fitzgerald.

Coun. PETER J. FITZGERALD—Mr. President, as one of the Dorchester councilors, I want to say that I was down in the Public Works Commissioner's office today, and noticed that this contractor, Mr. McCabe, was there. He appeared to be in quite a sweat. I was informed later that he stated in the Public Works Department that he intended to have the barrels put back, that recently such orders had been issued to his men, but that in some cases they had neglected to carry them out. It looks to me like passing the buck to the employees. The barrels have not been returned as they should have been. It is true that there has been a slight improvement. I have, however, received a number of complaints, to which I have called the attention of Mr. Arvedon, his clerk, because I thought it was better to do that than to send complaints to the Public Works Department. As I say, I think there is a slight improvement, but the barrels are not being put back at the rear of the yard, as they should be, and as stipulated in the contract. I think, however, judging from the look on the contractor's face when I saw him today, that we will not have in the future complaints about the barrels not being put back in the yards.

The order was passed under suspension of the rule.

ADDITIONAL HOSPITAL SERVICE, RIVER STREET.

Coun. WILSON offered the following:

Ordered, That the trustees of the Boston City Hospital, through his Honor the Mayor, be requested to provide for out-patient and relief station hospital service at the hospital buildings located on River street.

Coun. WILSON—Mr. President, the basement of the library building in Codman square is a central point, I suppose, as far as being used by the local community nurses is concerned, for ordinary medical or health treatment, except that many of the persons going there in the early part of the day may have contagious diseases and during the afternoon, with mothers going there with their children in baby carriages to that single basement room in the library building, from a health and sanitary standpoint the situation would not be entirely as it should be. I realize that the trustees of the City Hospital would think the suggestion over for a long while before they would allow the use of any part of the hospital on River street for relief station and out-patient purposes. But, whether or not it meets with their full approval, I suggest, with the millions of dollars that have been invested in the hospital and its beautiful grounds and buildings, and with the expert services available there, there is no real practical reason why the people of the Dorchester section should not have access for relief and out-patient facilities to that hospital, rather than being obliged to go down to the Boston City Hospital at Northampton street.

Coun. McGRATH—Mr. President, I think about a month or six weeks ago, I introduced an order along the same lines, but I suggested the location of the Convalescent Hospital on Dorchester avenue, where the present building is now being used as a sewing project for the W. P. A. I think it would be more central, and I suggested that whatever accommodations were needed at that point be built by W. P. A. funds. I think, as I have said, that the location would be more central and would fulfill the requirements of the district in a much better manner.

Coun. WILSON—Mr. President, I would, in light of what the councilor has said, be glad to move to amend my order, making it read so as to cover the use of the hospital on River street or the Convalescent Building on Dorchester avenue.

Coun. McGRATH—Mr. President, I would not desire to have the building now used for the W. P. A. sewing project used for this purpose, but there are probably five acres of land in the location I am speaking about, and the hospital could be built there. The present house is probably 100 years old, and it would cost too much to renovate it and put it in proper shape for this

purpose. But I think a new building could be built there which would take care of the situation very nicely.

The order was passed under suspension of the rule.

REAL ESTATE TAKEN FOR TAXES.

Coun. WILSON offered the following:
Ordered, That the Public Buildings Commissioner, through his Honor the Mayor, be requested to at once furnish to the City Council the detailed information requested in City Council order of November 12, 1935, relating to certain real estate sold to or taken by the city for nonpayment of taxes, the right to redeem which has been foreclosed.

Coun. WILSON—Mr. President, I don't want to seem impatient with Major Hall of the Public Buildings Department, except that during the summer of 1935 we received repeated orders, through the Mayor's office, urging prompt passage of the new city ordinance placing in the hands of the Public Buildings Commissioner these various pieces of property, some vacant and some with improved properties on them. In compliance with those urgent messages from the Mayor the Council eventually passed an ordinance on October 7, 1935, and as long ago as the 12th of November, 1935, I requested of the Public Buildings Commissioner, through the Mayor, certain detailed information concerning the 600 or 700 parcels that had already gone through the Land Court. We discussed those properties at several meetings of the Council. It was my hope, gathered from the messages of the Mayor and gathered from what Major Hall said, that the city was going to take early action, preferably to sell these pieces of property and get in some money that the city certainly needs, or at any rate to take active charge of the illegal use of such places as were being occupied without right, and to collect the rental. They are still using the valuable property at the corner of Beacon and Hereford streets as a free parking space for the Fox and Hounds Club, and still using the property on Tremont street for a parking space and charging the public for it. I realize that the gentleman on Tremont street has a lot of "drag," but if there has been an "emergency," why should it go on for five or six months or a year, and why should anybody be allowed to use a piece of land properly belonging to the city free, land that could be leased or sold to him or to somebody else? Therefore, bearing in mind the order that we passed as long ago as October 7, 1935, and the order requesting information that went through as long ago as November 12, 1935, I really believe that we should get some action from the Commissioner of Public Buildings even if he might be given some of the newly appointed city constables for the purpose.

The order was passed under suspension of the rule.

COAL FOR WELFARE RECIPIENTS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to comply with City Council order of December 16, 1935, and cancel any existing contracts between the Babcock Coal Company and the City of Boston.

Ordered, That his Honor the Mayor be requested to promptly consider the advisability of calling a conference of the reputable coal and oil dealers in Boston relating to a fair price for prompt fuel deliveries to welfare recipients in Boston next winter, and the adoption of a proper plan whereby all fuel orders issued to welfare recipients may be presented to any reputable dealer at the agreed price.

Coun. WILSON—Mr. President, for the encouragement of the other members of the Council I will guarantee that these are the last orders I have to offer today, and this is the last time today when I shall expect to take up the time of the body. But I do urge the adoption of these two orders, in view of what has occurred in the last week or so. Mr. President, I believe the Finance Commission has just completed a splendid piece of work, in public verification of the disgraceful welfare fuel racket in Boston this past winter. But I cannot for one moment agree that the dismissal of Mr. Dowling is any solution of the problem. I hold no brief for John C. I. Dowling.

But at least last week he did not join in the game of "Puss in the corner" or "Button, button, who's got the button?" He was good soldier enough to sit there and take it, rather than whine and try to "pass the buck" where it properly belongs. Of course, I realize that there is an under-cover campaign under way to "get" Dowling. I question whether the Finance Commission are aware of that fact. But we in the Hall know it. And I for one protest against using this rotten coal mess to do the contemplated job on Dowling. I understand the chairman of the Welfare Overseers stated Saturday that until the Fin. Com. hearings began late this month the story of the manner in which the poor have been victimized this past winter was all news to him! Have we a Board of Overseers so far removed from this mundane sphere, and living in such cloistered seclusion or such rarefied atmosphere, that they never read a daily newspaper? Do these Overseers live in some world apart? I venture to say that more than one welfare family of seven or more, limited to \$15 a week, has begun to think so. Were the City Council orders, long ago calling attention to the situation, and specifically directed to the Overseers, through the office of the Mayor, ever received? I can remember more than one Monday afternoon when the City Council requested the presence of the Board, of Mr. Dowling, that it was reported that the Board was busy with its weekly meeting. It is a shame that at some one of these Monday afternoon sessions by the Board some one from the spirit world did not sneak through a message to the Overseers that the Boston newspapers were carrying stories to the effect that welfare families in Boston were getting slate, rock and coal dust for fuel. Well, Mr. McMurry, you are chairman of the Board. Now, that a little bird has finally told you all about the rotten coal, and the short weight, and delayed deliveries, and drivers chiseling dimes from the poor, what are you going to do about it? Dowling isn't in the coal business. Dowling did not sign a contract for the delivery of coal to thousands of welfare families in Boston by a coal concern that does not even now boast ownership of a single coal truck, and a concern which, five days before being awarded the original contract of August, 1934, was incorporated with a paid-in capital of \$500. Could Dowling cancel the contract? Trying to "pass the buck" to Dowling is like trying to blame a baseball catcher for a wild throw by the pitcher. When the City Council Welfare Committee last week requested the presence of Chairman McMurry and Mr. Dowling, Mr. Dowling was not permitted to attend, following a meeting of the Overseers, and we were referred to the Mayor for any information. Dowling was the employee; the Overseers were in charge of the department; and the Mayor was the boss. And that's about the truth of the matter, isn't it, Mr. McMurry? But this contemptible coal racket is a different matter. This is a baby no one wants to claim. Instead of passing along the responsibility up where it belongs, we will blame the hired girl! Isn't that to be the story? Oh, no, we won't. I want to know how it happened that the Babcock Coal Company, without any real financial responsibility and without any independent facilities for complying with the contract requirement, was ever awarded perhaps 80 per cent of all welfare coal deliveries, without any investigation or inquiry as to this infant company, five days old, at prices which any fair inquiry or study would have shown to be below cost, a contract which at its very inception inevitably meant fireproof coal, or short weight, or both, and plenty of cold and suffering for those least able to bear it, but who would not dare to speak up. I want to know how it happened that, despite repeated complaints, despite orders from the City Council, despite newspaper comment, despite letters and coal samples delivered to the office of the Mayor himself, this company has been permitted to continue doing business with the city. Who is their guarantor of special favor? Do you really mean, Mr. McMurry, that this coal scandal is some dark secret that Mr. Dowling was keeping from the Board of Overseers and from the Mayor, that nobody knew anything about, except the newspapers and the public? Isn't it a fact that the entire question was discussed at a meeting of the Overseers as long ago as December 9, as a result of which the Board voted to ask the Supply Department to make an investigation? Isn't it a fact that as early as December 19 the Sealer of Weights and Measures was requested by your department to take samples of welfare fuel for analysis?

Didn't you know that as long ago as December 19 the City Council, after protracted discussion of the entire matter of coal deliveries, unanimously passed my order requesting that the contracts of the city with the Babcock Coal Company and the Ventola outfit be canceled? I am not looking for any "goat" in this matter, Mr. McMurry. The taxpayers of Boston and the public generally, and especially the poor who have been the ones to take the most punishment and abuse, none of us want any whitewash. We don't want any burnt offerings. We want to know what strange power this company had, to be able to get away with it so long. The Babcock Coal Company is no creature of Dowling's certainly. He did not award the contract. He has no authority or power to cancel the contract. Your Overseers would even now undoubtedly very much resent Mr. Dowling's making any suggestion or recommendation to the Mayor over the heads of the Board, especially when the Mayor himself, as the head of the city government, stated as late as April 3 that in his opinion the whole matter was "greatly exaggerated" and an effort by some councilors to make it appear that the poor were being "persecuted." In view of all that, why "pass the buck" to John C. L. Dowling, or why sit quietly by and let anyone else "pass the buck" to Dowling, just because he was apparently game enough to stand by and not remind them to "see the boss"? What is the Board of Overseers going to do about it now that they have finally heard that something has been rotten in Denmark with the coal contract? Are the Overseers going to ask Dowling, or some of the employees, what to do? Or is the Board, in charge of the Welfare Department, about to ask the Mayor, as the "Big Boss," to get busy and do something? I again remind you that the Council asked as long ago as December 19 that the contract be canceled. And I personally wrote the Mayor on the 12th of March that the situation had by no means improved. Mr. President, you have been around here too long to do much more than smile when we hear anyone try to blame some subordinate official for a major mistake in the city business. You know, and I know, that not a street is laid out or accepted, not a gasoline permit is granted, not a contract is awarded, not even a job is filled, from city official down to City Hospital orderly, without an O. K. from the Mayor's office. Knowing that, I refuse to sit here and silently watch Dowling, or any other minor official, picked to "take the rap" for anyone in this contemptible coal racket. Now, for this proposed plan, so far as next winter is concerned. In my first order I have requested the Mayor to comply with the City Council order of December 16, 1935, and abrogate any existing contracts between the Babcock Coal Company and the City of Boston. The second order is a request that the Mayor of the City of Boston will promptly consider the advisability of calling a conference of the reputable coal and oil dealers in Boston relative to a fair price for prompt fuel deliveries to welfare recipients in Boston next winter, and the adoption of a proper plan whereby all fuel orders issued to welfare recipients may be presented to any reputable dealer at the agreed price—thereby following the arrangement made, as I understand it, in other cities and towns along the Atlantic seaboard. I believe welfare families should be given coal or oil orders that they can present to any reputable coal or oil concern, doing the same as has been done with food orders. I see no reason why that practice should not be adopted with fuel orders. I would urge, therefore, that the Mayor of Boston get together the reputable, substantial, financially responsible coal and oil dealers of Boston in a huddle in the Mayor's office,—where the business of the city is, of course, done,—talk the situation over, arrange for a good fair price that the reputable dealers of Boston should be paid, as all will agree, for the fuel furnished to the poor, and then proceed on that basis. Have the fair price fixed in that way and then, instead of a contract with a low bidder, intended as a slam at some other coal or oil dealers, have an arrangement so that those coal and oil orders will be honored by any reputable dealer in Boston. It may be said that the fuel will be a little more expensive. I am, however, narrow enough to feel that, if we are going to buy coal and oil to heat the houses of the poor families of Boston, we should at least make sure that they are getting good coal and oil, and if we cannot buy decent coal at less than \$11 a ton let us make up our minds to pay \$11 a ton. I don't know whether you listened in at the hearings of last week or not, but there

were two things that stand out in my memory from the statements of welfare recipients. One was the statement of drivers, "Well, what do you expect of welfare coal?" There was discussion also in regard to the kind of coal furnished. One of the things that stands out in my mind is the picture of so-called coal furnished, filled with slate, and one of the families went out to a chain store, got some good coal and put it underneath the coal furnished under welfare, placing the good coal on the bottom and the other on top, and the coal on top would not burn, even with the fire under it. So I feel that the suggestion I have made in this second order is a constructive suggestion, and I hope that the Mayor of Boston will see fit to give it due consideration.

Coun. SELVITELLA—Mr. President, I want to commend the gentleman from Ward 17 (Coun. Wilson) for bringing to light or exposing this coal racket which has been apparently existing for some time. And let me say that the coal racket is not even confined to the poor or indigent recipients. It is not only welfare recipients who are receiving this unburnable coal, but city departments are using coal of the same inferior type. Last Saturday afternoon, a small riot was averted at the Paris Street Gymnasium, East Boston, where there were more than one hundred men taking a shower. Suddenly, what was supposed to be hot water turned to cold water, and everybody was in a turmoil waiting impatiently for the hot water to be turned on. My office was filled with complaints and demands for an investigation of the Paris Street Gymnasium situation this morning. I was astonished to learn from the custodian of that building that the Standard Coal Company of Roxbury, which furnished that department with coal, supplied more than ten tons of this inferior unburnable coal, as a result of the use of which the hot water turns into cold water. I heartily agree that reputable dealers ought to furnish the coal, and if that department has been receiving inferior coal there should be an investigation immediately of the situation in that and other city departments, because I am satisfied that, in East Boston, at least, they have been furnishing this inferior coal. Certainly, the Park Commissioner and the heads of any other departments so affected, should demand that such coal be immediately removed and replaced with burnable coal.

The order was passed under suspension of the rule.

PAYMENT TO NORA MADDEN.

Coun. GLEASON offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation authorizing the payment of a sum of money to Nora Madden for the murder of her son, John J. Madden, whose death occurred on April 21, 1934, while in the custody of the Boston Police Department, Station 10, Roxbury Crossing, Massachusetts, provided said legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

RECESS.

The Council voted, on motion of Coun. GALLAGHER, at 3.18 p. m. to take a recess subject to the call of the Chair. The Council reassembled in the Council Chamber at 3.42 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petitions (referred today) for children under fifteen years of age to appear at public places of amusement, viz.:

Ruth Taylor, Eliot Hall, May 4 and 9; Lucile Perry Hall, Repertory Theatre, May 26; Miriam Winslow, Repertory Theatre, May 2; Hazel Boone, Repertory Theatre, June 8,—that leave be granted under usual conditions.

Report accepted; leave granted under usual conditions.

2. Report on petition of Catherine V. Goode (referred March 2) to be paid annuity on account of death of her husband, James E. Goode, late member of Boston Fire Department—recommending passage of accompanying order, viz.:

Ordered, That under the provisions of chapter 340 of the Acts of 1933, an annuity of sixteen

hundred dollars be allowed and paid to Catherine V. Goode, widow of James E. Goode, a member of the Fire Department, who died on February 16, 1935, as a result of injuries received in the performance of his duty, said annuity being made up of allowances as follows:

For the widow, Catherine V. Goode, so long as she remains unmarried, \$1,000 per annum. For each of the following-named children, so long as he or she is under the age of eighteen or physically or mentally incapacitated from earning, \$200 per annum: Margaret C. Goode, born July 19, 1922; James E. Goode, born November 30, 1926; Carroll D. Goode, born March 22, 1931, the payments to date from February 18, 1935, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Report accepted; said order passed under suspension of the rule.

CONSTABLES AUTHORIZED TO SERVE CIVIL PROCESS.

Coun. AGNEW—Mr. President, the Committee on Constables submit Document 51 and ask for the approval of the names therein contained, with the exception of the following: William A. Amie, Clarence L. Baker, Charles A. Bancroft, Alfred Blaustein, John B. Blotto, Thomas Cannizzaro, Walter F. Delaney, Ashod Donabedian, Edmund C. Grady, St. Clair E. Hale, Thomas J. Hayes, Joseph Herman, John H. Howard, David B. Kaplan, George Katz, Salvatore Maffei, Patrick H. Murphy, Emil Ober, Emil H. Ober, Kenneth Prouty, David I. Rattet, Edward J. Rockett, Maurice Rosenberg, Alfred N. Sarno, Israel Spector, Frank J. Staula, John Suulich, William Tepper, Abraham I. Weiss, John A. Wraga.

The question came on confirmation of the names set forth in Document No. 51, with the exception of the names stated above by Coun. Agnew. Committee, Coun. Gallagher and Selvitella. Whole number of ballots 17, yes 17, and the appointments were confirmed.

REPORT OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. ROBERTS, for the Committee on County Accounts, submitted report on communication (referred April 6) of Justice of East Boston District Court relative to appointment of Female Probation Officer—recommending passage of following order, viz.:

Ordered, That the salary of the Female Probation Officer of the East Boston District Court, determined by the Justice of said Court at the rate of eighteen hundred dollars per year, to take effect May 1, 1936, be and hereby is, approved.

The report was accepted, and the question came on the passage of the order.

Coun. PETER A. MURRAY—Mr. Chairman, I would like to ask for some information in regard to this matter from the committee.

Coun. SELVITELLA—Mr. President, in answer to my friend, I would say this, that East Boston has the only court in the county, I understand, that has no woman probation officer, and when the present justice was inducted into office he felt that it was his duty to see that there should be a woman probation officer there to take care of the needs and wants of the women who unfortunately come before his court. Every court has such a probation officer except that in East Boston. The order was passed.

TRAFFIC LIGHTS, WARD 7.

Coun. KERRIGAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install traffic signal lights at Knowlton and Telegraph streets, Ward 7.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install traffic signal lights at Gates and Telegraph streets, Ward 7.

Severally passed under suspension of the rule.

Adjourned, on motion of Coun. GALLAGHER, at 3.49 p. m., to meet on Monday, May 4, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 4, 1936.

Regular meeting of City Council in the Council Chamber, City Hall, at 2 p. m., Coun. GALLAGHER presiding in the absence of President Fitzgerald. Absent, Coun. Brackman, John I. Fitzgerald and Norton.

JURORS DRAWN.

Jurors were drawn under the law, Coun. ROBERTS presiding at the box in the absence of the Mayor, as follows:

Eighty-one traverse jurors, Superior Criminal Court, to appear June 1, 1936:

Michael J. Brothers, Ward 1; Ernest Labadini, Ward 1; Alfred John Pullo, Ward 1; Francis J. Connors, Ward 2; Joseph P. Deery, Ward 2; William A. Fish, Ward 2; James P. Malamphy, Ward 2; George A. Anderson, Ward 3; Joseph Cantor, Ward 3; Theodore P. Carter, Ward 3; Leonard Russo, Ward 3; Hubert L. Rowe, Ward 3; Thomas Uniacke, Ward 3; John A. W. Crapo, Ward 4; Joseph W. Wharton, Ward 4; Alexander S. Browne, Ward 5; James Carter, Ward 5; John Griffin, Ward 5; Harry Holtz, Ward 5; Joseph V. Mahoney, Ward 5; Harry Tedford, Ward 5; Edward M. Curry, Ward 6; Thomas H. Ryan, Ward 6; Anthony Giaquinto, Ward 7; James F. Mahoney, Ward 7; James R. O'Connor, Jr., Ward 7; John P. Cronin, Ward 8; George W. Dockety, Ward 8; George T. Dyer, Ward 8; Thomas J. Homer, Jr., Ward 9; Wesley S. Roberts, Ward 9; Charles M. Dundon, Ward 10; John F. Flannery, Ward 10; Richard D. Taylor, Ward 10; Edward F. Waldschmidt, Ward 10; Chester E. Conrad, Ward 11; John J. Martin, Ward 11; Walter D. Adams, Ward 12; Herbert O. Bunker, Ward 12; William J. Cosgrove, Ward 12; Emil Erlanson, Ward 12; F. Randolph Proctor, Ward 12; William Cohen, Ward 13; Charles R. Creighton, Ward 13; Alfred D. Manton, Ward 13; Edwin Nylander, Ward 13; David S. Hurvitz, Ward 14; Joseph Mason, Ward 14; Martin A. Moran, Ward 14; Fred Phillimore, Ward 14; Joseph H. Ford, Ward 15; Arthur C. Jordan, Ward 15; Arthur C. Snow, Ward 15; Joseph F. Flaherty, Ward 16; Robert S. Heaton, Ward 16; Russell A. Johnson, Ward 16; John J. Mooney, Ward 16; James W. Morgan, Ward 16; Joseph F. Thacher, Ward 16; Charles E. Cullen, Ward 17; Walter S. Dolan, Ward 17; David Epstein, Ward 17; John J. O'Rourke, Ward 17; George S. Parsloe, Ward 17; David F. Supple, Ward 17; Charles L. Coughlan, Ward 18; George H. Guyette, Ward 18; Harry J. Norton, Ward 19; Frank G. Twiss, Ward 19; Daniel C. Ferguson, Ward 20; Clifford L. Jordan, Ward 20; Carl R. Mueller, Ward 20; Leonard M. Parker, Ward 20; Frederick W. Sessler, Ward 20; Harry P. Younker, Ward 20; Louis C. Buettner, Ward 21; George Smith, Jr., Ward 21; John H. Brandt, Ward 22; Michael J. Cunniff, Ward 22; Walter E. Dolliver, Ward 22; Stanley T. Filion, Ward 22.

Eighty-five traverse jurors, Superior Civil Court, to appear June 1, 1936:

Joseph A. O'Donnell, Ward 1; Charles H. Reed, Ward 1; Harry Fay Russell, Ward 1; Frank Venuti, Ward 1; John I. Whelan, Ward 1; Michael Callahan, Ward 2; Carl R. Chapman, Ward 2; Charles Gilman, Ward 2; Frank W. McDonald, Ward 2; James O'Donnell, Ward 2; John F. Toiland, Ward 2; Vincenzo Bono, Ward 3; William H. Caulfield, Ward 3; Frank E. Hatch, Ward 3; Frank P. Leary, Ward 3; James F. Moriarty, Ward 3; Alphonso Vena, Ward 3; Carl O. Bergstrom, Ward 4; Samuel Driver, Ward 4; James Elliott, Ward 4; Frank M. Goddard, Ward 4; George H. Schriber, Ward 4; James Shaughnessy, Ward 5; Thomas F. Downey, Ward 6; Hugh MacDonald, Ward 6; John J. McDonough, Jr., Ward 6; Oliver A. Rollo, Ward 6; Louis D. Brenzelmans, Ward 7; Joseph F. Bell, Ward 8; James F. Duffy, Ward 8; Thomas J. Joyce, Ward 8;

Patrick J. Kennedy, Ward 8; John H. Rose, Ward 8; Carl E. Brown, Ward 9; Leo A. Lewis, Ward 9; Patrick J. Cronin, Ward 10; John J. Doyle, Ward 10; Edwin T. Nickerson, Ward 11; Frank H. Campbell, Ward 12; Edward J. Curley, Ward 12; Thomas J. Day, Ward 12; Edward D. O'Bryant, Ward 12; Oscar Schwartz, Ward 12; William J. Brown, Ward 13; George F. Evans, Ward 13; Thomas F. Maguire, Jr., Ward 13; Henry C. Thomas, Ward 13; William Appleton, Ward 14; Samuel Aronson, Ward 14; Loren P. Hansen, Ward 14; Albert W. O'Callaghan, Ward 14; William J. Fidelle, Ward 15; Lars P. Hanson, Ward 15; Robert E. Johnson, Ward 15; Charles H. Martinson, Ward 15; Daniel F. O'Connor, Ward 15; Clifford Phillips, Ward 15; Charles W. Sullivan, Ward 15; John Wirts, Ward 15; Frederick L. Doyle, Ward 16; Alfred F. Foley, Ward 16; Clarence A. Ross, Ward 16; James J. Casey, Jr., Ward 17; Walter A. Childs, Ward 18; Frank C. Field, Ward 18; Charles O. They, Ward 18; Chester H. Baker, Ward 19; Otto Buchwald, Ward 19; Edmund W. Driscoll, Ward 19; Charles W. Maling, Ward 19; William Flood, Ward 20; Raymond G. Fraser, Ward 20; William O. McFee, Ward 20; Arthur Sterr, Ward 20; James E. Chase, Ward 21; Charles A. Merriam, Ward 21; Frank B. Wilde, Ward 21; Ernest A. Augur, Ward 22; William L. Cooke, Ward 22; William M. Eagan, Ward 22; Joseph P. Grinley, Ward 22; Lawrence W. Kelley, Ward 22; John J. Kelly, Ward 22; Daniel J. McPaul, Ward 22; Thomas McMurray, Ward 22.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments:

Constables, without power to serve civil process and to serve without bond, for the term ending April 30, 1937: John A. O'Brien, 110 Elm street, Charlestown; Morton S. Garson, 5 Ruthven street, Ward 12; John J. Linehan, 53 Hano street, Ward 22; Lewis J. Polak, 708 Columbus avenue, Ward 9; Peter E. Resnick, 13 Ridgewood street, Ward 15.

Measurer of Leather: Roscoe D. Waterhouse, 1008 Beacon street, Newton Center.

Weighers of Goods: Fred J. Graham, 28 Mayflower road, Squantum; James Laughlin, 52 Green street, Charlestown; Walter W. Willis, 57 Putnam street, Somerville; Joseph R. Wilkinson, 16 North avenue, Roxbury; H. Marsden Harding, Jr., 60 Hamden circle, Wollaston, Mass.; Arthur Bursey, 43 Lambert avenue, Chelsea; John Drohan, 152 O street, South Boston.

Weighers of Coal: Charles Rabinovitz, 80 Whittier street, Roxbury; I. S. Borenstein, 228 Winchester street, Brookline.

Severally laid over for one week under the law.

TRAFFIC LIGHTS, BEACON STREET.

The following was received:

City of Boston,
Office of the Mayor, May 4, 1936.

To the City Council.

Gentlemen,—Last year an appropriation was authorized from the special account, Sales of City Property, to cover the installation of traffic signal lights at four intersections on Beacon street, between Massachusetts avenue and Embankment road. I am advised by the Traffic Commissioner that the estimated cost of installing these signals is \$8,430, an unencumbered balance available for this work. In order that the Traffic Commission may proceed forthwith with this improvement, I submit herewith an order providing for the appropriation from the same account as last year, namely, Sales of City Property, for the additional amount required, \$2,100. I respectfully recommend adoption of this order by your Honorable Body.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Ordered, That the sum of \$2,100 be, and hereby is, appropriated from Sales of City Property to be expended, under the direction of the Traffic Commission, for the following:

Automatic Traffic Control Signals, Back Bay and Brighton Districts..... \$2,100

Referred to Executive Committee.

EAST BOSTON AIRPORT LEASE.

The following was received:

City of Boston,
Office of the Mayor, May 4, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Corporation Counsel, together with an order relative to the East Boston Airport.

It appears that an order to execute a lease between the Commonwealth of Massachusetts and the City of Boston for airport purposes, which had been introduced in the City Council by the then Mayor on February 3, 1933, has never been acted upon and, in the opinion of the Corporation Counsel, immediate execution of that lease is desirable.

I respectfully recommend the passage of a new order which is transmitted herewith.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Law Department, May 2, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—Inclosed please find order which the chairman of the Park Department of the City of Boston is anxious to have introduced in the City Council.

By an indenture dated August 10, 1928, the Commonwealth of Massachusetts, acting under the authority of chapter 64 of the Resolves of 1923 of the Commonwealth of Massachusetts, leased to the City of Boston a large tract of land in East Boston for airport purposes. The land which was thus leased to the city was insufficient for airport purposes.

The Law Department of the City of Boston prepared an order to be introduced in the City Council, authorizing his Honor the Mayor to execute a lease between the Commonwealth of Massachusetts and the City of Boston of land in East Boston for airport purposes, and sent the said order to the then Mayor of Boston, together with a letter dated February 3, 1933. The said order was introduced in the City Council and, I am informed by the City Clerk, has never been acted upon.

I am informed by the chairman of the Park Department that the said department, with the approval of the State Board of Public Works, has already spent considerable money upon the land which the chairman of the Park Department is desirous of leasing.

Very truly yours,
HENRY E. FOLEY,
Corporation Council.

Whereas, The Commonwealth of Massachusetts, acting by its Department of Public Works, and the City of Boston, under the authority of the provisions of chapter 64 of the Resolves of the Commonwealth of Massachusetts for the year 1928, entered into an indenture wherein the said Commonwealth of Massachusetts leased to the City of Boston for use as an airport certain parcels of land situate in that part of Boston called East Boston, as is fully set forth in said indenture, which is dated August 10, 1928; and

Whereas, By chapter 53 of the Resolves of the Commonwealth of Massachusetts for the year 1930 the said Commonwealth of Massachusetts was authorized to lease to the said City of Boston for airport purposes additional parcels of land situate in said East Boston; now, therefore, it is hereby

Ordered, That the said indenture of lease, dated August 10, 1928, be, and the same is, hereby ratified; and it is hereby further

Ordered, That his Honor the Mayor be, and he hereby is, authorized, in consideration of the covenants and reservations contained in the lease hereinafter mentioned and in consideration of the payment of one dollar a year for the period of the term of said lease ending on August 9, 1938, and in consideration of the payment of the amount to be agreed upon as set forth in said indenture for the remainder of said term of said lease, is hereby authorized to affix the corporate seal of said City of Boston and to sign in its name and behalf an indenture, satisfactory in form to the Law Department of the City of Boston, wherein the said Commonwealth of Massachusetts leases to the City of Boston for a term ending August 9, 1948, two certain parcels of land situate in said East Boston and marked Parcel No. 1 and Parcel No. 2 and inclosed within red lines, as shown on a plan marked "Airport at East Boston, Additional Land of the Commonwealth to be leased to the City of

Boston, authorized by c. 53, Resolves of 1930, Department of Public Works of Massachusetts, Scale 1:5000 July, 1931, John N. Ferguson, District Waterways Engineer," and wherein the said Commonwealth of Massachusetts reserves to itself such use of said parcels of land for military purposes as it may from time to time require, and the right to use suitable portions of the land leased as aforesaid, for the purpose of erecting such hangars and other buildings as it may deem necessary for the purposes of aviation, and wherein the said City of Boston reserves to itself the right to remove any buildings erected by it upon the said leased premises at the termination of the said lease or instead thereof to charge the Commonwealth of Massachusetts for whatever benefit the said Commonwealth may acquire from the use of said buildings if left upon the said premises.

Referred to Committee on Public Lands.

ANNUAL BUDGET.

The following was received:

City of Boston,
Office of the Mayor, May 4, 1936.
To the City Council

Gentlemen,—I submit herewith in full segregated form my budget recommendations for the year 1936 providing allowances for city, county and revenue departments. These recommendations should be substituted for the lump-sum budget submitted to your Honorable Body on January 27, 1936.

Appropriations recommended for city departments aggregate \$38,235,210.34. This total does not include an additional \$2,000,000, which may be necessary to provide for the Public Welfare Department. Assuming that this \$2,000,000 additional will be needed and appropriated, the 1936 allowances for city departments represent a reduction of \$7,119,831.67 from departmental estimates as originally submitted and also represent a reduction of \$2,057,432 from appropriations authorized in 1935.

Recommendations for county departments (which are entirely separate from and independent of the city maintenance budget) aggregate \$3,594,929.66. This sum represents a reduction of \$383,407.30 from estimates originally submitted by county officials and is \$17,356.20 less than appropriations authorized in 1935 for county purposes.

The amount recommended for revenue departments, \$2,392,706.76, will be met from the income of these departments, and while necessary to be included in the budget recommendations will not be included in the tax levy since this amount will be offset by the receipts of these departments.

Appropriations recommended for maintenance requirements of city and county departments which must be included in the 1936 tax levy are approximately \$2,075,000 less than similar appropriations in 1935.

In preparing the budget program submitted herewith an intensive effort has been made to reduce rigorously departmental budget allowances for the current year, as the foregoing figures indicate. This has been accomplished without curtailing essential services to the public or affecting salary reductions or discharges of permanent employees.

It is impossible at the present time to announce definitely the tax rate for 1936. The School Committee has not adopted its 1936 budget. In addition to this, the lack of information as to the amount of state tax to be assessed upon Boston, and the amount of state revenues to which Boston may be entitled upon distribution to municipalities, make it impossible to forecast with accuracy the tax rate for the current year.

In view of the continuing heavy demands for public welfare which the Federal Work Relief program has reduced only to a limited degree, it is improbable that a reduction in last year's tax rate can be accomplished unless the Commonwealth should enact legislation prior to the declaration of the rate giving substantial relief to the municipalities of the Commonwealth.

In view of the enactment of recent legislation abolishing the tax limit and amending, among other things, section 16 of chapter 44 of the General Laws, it is no longer necessary to appropriate for Debt Requirements. Provisions, therefore, for these requirements are not included in the budget transmitted herewith, since under the new law

these amounts which include interest, serial payments and sinking fund requirements, will be certified directly by the City Auditor to the Board of Assessors, instead of being submitted to the City Council for appropriation.

As the tax rate must be declared on or about June 1, I recommend prompt consideration and adoption of the accompanying orders.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

DEPARTMENTAL ALLOWANCES RECOMMENDED BY
MAYOR FOR 1936.

Department.	Allowances.
Art Department.....	\$1,000 00
Assessing Department.....	311,308 79
Auditing Department.....	81,000 00
Boston Port Authority.....	34,791 00
Boston Retirement Board.....	32,515 52
Boston Traffic Commission.....	174,347 09
Budget Department.....	11,845 00
Building Department.....	222,140 38
Board of Appeal.....	14,965 00
Board of Examiners.....	5,316 00
City Clerk Department.....	44,271 06
City Council.....	84,275 00
City Council Proceedings.....	11,250 00
City Documents.....	30,000 00
City Planning Board.....	51,425 00
Collecting Department.....	167,648 27
Election Department.....	318,051 23
Finance Commission.....	50,000 00
Fire Department.....	4,243,310 70
Wire Division.....	100,973 71
Health Department.....	944,928 94
Hospital Department.....	3,252,791 31
Sanatorium Division.....	614,249 06
Institutions Department:	
Central Office.....	48,125 00
Child Welfare Division.....	343,571 36
Long Island Hospital.....	798,566 33
Steamers "Hibbard" and "O'Meara".....	64,650 00
Law Department.....	135,281 35
Library Department.....	1,197,866 00
Licensing Board.....	49,658 00
Market Department.....	15,651 33
Mayor's Office.....	82,290 00
Public Celebrations.....	38,000 00
Conventions, etc.....	12,500 00
Park Department.....	1,517,817 10
Cemetery Division.....	68,649 49
Police Department.....	5,869,047 68
Public Buildings Department.....	559,521 00
Real Estate Division.....	20,000 00
Public Welfare Department:	
Central Office.....	8,175,030 90
Temporary Home.....	10,640 00
Wayfarers' Lodge.....	17,550 00
Public Works Department:	
Central Office.....	37,405 41
Bridge Service.....	409,389 81
Bridges, Repairs, etc.....	50,000 00
Ferry Service.....	346,817 83
Lighting Service.....	982,462 79
Paving Service.....	1,357,856 56
Snow Removal.....	800,000 00
Sanitary Service.....	2,290,472 57
Sewer Service.....	554,335 00
Registry Department.....	84,833 86
Reserve Fund.....	400,000 00
Sinking Funds Department.....	2,925 00
Soldiers' Relief Department.....	890,856 93
Statistics Department.....	7,900 00
Street Laying-Out Department.....	192,846 82
Supply Department.....	89,151 84
Treasury Department.....	81,625 57
Weights and Measures Department.....	49,333 85
	38,235,210 34

Department.	Allowances.
Suffolk County Courthouse (Cus- todian).....	\$274,965 11
County Buildings.....	110,611 64
Jail.....	256,886 02
Supreme Judicial Court.....	60,750 00
Superior Court, Civil Session, General Expenses.....	414,185 65
Superior Court, Civil Session, Clerk's Office.....	184,479 03
Superior Court, Criminal Session..	501,923 98
Probate Court.....	25,338 89
Municipal Court, City of Boston..	461,588 33
Municipal Court, Charlestown District.....	31,340 80
East Boston District Court.....	30,899 10

Municipal Court, South Boston District.....	31,795 20
Municipal Court, Dorchester Dis- trict.....	43,607 16
Municipal Court, Roxbury Dis- trict.....	99,219 66
Municipal Court, West Roxbury District.....	37,984 50
Municipal Court, Brighton Dis- trict.....	22,111 25
Boston Juvenile Court.....	29,426 84
District Court of Chelsea.....	37,916 17
Registry of Deeds.....	186,914 11
Index Commissioners.....	24,142 57
Insanity Cases.....	36,120 00
Land Court.....	7,050 00
Medical Examiner Service, North- ern Division.....	25,390 21
Medical Examiner Service, South- ern Division.....	17,452 00
Associate Medical Examiner Ser- vice, Northern Division.....	2,105 00
Associate Medical Examiner Ser- vice, Southern Division.....	1,880 00
Miscellaneous Expenses:	
Auditing Department.....	20,519 17
Budget Department.....	2,204 58
Collecting Department.....	1,400 00
Sheriff.....	4,250 00
Treasury Department.....	7,090 00
Granite Avenue Bridge.....	3,501 70
Social Law Library.....	1,000 00
Penal Institutions Department:	
Office Expenses.....	41,980 06
House of Correction.....	492,621 96
Steamer "Michael J. Perkins,"	64,218 97
	\$3,594,929 66

Printing Department.....	\$406,215 69
Departmental stationery and postage.....	125,000 00
	\$531,215 69

City Record, Publication of.....	\$33,550 50
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Public Works Department:	
Water Service.....	\$1,192,229 72
Water Income Division.....	284,569 15
Collecting Department:	
Water Division.....	98,591 32
	\$1,575,390 19

Public Works Department:	
Traffic Tunnel.....	\$352,550 39

WAYS AND MEANS OTHER THAN TAXES FOR 1936.

An estimate of the ways and means, other than taxes, of meeting expenditures of the City of Boston and County of Suffolk for the year ending December 31, 1936.

Building Department.....	\$30,000 00
Boston Traffic Commission.....	10,000 00
City Clerk Department.....	26,000 00
Collecting Department.....	45,000 00
Fire Department.....	65,000 00
Health Department.....	16,000 00
Hospital Department.....	330,000 00
Institutions Department.....	14,000 00
Interest.....	800,000 00
Library Department.....	23,000 00
Licensing Board.....	45,000 00
Liquor Licenses.....	1,400,000 00
Market Department.....	85,000 00
Mayor.....	55,000 00
Park Department.....	82,000 00
Pedlers' Licenses.....	3,000 00
Police Department.....	55,000 00
Public Buildings Department.....	15,000 00
Public Welfare Department.....	2,600,000 00
Public Works Department.....	168,000 00
Registry Department.....	24,000 00
Soldiers' Relief Department.....	85,000 00
Street Laying-Out Department.....	55,000 00
Treasury Department, Cash Dis- counts.....	55,000 00
Weights and Measures Depart- ment.....	14,000 00
County of Suffolk.....	400,000 00
	\$6,500,000 00

APPROPRIATIONS AND TAX ORDERS FOR THE
FINANCIAL YEAR 1936.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1936, for performing the duties and exercising the powers developed 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.

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; and the appropriation for the Traffic Tunnel be met by the income from tolls and any excess over income from taxes, in accordance with the provisions of section 11, chapter 297, of the Acts of 1929, as amended by chapter 74 of the Acts of 1935; that the other appropriations hereinafter specified be met out of the money remaining in the treasury at the close of business on December 31, 1935, exclusive of the money raised by loan or needed to carry out the requirements of any statute, gift, trust or special appropriation, by the income of the financial year beginning January 1, 1936, by loans to the amount of \$4,000,000 authorized by chapter 80 of the Acts of 1936, and taxes to the amount of \$31,330,140, 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 1936, or for any other taxes or assessments payable to the Commonwealth, shall be payable in two equal installments, on July first and on October first of 1936; that interest shall be charged on all taxes remaining unpaid after the second day of November, 1936, in accordance with the provisions of chapter 59, section 57, of the General Laws, as amended by chapter 254, section 42, of the Acts of 1933, 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 first day of October, 1936, 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.

• Referred to the Committee on Appropriations.

TRAFFIC SIGNAL LIGHTS, WARD 14.

The following was received:

City of Boston,
Office of the Mayor, April 25, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Traffic Commissioner relative to your order of April 6, 1936, concerning the advisability of including in the budget an amount sufficient for the installation of traffic signal lights at the corner of Harvard and Morton streets in Ward 14.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, April 22, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated April 6, 1936, which reads as follows:

"Ordered, That his Honor the Mayor consider the advisability of including in the budget an amount sufficient for the installation of traffic signal lights at the corner of Harvard and Morton streets, Dorchester, Ward 14."

All traffic signals which have been installed in the city have been paid for out of special appropriations from loan orders or special funds diverted from other sources. There is no provision in the Traffic Commission departmental budget for the erection of new signals.

The intersection of Harvard street and Morton street is on a list of locations where this commission has previously recommended to your Honor that traffic signals be installed if money is made available.

There are no funds available at present for this installation. The estimated cost of a traffic signal at this location is \$2,800.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.
Placed on file.

CHARLESTOWN MUNICIPAL BUILDING
BOILER.

The following was received:

City of Boston,
Office of the Mayor, May 1, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings relative to your order of April 27, concerning the condition of the boiler at the Charlestown Municipal Building.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
May 1, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In reference to Council order dated April 24, 1936, in regard to condition of the boiler at the Charlestown Municipal Building, I wish to state that up to the present time there has been only one boiler in said building. This boiler is in an unsafe condition and is, at the present time, being replaced by two boilers which have been purchased from Federal Funds and the work to install these boilers is being paid out of W. P. A. allotments.

It will be necessary, in order to put the new boilers in operation, to close down the present boiler for a very short period.

I assure you that this building will be in full operation, with the exception of said short period, for the entire summer season.

Very truly yours,
ROSSELL G. HALL,
Superintendent of Public Buildings.

Placed on file.

REORGANIZATION OF CERTAIN CITY
DEPARTMENTS.

The following was received:

City of Boston,
Office of the Mayor, April 27, 1936.
To the Honorable the City Council.

Gentlemen,—On December 16, 1935, I submitted to your Honorable Body a form of ordinance reorganizing the Department of Public Works and certain other departments, set forth on pages 4 to 18, inclusive, of City Document 91 of 1935, transmitted herewith. My message transmitting said ordinance is set forth on pages 1 to 3, inclusive, of said City Document and the report of the committee appointed by President Compton of the Massachusetts Institute of Technology, headed by Col. Robert C. Eddy, recommending the form of reorganization, is set forth on pages 19 to 45, inclusive, of said City Document. With said message and form of ordinance were also submitted to your

Honorable Body copies of letters from the Corporation Counsel to Colonel Eddy and from Colonel Eddy to the Corporation Counsel, copies of which are also transmitted herewith.

On December 30, 1935, your Honorable Body rejected said ordinance without prejudice.

As a result of my petition to the Legislature, chapter 152 of the Acts of 1936 was enacted and approved on March 23, 1936. The Law Department has prepared an additional section to said form of ordinance, as authorized by said chapter 152, providing as follows:

"Section 27. All of the employees of any department or division thereof hereby abolished who are subject to civil service shall be reappointed to similar positions with similar status in the department of public works or any division thereof hereby established or in any other department of the city or division thereof, without civil service examination or registration, and such employees shall, upon reappointment, retain all rights to retirement with pension that shall have accrued or would thereafter accrue to them, and their services shall be deemed to have been continuous, to the same extent as if such abolishment had not taken place."

I am submitting to your Honorable Body a form of ordinance reorganizing the Department of Public Works and certain other departments, which is in the same form as the form of ordinance submitted last year, excepting for the addition of the new section hereinbefore quoted and the renumbering of the sections beginning with section 27.

For the reasons set forth in my message to your Honorable Body dated December 16, 1935, and for the additional reason that the new section gives additional protection to civil service employees of the departments and divisions to be abolished by said ordinance, I strongly recommend and urge upon you the passage of an ordinance in the form submitted.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Massachusetts Institute of Technology,
Cambridge,
Massachusetts.

October 22, 1935.

Henry E. Foley, Esq.,
Corporation Counsel.

Dear Mr. Foley,—We have examined the proposed ordinance for the reorganization of the Department of Public Works and certain other departments which you submitted to us.

The committee notes that you have omitted the Boston Traffic Commission because of the statutory provisions contained in the act establishing the commission.

With this omission in mind the committee is of the opinion that the ordinance as drawn provides substantially the organization recommended by this committee.

The committee believes that the reorganization, in accordance with the ordinance, will provide a sound organization from an engineering standpoint and will promote efficiency in the transaction of the business of the city. The committee, therefore, recommends the adoption of the ordinance.

Very truly yours,
ROBERT C. EDDY, Chairman.

City of Boston,
Law Department, August 19, 1935.

Col. Robert C. Eddy, Chairman Committee to Study Engineering Departments of the City of Boston, Massachusetts Institute of Technology, Cambridge, Mass.

Dear Colonel Eddy,—I am transmitting herewith a copy of proposed ordinance for the reorganization of the Department of Public Works and certain other departments. This proposed ordinance is based upon the report of your committee entitled "Organization of a New Public Works Department Embracing All Engineering Functions for the City of Boston," recently submitted by your committee to me.

In view of the provisions contained in chapter 263 of the Acts of 1929, establishing the Boston Traffic Commission, that the provisions of section 5 of chapter 486 of the Acts of 1909 shall not apply to said commission, I have not included said commission within the form of reorganization set forth in said proposed ordinance.

Very truly yours,
HENRY E. FOLEY,
Corporation Counsel.

An Ordinance Reorganizing the Department of Public Works and Certain Other Departments.

Be it ordained by the City Council of Boston as follows:

Section 1. The department of public works (exclusive of the board of public works commissioners hereinafter established) shall be under the charge of the commissioner of public works, who shall be a recognized expert in such work as may devolve upon him as such commissioner or a person, specially fitted by education, training or experience to perform the same.

Section 2. There shall be in said department a board of public works commissioners which shall consist of the Commissioner of Public Works and two other members, who shall be appointed by the Mayor. The commissioner shall be chairman of said board.

Section 3. There shall also be in said department the following divisions: survey and project division; design and construction division; building inspection division; division of standards; electrical division; bridge, tunnel, ferry and airport division; highway division; sanitary division; sewer division; water division; park division; public buildings division and administrative division.

The head of each of said divisions, except the administrative division, shall be a person to be known as the division superintendent, and the head of the administrative division shall be a person to be known as the administrative superintendent of the department. The following divisions: survey and project division; design and construction division; building inspection division; division of standards and electrical division, shall be under the general supervision and control of a member of the board of public works commissioners to be known as the engineering staff deputy commissioner of public works; and the following divisions: bridge, tunnel, ferry and airport division; highway division; sanitary division; sewer division; water division; park division and public buildings division, shall be under the general supervision and control of another member of said board to be known as the operating deputy commissioner of public works.

Section 4. The engineering staff deputy commissioner, the operating deputy commissioner, the administrative superintendent and each of said division superintendents shall be recognized experts in such work as may devolve upon them or persons, specially fitted by education, training or experience to perform the same.

Section 5. Whenever in this ordinance the expressions "powers and duties" or "power and duty" "conferred or imposed upon" or "exercised by" or "performed by" are used with reference to any department, division, board, officer or head of a division, such expressions shall mean "powers and duties" or "power and duty" "conferred or imposed upon" or "exercised by" or "performed by" such department, division, board, officer or head of division, as the case may be, immediately prior to the taking effect of this ordinance.

Section 6. The power and duty conferred or imposed upon or exercised by the public buildings department and the superintendent of public buildings to provide furniture for buildings and parts of buildings belonging to or hired by the city are hereby transferred to the supply department and the superintendent of supplies respectively.

Section 7. The power and duty conferred or imposed upon or exercised by the market department and the superintendent of markets to take and destroy any article of food which in his opinion is diseased, unwholesome, or tainted, and is kept for sale within the Faneuil Hall market limits are hereby transferred to the health department and the health commissioner respectively.

Section 8. All of the powers and duties conferred or imposed upon or exercised by the street laying-out department and the board of street commissioners, the park department and the board of park commissioners and the transit department and the board of commissioners of the transit department to make any rules or regulations and to prescribe penalties therefor, to lay out, widen, alter, extend, relocate, discontinue or order constructed, streets, highways, public alleys, sidewalks, sewers, parkways, park roads and other ways and roads or order specific repairs thereon or thereto, to name streets, highways, public alleys and other ways and roads; to take property by purchase or otherwise; to assess; suspend and abate

betterments; and to issue, grant and revoke permits and licenses in instances in which by law a public hearing by one of said departments or boards is a condition precedent to such issuance, grant or revocation, are hereby transferred to the board of public works commissioners.

Section 9. Except as otherwise provided in sections six, seven and eight hereof, all the powers and duties conferred or imposed upon or exercised by the street laying-out department (other than the power to authorize, order or direct the commissioner of public works to issue or grant any permit or license, which power is hereby abolished), the transit department, the park department, the building department, the public buildings department, the market department, the weights and measures department and the wire division of the fire department are hereby transferred to the department of public works.

Section 10. Except as herein otherwise expressly provided in sections six, seven and eight hereof, all the powers and duties conferred or imposed upon or exercised by the board of street commissioners (other than the power to authorize, order or direct the commissioner of public works to issue or grant any permit or license, which power is hereby abolished), the board of commissioners of the transit department, the board of park commissioners, the building commissioner, the superintendent of public buildings, the superintendent of markets, the sealer of weights and measures and the superintendent of the wire division of the fire department, and of the fire commissioner in carrying out the provisions and requirements of law relating to wires and electric appliances and the inspection thereof are hereby transferred to the commissioner of public works.

Section 11. The commissioner of public works shall, in addition to the powers and duties hereby transferred to him, exercise and perform all the powers and duties conferred or imposed upon or exercised by him, or which may hereafter be conferred or imposed upon him, by virtue of any statute or ordinance, including chapter twenty-seven of the Revised Ordinances of 1925 as amended by section thirty-three hereof.

Section 12. The street laying-out department, the transit department, the park department, the building department, the public buildings department, the market department, the weights and measures department, the wire division of the fire department, the following boards, commissions or offices: the board of street commissioners, the board of commissioners of the transit department, the board of park commissioners, the building commissioner, the superintendent of public buildings, the superintendent of markets and the superintendent of the wire division of the fire department and each of the divisions of the public works department existing immediately prior to the taking effect of this ordinance and the position of engineer in charge of each of such divisions are hereby abolished.

Section 13. Each of the divisions hereby established of the department of public works shall exercise and perform, subject to the control of the commissioner, all the powers and duties hereinafter specifically set forth or such other or additional powers and duties (other than the powers and duties conferred or imposed upon the board of public works commissioners by section eight hereof) as said commissioner may from time to time direct.

Section 14. The survey and project division shall prepare and maintain a property map for the assessing department; shall study problems concerning and prepare plans for the laying-out, widening, alteration, extension, relocation and discontinuance of all sewers, ways and roads; shall prepare preliminary surveys, plans, sketches and reports for all public works of the city; shall furnish data to and prepare plans for the city planning board, and shall number houses and lots on streets and ways and prescribe the streets from which poles shall be removed and wires buried underground.

Section 15. The design and construction division shall design and prepare detailed plans, drawings, specifications and contracts for, the construction, reconstruction, alteration and repair of all public works done or made by the department, and supervise and inspect all such construction, reconstruction, alteration and repair, whether done or made by contract or otherwise.

Section 16. Except as otherwise provided in this section and in sections seventeen and twenty-six hereof, the building inspection division shall exercise and perform all the powers and duties

exercised and performed by the building department, and by the wire division of the fire department relating to interior wires and electrical appliances and the inspection thereof. The board of appeal, the board of examiners and the board of examiners of gas fitters shall each be in the building inspection division and shall exercise and perform (but not subject to the control of the superintendent of the building inspection division, the engineering staff deputy commissioner or the commissioner) the powers and duties respectively conferred or imposed upon or exercised by them.

Section 17. The division of standards shall consist of two sections: one, a testing laboratory, and the other, a section of weights and measures. The testing laboratory shall exercise and perform all the powers and duties conferred or imposed upon or exercised by the building department relating to the tests of materials; shall inspect and test all materials supplied to or used by the department as required by the commissioner and shall make, with the approval of the commissioner, such other tests as may be requested of it by the superintendent of supplies or by the head or board in charge of any other municipal department. The section of weights and measures shall exercise and perform all the powers and duties exercised and performed by the department of weights and measures and shall be under the charge of the sealer of weights and measures.

Section 18. The electrical division shall, except as otherwise provided in sections fourteen, sixteen and twenty-six hereof, exercise and perform all the powers and duties exercised and performed, by the wire division of the fire department, shall lay or cause to be laid, supervise, inspect and maintain all exterior wiring, poles, pole lines and conduits, shall supervise and maintain or cause to be maintained all lighting of public ways, alleys and parks and shall furnish advice relating to and perform electrical work for all other divisions of the department and, as may be requested, with the approval of the commissioner, for any other municipal department, including the Boston traffic commission.

Section 19. The bridge, tunnel, ferry and airport division shall, except as otherwise provided in sections fourteen, fifteen and twenty-six hereof, exercise and perform all the powers and duties exercised and performed by the bridge, tunnel and ferry division hereby abolished and by the park department relating to the municipal airport and to the construction, reconstruction, alteration and repair of park bridges.

Section 20. The highway division shall, except as otherwise provided in sections eight, fourteen, fifteen, eighteen and twenty-six hereof, exercise and perform all the powers and duties exercised and performed, by the highway division hereby abolished, by the street laying-out department and by the park department relating to the construction, reconstruction, alteration and repair of parkways and park roads.

Section 21. The sanitary division shall, except as otherwise provided in sections fourteen and twenty-six hereof, exercise and perform all the powers and duties exercised and performed by the sanitary division hereby abolished.

Section 22. The sewer division shall, except as otherwise provided in sections fourteen, fifteen and twenty-six hereof, exercise and perform all the powers and duties exercised and performed by the sewer division hereby abolished.

Section 23. The water division shall, except as otherwise provided in sections fourteen and fifteen hereof, exercise and perform all the powers and duties exercised and performed by the water division hereby abolished, and shall install, test and inspect all water meters.

Section 24. The park division shall, except as otherwise provided in sections eight, fourteen, fifteen, nineteen, twenty and twenty-six hereof, exercise and perform all the powers and duties exercised and performed by the park department and the powers and duties of the street laying-out department relating to the planting and removal of trees.

Section 25. The public buildings division shall, except as otherwise provided in sections six, seven, fourteen, fifteen and twenty-six hereof, exercise and perform all the powers and duties exercised and performed by the public buildings department and the market department.

Section 26. The administrative division shall exercise and perform all the powers and duties exercised and performed by the public buildings department and the street laying-out department

relating to the leasing, rental and management of real estate owned, leased or rented by the city and to the appraisal of property; and by the market department relating to the leasing of stalls and the assigning of stands, by the water income division hereby abolished, except as otherwise provided in section twenty-three hereof; and all other powers and duties of the department relating to personnel, finance and administration, except as herein otherwise specifically provided.

The administrative division shall receive all applications for permits or licenses which the commissioner, the board of public works commissioners, the board of appeal, the board of examiners and the board of examiners of gas fitters are or may be authorized to issue or grant, shall refer such applications to the proper division or board for recommendation or action, and, upon the approval, grant or vote by said commissioner or board shall issue said permit or license in the name of said commissioner or board, as the case may be, shall receive and collect all fees and securities or deposits, if any, imposed by statutes, ordinances, rules or regulations for such permits or licenses, and shall account for and pay over the amounts of such fees to the city collector and deliver such securities or deposits to the city treasurer.

Section 27. All of the employees of any department or division thereof hereby abolished who are subject to civil service shall be reappointed to similar positions with similar status in the department of public works or any division thereof hereby established or in any other department of the city or division thereof, without civil service examination or registration, and such employees shall, upon reappointment, retain all right to retirement with pension that shall have accrued or would thereafter accrue to them, and their services shall be deemed to have been continuous, to the same extent as if such abolishment had not taken place.

Section 28. Chapter one of the Revised Ordinances of 1925, as most recently amended, is hereby further amended by inserting after the word "departments," in line two of clause ninth thereof the following: "the following boards, board of zoning adjustment, board of appeal, board of examiners, board of examiners of gas fitters and board of public works commissioners".

Section 29. Chapter two of the Revised Ordinances of 1925, as most recently amended, is hereby further amended by striking out in the ninth and tenth lines of section one thereof the words: "for the term of three years, beginning with the first Monday in January, one street commissioner"; in the sixteenth line of said section one the words "one park commissioner"; in the twenty-third line of said section one the words "the building commissioner"; in the twenty-sixth and twenty-seventh lines of said section one the words "the superintendent of markets"; and in the twenty-eighth line of said section one the words "the superintendent of public buildings"; and by inserting after the words: "the commissioner of public works" in the twenty-ninth line of said section one the following: "the engineering staff deputy commissioner of public works; the operating deputy commissioner of public works".

Section 30. Chapter three of the Revised Ordinances of 1925 is hereby amended by striking out in the eleventh line of section three thereof the words: "The park department secretary, three thousand dollars" and in the fourteenth to twenty-third lines of said section three inclusive the following: "The deputy commissioner in charge of the ferry service, and the clerk and assistant clerk of said deputy commissioner, each five thousand dollars; all other persons authorized to sell ferry tickets, or to receive money or tickets at the ferries, or to receive money for removal of refuse, each one thousand dollars; and the supervisor of permits of the public works department, one thousand dollars. The subordinate designated by the commissioner of public works to be the head of the water income division, and the deposit clerk of the water service, each five thousand dollars"; and by inserting at the end of said section, as so amended, the following: "The commissioner of public works, ten thousand dollars; the operating deputy commissioner of public works, five thousand dollars; the superintendent of the bridge, tunnel, ferry and airport division of the department of public works, five thousand dollars; the administrative superintendent of said department, ten thousand dollars; and all persons authorized to receive or collect money or tickets, each one thousand dollars".

Section 31. Chapter three of the Revised Ordinances of 1925, as amended, is hereby further

amended by striking out in the eighteenth line of section five thereof the words: "the building commissioner, seventy-five hundred dollars"; in the thirty-seventh to the thirty-ninth lines inclusive of said section five the words: "the park commissioners, the chairman, seven thousand dollars, and the deputy commissioner, not more than forty-two hundred dollars"; in the forty-second line of said section five the words: "the engineers in charge of divisions, each six thousand dollars"; in the fifty-fifth and fifty-sixth lines of said section five the words: "the street commissioners, the chairman, seven thousand dollars, and the two other commissioners, each six thousand dollars"; in the fifty-seventh line of said section five the words: "the superintendent of markets, five thousand dollars"; in the fifty-ninth and sixtieth lines of said section five the words: "the superintendent of public buildings, fifty-five hundred dollars"; in the sixty-second, sixty-third and sixty-fourth lines of said section five the words: "the transit commissioners, the chairman nine thousand dollars, and the two other commissioners, each seventy-five hundred dollars"; and in the forty-first line of said section five the words: "nine thousand dollars"; and by inserting after the words "the commissioner of public works" in said forty-first line of said section five the words: "twelve thousand dollars; the engineering staff deputy commissioner of public works, nine thousand dollars; the operating deputy commissioner of public works, eight thousand dollars; the superintendents of the following divisions of the department of public works; survey and project division, the design and construction division and the building inspection division, and the administrative superintendent of the department of public works, each seven thousand five hundred dollars; the superintendent of the park division of the department of public works, seven thousand dollars; and the superintendent of each of the other divisions of said department, each six thousand dollars"; and further by inserting at the end of said section the following: "Each member of the board of examiners in the building inspection division of the department of public works, shall receive ten dollars for every day or part thereof of actual service; the compensation for the chairman of the board of examiners shall, however, not exceed twelve hundred dollars and for each of the other members one thousand dollars in any one year".

Section 32. Chapter ten of the Revised Ordinances of 1925 is hereby amended by striking out the title thereof "Building Department", and by inserting in place thereof the title "Board of Examiners"; by inserting after the word "board" in the first line of the first paragraph of section four thereof, the words: "of examiners"; by striking out in the sixth line of said paragraph the words: "building department" and by inserting in place thereof the words: "department of public works"; by striking out in the seventh and eighth lines of the second paragraph of said section four, in the fourth and eleventh lines of section six thereof, in the ninth line of section seven thereof, in the second line of section eight thereof, and in the fourth, fifth, seventh, eighth, eighteenth, twenty-fourth and twenty-fifth lines of section nine thereof the words "building commissioner" and by inserting in place thereof in each instance the words: "commissioner of public works".

Section 33. Chapter twenty-one of the Revised Ordinances of 1925 is hereby amended by striking out the title thereof "Market Department", and by inserting in place thereof the title "Market Cases"; by striking out in the first line of section two thereof, the words: "superintendent" and by inserting in place thereof the following: "commissioner of public works"; by striking out in the second and third lines of said section two the words: "a term of ten years from the day of such expiration", and by inserting in place thereof the following: "such a term of years from the day of such expiration as shall be established by vote of the city council therefor", and by striking out in the fourth and fifth lines of the third sub-paragraph of said section two the words "superintendent of markets, or one of his deputies" and by inserting in place thereof the following: "commissioner of public works or administrative superintendent of the department of public works"; by striking out in the second line of the fifth sub-paragraph of said section two the word "superintendent" and by inserting in place thereof, the following: "commissioner of public works"; by striking out in the fifth line of the sixth sub-paragraph of said section two the words "superintendent or other of his

deputies" and by inserting in place thereof the following: "commissioner of public works, operating deputy commissioner of public works, superintendent of the public buildings division of the department of public works or the administrative superintendent thereof"; by striking out in the third line of the ninth sub-paragraph thereof the word "superintendent" and by inserting in place thereof the following: "commissioner of public works"; by striking out in the first and second lines of the eleventh sub-paragraph of said section two the word "superintendent" and by inserting in place thereof the following: "commissioner of public works, operating deputy commissioner of public works, superintendent of the public buildings division of the department of public works or administrative superintendent thereof" and by striking out in the sixth line of the thirteenth sub-paragraph of said section two the word "superintendent" and by inserting in place thereof the following: "commissioner of public works".

Section 34. Chapter twenty-two of the Revised Ordinances of 1925 is hereby amended by striking out the title thereof, "Park Department", and by inserting in place thereof the title, "Rules and Regulations Relating to Parks and Restrictions Relating to Cemetery Lots," by inserting after the word "board" in line three of section six thereof the following: "of public works commissioners"; by striking out the first paragraph of section nine thereof and by inserting in place thereof the following: "The commissioner of public works may determine the payments to be made for cemetery lots, or for the perpetual or other care thereof. The commissioner, after payment therefor has been made to the administrative superintendent of the department of public works, may execute and deliver to the person or persons by or for whom the payment has been made, a deed of the city conveying the exclusive right of burial of human dead in, and of placing and maintaining tombs, cenotaphs and monuments, authorized by the commissioner or the administrative superintendent, upon the lot or sub-division described in the deed, and shall cause the deed to be recorded in the office of the department. Every such conveyance shall be subject to the following restrictions, or such other regulations and restrictions relating to said cemetery or the lots therein as shall from time to time be established by the city by ordinances"; and by striking out in the second line of the third sub-paragraph of said section, in the second line of the fourth sub-paragraph of said section, in the third, sixth, seventh and eighth line of the fifth sub-paragraph of said section and in the fourth line of the sixth sub-paragraph of said section the words: "board or officer" and by inserting in place thereof in each instance the following: "commissioner of public works or administrative superintendent of the department of public works".

Section 35. Chapter twenty-seven of the Revised Ordinances of 1925 is hereby amended by striking out at the beginning of section one thereof the words: "The department of public works shall be under the charge of the commissioner of public works, who shall be a civil engineer of recognized standing in his profession" and by inserting in place thereof the following: "The commissioner of public works"; and by striking out in the third, fourth and fifth lines of the second paragraph of said section one the words: "one of his division engineers to be deputy commissioner. The deputy commissioner" and by inserting in place thereof the following: "one of the deputy commissioners to be assistant commissioner. The assistant commissioner"; by striking out in the eighth and ninth lines of section two thereof the words: "the clerk to the deputy commissioner in charge of the division" and by inserting in place thereof the following: "administrative superintendent"; by striking out in the eighth line of section ten thereof the words: "an inspector" and by inserting in place thereof the following: "a duly authorized employee"; by striking out in the ninth line of said section ten the words: "the inspector," and by inserting in place thereof the following: "such employee"; by striking out in the twelfth line of said section ten the words: "inspectors" and by inserting in place thereof the following: "employees"; by striking out in the first and second lines of section twelve thereof the words: "shall issue such a permit to any person authorized by the street commissioners" and by inserting in place thereof the following: "may issue such a permit to a responsible person"; by striking out in the first and second lines of section thirteen thereof the words: "shall, when authorized thereo

by an order of the street commissioners" and by inserting in place thereof the following: "may"; by striking out in the tenth and eleventh lines of said section thirteen the words: "and accompanied by the written consent of the building commissioner to the placing of the building on the lot proposed"; by striking out in the thirteenth and fourteenth lines of said section thirteen the words: "and report thereon to the street commissioners for their action"; by striking out in the sixteenth and seventeenth lines of said section thirteen the words: "street commissioners" and by inserting in place thereof the following: "board of public works commissioners"; by striking out in the first and second lines of section fourteen thereof the words: "The commissioners shall, when authorized thereto by an order of the street commissioners", and by inserting in place thereof the following: "The commissioner may"; by striking out in the tenth line of said section fourteen the word: "shall" and by inserting in place thereof the following: "may, with the approval of the mayor"; by striking out in the eleventh, twelfth and thirteenth lines of said section fourteen the words: "whenever directed, and not until directed, so to do by an order of the street commissioners approved by the mayor"; by inserting after the word: "not" in the thirteenth line of said section fourteen the following: "except as aforesaid"; by striking out in the first and second lines of section fifteen thereof the words: "shall, when authorized thereto by an order of the street commissioners", and by inserting in place thereof the following: "may"; by striking out in the eighteenth to twenty-first lines inclusive of said section fifteen the words: "street commissioners" wherever they appear, and by inserting in place thereof the following: "commissioner"; by striking out in the fifth line of section twenty thereof the words: "street commissioners have" and by inserting in place thereof the following: "commissioner has".

Section 36. Chapter thirty-four of the Revised Ordinances of 1925 is hereby amended by striking out in the fifth line of section one thereof, and in the second line of section two thereof, the words "furniture and".

Section 37. Chapter thirty-nine of the Revised Ordinances of 1925 is hereby amended by striking out in the fourth and fifth lines of section thirty-one thereof the words: "the superintendent of markets or his deputy" and by inserting in place thereof the following: "the administrative superintendent of the department of public works"; by striking out in the third line of section thirty-three thereof the words: "the superintendent of markets or his deputy" and by inserting in place thereof the following: "the superintendent of the public buildings division of the department of public works or the administrative superintendent of said department"; by striking out in the third and fourth lines of section thirty-four thereof the words: "the superintendent of markets" and by inserting in place thereof the following: "the commissioner or the administrative superintendent of the department of public works"; by striking out in the second line of section forty-two thereof the words: "the board of street commissioners" and by inserting in place thereof the following: "the commissioner of public works"; by striking out in the second line of section fifty-nine thereof the words: "the park commissioners" and by inserting in place thereof the following: "the board of public works commissioners"; by striking out in the fourth and fifth lines of section sixty thereof the words: "the Boston transit commission" and by inserting in place thereof the following: "the department of public works"; by striking out in the fourth line of section seventy-eight thereof the words: "park commissioners" and by inserting in place thereof the following: "commissioner of public works"; by striking out in the second and third lines of section eighty-four thereof the words: "the superintendent of public buildings" and by inserting in place thereof the following: "the commissioner of public works"; by striking out in the first and second lines of section eighty-five thereof the words: "the superintendent of public buildings" and by inserting in place thereof the following: "the commissioner of public works"; by striking out in the third line of section ninety-eight thereof, in the first and second lines of section ninety-nine thereof, in the fifth line of section one hundred and two thereof, in the third and fourth lines of section one hundred and three thereof and in the fourth line of section one hundred and seven thereof the words: "street commissioners". Wherever they appear, and by

inserting in place thereof the following: "commissioner of public works"; by striking out in the first line of section one hundred and ten thereof the words: "street commissioners" and by inserting in place thereof the words: "board of public works commissioners"; and by striking out in the ninth line of said section one hundred and ten the words: "street commissioners" and by inserting in place thereof the following: "board".

Section 38. Chapter forty of the Revised Ordinances of 1925 is hereby amended by striking out in the twenty-fourth line of section twenty thereof the words: "board of park commissioners" and by inserting in place thereof the words: "commissioner of public works"; and by striking out in the fourth line of section twenty-one thereof the words: "park commissioners" and by inserting in place thereof the words: "commissioner of public works".

Section 39. Sections one, two and three of chapter ten, sections ten and eleven of chapter fifteen, section one of chapter twenty-one, chapter twenty-two except sections six and nine thereof, chapter twenty-five, sections twenty-four, thirty-three and thirty-four of chapter twenty-seven, chapter thirty-three, chapter thirty-five, chapter thirty-seven and section ninety-seven of chapter thirty-nine of the Revised Ordinances of 1925, as amended, chapter one of the Ordinances of 1928, as amended by chapter fifteen of the Ordinances of 1929, section three of chapter one of the Ordinances of 1931, and all other ordinances or parts thereof inconsistent herewith, are hereby repealed.

Section 40. This ordinance shall take effect ninety days after the passage hereof.

Referred to the Committee on Ordinances.

PETITIONS REFERRED.

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

Claims.

George Canada, for compensation for damage to car by city car.

Frank R. Dupree, for compensation for damage to property at 182 Cabot street, caused by city truck.

Louis Green, for refund on refuse tickets.

William J. Harkness, for compensation for loss of clothing at City Hospital.

Theresa Hart, for refund on fruit and soft drinks license.

James A. Healy, for compensation for damage to property at 12 Everett avenue, Dorchester, caused by defect in sewer.

Marie J. Hession, for compensation for damage to coat caused by an alleged defect in Summer street.

Anna C. Kelly, for compensation for damage to car caused by an alleged defect at Minot and Adams streets.

Mary A. Malloy, for compensation for damage to property at 6 Alveston terrace, caused by backing up of sewage.

Sidney Omansky, for compensation for injuries caused by an alleged defect at 1857 Commonwealth avenue.

Lillian C. Racine, for compensation for damage to car caused by an alleged defect in Blue Hill avenue.

Mary Scaffeo, for compensation for damage to property caused by city truck.

Catherine G. Voss, for compensation for damage to car by city truck.

Ralph Costanza, for compensation for injuries caused by an alleged defect in South Ferry.

Executive.

Petition of Marguerite L. Flynn, to be paid an annuity on account of death of her husband, Joseph J. Flynn, late member of Fire Department.

Petition of Mary A. Kennedy, to be paid an annuity on account of death of her husband, Francis P. Kennedy, late member of Fire Department.

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

Esther Lyons, Repertory Theatre, June 11.

Kay A. McDermott, Repertory Theatre, June 5.

Mary Griffin Donovan, Repertory Theatre, May 23.

Mary V. Hayes, Repertory Theatre, May 30.

Sarah Horlic, Repertory Theatre, June 3.

Lyllion F. Rose, Repertory Theatre, June 10.
James C. Shanahan, Repertory Theatre, May 14.
Marie Kehoe, Repertory Theatre, June 9.
Arthur N. Burwell, Teleston School Hall, May 8.

SECRETARY OF ASSESSING DEPARTMENT.

Notice was received from the Board of Assessors of election of Timothy W. Murphy as secretary for ensuing year.

Placed on file.

APPOINTMENTS BY THE MAYOR.

Notices were received from the Mayor of the following appointments:

John L. Hall, 285 Clarendon street, member of Board of Library Trustees, for term ending April 30, 1941.

Dana Somes, 7A Smith court, member of Board of Zoning Adjustment, for term ending April 30, 1940.

James R. Gibson, 77 Summer street, member of Board of Zoning Adjustment, for term ending April 30, 1941.

Eliot N. Jones, 5 West Cedar street, member of Board of Zoning Adjustment, for term ending April 30, 1941.

Theodore G. Haffenreffer, 30 Bismarck street, Roxbury, member of Board of Park Commissioners, for term ending April 30, 1939.

Mary A. Barr, 29 Wallingford road, Brighton, member of Planning Board, for term ending April 30, 1941.

Joseph P. Manning, 80 Pond street, Jamaica Plain, member of Board of Trustees of City Hospital, for term ending April 30, 1941.

Michael H. Corcoran, 433 West Roxbury Parkway, West Roxbury, and William Spottiswoode, of 92 Colberg avenue, West Roxbury, Sinking Funds Commissioners of City of Boston, for term ending April 30, 1939.

James A. McMurry, 26 Gaylord street, Dorchester, John J. Walsh, 16 Pond View avenue, Jamaica Plain, Sophie M. Friedman, 206 Bay State road, and Clifford P. Warren, 26 Park street, West Roxbury, members of Board of Overseers of Public Welfare, for term ending April 30, 1939.

Severally placed on file.

APPROVAL OF CONSTABLES' BONDS.

The bonds of the following-named constables, having been duly approved by the City Treasurer, were received and approved, viz.:

Henry Atwood, David Belson, Carl Birger Berg, Eugene Blinderman, Abram Bornstein, Thomas F. Brett, Milton Jacob Bronstein, George W. Brooker, Warren A. Brown, Louis Budd, Thomas C. Carr, William K. Coburn, Sydney Cohen, Henry G. Dahlquist, John J. Daunt, John J. Dillon, Thomas Freedman, Meyer Goldstein, Samuel Gordon, Sears H. Grant, Jacob Isgur, Harry Kahn, Thomas H. King, Charles C. Knibbs, Bronts Kontrim, Mark H. Krafzur, Nathan Kravitsky, Nathan Kravitsky, Abraham Krinsky, Isie Martin, William P. Miles, Nathan Neitlich, Edward Ober, Frederick Partridge, Phillip S. Phillips, George N. Pierce, Albert M. Sacks, Almerindo Sarno, Samuel Shain, Frank Shaw, Sidney J. Sheinfeld, Isaac Shulman, Joseph Simansky, Henry J. D. Small, Leon Small, Paul Stancato, David Tobey, Joseph M. Torr, Roman J. Vasil, Harry A. Webber, Sidney Williams, Louis Yacker, Maurice Zeeman.

CONFIRMATION OF CONSTABLES.

Coun. AGNEW called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointment submitted by the Mayor April 13, 1936, of John Skelly, to be a constable connected with an official position and to serve without bonds.

The question came on confirmation. Committee Coun. George A. Murray and Selvittella.

Coun. McGRATH—Mr. President, I objected to this last week, but I would now like to withdraw my objection.

The appointment was confirmed, yeas 17, nays 1. Coun. AGNEW also called up, under No. 2 on the calendar, unfinished business, from the list of

appointments submitted by the Mayor on April 13 of constables authorized to serve civil process upon filing bond, the names of Charles A. Bancroft and John A. Wragg. The question came on confirmation of the two names. Committee, Coun. Mellen and Finley. Whole number of ballots 18, yeas 18, and the appointments were confirmed.

REPORT OF COMMITTEE ON FINANCE.

Coun. DOWD, for the Committee on Finance, submitted the following:

Report on message of Mayor and order (referred from Executive Committee, March 23) for loan of \$375,000 for reconstruction of streets—that same ought not to pass.

The report was accepted, and the question came on the rejection of the order.

Coun. DOWD—Mr. President, while it is the opinion of most of the members of the Council that we should have this money and possibly more for the reconstruction and care of streets, unfortunately, because of an act passed by the Legislature this year, it would be necessary for the Mayor to send to the City Council a tax appropriation of ten cents for each thousand dollars of the average valuation for these last three years, which would be \$167,000. Until such time as the Mayor sends in to the City Council, therefore, an appropriation of \$167,000, it will be impossible for the Council to act upon this order.

Report accepted; order rejected.

2. Report on order (referred February 10) for loan of \$50,000 for traffic signals, Dorchester—that same ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. SHATTUCK—Mr. President, this is an order for departmental equipment, and it is my impression that the same law referred before would apply to this, namely, that 10 per cent of the amount must be first appropriated out of the tax levy before a borrowing can be made. If that is so, there is no more jurisdiction here for this order than there was for the other one we have just killed. I suggest that the matter be looked into before we proceed further.

Coun. McGRATH—Mr. Chairman, I would like to hear from the chairman of the committee.

Coun. DOWD—Mr. President, it is my contention and understanding that only certain articles are provided for in the chapter passed by the Legislature, and that that chapter does not prohibit the city from borrowing for traffic lights. I may be wrong, but that is my interpretation of the language of the statute. I don't know whether I am right or not, and I suppose we might get some legal interpretation of the language of the statute.

Coun. SHATTUCK—Mr. President, I am opposed to this order for several other reasons. In the first place, I believe loan orders should originate with the Mayor and not with the Council. I think if we get in the habit of putting in loan orders every time we think something should be done, we will be cluttered up with a lot of loan orders, many of which have been very little considered. One member puts in an order because he wants something, and another member puts in an order because he wants something, and then the next time when something comes up which really warrants borrowing it will be turned down because of the lack of borrowing capacity. So I think we will get along much better if we have loan orders of this kind originate with the Mayor, instead of passing here every Monday afternoon under suspension of the rule orders with no knowledge on the part of most of the members of the Council as to what they are all about until the thing is all over. I certainly don't think we should borrow money under any such system. I am opposed to it. I am also opposed to borrowing money, anyway, for small items of this kind. I believe if they cannot be provided for within the tax levy, we ought not to pass them at all. The usual principle for borrowing is to deal with large expenditures. This is a small matter, and the city can either take care of it out of the tax levy or not at all. I shall vote against the order, and I would move in the meantime, in order that the legal question may be looked into, that the matter be postponed until after our recess.

The motion to postpone action until after the recess was lost.

Coun. SELVITELLA—Mr. President, I would like to know from the chairman of the committee whether that appropriation simply involves the Dorchester district, or whether it covers the suburban districts of Boston?

Coun. DOWD—Mr. President, I understand that the order as introduced into the Council by one of our members reads, "for the Dorchester district." In any event, the language of the order is very plain, and I would suggest that the clerk read it.

(The clerk read the order.)

Coun. SELVITELLA—Mr. President, it seems hardly fair that this expenditure of money should be confined to any one district of Boston. The district I represent has a great many intersections where traffic lights should be installed. That has been generally recognized. The accident rate in East Boston is as large as in any other section of the city, and if this order is simply confined to Dorchester I am inclined to vote against the appropriation as being a very unfair appropriation, providing for the needs of one district of the city as against others.

Coun. PETER A. MURRAY—Mr. President, if this order simply provides for Dorchester I shall vote against it, because in Rosindale we need traffic lights. If the order is to provide lights at the worst places in the city, I would gladly vote for it; otherwise, I cannot do so.

Coun. AGNEW—Mr. President, I would say for the information of the Council that one of the most dangerous intersections in the city is in my district. I have been trying for two years to get traffic lights there, where they should have been a long time ago, in which case a number of fatalities would have been prevented. I don't think the order is broad enough. For that reason I shall vote against it.

Coun. McGRATH—Mr. President, I introduced this order for traffic lights in Dorchester. In my particular ward we have one traffic light. I have, since the good people of Dorchester elected me a member of this body, asked his Honor the Mayor to kindly see to it that lights were put at St. Ann's Church, St. Mark's Church, and at some of the playgrounds. I think the population of Dorchester is about 300,000, representing a large part of the population of this city. I don't know what the ratio of traffic lights is, but I think it is fair to say that it is lower in our section than in any other part of Boston. There is just one traffic light in Ward 16. That is the reason why I introduced the order, and I may say that my order was introduced prior to the order providing \$3,000 for traffic or signal lights at the corner of Charles and Allen streets, that is in Boston, and I introduced this order in order to protect Dorchester. I think the rest of the city fares pretty well. Dorchester needs this protection, and I certainly trust that the order will be passed at this time.

Coun. GEORGE A. MURRAY—Mr. President, in so far as the Dorchester section is concerned, I feel that they probably need more traffic lights. But it is also true that over in South Boston there is plenty of room for additional traffic lights. I would, therefore, like to amend the order of the councilor from Dorchester, increasing the amount of money from \$50,000 to a sufficient sum so that each councilor might have an opportunity to have needed traffic lights in his section.

Coun. DOWD—Mr. President, I move that the order be referred to the Executive Committee.

The order was referred to the Executive Committee.

REPORT OF COMMITTEE ON ORDINANCES.

Coun. GALLAGHER, for the Committee on Ordinances, submitted the following:

1. Report on message of Mayor and ordinance (referred March 30) amending ordinance re hawkers and pedlers of fruit, vegetables, etc., that same ought to pass.

Report accepted; said ordinance passed.

BUS LINE TO CITY HOSPITAL.

Coun. KERRIGAN offered the following: Ordered, That the trustees of the Boston Elevated Railway Company be requested, through his Honor the Mayor, to establish a bus line from

South Boston to the Boston City Hospital and return, with a five-cent fare in each direction.

Passed under suspension of the rule.

OPENING OF ROGER WOLCOTT SCHOOL.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor request the School Board to consider the advisability of opening the Roger Wolcott School, located at Norfolk and Morton streets, Dorchester, as a School Center.

Coun. ROSENBERG—Mr. President, out in Dorchester for a great number of years, especially in my district, we have been waiting and hoping that a municipal building would eventually be built. It is still in the offing, and we are waiting. The Sarah Greenwood School, located at the corner of Harvard and Glenway streets, has been used as a school center, open evenings, to bring in the children of the district and also some of the parents. The place is so overcrowded, however, that large numbers of youngsters are unable to get into the building for the purpose of receiving necessary education and guidance. At the present time there is available the Roger Wolcott School, at the corner of Norfolk and Morton streets, which has a large auditorium and school rooms that can be easily devoted to instruction and recreation, dealing with children and adults, and with vocational work. It is available evenings, and I believe if the school could be opened up it would be to the great advantage of the people of Dorchester, in Wards 18, 17, and other parts of the district. It also has convenient street car and bus service, and the opening of the school and its use in this way as a school center would be of great benefit to the people of Dorchester.

The order was passed under suspension of the rule.

NEW LOCKER BUILDING, FRANKLIN FIELD.

Coun. ROSENBERG offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to consider the advisability of replacing the present locker building at Franklin Field with a recreation center building.

Passed under suspension of the rule.

DRINKING FOUNTAIN, FRANKLIN FIELD.

Coun. ROSENBERG offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to install a drinking fountain on the Baseball Grounds at Franklin Field.

Passed under suspension of the rule.

SERVICE TO FRANKLIN PARK STATION.

Coun. ROSENBERG offered the following:

Ordered, That the Board of Trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, to extend the present Dudley street-Blue Hill avenue-Grove Hall service to Franklin Park station, in order that persons using car service from Franklin Park may be able to travel along the lower section of Blue Hill avenue, with a five-cent local fare being made available for those using this line.

Coun. ROSENBERG—Mr. President, it seems that in most of the suburban sections of Boston the people are able to travel within the local limits for a five-cent fare. The present Dudley street-Blue Hill avenue-Grove Hall line takes passengers up to Grove Hall. To reach the Franklin Park station they then have to make a transfer and, although the distance is only a few blocks, have to pay an extra five-cent fare. The extension of that service to Franklin Park will help the residents of the district and also help business at the lower end of the section. I believe it will mean no additional expense to the Elevated Trustees to extend the line and that it will give to our people the five-cent local fare service that is given generally in the different suburban districts of Boston.

The order was passed under suspension of the rule.

LIGHTING FACILITIES, WARD 14.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide better lighting facilities at Blue Hill avenue and Hazleton street, Ward 14.

Passed under suspension of the rule.

STEPS TO MAKE WATER DEPARTMENT SELF-SUPPORTING.

Coun. SHATTUCK offered the following:

Ordered, That his Honor the Mayor be requested to inform the City Council as to what steps are being taken to make the Water Department self-supporting.

Coun. SHATTUCK—Mr. President, I notice in the report of the Boston Real Estate Exchange that, for the first time since the depression, at least, the Water Service has not been self-supporting, or has shown a deficit against which there was no prior surplus which could be applied. There has been in effect a deficit for about four years, but up to date they have been able to use the accumulated surplus income of prior years. That has now been exhausted, so that for 1935 there was a deficit of about \$104,000. I assume that this year, unless something is done about it, there will be at least as great a deficit, and that it will probably be larger. My purpose in offering this order is to find out what the Mayor intends to do about it. I understand that the Water Department is supposed to be a self-supporting department, with sufficient revenue to meet its needs.

Coun. DOWD—Mr. President, I am going to vote against the order for this reason. For the last three or four years thousands have been unable to pay their water tax. Therefore, the reason for the deficiency in the funds of the department is very plain. It is because the people of Boston owning property, one and two family houses, have been unable to pay their water bills. We members of the Council have had that called to our attention from time to time by our constituents, and we have asked different Mayors to see to it that water was not shut off because of nonpayment of bills. There is, therefore, only one reason why this deficiency is in existence at the present time, and that is because, by reason of the present situation, people have been unable to pay their water rates. For that reason, I am going to vote against the order.

Coun. SHATTUCK—Mr. President, I think the deficit has probably arisen from various causes. One is because of the debt of the Metropolitan Water District, which because of the building of the new reservoir, has been increasing, and consequently the debt chargeable on the cities and towns using the water has increased. That is one reason, and probably another is because there has been less water used for industrial purposes. Besides the water used in the homes, at least half of the water used is ordinarily used for industrial and other purposes, and there has been less demand along those lines. My order is not asking the Mayor to do anything at the present time except to give us information as to what, if anything, is being done to adjust water expenses to water revenue. I certainly think we are entitled to that information.

Coun. PETER A. MURRAY—Mr. President, this looks to me like an entering wedge to the shutting off of water. It looks very innocent at the moment, but it looks to me as if the next step would be a general shutting off of water where people are unable to pay their water bills.

Coun. McGRATH—Mr. President, I think it would be well to send this order to the Executive Committee and have Mr. McMurphy come down and express his views.

The order was referred to the Executive Committee.

TRAFFIC FROM EMBANKMENT ROAD TO BEACON STREET.

Coun. SHATTUCK offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to consider the advisability of rounding off the westerly corner of Embankment road and Beacon street so as to permit a freer movement of traffic from Embankment road into Beacon street, and, if deemed

advisable, to report what steps the Traffic Commission recommends for accomplishing this purpose.

Coun. SHATTUCK—Mr. President, this location is the narrow bottleneck out of which all the traffic from the North Station and West End comes into Beacon street from Embankment road. I am told that the block between Arlington and Berkeley streets, on Beacon street, has the heaviest traffic load of any street or section of street in the City of Boston, and a large part of that load comes through the very narrow passage from Embankment road. It seems that it might be possible without large expense to cut off a portion of the sidewalk at the westerly corner of Embankment road and Beacon street, and a little of the setback, not taking any structure but merely the sidewalk, rounding off the westerly corner so that traffic would move more quickly between Embankment road and Beacon street. There would not then be those long lines of automobiles stretching back to Cambridge street at times, waiting to get through that narrow opening. This order asks for consideration by the Traffic Commission, through the Mayor, of the advisability of doing something of the kind.

The order was passed under suspension of the rule.

LAND, STERLING STREET.

Coun. McGRATH offered the following:

March 30, 1936.

Whereas, By a tax deed dated October 7, 1918, and recorded with Suffolk Deeds in Book 4109, page 386, and by another tax deed dated October 7, 1918, and recorded with said Deeds in Book 4109, page 389, the Collector of Taxes for the City of Boston conveyed to Leverett A. Haskell the property therein substantially described as "1,190 square feet of land and the buildings numbered 1078-1078½ Tremont street, corner of No. 162-164 Sterling street"; and

Whereas, By order of the Board of Street Commissioners of the City of Boston for the purpose of widening said Sterling street said city took all of the land hereinbefore described excepting a strip one foot wide adjoining the easterly line of the lot and buildings numbered 1080 Tremont street, said strip containing 56 square feet; and

Whereas, In pursuance of said order said city took from said Haskell an assignment of each of said Tax Deeds, respectively dated April 30, 1924, and April 30, 1924, and recorded with said Deeds in Book 4572, pages 624 and 625, thereby acquiring all of said Haskell's interest in said lot containing 1,190 square feet; and

Whereas, The title to said property 1080 Tremont street and to said one foot strip containing 56 square feet has come to be in one Mary Green, wife of William M. Green, and is clouded by the outstanding interest of said city under said assignments in said one foot strip containing 56 square feet; now, therefore, it is hereby

Ordered, That his Honor the Mayor be, and he hereby is, authorized to sign, seal with the Corporate Seal, acknowledge, and deliver on behalf of said city to said Mary Green, wife of William M. Green, a written instrument satisfactory in form to the Law Department of the City of Boston, conveying all the right, title and interest which said city acquired by said assignments in and to said one foot strip, bounded and described as follows:

Northwesterly by Tremont street one foot, northeasterly by Sterling street 56 feet, southeasterly by lot 5 as shown on a plan by H. H. Moses dated June 22, 1870, and recorded with Suffolk Deeds in Book 1035, page 314, one foot, and southwestly by lot 2 as shown on said plan 56 feet; containing 56 square feet, upon payment to the said City of Boston of _____ dollars.

Referred to Committee on Public Lands.

PAINTING OF SIGNS.

Coun. PETER A. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to have the signs at squares dedicated to veterans painted and otherwise put in first-class condition before Memorial Day.

Passed under suspension of the rule.

LIMITATION OF PUPILS IN CLASSES.

Coun. PETER A. MURRAY offered the following:

Ordered, That the School Committee be requested, through his Honor the Mayor, to limit classes in all primary and elementary schools to twenty-five pupils.

Passed under suspension of the rule.

ACCEPTANCE OF STARR LANE.

Coun. PETER A. MURRAY 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, Starr lane, Ward 19.

Passed under suspension of the rule.

REPAVING OF SOUTH HUNTINGTON AVENUE.

Coun. PETER A. MURRAY and DOHERTY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving South Huntington avenue, Wards 10 and 19.

Passed under suspension of the rule.

DISCONTINUANCE OF U-DRIVIT TRUCKS.

Coun. WILSON offered the following:

Ordered, That the Public Works Commissioner, through his Honor the Mayor, be respectfully requested to promptly advise the City Council as to the date when the use of six U-Drivit trucks was discontinued in Brighton following the purchase of new trucks for the City of Boston and also the date on which some fifteen horses in the Dorchester district were disposed of following such purchase.

Coun. WILSON—Mr. President, very briefly, this is just a matter of inquiry, remembering that a part of the sales talk for the purchase of the snow-removal equipment was that it would do away with the necessity for ten or fifteen U-Drivit trucks and a number of horses in the Dorchester district. I have received advices to the effect that that part of the sales talk has not been consummated.

The order was passed under suspension of the rule.

BUSES ALONG WALK HILL STREET.

Coun. WILSON offered the following:

Ordered, That the trustees of the Boston Elevated Railway Company, through his Honor the Mayor, be respectfully requested to consider the filing of application for a permit to run buses along Walk Hill street, from Blue Hill avenue, adjacent to the various cemeteries, especially during the final weeks of May.

Coun. WILSON—Mr. President, that has reference most particularly to the fact that thousands of people, as we know, visit these three cemeteries—Old Calvary, New Calvary and Mount Hope—adjacent to the Walk Hill section, particularly during the latter part of May, and the excellent suggestion has been made to me by people who visit those cemeteries that such bus service should be provided by the Elevated during the latter weeks of May, not only from the public point of view but from the point of view of the Elevated itself, that, for the convenience of the many people who would be accommodated, it might not be a bad idea.

The order was passed under suspension of the rule.

REPORT ON TELEPHONE PROPERTY IN BOSTON STREETS.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to file a report with the City Council as to how many manholes, terminals, conduits and other

appurtenances in use by the New England Telephone and Telegraph Company underground are now located in or under Boston streets and the location, with the surface area, of each, so far as same may be known to the Public Works Department.

Coun. WILSON—Mr. Chairman, I don't want to seem unduly technical, but we have the advice that came to the City Council under date of April 27, in response to our order addressed to the Board of Street Commissioners—and I have no doubt of the correctness of the advice that came through—to the effect that the Assessing Department of the City of Boston rely for their valuation of these underground properties of the New England Telephone and Telegraph Company upon the figures of the Commissioner of Corporations and Taxation, as provided by section 39 of chapter 59 of the General Laws, and that these properties were thus valued and certified by the Commissioner for the year 1936 at \$13,645,450. I am still strongly of the opinion, however, that the properties referred to, so far as the City of Boston is concerned, are at the present time grossly under-assessed. The advice from the Street Commissioners, through the Mayor's office, under date of April 27, says that information in regard to these manholes, terminals, conduits, and so forth, may be secured from the Permit Office of the Public Works Department, and I was a little surprised to read the communication from that department to this effect:

"While it is a fact that permits are issued by the Public Works Department to the New England Telephone and Telegraph Company for construction work, old records going back forty years, to 1896, at which date the underground construction was started by the Telephone Company, are not now available. The procedure to obtain this information will be to have a survey made of every manhole location in Boston and to obtain from the Telephone Company the size of conduits on which manholes are built. It would take at least six months to obtain the correct data and information desired."

I repeat that I don't want to be unduly technical, but I really, in all frankness, believe that there should be available in the Public Works Department a complete list of all the manholes, conduits, and so forth, in the City of Boston, for various purposes I might mention, but more directly at the present time a complete list, so far as the location of New England Telephone and Telegraph's properties are concerned. If we haven't any available records, it is about time that we got some together. The amount certified by the Commissioner of Corporations and Taxation for the year 1936 is \$13,645,450, and, therefore, I am in this order asking the Commissioner of Public Works to give to the Council the detailed information as to these manholes, terminals, conduits and other appurtenances in use by the New England Telephone and Telegraph Company underground. I really believe, while I have no quarrel with the New England Telephone and Telegraph Company, that there should be available to us this information, as a basis of taxable valuation on the property of this particular corporation, with its vast holdings not only of real estate, but its underground privileges under practically all the public streets of the City of Boston. I am informed, and I believe correctly, that this property is at the present time grossly under-assessed.

The order was passed under suspension of the rule.

PAYMENT TO MOTHER OF DAVID McDONALD.

Coun. TOBIN offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing said city to pay a sum of money to the mother of David McDonald, who was killed by a police officer of said city, provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

ACCEPTANCE OF TAYLOR TERRACE.

Coun. TOBIN 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, Taylor terrace, Ward 15.

Passed under suspension of the rule.

RECESS.

The Council voted at 3.20 p. m., on motion of Coun. MELLEEN, 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 GALLAGHER at 4.08 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. GALLAGHER, 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.:

Esther Lyons, Repertory Theatre, June 11; Kay A. McDermott, Repertory Theatre, June 5; May Griffin Donovan, Repertory Theatre, May 23; Mary V. Hayes, Repertory Theatre, May 30; Sarah Horlick, Repertory Theatre, June 3; Lyllion F. Rose, Repertory Theatre, June 10; James C. Shanahan, Repertory Theatre, May 14; Marie Kehoe, Repertory Theatre, June 9; Arthur N. Burwell, Tileston School Hall, May 8—recommending that leave be granted, under usual conditions.

Report accepted; leave granted under usual conditions.

2. Report on message of Mayor and order (referred today) that \$2,100 be appropriated for automatic traffic control signals, Back Bay and Brighton districts—that same ought to pass.

Report accepted, order passed, yeas 18, nays 0.

3. Report on message of Mayor and loan order for \$50,000 for traffic signals (referred today)—recommending passage of order in following new draft, viz.:

Ordered, That the sum of \$50,000 be, and the same hereby is, appropriated, to be expended under the direction of the Boston Traffic Commission, for automatic traffic signals at various intersections and points in 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.

Report accepted; order passed, yeas 16, nays—Coun. Roberts, Shattuck—2.

4. Report on order (referred today) as to what steps could be taken to make Water Department self-supporting—recommending that same should not pass.

Report accepted; said order rejected.

CONSTABLES CONFIRMED.

Coun. AGNEW—Mr. President, the Committee on Constables calls up, from No. 2 on the calendar, the names of William A. Amsie and Alfred N. Sarno, and recommends their confirmation.

The question came on confirmation. Committee, Coun. Mellen and Selvitella. Whole number of ballots 16; yeas 16, and the appointments were confirmed.

SOUNDING OF AUTOMOBILE HORNS.

Coun. ROBERTS offered the following:

Ordered, That his Honor the Mayor request the Police Commissioner to enforce the ordinance relative to the sounding of automobile horns between the hours of eleven p. m. and seven a. m. against buses, transportation companies, etc.

Coun. ROBERTS—Mr. President, I have heard numerous complaints lately because of the fact that transportation company buses, equipped to make a loud sound, between the hours of 11 p. m. and 7 a. m., when entering the City of Boston, sound their horns to such an extent as to interfere with people who are sleeping. I understand that the Police Department are giving only a warning at the present time, that private automobiles are living up to the requirements of the ordinance, but that it is important—and that is the object of this order—that the Mayor inform the Police Commissioner that the drivers of these large buses should be instructed to observe the ordinance, or they will be brought into court.

The order was passed under suspension of the rule.

ASSIGNMENT OF CONSTABLES TO
DEPARTMENTS.

Coun. SHATTUCK offered the following:

Ordered, That his Honor the Mayor is hereby requested to specify the departments to which the constables already appointed have been assigned, and the duties which each will perform and the department to which the additional constables recommended will be assigned and the duties which each will perform, and is requested to state whether some of the departments in which constables are to serve are not now overmanned, and whether there are not now persons on the regular pay roll in the several departments affected who are qualified to perform the duties of these constables, and if appointed, could perform the duties without adding to the huge operating deficit from which the city is suffering.

Referred to Executive Committee.

IDENTIFICATION CARDS FOR UTILITY
EMPLOYEES.

Coun. WILSON offered the following:

Ordered, That the officials of the New England Telephone and Telegraph Company and also the officials of the Boston Consolidated Gas Company and also officials of the Edison Electric Illuminating Company of Boston, through his Honor the Mayor, be respectfully requested to provide for

the including of a small photograph on the identification cards of such of their employees as are sent out to visit private premises, and also that water meter readers from the Water Division of the Public Works Department be provided with such proper identification.

Coun. WILSON—Mr. President, I think this is a request that, upon being made by the Chief Executive of the City of Boston to the officials of these public service corporations, and also to the head of the Public Works Department, will no doubt receive a proper response. I have in mind the fact that we have repeated instances, especially in the residential sections of the city, where sneak thieves, or other small operators, will flash a handful of papers, claiming to represent the Gas Company, the Edison Company, the Telephone Company or to be water-meter readers, passing themselves off for meter readers or something of the sort and, having obtained access to the premises, steal property that they may see lying around. It seems to me this is a reasonable precaution for the Telephone Company, the Consolidated Gas Company and the Edison Company, as well as for the Water Division of the Public Works Department, with its meter readers. I feel that there will be no reasonable objection anywhere to this request for proper identification.

The order was passed under suspension of the rule.

Adjourned, on motion of Coun. ROSENBERG, at 4.18 p. m., to meet on Monday, May 11, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 11, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Dowd.

APPOINTMENT OF CONSTABLES.

Subject to confirmation by the Council, the Mayor submitted the following appointments for term ending April 30, 1937, viz.:

Without power to serve civil process and to serve without bond: Morris Titlebaum, 33 Glenarm street, Ward 14; Edward L. Harris, 38 Guild street, Ward 9; John DeRossa, 3960 Washington street, Ward 19.

Laid over for one week under the law.

WADING POOL, FRANKLIN FIELD.

The following was received:

City of Boston,

Office of the Mayor, May 11, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of April twenty-seventh, 1936, concerning the erection of a wading pool in Franklin Field for the convenience and comfort of the children of that district.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Park Department, May 2, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of April 30, with inclosure, order from the City Council that the Park Commission be requested to consider the advisability of the erection of a wading pool in Franklin Field.

I regret exceedingly to inform you it would be very inadvisable to attempt to establish a wading pool in this vicinity or in any part of Franklin Park, as wading pools at their best are unsanitary. Also, on account of economic conditions, the cost of same would be prohibitive.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

BUSES ON WALK HILL STREET.

The following was received:

City of Boston,

Office of the Mayor, May 11, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the trustees of the Boston Elevated Railway Company relative to your order of May fourth, 1936, concerning the filing of application for a permit to run buses along Walk Hill street, from Blue Hill avenue, adjacent to the various cemeteries, especially during the final weeks of May.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Boston, May 8, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—Replying to your letter of May 1st, the trustees have considered a number of requests for operation of motor coach service through Walk Hill street but have felt obliged to deny them because the section between Blue Hill avenue and Forest Hills is

very thinly populated and consists mostly of cemeteries. The small section at the Blue Hill avenue end is of course now served by the Blue Hill avenue cars and the section on the Hyde Park avenue end, sometimes called "White City," is close to the Hyde Park avenue service.

A few years ago we experimented with the operation of motor coach service through Walk Hill street on Memorial Day for the accommodation of persons visiting the cemeteries, but experienced so much difficulty with the operation, due to congestion of vehicles in Walk Hill street, that the operation was not successful. People found it to be quicker and more convenient to reach the cemeteries by walking from our car lines than by use of the special motor coach service provided.

Very truly yours,

EDWARD DANA,

Executive Vice President and General Manager.

Placed on file.

DRINKING FOUNTAIN, FRANKLIN FIELD.

The following was received:

City of Boston,

Office of the Mayor, May 11, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of May fourth, 1936, concerning the installation of a drinking fountain on the baseball grounds at Franklin Field.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Park Department, May 9, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of May 7, with inclosure, order from the City Council that the Park Department be requested to install a drinking fountain on the baseball grounds at Franklin Field.

Drinking fountains are in place on the edges of the field, but should not be placed in the field itself for two reasons. One reason is that the entire area is used for skating purposes during the winter months, and the other is that the under-surface of this area consists of bog land and is underdrained in all directions.

I will, however, have the matter gone over very thoroughly and if it is possible to comply with your request, it will be done.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

TRAFFIC SIGNAL LIGHTS.

The following was received:

City of Boston,

Office of the Mayor, May 11, 1936.

To the City Council.

Gentlemen,—I transmit herewith three letters from the Traffic Commissioner relative to your orders of April twenty-seventh, 1936, concerning the installation of traffic signal lights at the following locations:

1. Knowlton and Telegraph streets, Ward 7.
2. Gates and Telegraph streets, Ward 7.
3. Beacon and Mountfort street, Ward 21.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Traffic Commission, May 6, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated April 27, 1936, which reads as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install traffic signal lights at Knowlton and Telegraph streets, Ward 7."

It is the opinion of the engineers of this commission that conditions at this intersection do not warrant the installation of an automatic traffic signal.

Records in this office show that one motor vehicle accident involving personal injury has occurred at this intersection from January 1, 1931, to date.

There are no funds available for the installation of an automatic traffic signal.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

City of Boston,
Traffic Commission, May 6, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated April 27, 1936, which reads as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install traffic signal lights at Gates and Telegraph streets, Ward 7."

It is the opinion of the engineers of this commission that conditions at this intersection do not warrant the installation of an automatic traffic signal.

The records in this office show that there have been no motor vehicle accidents involving personal injury at this intersection from January 1, 1931, to date.

There are no funds available for the installation of an automatic traffic signal.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

City of Boston,
Traffic Commission, May 6, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated April 27, 1936, which reads as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install traffic signal lights at Beacon and Mountfort streets, Ward 21."

This intersection is centrally located in one of the most dangerous areas in the city. In the portion of Beacon street from the Boston & Albany Railroad Bridge to the entrance of Audubon Circle, the records in this office show that fourteen (14) motor vehicle accidents involving personal injury have occurred from January 1, 1932, to date. Six (6) of these accidents resulted in fatalities.

It is the opinion of our engineers that a traffic signal at this location, coordinating with the existing signal at Audubon Circle, would effectually lessen high speeds at which vehicles are driven through this area at present, and would afford pedestrians an opportunity to cross the wide roadway of Beacon street in safety.

The estimated cost of installing a signal at this location is \$3,500.

There are no funds available for the installation of an automatic traffic signal at this intersection.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.
Placed on file.

OPENING HOURS OF AQUARIUM.

The following was received:

City of Boston,
Office of the Mayor, May 11, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of April twenty-seventh, 1936, concerning keeping the South Boston Aquarium open to the public each day for a longer period.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, May 5, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of April 30, with inclosure, order from the City Council that the Park Commission be requested to make arrangements for keeping the South Boston Aquarium open for a longer period daily.

Since the opening of the Aquarium, the hours have been from 10 a. m. to 5 p. m. and I cannot see any necessity for these hours being extended. The hours 10 a. m. to 5 p. m. call for seven days a week, Saturdays, Sundays and holidays included.

It would cost at least \$6,200 per year additional to keep the Aquarium open two hours longer per day, and I regret to inform you that the finances of the department will not permit of this additional expenditure.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

USE OF U-DRIVIT TRUCKS.

The following was received:

City of Boston,
Office of the Mayor, May 11, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May fourth, 1936, concerning the date when the use of six U-Drivit trucks was discontinued in Brighton following the purchase of new trucks for the City of Boston and also the date on which some fifteen horses in Dorchester were disposed of following such purchase.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, May 11, 1936.
John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of May 7 with attached order of City Council dated May 4, and reading as follows:

"Ordered, That the Public Works Commissioner, through his Honor the Mayor, be respectfully requested to promptly advise the City Council as to the date when the use of six U-Drivit trucks was discontinued in Brighton following the purchase of new trucks for the City of Boston and also the date on which some fifteen horses in the Dorchester district were disposed of following such purchase."

and to state that the use of the U-Drivit trucks was discontinued in Brighton on October 29, 1935. On January 1, 1936, there were fifteen horses in the Dorchester district, divided as follows: nine in Sanitary; five in Paving and one in Water Division. During the week of March 12 the five horses in the Paving Division were transferred to the Sanitary Division, South End Yard. One horse in the Sanitary Division died April 26, leaving, to date, nine horses in the Dorchester district, eight horses in Sanitary and one in Water Service.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

REAL ESTATE TAKEN FOR TAXES.

The following was received:

City of Boston,
Office of the Mayor, May 4, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings relative to your order of April twenty-seventh, 1936, concerning real estate sold to or taken

by the city for nonpayment of taxes, the right to redeem which has been foreclosed.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department, May 1, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—Referring to the attached order of the City Council requesting at once the detailed information requested in the City Council order of November 12, 1935, relating to certain real estate sold to or taken by the city for nonpayment of taxes, I have to report as follows:

On March 23, 1936, I forwarded to your Honor a report covering all *improved* property on which the Law Department have been able to furnish me the detailed information. This was given the City Council and subsequently appeared in the council minutes of the *City Record*. It was at that time and still is impossible to give details on all the *unimproved* property, that is vacant lots of land, numbering over six hundred lots.

However, the Federal authorities have just approved a Real Estate Survey Project for this department and this project will commence operating on Monday, May 4, 1936.

I regret very much not having been able, with my very limited organization, to have supplied all the information requested, but confidently expect to be able to do so in the near future, after this W. P. A. project is operating in full swing.

Respectfully yours,
ROSSELL G. HALL,
Superintendent of Public Buildings.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Agnes Doherty, for compensation for damage to car by city wagon.

Richard Ernest, for refund on milk permit.

T. B. Hurley, for compensation for damage to property at Brookford and Dacia streets, caused by overflow of sewer.

Kathleen E. Kent, for compensation for damage to car caused by an alleged defect at 62 Kendrick street.

Mary G. Palumbo, for compensation for injuries caused by an alleged defect at 58 Bowdoin street.

Kataryna Pohorecka, for compensation for damage to property at 12 Woodbury street, caused by tearing down of building at 21 Woodbury street.

Joseph F. Russell, for compensation for damage to car caused by city wagon of Park Department.

Ernest Wesley, for compensation for damage to property at 34 West Walnut park, caused by snow plow.

Joseph A. Lennon, for compensation for damage to property at 21 Pershing road, caused by leak in drain pipe.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway for license to operate motor vehicles between junction of Belgrade avenue and Robert street and junction of Weld street and Maple street, West Roxbury, over Belgrade avenue, Robert street, South Walter street, South street, Walter street, Ardale street, Centre street and Weld street; return over Weld street, Centre street, Hewlett street, Walter street, South street and Robert street.

Petition of Boston Elevated Railway to operate motor vehicles between City square, Charlestown, and the Boston-Chelsea line on Chelsea Bridge, over City square, Park street, Henley street, Chelsea street and Chelsea Bridge; return over Chelsea Bridge and Chelsea street. (Boston section of a route between City square, Charlestown and Winnisimmet square, Chelsea.)

Executive.

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

Lulu Philbrook, Jordan Hall, June 3.
Katherine G. O'Gorman, Shubert Theatre, May 21.
Gertrude Goodman, Repertory Theatre, May 19.
Jeanette Sternberg, Repertory Theatre, June 2.
Rose Sidman, Repertory Theatre, June 16.

REPORT ON COAL SUPPLIES, PUBLIC WELFARE DEPARTMENT.

The following was received:

City of Boston,
Finance Commission, May 11, 1936.
To the Honorable the Mayor and City Council.
Gentlemen,—The Finance Commission has completed its investigation of charges of many descriptions relating to the coal supplied by the Department of Public Welfare during this last winter to the recipients of public aid in the City of Boston. First by private inquiry and later by testimony taken under oath at public hearings, the commission has uncovered facts already given wide publicity which substantiate charges of neglect by welfare officials made in the City Council and elsewhere during the past several months.

These charges were that the unfortunate poor who have been forced by circumstances to obtain their sustenance from the city—the blind, the lame, and the halt, the aged and infirm, as well as many mothers with small children—have suffered privation because frequently during the severity of the winter months they were without fuel at all, or when supplied were given a grade of coal that failed lamentably to provide sufficient heat.

The disclosures of this investigation constitute the blackest chapter in the history of the Welfare Department. The proud boast of the past few years that Boston took good care of the unfortunate victims of the depression without outside assistance brought praise to Boston people from all over the country. It has been supplanted by a feeling of shame that the poor of this rich city have been allowed to suffer because of the failure of a few highly placed officials to measure up to the requirements of their positions.

The Present Organization of the Welfare Department.

An old, experienced management of the Welfare Department which was notable for its spirit of generosity was ejected by Mayor Mansfield in 1934 when he transferred the executive who had been in charge for many years to another department. He then replaced the majority of the members of the Board of Overseers with a new group.

For the chairmanship of the new Board, Mayor Mansfield selected one who already held a city position, the engineer at the head of one of the most important divisions of the Public Works Department, the Water Income Division, which handles the voluminous detail of recording the use of water and the billing for it in the City of Boston. This official was already administering the affairs of an activity that produces over \$5,000,000 annual revenue to the city. Mayor Mansfield gave him the additional task of supervising the workings of the Welfare Department, a department which distributes approximately \$12,000,000 per year among the poor. The work of this Welfare Department has become the greatest problem in municipal administration today. It calls for a quality of leadership that transcends the requirements of almost any other municipal position.

It was the Mayor's choice also to install as the detail director of the Welfare Department a person who had been a municipal investigator, a real estate operator, a lawyer

and a treasurer of a co-operative bank. This new director had had at no time among his varied activities the opportunity to obtain actual experience publicly or privately in the practical administration of the distribution of aid for the poor and needy.

The chairman of the welfare board, therefore, is attempting to supervise two such important departments as the Water and Welfare Departments and the man given authority to direct the detail work of the Welfare Department is without previous practical experience in welfare work. With this kind of leadership it is only what might have been expected that investigation, after two years of trial, would reveal inefficiency and neglect. The unfortunate part of it is that this inefficiency and neglect not only caused the city to pay for something it did not receive, which was bad enough in itself. It also caused thousands of poor and helpless people to suffer from cold when the city was paying for heat for them. It caused many even to sacrifice portions of the meagre allowances given them for other necessities of life when, because they could not obtain heat from the coal the city gave, the severity of the winter made it necessary for them to use money given for food to buy heat-giving coal.

Under this new leadership of questionable capacity, the work and staff of the Welfare Department was supposed to have been completely reorganized. The public was thereafter deluged with statements and speeches from its chief officers glibly claiming advances in efficiency and administration. So-called experts from far off places were hired to advise methods to make doubly certain that none but the needy got the department's aid. An "observer of trends" was paid for turning out what in other lines of activity would be called publicity. Yet one of the most shocking revelations of the Finance Commission's investigation was that none had thought to install a means of guaranteeing that the persons who were to be supplied coal received coal that would provide heat and provide fire for cooking their simple meals.

Elaborate precaution was taken and considerable expense incurred to prevent the poor from obtaining more than a bare subsistence. There was no hesitation at providing supervision to catch employees who might break the no-smoking rule, and to check their comings and goings so that penalty could be exacted from one who was a minute late in arriving at work in the morning or who overstayed his lunch hour. To provide clerical service to follow up complaints from workers in the field that the recipients of aid were for days without fuel and then received so-called "fireproof" coal, the director told the Finance Commission would be an unjustifiable use of the city's money.

In the place, therefore, of an administration which, despite shortcomings that were due principally to the tremendously sudden increase in its work, had nevertheless brought countrywide credit to the City of Boston, eventually arose a management that placed a premium on methods of obtaining strict accountability from the poor and of pettily exacting penalties on employees for tardiness. Its principal executives missed entirely the most essential requirements of a welfare department anywhere—a spirit of charity for, and a desire to give service to the unfortunates who came there for aid.

The Charges Made Concerning Coal Furnished.

The charges investigated by the Finance Commission were first given public airing at meetings of the City Council by various city councilors. Because this public airing came first from that quarter the charges were lightly thrust aside by officials with responsibility who only answered—"Politics."

In getting to the bottom of the scandal, however, the Finance Commission has found that the first rumblings of the neglect by the high officials of the Welfare Department came from the subordinate employees of that very department. Welfare workers of both

public and private charities who had seen the suffering of welfare recipients because of the quality of coal given them or because of the number of days they had to be without any coal at all, were appalled at the lack of humane impulses in coal dealers and coal drivers who made it possible for poor, sick, helpless people unnecessarily to suffer from cold. They also were appalled at the equal lack of humane impulses in welfare executives who did not appreciate the misery of the situation when it was called to their attention, and therefore did nothing to correct it. To many of the subordinate employees of the Welfare Department, and to many workers for private charities, is due the credit for starting an agitation which it is hoped will end this particular type of inefficiency and neglect.

The Award of the Coal Contract and How It Was Supervised.

Contracts were awarded in August, 1935, which were designed to provide during 1935 and 1936 first quality anthracite coal of chestnut size to welfare recipients, some of whom were to use it in kitchen ranges for both heating and cooking, and others in parlor stoves when that was their only burning apparatus. Fresh-mined chestnut size was specified, because coal of smaller size would be too small for kitchen ranges and would likely pass through the grates. Only fresh-mined, first grade coal could be depended upon to give satisfactory service to many recipients to whom heat was of the greatest importance.

No city official, however, assumed the obligation of making certain that coal of the size and quality contracted for was delivered. Though complaints against the companies which received the contracts were continuous on one ground or another, practically from the day the contracts were let, no city agency undertook to establish the truth or falsity of the complaints until the heating season of 1935-36 was practically over. The Superintendent of Supplies, by whom the contract was awarded, and the Sealer of Weights and Measures, who made the usual tests for weight and assumed for the Welfare Department the task of taking samples and sending them to a chemist for test, rightly expected that the Welfare Department, which issued the orders for coal and contacted recipients, as well as arranged with the chemists for the tests, would keep informed and report violations to them with recommendations for such action as their official position permitted them to take. It appears, however, that the Director of Public Welfare assumed that with the issuance of the orders and the arrangements for tests by a chemist, the Welfare Department had fulfilled its obligations. No chemist's analysis of the coal being delivered contained any reference to a screening test until March, 1936, after thousands of tons had been delivered and used. The chemist's reports uniformly recommended premiums for the coal companies on the strength of a low ash content found.

The Finance Commission found that in the type of coal shipped for delivery to the welfare recipients the ash test was of little value and positively misleading. A screening test of the coal, as the specifications of the contract anticipated, would have caused the bulk of it to be condemned. It appears that the Welfare Department was concerned more with paying premiums for coal thought to be above the standard and exacting penalties for coal found to be below the standard than in giving to the welfare recipients, their "clients," coal that would burn well and heat. This lapse of official appreciation of the primary obligation of the Welfare Department—to take proper care of the poor—cannot be excused in the light of what subsequently happened.

Suffering of Welfare Recipients Due to Official Neglect.

It is unnecessary for the Finance Commission to repeat here the stories of the misery

that was caused. It has been extensively reported already in the newspapers; but it should be noted that in addition to the fifty or more welfare recipients who told heart-rending tales at the public hearings of their sufferings from officials' neglect and coal dealers' desire to make illegal profit, there were hundreds of others already interviewed by the Finance Commission investigators who could have testified to similar sufferings. In more than 90 per cent of the homes visited, there was complaint found. Every welfare worker approached had his or her quota of records of distress due to this same cause. The conditions complained of, therefore, existed wherever welfare coal was distributed.

Yet coal furnished to the poor of Boston for which the city paid as though it were the best coal mined was more often dirt and dust in size than the chestnut size contracted for. It was often swollen with ice and snow and when given the shelter of the poor facilities possessed by welfare recipients, it wet and soiled floors and ceilings and walls but gave no heating comfort.

Drivers of coal trucks abused receipts when they could not pay extra for carrying it into their homes, often going away leaving chilled, sick and poor to try to keep warm in cold rooms without heat of any description. Often ill-fed, underclad, physical wrecks were compelled to take out of their scanty allowances for food and medicine enough to bribe a truckman to bring into their houses the coal that the city was paying for in full, delivered wherever the recipient wanted it. Often they had to buy coal at a nearby store to keep afloat the coal the city furnished them. When it would burn, it would give little or no heat and it would often go suddenly out, and the poor people who were trying to keep warm with it had their choice of going to bed or going to a nearby church or home.

Change by Mayor Mansfield in Method of Providing Coal.

The city had a reliable method of providing coal to the poor when the Mansfield administration began in 1934. Since 1931 the coal orders were filled by approved dealers under a system worked out by Mayor Curley after conference with the leading coal dealers of the city. Representatives of the Metropolitan Coal Company, the City Fuel Company, the Massachusetts Wharf Coal Company, and the Burton Furber Coal Company testified to the Finance Commission of the success of the method arranged for by their companies in conference with Mayor Curley and carried out with success until 1934.

They informed the Finance Commission they were unable to understand why Mayor Mansfield abandoned this successful method when he first faced the problem at the beginning of his administration. He ordered advertisement for bids by the Supply Department while the experienced employees of this department were protesting that furnishing coal in quantities of one-quarter and one-half ton at a time to 7,000 to 8,000 families per month was a matter that only the Welfare Department could satisfactorily handle.

The rule of award to the lowest bidder, often disregarded in award of other contracts, was applied rigidly here, where not the lowest price alone was of importance, but the lowest price from dealers who could be expected to live up to the terms of their contract. It is significant that the Supply Department officials in making up the specifications were careful to place all responsibility for supervision of the contract on the Welfare Department. The difficult task of securing satisfactory service by award to any contractor who would bid low enough to get the award was fully appreciated by the Supply Department.

Neglect by Director of Welfare and Chemist.

The difficulties in the new method of providing coal were not, however, appreciated in the Welfare Department. The Finance Commission investigation revealed that after the Director of Public Welfare had taken advan-

tage of his authority by the contract to secure his own choice of chemist to analyze the coal, he contented himself with simply providing a system of issuing orders for coal. The motif was to make certain that only those entitled would receive orders. After that any communication of any nature in regard to coal was by rule to go to a division set up to issue coal orders. Neither the director of the department nor the director of this coal division apparently anticipated any necessity for providing a means to check up on the coal contractors. The director only arranged with the Sealer of Weights and Measures to have his men take samples from time to time and send them to the chemist selected by the Director of the Welfare Department. Action upon the reports by welfare workers of complaints by recipients against the coal service was negligible.

The chemist who analyzed the coal regularly reported only on an ash test. He neglected to make a screening test until specifically instructed to do so. But this was only after more than half the coal called for had been delivered, and after months of suffering by welfare recipients because the coal was of such small size that it passed through their grates.

Though the Welfare Department officials received reports of ash content, it never occurred to them that the contract also required a definite size. Apparently it did not occur to the chemist either that size was of importance though the test prescribed by the contract called for a test of size. The chemist had the contract before him.

If the terms of the contract were understood by both director and chemist, neither gave the attention to them that was plainly their duty. Had either one or both given the same degree of supervision to the coal furnished that the Welfare Department has given to keep allowances within a closely figured budget, much suffering could have been averted.

Orders for coal were given out periodically once a month and practically all at the same time. The result was that some recipients were bound to be required to wait several days before they could possibly receive their fuel. In stormy weather when trucks for delivery were not plentifully available and streets were impassable, it meant that many days were added to the usual delay.

When welfare workers in visiting their cases found recipients' complaints of poor coal, delay, extra charge for delivery, etc., justifiable, they could only send word of the complaint to the central office. Many of them, torn by the sight of the suffering for fuel, violated the "red tape" of their system and tried personally to improve the situation. One supervisor, however, testified to the Finance Commission that these visitors had no right to do more than telephone to the central office. Though this supervisor is in charge of welfare work in one of the most congested sections of the city, the commission was told that the complaints were none of a supervisor's business, and supervisors would not be expected to pay any attention to them.

The company which obtained the contract for delivery to over 90 per cent of the coal recipients of the Welfare Department owned no trucks, but hired various truckmen to deliver for them. The contracting company, therefore, had no control of the men on the trucks. These employees of other companies regularly attempted to force impoverished families to pay them "petty graft" when the coal was in front of their doors, often driving away when the poor people either could not or would not pay this graft. A sixty-nine year old, sick and crippled father of a deceased war veteran testified that he was compelled to go out and pawn his overcoat to obtain the fifty cents demanded by a heartless truck driver before he would deliver the coal. His story that he never afterwards was able to redeem his coat because he could not, on account of his sickness, remember in what pawn shop he had left it and because he could not spare the money, shocked everyone who heard it.

The Babcock Coal Company.

The Babcock Coal Company received the contract for the welfare coal in several districts of the city, from Boston Proper to Hyde Park. The treasurer of the company, Charles H. Cudworth, admitted that the real owner is H. N. Hartwell & Son, Inc., a wealthy wholesale coal corporation.

When, under Mayor Mansfield's order, in 1934 bids were first solicited for the welfare coal contract, this firm did not bid. Later, according to Cudworth, an attorney whom Cudworth says he cannot now identify but who claimed he came from the Mayor's office visited Cudworth and asked to be hired as counsel for the Babcock Coal Company. He promised to have the first bids rejected and to be able then to obtain the contract for the Babcock Coal Company.

Cudworth testified that he refused to be interested in the attorney's promise. About that time, however, the first bids were rejected. At the second opening the Babcock Company was among the unsuccessful bidders.

In the 1935 competition the Babcock Company was the lowest bidder for the whole city, except Charlestown, Jamaica Plain and East Boston. The company's bids ranged by districts from \$10.38 to \$10.75 per ton delivered in recipients' bins. Under the terms of the contract they were required to screen, weigh, bag and deliver coal in one-quarter and one-half ton lots over a very wide area. Cudworth estimated that this handling charge alone would cost \$1.75 per ton. The leading retail coal companies of the city testified that the lowest they could figure for the same cost was \$2.75. Assuming the Cudworth figure to be correct, the price to the city was the same as, or as much as, 37 cents per ton less than the price at which Cudworth admitted his company sold the same coal for to other retailers or pedlers. These pedlers were required to drive their own trucks into the Babcock yard and fill them up at their own expense without screening. Cudworth said \$10.75 was the regular price to such dealers.

In comparison with the Babcock prices to the city (\$10.38 to \$10.75), representatives of several leading coal companies testified that their costs for furnishing the grade of coal specified were not less than \$13.

Figures of actual cost to the Babcock Company as given by Cudworth were higher than the prices bid to the city. Cudworth testified that the Babcock Company lost money by the contract because it found that it could not obtain and deliver the grade of coal required within the figure bid. He admitted, however, that H. N. Hartwell & Son, Inc., made a profit in selling the coal to the Babcock Company.

Expert Testimony on Babcock Coal.

The Finance Commission brought to the public hearing a coal inspector from the vicinity of the so-called Acker Mine in Centralia, Pennsylvania, from which Cudworth admitted 80 per cent of the coal supplied under the contract came. This coal inspector testified that coal taken to date from the Acker property has been by four different processes:

First, by reclaiming coal from a 700,000-ton colm bank (or refuse pile) that had been accumulating for sixty or seventy years. It consisted of the impurities cast aside in the regular mining, and has been steadily deteriorating for many years. Its quality is considerably below fresh-mined, first grade coal, and its price correspondingly less.

Second, by "cleaning up the mine." He explained this means taking out coal and rock that had fallen and clogged the entrances during the five years the mine was not in operation, and cleaning up the accumulations of the mine workings. This, he said, had to be done before the mine could again be put in operation.

Third, by so-called "stripping." This means using a kind of steam shovel to "bore" down through the surface of the ground

and bring out coal from a depth of from 15 to 60 feet which can be easily dislodged from the vein and scooped up. Fourth, by some fresh mining. This means going down into the mine and striking at and picking off the hard vein. He stated that in order to obtain good grade, fresh-mined coal it is usually necessary to go down 300 feet or below. A steam shovel's limit is 60 or 75 feet.

This inspector testified that fresh-mining has only recently started at this mine. He stated that in his opinion no fresh-mined first grade coal had come from that mine from the time in October, 1935, when work at the Acker Mine began anew until the time of his testimony, late in April.

This inspector described the peculiarities which he had observed in his own experience in trying to burn coal that came from these types of production. His description coincided with the results reported by welfare recipients of their efforts to burn the coal delivered by the Babcock Coal Company; namely, that it would burn if fired sufficiently; would give poor heat; would leave a yellowish ash, and would suddenly go out; and though it was anthracite coal originally it would be of softer texture than anthracite coal freshly-mined from the hard vein.

This coal was naturally handled many times between the time it left the coal breaker at the mine and the time it was put into a kitchen stove in Boston. Because of its softer texture than fresh-mined anthracite it would be expected to break down into smaller and smaller substances by this handling. This explains why many coal recipients found that it had become dirt and dust when it came to them for usage.

It should be noted that in the contract signed by the Babcock Coal Company, the company agreed to deliver coal that came from a particular mine which is commonly accepted in the trade as producing a high grade, fresh-mined anthracite. The treasurer of the Babcock Coal Company, Cudworth, admitted that only a small quantity was actually obtained from this mine. He said that until October 1 the company obtained coal for delivery under the contract from the mine stipulated in the contract and from three other mines before finally the Acker Mine got into production. Thereafter, Cudworth testified, all coal delivered to the welfare recipients came from the coal produced at the Acker Mine.

The coal inspector's testimony was, therefore, very significant. He said that all the coal produced at the Acker Mine—by reclaiming from colm bank, by cleaning up the mine, by stripping, and by the first new fresh-mining, none of which produced first grade coal—came out of the same coal breaker. It meant that these four types of coal were mingled. Therefore, the coal delivered in Boston as the result of this mingling could not have been fresh-mined, first grade coal as the contract called for.

Connecting this expert opinion of the coal inspector, which was based on knowledge of coal and actual observation of the operations at the Acker Mine, with admission of Cudworth that 80 per cent of the coal delivered to the welfare recipients in Boston by the Babcock Coal Company came from the Acker property, it means that the Babcock Coal Company violated the terms of their contract with the City of Boston. This required fresh-mined coal of chestnut size only from a mine which was known in the trade as the source of high grade anthracite.

According to the testimony of Cudworth, the H. N. Hartwell Company invested approximately \$100,000 in the Acker Mine on or about (it may have been before) the time the company offered its bid in 1935 for the welfare coal.

Cudworth, treasurer of the H. N. Hartwell Company, testified he has been actively engaged in the coal business for thirty-five years. He claimed and may be presumed to know all about coal, and costs, methods, and problems of handling and delivery. He ad-

mitted that he knew the cost at the mine of the coal his contract called for and the probable cost of handling and delivery. He testified he is treasurer of Babcock Coal Company. He also admitted that work in installing a Chance Cone, by which coal is reclaimed from a colm pile at the Acker Mine, and which was financed by the Hartwell Company, was rushed, commencing in August, 1935, and continued until it was ready for use in production on October 1. He admitted his company only received a negligible quantity from the mine named in its contract and that he sought and obtained coal from other mines between August and October. When the Acker Mine was again in operation, he said all welfare coal came from there.

The conclusion is, therefore, irresistible that the owners of the Babcock Coal Company, when they made the contract with the city, deliberately planned to substitute a grade of coal that was inferior to the grade specified. The prospect of success in this contemplated substitution was the real basis of their offer of a price that was more than \$1.50 per ton less than comparable large operators said under oath was the lowest figure at which they could deliver the coal specified and get back their cost prices.

The Adams Coal Company.

This company had the contract to deliver coal to welfare recipients in Charlestown. Its principal place of business is in Somerville and it was from the Somerville yard that the coal for the city came. The company maintains only a small office on Massachusetts avenue in Boston. City contract awards have been refused by Mayor Mansfield on numerous occasions on the pretence that the low bidder appeared to be not a Boston firm.

The complaint against the quality of the coal furnished by the Adams Coal Company was very similar to the complaint made against the Babcock Coal Company coal. Proportionally it was just as frequent. Briefly, it was that the Adams coal was soft, a large percentage of dust and dirt size with consequent loss through grates and consequent difficulty in obtaining heat from it in kitchen stoves; delivery was slow; the drivers of the trucks compelled recipients to pay petty graft to have it brought into their homes; and there was complaint that drivers did not deliver the quantity in some cases that the orders called for. Suffering by welfare recipients was, therefore, in proportion to the size of their contract, no less under the Adams contract than under the Babcock Company contract.

The Finance Commission representatives interviewed the agent of a large coal wholesaler who sold coal to the Adams Company. Originally, in private examination, he stated that the coal he sold to Adams was principally storage coal. He added that during the life of the Adams contract with the city he sold 2,000 tons approximately of washery coal. Later at public hearings under oath he repeated this testimony.

Some time after this evidence had been printed in the newspapers, the agent came to the Finance Commission and stated that he had made a mistake in stating that he had sold washery coal. He was asked to make affidavit to this effect, having already stated the opposite under oath, but to date has not given the affidavit. The evidence uncovered by the Finance Commission was that the characteristics of the coal delivered by the Adams Company are consistent with the characteristics of washery coal.

Assuming that it was storage coal—not washery coal—that Adams Company supplied the city, experts informed the Finance Commission that while there is no great difference between the burning quality of storage coal and fresh-mined anthracite, there is a measurable difference in cost. Storage coal costs less. Fresh-mined was what the city contract required.

There is also much less cost to washery coal, as well as much less heat value. There

is great loss in use of it in kitchen stoves when not carefully screened.

The public record of prosecutions against the Adams Company was available to the Welfare Department. This record consisted of more than thirty convictions of charges that the proprietor of the Adams Company was guilty of defrauding customers. On this record he should not have been awarded any contract. The Welfare Department regularly makes a practice of obtaining records of prosecutions against welfare recipients. In view of the record of the Adams Company it was incumbent upon the Welfare Department, after having allowed the contract to be given to the Adams Company without protest, to have taken precautions, even beyond the requirements of the contract, to make certain that the contract was lived up to. Had the Welfare Department done so, suffering by welfare recipients who received Adams coal such as described might have been averted.

The Western Coal and Ice Company.

This company had the contract to deliver coal in the Jamaica Plain district. There was complaint against the coal delivered by this firm that it was small, often dirt and dust size. There was complaint that it was so pregnated with gas that it was dangerous to use in kitchen stoves. There were many complaints that the drivers compelled the payment of petty graft for deliveries.

An analysis by the chemist of the Welfare Department reported on one sample that it was semibituminous. The owner of the company protested on the witness stand under oath that he had none but American anthracite coal in his yard at any time. He claimed that he delivered only fresh-mined American anthracite to welfare recipients. To the Supply Department later, when consideration was being given to his bid for the new contract, he offered the explanation that the coal taken from his truck while it was on the way to make welfare deliveries was in fact Welsh coal. The chemist reported that it was semi-bituminous. This in itself constituted admission that he had violated his contract which called for fresh-mined American anthracite.

This incident serves to illustrate that the coal contractors appeared to believe, because they knew no one had been watching closely the quality and size delivered, that any coal delivered, whether good or bad, would be accepted by the Welfare Department and paid for.

Responsibility in the Welfare Department.

When the Director of the Welfare Department passed over to the chemist the task of analyzing coal samples taken by the Sealer of Weights and Measures, he was not relieved of responsibility if the chemist neglected to report upon all the facts which an intelligent and complete analysis would have produced about this coal. The chemist did not perform the task that he was commissioned to do when he failed to make report of the size of the coal or when he did not make inquiry of the source of it. He was therefore, guilty of a serious breach of his obligations to the Welfare Department. The contract specifically stated that the test should be in accordance with the regular methods of testing as adopted by the American Chemical Society. It also stressed, by naming the size of the coal and fixing a penalty for violation, that size was of the essence of the contract.

Because, however, the chemist made his reports to the director the responsibility is also the director's if he failed to give intelligent attention to them, and to act upon deficiencies shown by them. He was required to seek all the information from the chemist that was necessary for him to have if he were to check the performance of the contractor in a business-like way. It appears that he did so fail.

Responsibility for permitting this fraud, therefore, belongs primarily to the Director of the Welfare Department, his business manager, and his chemist, any one of whom might

have stopped it. The whole Board of Overseers, and particularly the chairman of that Board, share in the responsibility.

At the public hearing held by the Finance Commission, the Superintendent of Supplies produced a letter written to him by the director of the Welfare Department under date of December 13, which was within a month of the start of deliveries of coal by the Babcock Company. In that letter it was stated that at a meeting held on December 9, 1935, the Board asked the director to make investigation and report upon the complaints of slow delivery by the coal contractors.

It appears that the director made no such report and that the Board made no later inquiry. Yet prompt delivery of coal was important to welfare recipients. They were depending upon it to keep them from freezing.

Almost immediately thereafter complaints of many abuses began to pour into official agencies. At every City Council meeting there was demand for action of one kind or another. It was claimed that welfare recipients were having difficulty in obtaining coal, or in burning it when they got it. There was ample reason, therefore, for action by the chairman of the Welfare Board, or by the Board itself. Yet none was taken.

There was testimony at the Finance Commission hearings held in the week of April 20 to 25 that poor coal was still being delivered. There was no evidence that up to that time any official of the Welfare Department had questioned the coal company between November and May in regard to the merit of the complaints.

It was stated to the Finance Commission by the chairman of the Board of Welfare Overseers that it was the duty of the director to take whatever action was necessary in regard to the complaints. The chairman was content to let the blame fall on the director. He or the Board made no move to correct conditions which they knew existed. That failure merits official condemnation.

Nor is there any evidence that Mayor Mansfield fulfilled his obligations in this regard. He was informed by the many orders and requests that came to him officially from the City Councilors that there was trouble in the supply of coal to the poor. One City Councilor sent to him a box of coal taken as a sample from a welfare recipient's home. It was mostly dirt and dust. The sample remained unacted upon in the Mayor's office for many weeks.

It should not be forgotten that Mayor Mansfield appointed the new Board of Welfare Overseers and in doing so removed from office many who had had wide experience in handling the multitudinous problems that the depression gave rise to. He had ordered the executive director of the department transferred, after thirty years' experience in its work. He dictated the appointment of the new director. The Mayor, as has appeared in the daily papers, has often ordered and dictated policies and practices in the department. A striking illustration is only of recent origin. He notified the employees of the department, who, with the support of the director, opposed an order of the chairman of the Board to transfer them all to new assignments, that dire consequences would follow if they persisted in their opposition. The decision by the Mayor to support the chairman's desire to shift the welfare workers over the protest, publicly and privately, of the director discredited the director in the department.

For the failure of the officials of his choice to measure up to the requirements of their positions the Mayor must assume responsibility. His share is increased by his failure to act when the City Councilors called the necessity for action to his attention.

The System Offered by the Anthracite Institute.

The neglect of the Director of Public Welfare was not alone of his failure to perform the service required of him by the method of providing coal which he chose to adopt.

He was given an opportunity to install a method that has been proven satisfactory in twelve eastern states and a large number of municipalities right here in Massachusetts. He could not find time to listen to a representative of the Anthracite Institute of America, the representative organization of all the leading coal producers and retailers, who was sent here by his sponsors specifically to offer expert advice. This advice was based on three years of actual experience in distribution of coal to welfare recipients.

The system offered was originally worked out under the auspices of the Federal Government. In a long use it proved so efficacious in providing a good grade of coal to welfare recipients at a minimum of cost that the big coal operators have adopted it as a means of obviating justifiable criticism of the product in which they have invested millions of dollars. It is also offered by them as their contribution to the burden the nation, through its public agencies, bears in caring for the victims of the depression.

The adoption of the plan of the Institute, the cost of administering which is borne by the Institute wholly, would give to Boston welfare recipients of coal guaranteed high grade at a price approximately \$1.10 less than the regular retail price in Boston.

The representative of Anthracite Institute came to Boston at his own expense and spent two days trying to obtain an opportunity to explain the advantages of this system to the Director of the Welfare Department. He was eventually given ten minutes by the director, and later was informed by a subordinate of the director that the Welfare Department was not interested in the plan.

Conclusions.

The Finance Commission viewed with disgust the efforts of many high officials of the city in trying to dodge the responsibility for this scandalous treatment of the poor. One, the chairman of the welfare trustees, named the director as the guilty party.

The director, in turn, when helpless in defence of himself before the commission, alternately placed the blame on his own subordinates or on the officials of other departments. In his frantic effort to escape himself, he did not hesitate to include among those subordinates he said were responsible—his chief assistant, the business manager. Yet the business manager had previously prepared in his own testimony for the alibi which the director subsequently set up. It was apparent to the commission in the recital of the evidence that the coincident efforts of the leading administrators of the Welfare Department was not to deny the chief facts developed by the inquiry. It was rather to escape, each for himself, all blame by naming another. This removed all doubt that there was cause for drastic action. Not one of them disputed the charge that there had been wilful and serious neglect or that the poor suffered as a result. Therefore, it was merely necessary to determine, so far as the employees of that department are concerned, to what extent each had been untruthful.

The Finance Commission is unanimously of the opinion that every member of the Board of Overseers of Public Welfare on December 9, 1935, shared in the negligence. The commission is convinced that the Director of Public Welfare and the business manager were guilty of gross neglect of the essential requirements of their positions—to see that the money generous taxpayers provided to alleviate the sufferings of the poor was spent for the very definite purpose for which it was given.

Mayor Mansfield has offered stubborn resistance to friendly suggestions that could easily have prevented suffering and privations of the poor. He recently urged the public to await the submission of all the facts. He further stated that in the eventuality that sufficient evidence was offered, the subject matter of these complaints would be submitted to the proper authorities.

The evidence heard by the Finance Commission emphatically disclosed a shocking ne-

glect on the part of city officials. It also disclosed corruption on the part of coal dealers and drivers.

The sincerity of the Mayor's announcement to the public will be tested by his action upon this opportunity to fulfill his promise and to proceed immediately with criminal and civil prosecution.

In view of the Mayor's contemplated action, the commission will send a copy of the sworn testimony to him. The commission will also send a copy to the District Attorney. It is expected that the Mayor will give the case now before him the proffered cooperation to the end that justice be done.

Respectfully submitted,

E. MARK SULLIVAN, Chairman,
PHILIP A. CHAPMAN,
ROBERT ROBINSON,
JAMES E. MAGUIRE,
JOSEPH A. SCOLPONETTI,
The Finance Commission.

ROBERT E. CUNNIFF, Secretary.

Placed on file.

CHAIRMAN BOARD OF EXAMINERS.

Notice was received from the Board of Examiners of election of J. Fred McNeil of 67 Hiawatha road, Mattapan, as chairman.

Placed on file.

AUTHORITY TO BORROW.

Notice was received from the Emergency Finance Board of vote passed May 4, 1936, approving borrowing by Treasurer of City of Boston of \$4,000,000 to meet appropriations made for Public Welfare, term of loan fixed at not more than ten years.

Placed on file.

APPOINTMENT OF IRVING LEWIS.

Notice was received from the Mayor of appointment of Irving Lewis of 32 Linwood street, Roxbury, as member of Board of Examiners for term expiring April 30, 1939, vice Harry J. Greenblatt.

Placed on file.

CONSTABLES' BONDS.

The bonds of the following-named constables, having been duly approved by the City Treasurer, were received, viz.:

Charles A. Bancroft, Joseph L. Bennett, Francis E. Brown, Edgar F. Callahan, Daniel B. Carmody, Charles M. Daley, Robert E. Donlan, Walter A. Donlan, George H. Evans, Frederick J. Galvin, Paul R. Gast, Albert G. Gilbert, Marks, Goldstein, Louis Gorfinkle, Salvatore Grassa, William C. Gregory, John F. Halligan, Max Jacobs, Benjamin Jacobson, Spiros Kaliris, Maurice Levine, Leslie P. Mann, John T. McGovern, Harry Meltzer, John Milgroom, Bernard M. Mullen, Bert Oppenheim, Louis H. Oppenheim, Leonard M. Pike, Benjamin Rosengarten, William T. Rosengarten, Alfred N. Sarno, Joseph L. Shurtleff, Jerome Suvalie, Benjamin J. Tackeff, Philip Tepper and John A. Wragg.

Coun. McGRATH—Mr. President, I would like to make a suggestion that the bonds be placed in American and not foreign bonding companies.

President FITZGERALD—Notice will be taken of that.

The bonds were severally approved by the Council.

APPROPRIATION FOR BUDGET DEPARTMENT.

Coun. AGNEW, for the Committee on Appropriations, submitted a report recommending the passage of the following:

Ordered, That to meet the current expenses payable during the financial year beginning

with the first day of January, 1936, for performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year on the City of Boston or County of Suffolk, or the departments or officers thereof, the respective sums of money specified in the tables hereinafter set forth be, and the same are, hereby appropriated for the department and for the objects and purposes hereinafter stated.

Ordered, That the appropriations hereinafter specified be met by taxes to the amount of \$11,845.00, said amount to be raised by taxation on the polls and estates in the City of Boston, and that all orders hereafter passed by the City Council relating to appropriations, taxes and the interest thereon, apply to the appropriations and taxes herein provided for.

BUDGET DEPARTMENT.

A—Personal Service as per	
Schedule A.....	\$11,500.00
B—Contractual Services.....	45.00
D—Supplies.....	150.00
H—Relief Projects.....	150.00
	<u>\$11,845.00</u>

Schedule A.

Commissioner, 1 at \$6,500 per year,	\$6,500.00
Executive clerk, 1 at \$3,000 per year,	3,000.00
Stenographer, 1 at \$2,000 per year,	2,000.00
	<u>\$11,500.00</u>

The question came on accepting the report of the committee.

Coun. SHATTUCK—Mr. Chairman, I wonder if the chairman of the committee would state the purpose of this report at the present time, appropriating \$11,000?

Coun. AGNEW—Well, it has been explained by the Budget Commissioner that they are without funds to function, and it is necessary if their department is to function that this be passed as soon as possible.

President FITZGERALD—The Chair will state that unless we pass this order today they are without funds, and will not be able to meet their pay roll this coming week.

Coun. SHATTUCK—Mr. President, I desire to ask another question. My impression is that each department has the power to spend one half of the appropriation of the preceding year, and if that is so, I wondered how it happened that this particular department has got into such a hole four months after the year has begun?

Coun.—AGNEW—Mr. Chairman, I will answer that by saying that the Commissioner himself can answer if we wish to send for him.

President FITZGERALD—The Chair will explain that the City Auditor acted as Budget Commissioner last year without salary, and the appointment of a Budget Commissioner this year has used up that appropriation.

The order was passed, yeas 19, nays 0.

CONFIRMATION OF CONSTABLES.

Coun. AGNEW, for the Committee on Constables, reported recommending approval of the following names of constables, appearing in No. 3 on the calendar, under unfinished business (being constables whose names were submitted by the Mayor on April 13, who will be authorized to serve civil process upon filing bonds), viz.:

Walter F. Delaney, John H. Howard, Frank J. Staula, Clarence L. Baker, David B. Kaplan, Abraham I. Weiss, Salvatore Maffei, John B. Blotto and Joseph Herman.

The question came on confirmation of the constables named. Committee, Couns. Gallagher and Selvitella. Whole number of ballots 17; yeas 17, and the appointments named were confirmed.

President FITZGERALD also called up under unfinished business No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor May 4, 1936, of constables connected with official positions without authority to serve civil process, viz.: John A. O'Brien, Morton S. Garson, John J. Linehan, Lewis J. Polak and Peter E. Resnick.

The question came on confirmation, and President FITZGERALD appointed as the committee Couns. Gallagher and Selvitella.

Coun. SHATTUCK—Mr. President, at the last meeting of the Council I offered an order, which was referred to the Executive Committee, to ask the Mayor why so many city constables were needed, where they were working, what their duties were, and whether those duties might not be performed by some person already on the city pay roll. That order is resting in the Executive Committee, and I believe, sir, we ought to have this information before we act on these additional appointments. He has already appointed, I think, more such constables than any other Mayor. At a time when we are not able to meet our budget and have to borrow for current expenses, it does not seem an appropriate time to add unnecessarily to the pay roll and I believe, sir, we should have that information before we act on this matter. Therefore, I move that it be postponed or placed at the end of the calendar today.

Coun. MCGRATH—I would like to have it laid over for a week.

President FITZGERALD—The question is on the motion of Coun. Shattuck to have the matter placed at the end of the calendar.

The matter was placed at the end of the calendar.

TRAFFIC LIGHTS ON CHARLES STREET.

President FITZGERALD called up, under unfinished business No. 4 on the calendar, viz.:

Ordered, That the sum of \$3,000 be, and hereby is appropriated, to be expended by the Traffic Commission, for traffic signal lights on Charles street, at Allen street, and that to meet said appropriation the City Treasurer be authorized to issue and, sell bonds of the city to said amount for said purpose.

On April 13, 1936, the foregoing order was read once and passed, yeas 18, nays 1.

Coun. WILSON—I do not want to seem to be thinking too much, especially at a City Council meeting, but didn't we have a long discussion last week about an amendment or a new order, which would ask for \$50,000 for street lights?

President FITZGERALD—I was not here.

Coun. WILSON—Then I ask that this matter lie over until after executive, so that we can catch up with ourselves. I am in favor of this one, which is in your ward, but I also have in mind that a very detailed report was filed with the Council listing the most dangerous intersections in the city, in the order of their danger, and with the cost of each. We had a long discussion last week, during your absence, and it was urged that at least \$50,000 be made available if we are to spend some money for these signal lights.

President FITZGERALD withdrew his call for the order, and it remained on the calendar under unfinished business.

GRAVES OF VETERANS.

President FITZGERALD offered the following:

Ordered, That the Committee on Soldiers' Relief be requested to make an inquiry into the matter of the appointment, under section 22 of chapter 115 of the General Laws, of a suitable person to perform the duties therein set forth relative to the care and registration of the graves of veterans, and to ascertain, if such a person has been appointed, whether or not the required duties have been performed, and the reason, if any, for nonperformance.

Passed under suspension of the rule.

RECESS.

By direction of the President, the Council at 2.28 p. m. took a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by Coun. GALLAGHER at 3.39 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. GALLAGHER, for the Executive Committee, submitted the following, viz.:

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

Lulu Philbrook, Jordan Hall, June 3.

Katharine G. O'Gorman, Shubert Theatre, May 21.

Gertrude Goodman, Repertory Theatre, May 19.

Jeanette Sternberg, Repertory Theatre, June 2.

Rose Sidman, Repertory Theatre, June 16,—recommending that leave be granted, under usual conditions.

Report accepted; leave granted, under usual conditions.

2. Report on petition (referred April 6) of Catherine E. Roche to be paid annuity on account of death of her husband, James B. Roche, late member of the Police Department, recommending the passage of accompanying order, viz.:

Ordered, That under the provisions of chapter 340 of the Acts of 1933, an annuity of eighteen hundred dollars be allowed and paid to Catherine E. Roche, widow of James B. Roche, a member of the Police Department, who died on March 21, 1936, as a result of injuries received in the performance of his duty; said annuity being made up of allowances as follows:

For the widow, Catherine E. Roche, so long as she remains unmarried, \$1,000 per annum.

For each of the following named children, during such time as he or she is under the age of eighteen or over said age and physically or mentally incapacitated from earning, \$200 per annum.

James B. Roche, born August 3, 1921; Francis J. Roche, born February 20, 1927; Robert R. Roche, born November 30, 1933; Claudette Roche, born November 20, 1934, the payments to date from March 23, 1936, and to be charged to the appropriation for Police Department, Pensions and Annuities.

Report accepted, order passed.

3. Report on order (referred May 4) that Mayor specify departments to which the constables already appointed have been assigned and duties which each will perform, and departments to which additional constables recommended will be assigned and their duties, and whether some of departments are not now overmanned, persons on regular pay roll being qualified to perform duties of the constables—that same ought to pass.

The report was accepted and the order was passed.

Coun. BRACKMAN—We have had a similar order in here before. I think it is quite obvious to almost everyone here what these men have been assigned to do. There has been a request sent to the Finance Commission for information along the same line, and I request that this matter be placed on the table.

Coun. SHATTUCK—Mr. President, I think we have had no information on this subject for at least a year. We have had no information on the present list or present assignments, and we have pending the suggestion that further appointments be made. Before we consider those further appointments, I believe we should have this information.

Coun. NORTON—Mr. President, what order is under discussion?

President FITZGERALD—Information regarding constables—Coun. Shattuck's order.

Coun. NORTON—I am in agreement, and I think this order on constables—

President FITZGERALD—The Chair would state that the order has been passed.

Coun. WILSON—I realize perhaps the majority of the Council would like to have this passed, but I still would ask leave to say something on the question.

President FITZGERALD—No objection.

Coun. WILSON—I just came in and perhaps was a little late and did not hear the opening argument, but if I understand correctly, the request by Coun. Shattuck is merely a businesslike request that we have a right to ask of any department where seventy-nine or eighty-four political appointments are made, where the men are being placed, and what kind of work they are going to do. It is certainly amazing to me to think that a majority of the Council are willing to be placed on record as refusing to even ask the Mayor where these eighty-four men are going to be placed and what duties they are going to perform.

Coun. McGRATH—I would like the personal privilege of saying something.

President FITZGERALD—The Councilor asks unanimous consent. Any objection? The Chair hears none.

Coun. McGRATH—I would like to have the Mayor come up here and tell us, if it is in order, what the constables are doing. I would further like to say that he didn't make any appointments for me from Ward 16.

Coun. NORTON—Did I understand that the order of the Councilor from Ward 5 was passed?

President FITZGERALD—The order has been passed.

Coun. NORTON—That is, his order?

President FITZGERALD—His order was passed a minute ago.

CHELSEA STREET, CHARLESTOWN.

Coun. MELLEEN offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to consider the advisability of making Chelsea street, Charlestown, a one-way street from City square to the junction of Adams street and Chelsea street, with traffic moving from City square and routing the traffic coming towards City square along Adams street to Park street and into City square, and establishing a left turn from Chelsea street into Joiner street for traffic heading through Charlestown with stop lights at the junction of Park and Joiner streets.

Passed under suspension of the rule.

USE OF CHARLES DANIELS SCHOOL.

Coun. MELLEEN offered the following:

Ordered, That the Superintendent of the Public Buildings be requested, through his Honor the Mayor, to notify the School Committee officially of his willingness to receive from it the Charles Daniels School on Mead street, Charlestown, for the purpose of having a building for the Charlestown Joint Planning Board sponsoring W. P. A. activities.

Passed under suspension of the rule.

CLERICAL ASSISTANTS, CHARLESTOWN DISTRICT COURT.

Coun. MELLEEN offered the following:

Ordered, That the Budget Commissioner be requested, through his Honor the Mayor, to obtain advices from the Judge of the Charlestown District Court with reference to definite information concerning the filling of the supposed existing vacancy of assistant clerk in the Charlestown Court, and whether provision for such position is to be properly included in this year's budget.

Passed under suspension of the rule.

APPROVAL OF APPOINTMENT OF JAMES A. BUCKLEY.

Coun. MELLEEN offered the following:

Ordered, That his Honor the Mayor, the Budget Commissioner and the Law Department be requested to approve James A. Buckley as clerical assistant of the Municipal Court of the Charlestown District, as of November 16 1935, at a salary of \$1,700 per annum, and said salary to be increased at the rate of \$100 per annum until the amount of \$2,200 be reached; said James A. Buckley having been legally appointed to the said position of clerical assistant on the said sixteenth day of November, by the Clerk of the Municipal Court of the Charlestown District according to General Laws, chapter 218, section 69.

President FITZGERALD—The Chair will have to rule the order out of order because we have no power to order the Mayor to do this. We have the right to suggest, and I would suggest—

Coun. MELLEEN—I move that the order be amended to read "suggest."

President FITZGERALD—The Chair will make the change.

Coun. MELLEEN—Speaking on the order—in Charlestown a very unique situation exists. The presiding judge over there, Charles S. Sullivan, says because he has not received the appointment in correct form of James A. Buckley as clerical assistant he is not the clerical assistant. Judge Sullivan says the appointment should be in writing, but he has no precedent for written appointments even for the appointments within his jurisdiction. I will give the statutory history. In the General Laws of the Commonwealth of Massachusetts, enacted December 22, 1920, to take effect January 1, 1921, chapter 218, section 70, reads:

"Clerks of the following district courts shall severally be allowed annually for extra clerical assistance not more than the following amounts, payable monthly to the persons who are employed to render it, on the certificate of the justice that such assistance was rendered and was necessary."

This was amended by section 1 of chapter 399 of the Acts of 1922, and became chapter 218, section 69, of the General Laws:

"The clerk of each district court shall be allowed annually for extra clerical assistance such amount as the mayor of the city of Boston, if the district court is in Suffolk county, may approve, upon the certificate of the justice and clerk that extra clerical assistance was actually performed and necessary, stating the names of the persons by whom it was performed and the time occupied."

This was further amended by section 33 of chapter 301 of the Acts of 1931 to read:

"The clerk of each district court shall be allowed annually for clerical assistance such amount as the mayor of the city of Boston, if the district court is in Suffolk county, may approve."

There is no mention in this last amendment of the statute of any power of the judges in appointing any clerical assistants designated by the clerks of the courts. Nowhere in the history of the statute has any appointing power or even the right to approve been given to the justice of the District Court. His only duty was to certify that the work had been done, and by the Statute of 1933 he had not even the right to do that. At no point had he any right to appoint. Sullivan also claims jurisdiction. The general law doesn't give him jurisdiction. Sullivan admits, has admitted to two applicants, that he has no jurisdiction. He told them he had nothing to do with it and that it was entirely up to the Clerk of the Court, Mr. Mullen. He not only told those applicants, but he wrote them he had no right, and that if he thought he had the right he would have appointed some one himself. The situation is purely political. James A. Buckley who was appointed by Mullen to the position of clerical assistant comes from an old Charlestown family. He is a practicing attorney. On the basis of merit alone Sullivan should accede to this appointment. In 1914 when Judge Bragg resigned as

Justice of the Charlestown Court, Sullivan was then a special justice. The late Timothy J. Buckley, the uncle of James J. Buckley, was at that time a member of the Governor's Council. He led the fight to make Sullivan presiding justice in spite of very bitter and determined opposition not only on the part of the people in Charlestown, but outside. Further, in 1927, when Fuller was Governor, John P. Buckley, a brother, at that time a Representative in the General Court, led the fight to increase Sullivan's salary, introducing a bill into the Massachusetts General Court increasing the salary from \$4,000 to \$5,000. At that time Governor Fuller compromised with John P. Buckley by allowing \$500 increase, thereby increasing the salary from \$4,000 to \$4,500. Just consider that James A. Buckley's brother wanted a \$1,000 raise for Sullivan, and that Sullivan has refused to give to James a salary of \$1,700,—17-10ths of the raise that John Buckley tried to get for him, and that the salary he holds up on James A. Buckley is not much more than one third of the salary he received through the efforts of Timothy J. and the raise instigated by Buckley's brother John. In spite of all this Sullivan won't give him the raise. He claims that he has jurisdiction, but by the statute he has none. That covers the whole story. As for political bias, this is not a political fight. It is purely personal. Buckley in my campaign was neutral. In the last delegate election James A. Buckley was on the opposition slate, so there is no political attack in it at all. It is purely friendship. For the purpose of the record I want to say that I intend to follow this through. If action does not come from the office of the Mayor, the matter will come before the General Court at the next regular session.

Coun. BRACKMAN—I think it is not very much of my business what happens in the Charlestown Court except from the standpoint of justice, and I think that acts of this kind speak louder than anything else for the election of judges. Here is a situation where the assistant clerk of courts passes away and a vacancy occurs, and for six months the vacancy has not been filled because to confirm the appointment of the present acting assistant clerk would mean that the clerk will be able to assert his power to appoint a clerical assistant under the statute. Here is a judge of one of our district courts who is playing politics to the extent that he not only will not confirm the appointment of the present acting assistant clerk in that capacity, but refuses the salary as clerical assistant of another man working as clerical assistant without pay since last November.

Coun. NORTON—I know nothing about the situation, but I am anxious to find out from somebody why it is this judge of this court for six months has allowed this man to work in that court and at the same time keep him off the pay roll for six months, in a district where unemployment is rampant as well as in other districts in Boston. The sooner the day comes when we have a statutory amendment here on this matter of the election of judges similar to most of the states, and the sooner some of these so-called members of the judiciary have to render an accounting to some one, the better. I would like to know why it is that for six months the judge has seen this man working about the courthouse and has refused him one dollar of pay.

Coun. MELLEN—That suggests to me that there is only one of two positions that can be taken by Judge Sullivan over there. Either John Flaherty is or is not assistant clerk. If he is assistant clerk, then there is a vacancy and Mullen has a right to fill that. If he is not assistant clerk, then he is clerical assistant, and as clerical assistant he comes under the powers of the Clerk of Court. The Clerk of Court is his employer and the right lies within the clerk to fire him. This is squarely in the lap of Sullivan. He has to either fish or cut bait; either has to take Flaherty and appoint him as assistant

clerk of the court and allow Buckley to step in there, or take in an outsider, which he does not dare to do.

The order was passed under suspension of the rule.

INFORMATION RE SURETY BONDS.

Coun. McGRATH offered the following: Ordered, That the City Clerk and City Auditor, through his Honor the Mayor, be requested to submit to the City Council a list with reference to all surety bonds filed so far during the year 1936, giving in each instance the type of bond, the amount of the bond, and the name of the company which is surety and the name of the agent and broker.

Coun. McGRATH—The purpose of introducing this order is to show that last year \$290,612,137.24 was received from policy holders of the United States by foreign-owned or foreign-controlled insurance companies,—and this pamphlet goes on to say that in America we should eliminate foreign insurance companies and keep their hundreds of millions of dollars in American insurance companies. America's dead beat ledger shows the startling sum of \$13,438,703,671 due her and in default by foreign nations. Finland alone, of all our foreign debtors, has kept faith. I won't go on to read the entire pamphlet I have here, but there are a few excerpts that I would like to read. It says:

"As a holder of a foreign insurance policy what do you assume would happen in the event of a disaster comparable to that of San Francisco fire in 1906 should occur?"

And it goes on to say, about 50 per cent of the companies when it came time to pay off the loss refused to pay more than fifty cents on the dollar. I ask the passage of this order. And I would like to have this in the record: When the heads of the departments have come before the budget committee—and I happen to be a member of the Council although not a member of the budget committee,—I have asked them what companies the insurance and the bonds have been placed in, and not one of the heads or the representatives of these departments knew. Therefore, I ask the Mayor to send a list of the bonding companies and the brokers.

The order was passed under suspension of the rule.

DEATH OF MRS. SARAH E. FORD.

Coun. ROBERTS offered the following: Ordered, That the Mayor direct the Superintendent of the Boston City Hospital to investigate the circumstances surrounding the autopsy performed on Mrs. Sarah E. Ford, late of Boston, who died at the institution on April 23, 1936.

Passed under suspension of the rule.

CONDITIONING OF COLUMBUS PARK.

Coun. KERRIGAN offered the following: Ordered, That the Park Commission be requested, through his Honor the Mayor, to take immediate steps to place the Columbus Park in proper condition for the baseball season, to open the locker building, and to see that hot water is available for the shower baths when the building is in use.

Passed under suspension of the rule.

WARD 14 STREETS.

Coun. ROSENBERG offered the following: Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving Jacob street, Ward 14.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept, lay out and construct

that section of Brunswick street, Ward 14, from number 198 to Columbia road, as a public highway.

Severally passed under suspension of the rule.

TRAFFIC SIGNALS, ROXBURY.

Coun. BRACKMAN offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Traffic Commissioner to install traffic signals at the junction of Seaver, Harold and Hutchings streets, and also install traffic signals at the junction of Cliff, St. James and Warren streets.

Passed under suspension of the rule.

CONSTRUCTION OF GRANOLITHIC SIDEWALKS.

Coun. WILSON 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 Commissioner of Public Works, for the construction of granolithic sidewalks, and that to meet said expenditure the City Treasurer be authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Coun. WILSON—Mr. President, with reference to the order, I realize perhaps it might not meet with the full approval of the councilor from Ward 5 (Coun. Shattuck), who I believe feels that perhaps street repairs and sidewalk construction can more properly come under appropriations. I am advised, however, that in the current budget there is not the appropriation of a single penny for the construction of a single artificial granolithic sidewalk anywhere in Boston during the coming year, and no appropriation whatever for edgestones, which in my opinion are not merely a question of convenience, but of ordinary safety in the residential sections of the city. I personally favor, especially since there is no appropriation, the passage of a loan order which will insure the construction of some artificial sidewalks throughout the City of Boston this year. I bear in mind, as we all know, that one half the expense of sidewalks from time immemorial has been charged against the adjacent owner who is allowed to pay for it 10 per cent a year over a period of ten years, and with that expedient, a loan order of \$50,000 would assure the construction of \$100,000 worth of artificial sidewalks. I do not want to be finicky on the question, but I see miles of artificial sidewalks between here and Worcester on state highways and mile after mile of granolithic sidewalks, some of them 6 feet wide in sections like the Lynn marsh where nobody will walk on them for years to come, and yet I see sections in my own ward where houses that have stood over fifty to seventy-five years without having received that ordinary convenience of living in any great city, edgestones and sidewalks. I believe it is an item which might well meet with the favor of the Council, and I would appreciate its having a reading, if possible, today. I might state, not to antagonize those who favor constables, that when we consider eighty-four constables at \$1,600 each, which means something like \$135,000, it would almost appear as though we could assure to the citizens of Boston some appropriation or some loan order for sidewalks and such conveniences, in the year 1936.

President FITZGERALD—The Chair will refer the order to the Committee on Finance, unless the councilor wishes to ask a suspension of the rules.

The order was referred to the Committee on Finance.

EXTENSION ON TAX TITLE SALES.

Coun. WILSON offered the following:

Ordered, That the City Collector be respectfully requested, through his Honor the

Mayor to permit reasonable extension beyond May 26 and 27 for the proposed tax title sale of Boston property on which 1934 taxes remain unpaid.

Coun. WILSON—Mr. Chairman, I realize of course, the great financial stress under which Boston is laboring at the present time. We really must be laboring under great stress when for the fifth consecutive year we are borrowing millions of dollars not only for permanent improvements which will last through the future but for current expenses of the year. I realize of course, that our chief medium of paying our city bills is the money that we collect from taxes. On the other hand, we have seen hundreds, if not thousands of properties sold since 1934 for nonpayment of taxes. Frankly, the average property owner has seen taxes increase until it has reached such a saturation point he can no longer stand the gaff, if I may use that expression, and the little home finally goes under the hammer. If I read the papers correctly, I understand this year we are going to put up for sale something like 9,000 parcels some three months earlier than we did last year. I say again I realize the difficulty that the City Collector no doubt is having in getting in his tax money, but in these hard times and with taxes where the city administrators have put them, with times being as they are and hoping perhaps towards the end of this year conditions will improve, I personally thought, although he may differ with me and apparently does,— I personally have felt that this is a most inopportune year to advance the usual tax sale, even though we must hold it under the law, ninety days earlier this year. I urge, if it is possible under the law, to extend this tax sale even though perhaps it is being used primarily as a threat, that we extend the time to some later date than the twenty-sixth of May. I have one other item in mind on this question, and that is what becomes of these tax title properties after we buy them in? I might urge the adoption of an order like this with some hesitancy if the city had set up some arrangement under that ordinance we passed last October whereby after the properties had been sold for 1934 taxes they were placed in the hands of the Public Buildings Commissioner, with some definite check up there and some system whereby the properties are re-sold or leased or cashed in in some way, but the last I knew we had somewhere between 600 and 800 properties that had been sold for 1934 taxes, and last year put through the Land Court, and are now in the lap of Major Hall. And there are still others, and so far as I know not one has been sold, not one leased, and all we have got is a lot of responsibility and trouble now that we have them. So I say I urge against the sale of 9,000 more parcels which eventually, if they are not redeemed, will also have to go through this Land Court procedure. I urge a delay until such time as we shall really be making some progress with the 1931 tax parcels which we have already got.

Coun. McGRATH—I think this is a very good order which my colleague from Ward 17 introduced. The City Ordinance, I believe, reads that they must be sold every year. I don't know the specified date but I think if what he says is so, they are being sold ninety days earlier this year than they were last year, I would like to have that order amended to delay it until six months from now.

Chairman GALLAGHER—In the order it asks for a reasonable extension, Coun. McGrath,—is that broad enough?

Coun. McGRATH—Six months.

The order was passed under suspension of the rule.

USE OF WATER BY CONTRACTORS.

Coun. WILSON offered the following:

Ordered, That the chief engineer of the Water Division of the Public Works Department be requested, through his Honor the Mayor, to advise the City Council with refer-

ence to arrangements, if any, now in force permitting the use of city water from hydrants by contractors using rubbish dumps, and further

Ordered, That his Honor the Mayor be requested to consider the advisability of directing the Water Division of the Public Works Department, and also the Fire Department, to arrange for providing meters to measure water used incident to dumps operated by rubbish disposal contractors.

Coun. WILSON—Mr. Chairman, I was interested naturally in Councilor Shattuck's order of May 4 requesting his Honor the Mayor to inform the councilors as to what steps are being taken to make the Water Department self-supporting, because I was more or less surprised, as I assume he was, to learn there was such a substantial deficit for the first time in the history of the city last year. Because of the increased bonds in the Metropolitan Water Works the deficit may run into substantially more money this year, and so, although I have not verified these figures—I usually do verify figures before I even repeat them—I think that the suggestion I am going to make is of sufficient importance to send it along today, perhaps without verification of the figures. I understand that, of course, the average rubbish concern disposing of rubbish in the various dumps that are agreed to by the city gets permission to use water from the hydrants nearest the dumps to keep the danger of fire down, and that where fire does break out in the dumps from one of those underground fires, the expense is also added of calling out the Fire Department. Now, if I understand it, these dumps which these men are permitted to use are, of course, used as a matter of private profit, and if any fires are started there it is because the papers and other usually inflammable material is not burned as promptly as it ought to be, because there is not proper supervision there. However, whatever the reason, I assume under the contract it is up to the man who dumps to make his own plans for using city water. Now, these figures are the ones I refer to, and they can be verified. They may not be scrupulously accurate, but I think there is a good deal to them. At the Mary Doyle dump on the Old Colony Parkway there is a 2½-inch pipe connected with a hydrant at 151 Mt. Vernon street, and the disposal company there has that hydrant connected with a hose. The water is run for the most part some twenty-four hours a day, discharging some 1,290 gallons a minute, or about 77,000 gallons an hour, or about 1,857,600 gallons every day of the year. I understand at the McCabe dump on Dillingham street there is also a 2½-inch hose connected to a hydrant on Dillingham street which operates some ten hours each day, discharging about 300 gallons per minute or 18,000 gallons an hour. So much for the daily use of water. I do not understand there is any meter on these hydrants with reference to this unusual use of the water of the City of Boston. Now, in addition to this almost daily use there is the additional hazard of calling out the Fire Department, when fire conditions get away from the man who is using the dump. I understand on the sixth of May the fire apparatus of Boston extinguished a fire at the McCabe dump after two hours of pumping by a 750-gallon pump which used some 90,000 gallons. I believe I am correctly informed when I repeat the information that has been furnished me to the effect that on April 28 at another rather serious fire at the same location the pump pumped out something like 2,000,000 gallons of water in that single day. The purpose of this order is this, Mr. President, I feel so far as the use of city water from the city hydrants by these dumping concerns is concerned, day after day, some arrangement should be made to meter the hydrants and let them pay for the water that they are using. I believe in the second place, if they cannot keep these dumps in the Savin Hill section and other sections under control, but require the use of the Fire Department to do their work

for them, bringing out the fire apparatus and using millions of gallons of water a month to put out those dump fires, there should be meters or something carried in the chief's wagon or other apparatus, to meter that water, because after all is said and done, these dump contracts are supposed to be a source of profit. I firmly believe when the situation has arisen where we are actually anticipating a possible raising of the minimum water rates from \$10 to \$12, perhaps that item whereby the city water deficit can be kept down, as requested by Councilor Shattuck, can be met right here in the suggestion made.

The order was passed under suspension of the rule.

SHIP TERMINAL, OLD HARBOR POINT.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to advise the City Council, with reference to the progress made in the matter of application of the American International Terminal Corporation, for a loan of sixteen million dollars from the Government for the construction of a dock and the creation of a ship terminal at Old Harbor Point in Dorchester, and further

Ordered, That the City Council, supplementing its action on June 4, 1934, respectfully urges prompt approval of the pending application for this great public improvement.

Coun. WILSON—Mr. President, just to refresh the memory and recollection of the Council, I would point out that as long ago as June 4, 1934, they were kind enough to pass unanimously an order requesting the Mayor to consider prompt approval of this application of the American International Terminal Corporation for this loan from the Federal Administration of Public Works for the construction of the dock and the creation of a ship terminal at the Old Harbor Point section of Dorchester Bay, referred to in today's order. Not wishing to repeat too much I would remind the Council and the Mayor that this particular project which has put Boston on the map and which should certainly be of outstanding assistance to the whole South Boston and Savin Hill section, has had the endorsement and approval of the Governor of Massachusetts, the Boston Port Authority, engineers of the War Department, the Dorchester Board of Trade, and countless other organizations interested in this public improvement. I am informed that the completion of the project will mean the reclaiming of over 264 acres of land and the dredging of a 40-foot ship channel, not to mention two years of continuous work for some 4,500 men. So I urge that while the Federal Government in Washington apparently is in the mood, and since this should be a self-supporting proposition and since the money is not being asked as a gift, but as a loan, bearing in mind the power of the Mayor's influence at Washington and his frequent trips and those of the Corporation Counsel there on P. W. A. matters, this is of sufficient importance to really receive his active, affirmative and helpful assistance at the present time.

The order was passed under suspension of the rule.

CERTIFICATES AS TO QUALITY OF COAL.

Coun. WILSON offered the following:

Ordered, That the City Auditor be respectfully requested through his Honor the Mayor, to advise the City Council whether all invoices for delivery of coal and oil to welfare recipients during the past winter season have been accompanied by certificates as to quality, and whether such invoices have therefore been paid in accordance with contract specifications.

Passed under suspension of the rule.

BUDGET HEARINGS.

Chairman GALLAGHER announced that the Appropriations Committee will resume its hearings on the budget Tuesday, May 12, at 2 p. m.

CONFIRMATION OF CONSTABLES.

Coun. AGNEW, chairman of the Committee on Constables, called up under unfinished business No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor May 4, 1936, of constables connected with official positions without authority to serve civil process, viz.: John A. O'Brien, Morton S. Garson, John J. Linehan, Lewis J. Polak, Peter E. Resnick.

The question came on confirmation, and Chairman Gallagher appointed as a committee to receive, sort and count ballots Coun. Finley and Selvitella.

Coun. SHATTUCK—Mr. President, I move postponement of this matter for two weeks, in order that we may have an opportunity to receive the Mayor's reply to the order concerning the activities of the constables already appointed, and also to learn and consider what he has to say on the subject. I move, therefore, that this matter be postponed for two weeks.

Coun. Shattuck's motion was declared lost. Councillor NORTON doubted the vote.

Coun. McGRATH—Mr. President, I think Councillor Shattuck is right in asking that this be laid on the table.

Chairman GALLAGHER—All in favor of Councillor Shattuck's motion to postpone for two weeks will rise.

Coun. Shattuck's motion was defeated on a rising vote, 4 to 11.

Coun. SHATTUCK—Mr. President, I further doubt the vote, and ask for the yeas and nays.

The clerk called the roll, and Councillor Shattuck's motion to postpone for two weeks was lost, yeas 5, nays 12:

Yeas—Coun. McGrath, Norton, Rosenberg, Shattuck, Wilson—5.

Nays—Coun. Agnew, Brackman, Doherty, Finley, Gallagher, Gleason, Kerrigan, Kilroy, Mellen, George A. Murray, Peter A. Murray, Selvitella—12.

The question came on confirmation of the appointments in No. 1 on the calendar. Committee, Coun. Finley and Selvitella. Whole number of ballots 18; yes 11, no 7, and the appointments were confirmed.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

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

2. Action on appointments submitted by the Mayor May 4, 1936, of Roscoe D. Waterhouse to be a Measurer of Leather; Fred J. Graham, James Laughlin, Walter W. Willis, Joseph R. Wilkinson, H. Marsden Harding, Arthur Bursey, John Drohan, to be Weighers of Goods; Charles Rabinovitz, I. S. Borenstein, to be Weighers of Coal.

The question came on confirmation. Committee, Coun. Finley and Selvitella.

Coun. McGRATH—Mr. President, may I ask if all these men are residents of Boston?

Chairman GALLAGHER—The Chair is not prepared to state. However, they are not required to be residents of Boston.

Coun. McGRATH—Mr. President, I would like to have action on this postponed for a week.

Chairman GALLAGHER—You are too late. The ballot is pending.

Coun. McGRATH—Mr. President, I would like to go on record as stating that one of them is not a resident of Boston. That is why I am interested.

Seventeen ballots were cast; yeas 14, nays 3, and the appointments were confirmed.

RELIEF OF REAL ESTATE.

Coun. NORTON offered the following: Ordered, That the Mayor of Boston be requested to consider the advisability of considering ways and means of relieving the real estate of Boston from increased taxation.

Coun. NORTON—I would like to include the following compilation concerning taxes in the various large cities of America.

Chairman GALLAGHER—If there is no objection, the statement will be included in the record.

Coun. NORTON—A building here in Boston is paying about double what it is in any other large American city, and here is the record. We are taking out of our real estate in Boston over \$56,000,000; Detroit with almost double the population, is taking out \$54,000,000. In cities in Boston's category, such as Cleveland, St. Louis and Baltimore, none on the average take out \$26,000,000 or \$27,000,000. Mr. President, these figures here are, to say the least, astounding, and I am asking that they be placed in the *City Record*.

These figures are for the last fiscal year for which figures are obtainable.

	Population.	Total Amount All Realty Assessed At.	Total Amount of Money Taken Out of Realty for All Purposes.
Chicago.....	3,376,438	\$1,500,771,873	\$95,973,005 66
Philadelphia.....	1,950,961	2,746,300,900	71,035,246 33
Detroit.....	1,568,662	1,781,915,475	54,339,880 24
Los Angeles.....	1,238,048	1,123,449,000	45,924,160 00
Cleveland.....	900,420	901,028,431	26,940,750 00
St. Louis.....	821,960	912,781,540	29,081,280 36
Baltimore.....	804,874	1,109,448,188	27,322,664 82
Boston.....	781,188	1,517,386,700	56,143,307 90

On the matter of assessments, Boston appears to run about \$500,000,000 higher than other cities of her size such as Cleveland and St. Louis. Chicago assesses on only 37 per cent of the real value of realty while Boston takes the 100 per cent figure, but the fact remains that Chicago, with over four times the population of Boston actually assesses its real estate at a lower figure than Boston.

From the standpoint of actual money taken out of realty, Boston takes out more money than Detroit, that is almost twice the size of Boston, than Los Angeles, with 400,000 odd people more than Boston. Cities in Boston's category such as Cleveland, St. Louis and Baltimore seem to take just one half as much money out of their real estate as Boston does.

Figures are often unfair, but these figures tend to show that Boston's real estate taxation is far and away above that of any other city of comparable size in America.

Boston depends upon industry and commerce, competing in many instances against these other cities. How can it be done under these conditions?

The order was passed under suspension of the rule.

NEED FOR CONSTABLES.

Coun. NORTON offered the following:
Ordered, That the Boston Finance Commission be requested to make a study of the need for the present list of constables on the city pay roll.

Coun. NORTON—I do not believe the Mayor of Boston will even attempt to justify the highest number of constables this city has ever known. Therefore, I am asking the commission across the street to tell us what they know about it.

Coun. BRACKMAN—We have already passed one order which calls on the Mayor to furnish this information. I understand in the City of Boston today we have 1,500 less city employees than we had in 1934. I am not in favor of any other investigation, and I hope this order is defeated.

The question came on the suspension of the rule, and the motion was lost; yeas 5, nays 10.
Referred to the Committee on Constables.

POSTPONEMENT OF TAX SALES.

Coun. NORTON offered the following:
Ordered, That the Mayor consider the matter of postponing the sale of any home to be sold for unpaid taxes where the family lives in the house.

Coun. NORTON—I understand that the matter of homes being sold for unpaid taxes is a very minor part of this entire business of the sale of property for unpaid taxes. In other large cities, notably Jersey City, under Mayor Frank Hague, where the family lives in the home, mostly with the approval of the Assessing Department, it is the practice not to sell the home. They have taken into account what happened to this home in good times when the folks were working. It seems possible under the circumstances that the Mayor may work out some scheme in Boston

where the selling of homes can be postponed for some little time. I represent a home-owning ward, Mr. President, and a section where they have been blighted by tax sales.

The order was passed under suspension of the rule.

ACCEPTANCE OF FOWLE 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 as a public highway, Fowle street, Ward 19.

Passed under suspension of the rule.

WEST ROXBURY IMPROVEMENTS.

Coun. FINLEY offered the following:
Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to place suitable warning signs at both sides of the approach to the Spring Street Railroad Bridge, West Roxbury.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to erect a fence in the space between the abutments of the Spring Street Railroad Bridge as a means of preventing further accidents at this particular location.

Ordered, That the Trustees of the Boston Elevated Railway Company be requested, through his Honor the Mayor, to relocate the outbound car stop on Spring street, opposite Alaric street, West Roxbury, and place same two elevated poles south of the present location, which would bring it to the further side of the Spring Street Bridge.

Coun. FINLEY—Mr. President, in introducing these three orders, I am doing so at the suggestion of the members of the Spring Street Improvement Association, a civic body which lives in the vicinity of the Spring Street Bridge. It is a death trap there. In the last years there have been three fatal accidents, and I am calling attention of the proper authorities to the matter to see if they cannot take proper means to alleviate the situation.

Adjourned, on motion of Coun. AGNEW, at 4.32 p. m., to meet on Monday, May 18, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 18, 1936.

Regular meeting of City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Dowd.

REPORT ON PROPERTY OF NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY.

The following was received:

City of Boston,
Office of the Mayor, May 13, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 4, 1936, concerning a report as to how many manholes, terminals, conduits and other appurtenances in use by the New England Telephone and Telegraph Company underground are now located in or under Boston streets.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Public Works Department, May 11, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of May 7, with attached City Council order dated May 4, 1936, and reading as follows: "Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to file a report with the City Council as to how many manholes, terminals, conduits and other appurtenances in use by the New England Telephone and Telegraph Company underground are now located in or under Boston streets and the location, with the surface area, of each so far as same may be known to the Public Works Department."

and to state that the Public Works Department has no complete set of records or plans from which the information desired can be obtained. While it is a fact that permits are issued by the Public Works Department to the New England Telephone and Telegraph Company for construction work, old records going back forty years, to 1896, at which date the underground construction was started by the Telephone Company, are not now available.

The procedure to obtain this information will be to have a survey made of every manhole location in Boston and to obtain from the Telephone Company the size of conduits on which manholes are built. It would take at least six months to obtain the correct data and information desired.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

APPOINTMENT OF WEIGHER.

The Mayor submitted the appointment of Paul J. Richenburg, Jr., 475 Topliff street, Roslindale, to be a Weigher of Coal and a Weigher of Goods.

Laid over for one week under the law.

OUT-PATIENT AND RELIEF SERVICE AT RIVER STREET.

The following was received:

City of Boston,
Office of the Mayor, May 16, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the trustees of the Boston City Hospital relative to your order of April 27, 1936, requesting that out-

patient and relief station hospital service be provided at the hospital buildings located on River street.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Hospital Department, May 8, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—At a meeting of the Board of Trustees held today, an order of the City Council was presented whereby the trustees are requested to provide for out-patient and relief station hospital service at the hospital buildings located on River street.

The trustees do not believe it advisable to attempt to do this type of work at the Sanatorium Division, inasmuch as that department was established for the treatment of tuberculosis, and, in addition to this objection, they have no money available for any increased activities at Mattapan.

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

Placed on file.

EXTENSION OF TAX TITLE SALES.

The following was received:

City of Boston,
Office of the Mayor, May 16, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the City Collector relative to your order of May 11, 1936, concerning the granting of a reasonable extension beyond May 26 and 27 for the proposed tax title sale of Boston property on which 1934 taxes remain unpaid.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Collecting Department, May 15, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—Reference is made to a request by the City Council that the collector be asked to permit a reasonable extension beyond May 26 for the proposed sale of delinquent 1934 taxes.

On account of the statute of limitations, the period during which the city must act in order to obtain a lien will soon expire, and no further extension can be had. Sufficient time must be allowed to hold a second sale should any irregularities occur in the first.

The advertisements appeared in the Boston City Record on May 9, involving an expenditure of approximately \$15,000. A postponement of the sale may be made from time to time but not exceeding seven days in all. The only thing I fear might be said about the City of Boston regarding its tax sale is that it is entirely too lenient. Every other city and town in the State of Massachusetts had its tax sale for 1934 some time ago.

A tax sale does not mean additional hardship to the taxpayer, because of the fact that the city requires a 50 per cent deposit at the time of the sale, thereby eliminating the so-called "tax title sharks." As a general rule, the city bids in the properties.

The taxpayer has at least two years from the date of the sale to redeem his property and can do this by making installment payments of 25 per cent of the amount due. Consequently, there is nothing affecting the entire matter that would in any way warrant a postponement of the sale.

Yours very truly,
JOHN F. DOHERTY,
City Collector.

Placed on file.

PAVING OF SOUTH HUNTINGTON AVENUE.

The following was received:

City of Boston,
Office of the Mayor, May 18, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 4, 1936, concerning the resurfacing with smooth paving of South Huntington avenue in Wards 10 and 19.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, May 15, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of May 7 with attached order of City Council dated May 4, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving South Huntington avenue, Wards 10 and 19,"

and to state that South Huntington avenue, from Floydell street to Centre street, has a length of 2,800 linear feet, roadway width of 46 feet and a sidewalk width on either side of 12 feet. To construct an asphalt pavement on a concrete base with artificial stone sidewalks will cost \$45,000 and at the present time there is no money available for this construction.

Resurfacing of the roadway between the curb and the Elevated Railway tracks has been approved as a W. P. A. project and work will start on this construction in the near future. The setting of an artificial stone sidewalk in place of the present gravel sidewalk cannot be considered until such time as an appropriation for artificial stone sidewalks is approved.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

PAVING OF JACOB STREET.

The following was received:

City of Boston,
Office of the Mayor, May 18, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 11, 1936, concerning the resurfacing with smooth paving of Jacob street in Ward 14.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, May 16, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of May 14 with attached order of City Council dated May 11, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving Jacob street, Ward 14."

and to state that Jacob street, from Jones avenue to Ballou avenue, is a private way and before any work can be done on this private way by the Public Works Department said way must be made a public street by the Board of Street Commissioners and then an order by said Board for construction will be followed.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

ADJUSTMENTS WITH GARBAGE CONTRACTORS.

The following was received:

City of Boston,
Office of the Mayor, May 18, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of April 27, 1936, concerning "what financial adjustments, if any, have been made incident to the ashes and garbage contract in the Dorchester district following failure by the contractor to comply with contract agreements that barrels and receptacles be returned to the easily-accessible location from which they have been removed."

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, May 16, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of May 7 with attached order of City Council dated April 27 and reading as follows:

"Ordered, That the Public Works Commissioner, through his Honor the Mayor, be requested to advise the City Council promptly what financial adjustments, if any, have been made incident to the ashes and garbage contract in the Dorchester district, following failure by the contractor to comply with contract agreements that barrels and receptacles be returned to the easily-accessible location from which they have been removed,"

and to state that no financial adjustment has been made to date under the Dorchester district contract for the removing and collecting of garbage and refuse relative to the failure of the contractor to return ash barrels. The matter is under consideration to determine the amount to be retained for non-compliance during the first three months of 1936.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

OPENING OF ROGER WOLCOTT SCHOOL.

The following was received:

City of Boston,
Office of the Mayor, May 15, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston School Committee relative to your order of May 4, 1936, concerning the advisability of opening the Roger Wolcott School, located at Norfolk and Morton streets, Dorchester, as a school center.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
School Committee, May 13, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—The School Committee in conference last evening received the order passed in City Council, May 4, 1936, requesting the School Committee, through your Honor, to consider the advisability of opening the Roger Wolcott School, Norfolk and Morton streets, Dorchester, as a school center.

The School Committee respectfully reports that it is unlikely that it will be possible to open any additional centers this year on account of the financial situation, although there are petitions on file from several sections of the city. The committee has been obliged during the last two or three years to curtail the regular center activities in order to keep within the Department of Extended Use appropriation. Increase in the number of centers is therefore not probable at this time.

Respectfully submitted,
ELLEN M. CRONIN, Secretary.

Placed on file.

USE OF WATER BY CONTRACTORS.

The following was received:

City of Boston,
Office of the Mayor, May 18, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 11, 1936, concerning what arrangements, if any, are now in force permitting the use of city water from hydrants by contractors using rubbish dumps.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, May 15, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of May 14 with attached order of City Council dated May 11, and reading as follows:

"Ordered, That the chief engineer of the Water Division of the Public Works Department be requested, through his Honor the Mayor, to advise the City Council with reference to arrangements, if any, now in force permitting the use of city water from hydrants by contractors using rubbish dumps."

and to state that permits are not issued to or any arrangements made with the owners of property used as rubbish dumps for the use of water directly

from a public hydrant on a public street. Permits are issued for street construction and said permits are to be shown to police officers on the route or to any Public Works Department official on demand. Violation of section 83, chapter 39, of the Revised Ordinances of 1929, together with the penalty imposed by section 111 of the same chapter, covers the illegal use of hydrants.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

TRANSFER FROM PARKMAN FUND.

The following was received:

City of Boston,
Office of the Mayor, May 12, 1936.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Board of Park Commissioners requesting the transfer of the sum of \$85,000 from the income of the George F. Parkman Fund to the Maintenance and Improvement of the Common and Parks in Existence on January 12, 1887.

I submit herewith an appropriation order and respectfully recommend its immediate passage by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, May 11, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to request the City Council to transfer from the income of the George F. Parkman Fund the sum of \$85,000, which is now available, to be expended under the direction of the Board of Park Commissioners as follows:

Common and Parks in Existence on January 12, 1887, Maintenance and Improvement of..... \$85,000

When making up the budget estimates for the year 1936 a sum equal to the total yearly income of the George F. Parkman Fund was deducted from Item A-1, Permanent Employees, with the understanding that this deduction was to be replaced by the total yearly income of said Parkman Fund for 1936, to be transferred as it accrued from time to time during the year to the regular maintenance appropriation of the Park Department.

Respectfully yours,
WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$85,000 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:

Common and Parks in Existence on January 12, 1887, Maintenance and Improvement of..... \$85,000

Referred to Executive Committee.

VETO OF FEMALE PROBATION OFFICER, EAST BOSTON COURT.

The following was received:

City of Boston,
Office of the Mayor, May 12, 1936.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body April 27, 1936, in which the salary of a female probation officer of the East Boston District Court, at the rate of eighteen hundred dollars per year, as fixed by the Justice of said Court, is approved.

If a good case could be made out for the appointment of a female probation officer in the East Boston District Court I would not veto this order. But such a case cannot be made out. The East Boston Court was originally established in 1874 and has functioned efficiently from that time until the present day without the aid of a female probation officer. The business of the court has

increased as the population increased but the criminal cases passing through this court in the last few years have diminished greatly. This shrinkage in criminal business in the last five years is shown in the following table:

1930.....	7,285 cases.
1931.....	6,849 cases.
1932.....	6,503 cases.
1933.....	4,991 cases.
1934.....	4,391 cases.
1935.....	4,110 cases.

This falling off from 1930 to 1935 is about 44 per cent and while it is not conclusive proof that there is no necessity for a female probation officer yet it shows plainly enough that if the court could get along without such an officer in 1930 with over 7,000 cases it can surely get along now when the 1935 record was only a little over 4,000 cases.

Much more significant, however, is the data on probation cases in the East Boston Court. Since 1926 the figures are as follows:

	Female Probation Cases.	Female Juvenile Probation Cases.
1926.....	55	4
1927.....	73	—
1928.....	55	3
1929.....	161	7
1930.....	94	8
1931.....	24	7
1932.....	21	4
1933.....	11	8
1934.....	41	3
1935.....	24	10

Thus it will be seen that the peak year was 1929 when there were 161 female probation cases and 7 female juvenile probation cases. But the female probation business has diminished with fluctuating figures so that in 1935 the total was 24 female probation cases and 10 female juvenile probation cases. This is less than one female adult probation case every two weeks and only one juvenile female probation case in every five weeks.

A probation officer has only two duties to perform: Investigation of cases that are to be disposed of by the court so that the judge may know all about the defendant, and the surrounding circumstances, and the supervision of the cases that are placed on probation by the court. It is perfectly obvious that these two duties may be discharged by the present probation officer and that there is no particular reason for the appointment of a female probation officer. If there were a vary large number of women or juvenile females the appointment of such an officer might be justified but under conditions as they exist in this particular court I am not satisfied that one is needed at the present time. Because of the necessity to practise economy in the various city departments I feel that this matter should be deferred until the business of the court shows that such an officer is necessary and until a more propitious time. In addition to this, I beg to state that no provision has been made in the budget for this particular position.

At the present time the probation work in the East Boston Court is being efficiently performed by a regular probation officer for adults and a special probation officer for all juvenile cases and for all minors excepting neglected children.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Michael W. Collins, for compensation for damage to property at 32 Monument street, Charlestown, caused by backing up of sewage.

Alice Goodwin, for compensation for injuries caused by an alleged defect at Melbourne and Brent streets.

Andrew William Hammond, for compensation for damage to car by city team.

Edward J. Kroleski, for compensation for damage to clothing while assisting Park Department employee.

Joseph A. Lennon, for compensation for damage to property at 21 Pershing road, Jamaica Plain, caused by leak in drain pipe.

Metropolitan Coal Company, for compensation for damage to pier by fireboat.

Roger J. O'Connor, to be reimbursed for judgment issued against him on account of his acts as operator of car of Public Works Department.

Roger J. O'Connor, to be reimbursed for judgment issued against him on account of his acts as operator of car of Public Works Department.

Eugene O'Keefe, to be reimbursed for judgment issued against him on account of his acts as operator of city vehicle.

Timothy J. O'Keefe, to be reimbursed for execution issued against him on account of his acts as police officer.

Helen Scheffler, for compensation for loss of coat stolen from locker at Curtis Hall.

Ruth A. Temple, for compensation for damage to property at 53 Charles street, caused by water being shut off.

Executive.

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

Josephine Curren, Current Events Hall, May 28, Morris Sigalowsky, Memorial High School, June 12.

Phyllis Warden, Egleston Theatre, June 3.
Ruth M. McShane, Municipal Building, South Boston, June 5.

APPOINTMENT OF REV. ROBERT H. LORD.

Notice was received from the Mayor of appointment of Rev. Robert H. Lord, Vice Rector of St. John's Seminary, Brighton, to be member of Board of Trustees of Boston Public Library in place of his Eminence William Cardinal O'Connell, resigned.

Placed on file.

APPOINTMENT OF DANIEL SARGENT.

Notice was received from the Mayor of appointment of Daniel Sargent, 30 Fenway, to Art Commission for five-year term ending April 30, 1941.

Placed on file.

APPOINTMENT OF FORREST P. HULL.

Notice was received from the Mayor of appointment of Forrest P. Hull of 156 West Newton street as editor of *City Record*, to date from beginning of business May 8, at salary of \$3,000 per year.

Placed on file.

FINANCE COMMISSION REPORTS.

The following were received:

City of Boston,

Finance Commission, May 14, 1936.

To the Honorable the City Council.

Sirs,—The Finance Commission is gradually learning, through disclosures by the daily newspapers, of some of the details of the budget which Mayor Mansfield has submitted to the City Council. The Budget Commissioner, presumably with the Mayor's approval, refused to give a copy of the budget to the Finance Commission on the pretext that it was not ready. Later he rushed it before the City Council when there was not more than ten days within which it could be scrutinized. The commission has learned that other civic agencies which desired to examine the detail were likewise denied access to it. This has never happened in any previous administration since the segregated budget was adopted in 1916.

The reasons for this secret handling of this important executive document are becoming apparent by the daily newspaper disclosures. Last week the chairman of the Park Board made public protest against a new use by the Budget Commissioner of the income of the Cemetery Funds. This week the Bureau of Municipal Research revealed in a statement to the newspapers that the major portion of the claimed reduction in the budget is not in fact a reduction at all. It is merely a postponement of providing

adequate funds for the Welfare Department until after the tax rate is declared. Then it will be necessary to borrow the amount of the false reduction.

Now the newspapers reveal that the Mayor has made provision for ten more city constables. Last year he added twenty-nine to an already overloaded list of fifty.

The facts in these matters are as follows:

1. The Cemetery Fund.

In 1913 it was decided to allow the annual receipts of the Cemetery Department from the sale of graves and for the perpetual care of graves to accumulate until the income from the fund would be sufficient to pay the annual expenses of the department. When this time would come the taxpayers would be relieved of the necessity of paying taxes for cemetery upkeep. The department would be on a paying basis.

Mayor Curley, during his three administrations, respected this purpose. Mayor Peters respected it during his term of office, and Mayor Nichols did likewise during his term of office.

Now the Budget Commissioner has planned to replace a \$40,000 cut in the tax budget of the Cemetery Division with \$40,000 taken from the income of the department's trust fund. This not only violates the principle on which three previous mayors have allowed the fund to accumulate, but it misleads the taxpayers into the false belief that the budget has been cut this \$40,000.

2. The Reduction of the Allowance for the Welfare Department.

Last year the Welfare Department spent \$11,961,000. The amount the Mayor has allotted for the department in the budget this year is \$10,203,000, of which \$2,000,000 is to be borrowed, according to information disclosed by the Bureau of Municipal Research. The allowance for this year is therefore \$1,758,000 less than was spent last year. The decrease in the whole city budget this year, as claimed in a public statement by the Mayor, is \$1,786,075. The decrease in the Welfare Department allowance alone is 98.3 per cent of the total decrease in the entire budget the Mayor claimed.

The Bureau of Municipal Research has pointed out that the Mayor's reduction of the Welfare Department's allowance is 14.7 per cent and that reduction of this size is not justified by any present indication of decline in number of cases or costs. There has been no denial of this from either the Welfare Department or the Mayor's office. The Mayor only stated that the Bureau was hurting the city's credit.

When the tax money for welfare purposes is exhausted the city will borrow money to make up the deficit. The city borrowed at the end of last year for such a purpose. Adequate funds for the Welfare Department must be provided. Public policy demands it.

It is apparent now that this large decrease in the budget of the Welfare Department is a false decrease. The taxpayers have been misled by it into the belief that a reduction was made, when, in fact, the reduction is only a temporary device to fool the public.

3. Another Addition to the List of City Constables.

Last year the Mayor added twenty-eight constables to the number of fifty employed in the year before. Department heads examined by the Finance Commission admitted that not more than a half dozen of the original fifty were necessary.

To the 1934 spending rate of approximately \$80,000 per year for constables, the Mayor added approximately \$45,000 in 1935, over the continued protest of the Finance Commission and of certain members of the City Council. Now the Mayor, in adding ten more constables, increases the amount of the expenditure \$15,000 more. The total for constables which was approximately \$80,000 in 1934 is now become approximately \$140,000.

The commission asked the Mayor last year to explain why it was necessary to add the twenty-eight in 1935. No reply was ever received. The commission now wants to know why the Mayor is adding ten more, as well as what he proposes to do in 1936 with the twenty-nine added in 1935. If a satisfactory answer is not forthcoming the Finance Commission hopes that a ten-taxpayers' petition will be brought to prevent improper expenditure on constables.

Conclusions.

It seems plain to the commission that though many believe that the Mayor has reduced the budget, as a matter of fact an apparent decrease was only accomplished "by juggling the figures." The budget is actually larger in 1936 than in 1935. This will be shown when the amount the city will be compelled to raise for welfare purposes later is added to the amount allotted at present. The violation of the long-standing policy with respect to Cemetery Funds is an added increase. The extra amount for constables is another added increase.

The Municipal Research Bureau points out that the net result for departments outside the Welfare Department is a budget increase of approximately \$110,000.

If the Mayor was compelled to include in the tax budget all the money he knows must be appropriated for the Welfare Department, there would be no apparent decrease to offset this \$110,000 increase.

The Finance Commission agrees with the Bureau of Municipal Research that the city is likely to have a tax rate of \$42 in 1936. The only thing that will prevent it is the continued "juggling of the figures" by the Mayor and the Budget Commissioner. That only means postponing the day when the city cannot finance a budget. The commission does not believe that employees should go without pay when it is due. Competent experts, however, should be given more time than ten days to study the figures. There may be more violations of hitherto "sacred" policies. There may be more hiding of new positions. There may be more reservations to borrow to make expenditures meet expected authorized appropriations.

A lot has been heard of the evils of the School Committee's expenditures. Not enough has been heard of the Mayor's budget and how he proposes to finance it. The Mayor has thought to shut off one possibility of criticism by keeping his figures secret. He has courted favorable opinion by false claims of economy. He cannot escape criticism for his refusal to allow any of the agencies that usually study and report upon the budget to see the figures in it.

He has stated the Finance Commission is unfair because it does the work required of it by the statutes. He has stated that the Bureau of Municipal Research is unfair because the Bureau points out some discrepancies in his claims. There are still a few other agencies that annually examine the budget, like the local improvement associations, the Chamber of Commerce, the Boston Real Estate Exchange, the Massachusetts Real Estate Exchange and the various taxpayer associations. It is proper and timely to ask if the Mayor considers all these agencies unfair. They have all been denied facts they are entitled to know.

The Finance Commission, therefore, recommends to you that you decline to adopt any but partial appropriations at the present time. The commission has no objection to giving enough money to departments already operating beyond the legal right to carry their activities along temporarily; but final passage of a complete budget should await public approval of it.

A budget which requires an expenditure of approximately \$45,000,000 of taxpayers' funds should not be rushed through the City Council in ten days without public opportunity to examine the figures. The hearings by the City Council Committee on Appropriations are merely perfunctory and cannot be expected to bring out all that should be known about an appropriation of such magnitude.

Respectfully submitted,

E. MARK SULLIVAN, Chairman,
PHILIP A. CHAPMAN,
ROBERT ROBINSON,
JAMES E. MAGUIRE,
JOSEPH A. SCOLPONETI,
The Finance Commission.

City of Boston,
Finance Commission, May 15, 1936.

To the Honorable the City Council.

Sirs—The malicious untruthfulness of Mayor Mansfield's defense of his budget and of his characterizations of the activities of the Finance Commission has only served as a spur to the commission's determination to direct public attention to the false claims of economy of Mayor Mansfield before the City Council has finished with his budget. It is deplorable that any one gives comfort to the Mayor when he attributes the

reports of the Finance Commission on a \$45,000,000 use of the taxpayers' money to a desire by the Finance Commission to stop the so-called Dolan case. That charge by the Mayor is a deliberate falsehood, and the Mayor insults the intelligence of the people when he makes it. By actual count, the Mayor has used the same reply thirteen times in the past year when the Finance Commission has revealed instances of maladministration by him and his subordinates in office.

The perfidy of such a charge is illustrated by the news dispatches of the past few days. The date of trial of the Dolan case has been fixed by the court. Previously Dolan had said that the Mayor could not stop trial if he would. The trial is before a single justice, an honorable member of the Superior Court. Does the Mayor want the public to believe that Judge Walsh or Judge Gray can be influenced in deciding the merits of the Dolan case by a report the Finance Commission makes on the \$45,000,000 budget of the City of Boston?

The Bureau of Municipal Research consists principally of A. Lawrence Lowell, president emeritus of Harvard, Bentley Warren, partner of Alexander Whiteside, Henry Shattuck, City Councilor and treasurer of Harvard, Charles M. Storey and Alexander Wheeler, former members of the Finance Commission, Judge Michael H. Sullivan and other well-known public men. The supporters of the Bureau are for the most part the same people who supported the now defunct Good Government Association, which originally sponsored Mansfield's candidacy for Mayor. Are all these people trying to stop the Dolan case? They have raised the same objections as has the Finance Commission to the budget rushed into the City Council at the eleventh hour by Mayor Mansfield.

Mayor Mansfield in his inaugural advocated early adoption of a budget. When chided in other years of his administration with his failure to live up to his preaching he hid behind the excuse that the Legislature delayed in giving him a limit. This year the limit was removed. The act was signed on April 18, but it was commonly accepted for weeks previously that the limit would be removed. There is no excuse for the Mayor's failure to have his budget ready for the City Council the moment the act was officially signed. Yet it was not until May 4 that he gave a summary of it to the public and the City Council. On May 4 the city departments were well into five months' financial obligations. It was only yesterday, May 14, that complete detailed copies of the budget were available to any but himself and the Budget Commissioner.

The Finance Commission charges that Mayor Mansfield deliberately withheld the budget until such time as he could use the threat on the City Council that "You must pass this budget immediately or I will have to shut down the city departments."

Mayor Mansfield deliberately intended to create a false impression when he quoted the Budget Commissioner to the effect that the Finance Commission never asked for "the final figures." A Finance Commission investigator called on Budget Commissioner Murray on February 28 for the budget estimates. He was denied them. The secretary of the Finance Commission asked Budget Commissioner Murray for them on March 3. Murray again denied them, but promised to give them as soon as they were "ready." The Budget Commissioner has not given them to the Finance Commission yet.

On May 8, after the hearings on the budget had started in the City Council, the secretary of the Finance Commission again asked for a complete budget in detail. He was again told it was not ready for distribution. The budget in complete form was placed before the City Councilors only yesterday, May 14. There are no figures officially before them of last year's appropriations or last year's expenditures. This important information has been stricken from the form habitually used to show the City Council how the current request for appropriations compared with past expenditures.

Mayor Mansfield's statement that the Finance Commission showed no interest in the 1935 budget is untrue. The Finance Commission asked the Legislative Committee on Municipal Finance in a report dated April 6, 1935, signed by E. Mark Sullivan, Alexander Wheeler, Jacob J. Kaplan, William Arthur Reilly and Philip A. Chapman, to delay action upon the Mayor's request at that time for an exaggerated tax limit because he did not have his budget ready. Had the legislative committee known at that time that the Mayor

was adding twenty-nine constables to the pay roll solely for the purpose of paying political debts it is doubtful if he would have been given the generous rate of expenditures he was allowed in 1935. If the present Legislature, which is very much budget-minded, knew that the Mayor was going to provide more jobs this year to pay more political debts, it is doubtful if he would have obtained abolition of the tax limit so readily.

In 1935 Mayor Mansfield sent to the City Council on May 13 a budget of approximately \$57,000,000, covering all city purposes. It was then only in summarized form. No intelligent study can be made of a summary of a budget. There were at that time also several departments which were in immediate need of funds. The Legislature adopted the authorizing legislation May 24. This whole budget was adopted by the City Council on June 3, or within ten days of the date on which the legislative authorization for the budget was signed.

No one, Finance Commission or anybody else, could make intelligent study of it in that length of time. If the Mayor was sincerely desirous of intelligent examination of the budget by the Council and others, he could have done on January 13, or February 13, or March 13, or April 13, or at any time within these dates what he delayed until May 13, 1935, to do. It is likewise true that if Mayor Mansfield was sincere in his desire to have early action upon the budget this year, he might have submitted the estimates of the department heads and tentative allowances earlier than May 4.

The faults the Finance Commission finds in the Mayor's procedure this year are these:

He withheld even the estimates of the department heads from recognized agencies. The City Council was entitled to know what the department heads believed are the requirements of 1936 before May 4 or 14. It was only yesterday that some of these figures were shown to the Committee on Appropriations.

He withheld these figures purposely from the Finance Commission and like recognized research agencies.

He also withheld information of his own decision on these estimates from the Finance Commission and from the recognized research agencies.

This denial was done purposely, while he was making false claims of economy.

The Finance Commission repeats its charge that Mayor Mansfield has "juggled the budget figures" and has thereby misled many people. It is only by this "juggling" of the figures that the tax rate can be kept below the estimate of the Bureau of Municipal Research \$42 per \$1,000 of valuation.

The Finance Commission repeats that Mayor Mansfield has violated the "sacred principle" involved in the use of the Cemetery Fund that his three predecessors respected. Each of the preceding mayors could have done what he has done yet none of them did it. Mayor Mansfield is deliberately trying to deceive when he compares what Mayor Curley asked the Legislature to do with what Mayor Mansfield has now done.

The Finance Commission repeats also that Mayor Mansfield's prattling about his own economy is not justified. He has reduced substantially and unwarrantedly the appropriation for the Welfare Department. The poor of the city have been his victims before. He is willing to take it out on them again. His reduction of \$315,000 for snow removal can be wiped out by a single snowstorm in December at the rate at which his administration pays for snow removal. He has paid for snow removed "at a faster rate than light travels" the Finance Commission has shown. He is now attempting to obtain more money to pay more political debts.

The Finance Commission recommends to you that you decline to be rushed by the Mayor's threats. The most important function intended for your body when the charter amendments were framed was to give you authority to pass upon the budget. The Mayor is trying to usurp your authority when he threatens you with stories of the inability to pay unless you rush his budget without careful analysis of it.

Respectfully submitted,

E. MARK SULLIVAN, Chairman,

PHILIP A. CHAPMAN,

ROBERT ROBINSON,

JAMES E. MAGURE,

JOSEPH A. SCOLPONETTI,

The Finance Commission.

ROBERT E. CUNNIFF, Secretary.

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.:

William A. Amsie, Richard Hegarty, Joseph Herman, Michael W. Ober, Frank J. Staula, Francis J. Tobin, Joseph Todisco, Aber Uckerman, Abraham I. Weiss.

SOLDIERS' RELIEF.

Coun. KERRIGAN, for the Committee on Soldiers' Relief, submitted a 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, 1935.

Report accepted; said order passed under suspension of the rule.

REPORT OF COMMITTEE ON UNCLAIMED BAGGAGE.

Coun. AGNEW, for the Committee on Unclaimed Baggage, submitted the following:

Report on petition (referred April 27) of the Boston & Maine Railroad to sell unclaimed baggage, recommending passage of accompanying order, viz.:

Ordered, That the Boston & Maine Railroad be authorized to sell at public auction, on or before July 1, 1936, the articles remaining unclaimed in the possession of said railroad in the City of Boston.

Report accepted; order passed under suspension of the rule.

APPEARANCES AT EXECUTIVE COMMITTEE MEETING.

Coun. MELLEEN offered the following:

Ordered, That the Budget Commissioner, the Auditor and the Corporation Counsel be requested to appear at the executive meeting of the City Council today relative to the budget.

Coun. MELLEEN—Mr. President, I would like to have the City Messenger instructed to send for these gentlemen.

Referred to the Executive Committee.

LEASE OF EASTERN AVENUE WHARF.

Coun. McGRATH offered the following:

Ordered, That his Honor the Mayor be requested to direct the Corporation Counsel to investigate the terms of the lease between the City of Boston and the owners of Eastern Avenue Wharf, with a view to canceling at least that portion of the lease which binds the city to pay rent for said wharf for 999 years.

Coun. McGRATH—Mr. President, while I am not a member of the Appropriations Committee, I am very much interested in the work of the committee, so much so that I have attended every meeting. In the course of the hearings before the committee on the budget I have asked some questions, and this happens to deal with one of them. The head of the Institutions Department told the committee what he paid for rent of this wharf, under the 999-year lease which now exists between the owners and the city. As a matter of fact, if the city were not tied up under this lease it has available other wharf property which it could use. I think a 999-year lease is against public policy, and that it can be broken. I think there is no doubt of that.

The order was passed under suspension of the rule.

SIDEWALK ON K STREET.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along K street, between Broadway and Third street, Ward 6, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

LIFEGUARDS AT SOUTH BOSTON BEACHES.

Coun. KERRIGAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to arrange for the appointment of a sufficient number of lifeguards for the adequate protection of bathers using the South Boston beaches during the coming season in an effort to equal last year's record when not a single life was lost by drowning.

Passed under suspension of the rule.

EMPLOYMENT OF ALIENS IN W. P. A.

Coun. ROBERTS offered the following:

Ordered, That his Honor the Mayor request the State W. P. A. Administrator to furnish to the City Council the following information:

1. How many aliens are employed or have been employed on music and drama projects?
2. How many directors, supervisors or persons in authority on such projects are aliens?
3. The total amount of money which has been paid by the W. P. A. to all aliens employed on the music or drama projects.

Coun. ROBERTS—Mr. President, I have no intention of criticizing the good features of the music and drama projects, but recently I have seen a good deal in the press notifying people of certain performances to be given by the various music and drama project units of the W. P. A., and one of the claims is that one of the alien leaders, for example, has had long experience as a conductor in the Breslau State Opera, Germany, and that therefore the concert promised to be interesting. It may be that, in order to properly conduct these projects, it is necessary to employ a number of aliens, but I think the people of the Commonwealth are entitled to know what the percentage of aliens is, how many employed and how many are employed as directors and supervisors, together with the total amount we have paid since the creation of the W. P. A. project to aliens. We have heard various things about these undertakings, but such information as I have requested in this order has not been furnished. I doubt very much if we will get the information now, but at least we can request it at this time.

Coun. SHATTUCK—Mr. President, while on this subject I might remark that I was told the other day that, as a result of many of these musical entertainments financed by the Government, a good many persons who have been accustomed to make their living by giving evening entertainments at clubs and other organizations have been put out of business by this competition of W. P. A. projects. Persons financed by the Government, in other words, are directly in competition with persons who have been accustomed to make a living in this way and who now cannot make a living under present conditions.

The order was passed under suspension of the rule.

RELOCATION OF AUTOMATIC TRAFFIC SIGNALS.

Coun. PETER J. FITZGERALD offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to consider the advisability of removing automatic traffic signals from locations in the city proper which are also covered by traffic officers and relocating same at dangerous intersections in the outlying sections of the city where they are most needed.

Coun. PETER J. FITZGERALD—Mr. President, my offering of this order is the result of observations during the past few weeks, for instance, at Summer and Hawley streets and other traffic light spots in the city, where, in the case of perhaps 600 yards, there will be three sets of lights in the place I speak of. For example, there is one at Kingston street, one at Hawley street and one at Summer street. If the traffic lights do not synchronize, traffic coming from Washington street will frequently be delayed considerably and unnecessarily before it reaches the Hawley street green. The result is a continuous tie-up of traffic

along Summer and Washington streets and at the new underpass which results in traffic conditions in certain parts of Boston being in a very hazardous condition. It seems silly to have some of these lights and to have traffic officers at the same points. It is my contention that traffic officers are far superior to lights in the city proper. We all know how the lights work at some of these points and how you frequently get hung up unnecessarily for perhaps a minute and a half because of the lights, and the backing up of traffic brought about in this way leads to great traffic congestion. The result is a vehicular tie-up, with automobiles blowing their horns, and I think you will find that business men along the line are very much against the present situation. In the suburbs, on the contrary, there are many places where people are in constant danger of being run down by automobiles. For example, there is that very bad intersection at the corner of Savin Hill avenue and Dorchester avenue, one of the most dangerous in the whole city, and yet we are unable to get lights there. Downtown, along Commonwealth avenue, you have lights all along, where the only intersections you have are on the right-hand side and most of them public alleys. Along such streets as Washington and Boylston, of course, with continual traffic, the lights are all right, but there are many places in downtown Boston where there are policemen, where the lights may well be removed and placed out in some of our suburban sections, at crossings where there is a menace at the present time to children and older people going over the streets. I feel, therefore, that a number of these lights in certain places downtown might well be removed and placed in the suburbs where they are most needed.

Coun. ROSENBERG—While the subject of traffic lights is before us, I might say that I have an order here that I will soon introduce, asking for traffic lights at the intersection of Talbot avenue, Blue Hill avenue and Harvard street. That is one of the most dangerous intersections anywhere in Boston. It is in the immediate vicinity of the Robert Treat Paine School, where children are continually coming and going, as well as being near Franklin Field. There is at the present time a constant threat to children and their parents, and others. I believe, as Councilor Fitzgerald has said, that it is more important to have traffic lights in some of these suburban sections for the protection of youngsters and the people generally than it is to have them in some parts of the city proper.

The order was passed under suspension of the rule.

INDORSEMENT OF UNITED STATES HOUSING ACT.

Coun. JOHN I. FITZGERALD offered the following:

Resolved, An emergency resolution memorializing the Congress of the United States to enact the United States Housing Act, being S. 4424 by Wagner and H. R. 12164 by Ellenbogen.

Whereas, The availability of decent sanitary and safe housing for all of the people is now recognized as a proper concern of government; and

Whereas, Persons of low income can be housed adequately only by a degree of government aid; and

Whereas, The low income group is of necessity occupying cast-off housing in what are known as our slum and blighted areas; and

Whereas, The continued maintenance of our slums is socially undesirable and an economic waste; and

Whereas, No funds are available to carry on this work without additional appropriations; and

Whereas, It is desirable to preserve the benefits of the emergency housing experiences by providing for a permanent housing agency in the Federal Government; and

Whereas, The building trades are still in need of stimulation in order to bring back a greater degree of employment; and

Whereas, This resolution constitutes an emergency in that the same provides for the immediate preservation of the public property and the usual daily operation of a municipal department; now, therefore, be it

Resolved by the Council of the City of Boston: Section 1. That the United States Senate be, and it is hereby, requested to enact at the earliest date possible, "The United States Housing Act of 1936," being Senate Bill No. 4424, introduced by Senator Robert F. Wagner, and that the House of

Representatives enact the identical measure introduced in said House by Congressman Henry Ellenbogen of Pennsylvania, and being H. R. 12164.

Section 2. That a copy of this resolution be sent to the President and to the Vice President of the United States, the Speaker of the House of Representatives and to Senators David I. Walsh and Marcus L. Coolidge and the following representatives:

Allen T. Treadway, William J. Granfield, Joseph E. Casey, Pehr G. Holmes, Edith Nourse Rogers, A. Piatt Andrew, William P. Connery, Jr., Arthur D. Healey, Richard M. Russell, George Holden Tinkham, John P. Higgins, John W. McCormack, Richard B. Wigglesworth, Joseph William Martin, Jr., and Charles L. Gifford, of Massachusetts.

Referred to the Committee on Rules.

TRAFFIC LIGHTS, ROXBURY.

Coun. BRACKMAN offered the following:
Ordered, That his Honor the Mayor be requested to install traffic signals at intersection of Warren and Waumbeck streets and Elm Hill avenue.
Passed under suspension of the rule.

WARD 14 IMPROVEMENTS.

Coun. ROSENBERG offered the following:
Ordered, That the Commissioner of the Public Works Department, through his Honor the Mayor, be requested to install a "White Way" lighting system on Blue Hill avenue, from Stratton street to Morton street, Ward 14.

Coun. ROSENBERG—Mr. President, there are many sections of Boston, including the Massachusetts avenue district, Codman square, Uphams Corner and Mattapan square, where they now have the "White Way" lighting system, which helps not only to brighten up section where the lights are, but helps to improve the business section. Therefore, I have introduced this order, asking that a "White Way" lighting system be installed on Blue Hill avenue from Stratton street to Morton street, Ward 14, in order that that section, one of the busiest thoroughfares and one of the finest business sections of any district of Boston, may benefit, and that consideration may be given to business people there.

The order was passed under suspension of the rule.

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signal lights at the intersection of Talbot avenue, Harvard street and Blue Hill avenue, Ward 14.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving Johnston road, Ward 14.

Severally passed under suspension of the rule.

W. P. A. CONCERTS, FRANKLIN PARK.

Coun. ROSENBERG offered the following:
Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to consider the advisability of making arrangements for W. P. A. band concerts at Franklin Park at least three afternoons a week during the summer months.

Passed under suspension of the rule.

REVOCATION OF JITNEY LICENSES.

Coun. ROBERTS offered the following:
Ordered, That the Corporation Counsel furnish the City Council with an opinion as regards to the following matters, to wit:

1. Has the City Council any authority to revoke a jitney license granted to a transportation company where it appears that said company has consistently violated and is continuing to violate rules and regulations properly adopted by the Boston Traffic Commission and also several sections of chapter 90 of the General Laws and Ordinances of the City of Boston?

2. Assuming that said transportation company, having been granted a jitney license by the City

Council, are violating provisions of the General Laws and Ordinances adopted by the City Council and rules properly adopted and promulgated by the Boston Traffic Commission, has the City Council any authority to pass an ordinance providing for the revocation of such license upon proof that said company is, in fact, violating the law?

Coun. ROBERTS—Mr. President, in the Park square section of Boston there are numerous terminals of bus companies. The result is that buses park, double-park and even treble-park there at times, and there is no opportunity for pedestrians or others to get by. In other cities the bus companies are obliged to use an inside terminal, so that they will not use the highways, which our Supreme Court has said are primarily to be used for the ordinary travel and traffic of our citizens. But at Park square there is no inside terminus and the buses all load and discharge on the street. There is no question but what they are violating the rules of the Traffic Commission in so doing and also violating chapter 90 of the General Laws. Whether we have authority over them I don't know. This order calls for an opinion of the Corporation Counsel, to see whether or not we have the right to revoke, under the transportation laws, licenses of companies that are proved to be violating the law.

The order was passed under suspension of the rule.

RECESS.

The Council, by direction of President FITZGERALD, took a recess, subject to the call of the Chair, at 2.30 p. m. The members reassembled in the Council Chamber and were called to order by Chairman GALLAGHER at 2.58 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. GALLAGHER, 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.:

Josephine Curren, Current Events Hall, May 28, Morris Sigalowsky, Memorial High School, June 12, Phyllis Warden, Egleston Theatre, June 3, Ruth McShane, Municipal Building, South Boston, June 5—recommending that leave be granted under usual conditions.

Report accepted, leave granted under usual conditions.

2. Report on message of Mayor and order (referred today) for transfer of \$85,000 from income of Parkman Fund—that same ought to pass.

Report accepted, said order passed, yeas 19, nays 0.

LETTER FROM SENATOR WALSH.

Coun. McGRATH asked unanimous consent to have the following incorporated in the record, in connection with an order recently introduced, and consent was granted:

United States Senate,

April 24, 1936.

John J. McGrath, Councilor, Council Chamber, City Hall, Boston, Mass.

My dear Councilor McGrath,—Thank you for your letter of April 22, letting me have your remarks at a recent meeting of the Boston City Council.

I think you have rendered a public service in calling attention to this matter, and I am asking for a report. Unless some satisfactory explanation can be made there is an appearance of some kind of negligence.

I appreciate your calling my attention to this and hope I can be of assistance.

Sincerely yours,

DAVID I. WALSH.

CONFIRMATION OF APPOINTMENTS.

Coun. AGNEW called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor May 11, 1936, of constables connected with official positions without authority to serve civil process, viz.: Morris Titlebaum, Edward L. Harris, John DeRossa.

Coun. ROSENBERG—Mr. President, I would move that the name of Morris Titlebaum be held over. Here is somebody from my ward, and I think I ought to have something to say about it as a matter of courtesy.

Coun. WILSON—Mr. President, I rise for information, having arrived a little late, but have we received a communication in response to the order offered by Councilor Shattuck with regard to constables?

Chairman GALLAGHER—No, sir.

Coun. ROSENBERG—Mr. President, I move that the name of Morris Titlebaum be laid on the table.

Coun. McGRATH—And I would like to amend that motion, Mr. President, that No. 1 be laid on the table until the receipt of an answer to Councilor Shattuck's order.

Coun. McGrath's motion was declared lost. Coun. McGRATH doubted the vote and asked for the yeas and nays.

The motion to lay on the table was lost, yeas 5, nays 15:

Yeas—Coun. McGrath, Norton, Roberts, Shattuck, Wilson—5.

Nays—Coun. Agnew, Brackman, Doherty, Finley, Peter J. Fitzgerald, Gallagher, Gleason, Kerrigan, Kilroy, Mellen, George A. Murray, Peter A. Murray, Rosenberg, Selvitella, Tobin—15.

Coun. ROSENBERG—I now renew my motion, Mr. President, to lay on the table the name of Morris Titlebaum.

Coun. Rosenberg's motion was declared lost.

Coun. ROSENBERG—Mr. President, I ask for a roll call. I think as a matter of courtesy my request should be allowed, but if the members don't feel like doing it, I suppose they will not allow it.

Coun. Rosenberg's motion to lay the name of Morris Titlebaum on the table was lost upon roll call, yeas 7, nays 12:

Yeas—Coun. McGrath, George A. Murray, Norton, Roberts, Rosenberg, Shattuck, Wilson—7.

Nays—Coun. Brackman, Doherty, Finley, Peter J. Fitzgerald, Gallagher, Gleason, Kerrigan, Kilroy, Mellen, Peter A. Murray, Selvitella, Tobin—12.

The question came on the confirmation of the names in No. 1 on the calendar. Committee, Coun. Finley and Mellen. Whole number of ballots 18, yes 12, no 6, and the appointments were confirmed.

Coun. AGNEW—Mr. President, I would call up the name of Patrick H. Murphy, under No. 2 on the calendar, and ask that he be confirmed.

The name of Patrick H. Murphy was taken up, under unfinished business, No. 2 on the calendar, Mr. Murphy being one of the constables authorized to serve civil process upon filing bond, his name being submitted April 13, 1936.

The question came on confirmation of the appointment of Patrick H. Murphy as constable. Committee, Coun. McGrath and Kerrigan. Whole number of ballots 17, yes 15, no 2, and the appointment was confirmed.

BRIDGE AND FERRY DIVISION EMPLOYEES.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to consider the advisability of restoring to those employees of the Bridge and Ferry Division the time which was taken away from them under the provisions of the new budget, namely, seven days additional vacation.

Coun. GEORGE A. MURRAY—Mr. President, some of the men employed in the Bridge and Ferry Service visited my office the other evening and informed me of this condition, and I thought it advisable at this time to bring the matter in here. This is the situation. Some twenty years ago the head of the Bridge and Ferry Service submitted to the various employees of the city a comprehensive proposition whereby they would work five and one half days a week. At that time they refused to accept it, and they have been working a seven-day week. That proposition has not been resubmitted to them in the past ten or twelve years. In the budget this year they have had taken away from them the seven-day extra vacation period that they otherwise enjoyed. It also involves the fact that temporary employees who had an opportunity to work in the

Bridge and Ferry Service during the summer months in the vacation period are to be denied that opportunity. These men work seven days a week at the present time while all other city employees have a five and one half day week. I think, therefore, it is only fair that they should be given an additional week's vacation. This order calls upon Mr. Carven, the Commissioner of Public Works, to insert in his budget a provision that will remedy this condition.

Coun. SELVITELLA—Mr. President, I am going to file a similar order. I wish to subscribe to everything that the previous speaker has said. I think an injustice has been done to these employees. I believe most of the members of the Council have already been approached by the employees of this department in regard to the matter. I think this is a good order and that it should pass.

Coun. AGNEW—Mr. President, the secretary-treasurer of the union appeared before the Committee on Appropriations in regard to this very thing the other day. At the present time there is a committee of four members of the Committee on Appropriations appointed, who will wait upon his Honor the Mayor some time during the early part of this week and bring this matter to his attention.

The order was passed under suspension of the rule.

ACCEPTANCE OF CRESCENT STREET.

Coun. MELLEN offered the following:

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

Passed under suspension of the rule.

BUDGET FOR CHARLESTOWN MUNICIPAL COURT.

Coun. MELLEN offered the following:

Ordered, That the Appropriations Committee be requested not to approve the budget for the Charlestown Municipal Court until the question as to who is assistant clerk of court and who is clerical assistant is decided.

Coun. MELLEN—Mr. President, in the Charlestown Municipal Court a question has arisen with regard to the assistant clerk and the clerical assistant of the court, depending entirely on the jurisdiction of the Clerk of the Court. Last December 16 a clerical assistant was appointed by the clerk, under the statute. The position of clerical assistant was apparently properly filled, and at the same time that the assistant was appointed the clerk submitted the name of Peter J. Flaherty as assistant clerk of the court, to fill a vacancy. The judge of the court, Charles S. Sullivan, refused to confirm the appointment of Mr. Flaherty as assistant clerk. The contention on one side is that there is no vacancy of clerical assistant, which I think is erroneous, as I hope to show at the next meeting of the Committee on Appropriations. But I do want to say for purposes of the record that the judge of the Court has conducted himself in such a manner that he should not be allowed to function in a Suffolk County court, and I believe that Judge Charles S. Sullivan should be called upon to either recede from his position or to resign from the bench.

The order was referred to the Committee on Appropriations.

LIFE GUARDS, CASTLE ISLAND BEACH.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to make arrangements for additional life guards to cover Castle Island Beach, Ward 6.

Passed under suspension of the rule.

WARD 15 IMPROVEMENTS.

Coun. TOBIN offered the following:

Ordered, That the Mayor request the Traffic Commissioner to install traffic lights at the intersection of Columbia road and Quincy street, Dorchester.

Ordered. That the Mayor request the Public Works Commissioner to pave with smooth pavement Rill street, Dorchester.

Severally passed under suspension of the rule.

MILK FOR NEEDY.

Coun. NORTON offered the following:

Ordered. That the Mayor of Boston be requested to consider the matter of eight-cent milk for the needy of Boston.

Coun. NORTON—Mr. President, I understand that a meeting is to be held here tomorrow on the so-called milk fund. It seems to me that here is an opportunity that might readily prove 100 times as valuable as the milk fund, not only benefiting those on welfare but also the poor people of Boston who are buying milk, the most valuable necessity of life, giving them an opportunity to obtain it for eight cents in their homes. A Federal commission is studying the matter, and I am informed that it can be readily worked out, because there is a surplus of milk shipped back to be fed to pigs, but it is at present rather locked up in the prevailing regulations for milk control. The city of New York has been taking action upon this matter and thousands of families that on welfare have thereby been enabled to obtain this extremely valuable article of food at a fair price. If they can do it there why can we not do it here, obtaining such a distribution of the most important element of food on the market?

The order was passed under suspension of the rule.

PROPERTY OF THE NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY.

Coun. WILSON offered the following:

Ordered. That the Wire Division of the Fire Department be requested through his Honor the Mayor, to at once file a report with the City Council as to how many machines, telephones, conduits and other appurtenances in use by the

New England Telephone and Telegraph Company underground are now located in or under Boston streets, with the location and surface area of each.

Coun. WILSON—Mr. President, while I may seem rather persistent in this matter, I wish the Council to understand that this is not a repetition of an earlier order, the earlier order having directed inquiries to the Board of Street Commissioners and the Public Works Department. I am still of the opinion that there is no question but what this property is grossly under-assessed. The communication received from the Board of Assessors was to the effect that "the assessors have no right to tax any property other than the real estate, excepting upon the certification of the Commissioner of Corporations and Taxation," a situation, with which of course, we are all familiar. The communication from the Board of Assessors, however, failed to point out to the Council that, of course, the assessors have a right of appeal to the Board of Tax Appeals if the amount of the valuation is considered improper. The letter from Commissioner Long to me, written in his usual able and courteous manner, points out that "the Commissioner of Taxation and Corporations makes no attempt, nor has he any facilities for actually valuing these properties," and that the value, as in large part made up from the books of the telephone company. With all due respect to the Street Commissioners and also to the Public Works Commissioners, I understand that there is now a department that will not need to spend much time to furnish the information desired, and that is the Wire Division of the Fire Department. I assure the Acting President and the members of the Council that these inquiries are only initial steps in an effort to obtain this information, which eventually I shall obtain, and then I shall submit to the Council some orders that will perhaps be more directly in point.

The order was passed under suspension of the rule.

Adjourned, on motion of Coun. NORTON, at 2:47 p. m., to meet on Monday, May 25, 1906, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 25, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Dowd.

APPOINTMENT OF CONSTABLES.

Subject to confirmation by the Council, the Mayor submitted names of the following-named persons as constables of the City of Boston for the term ending April 30, 1937, authorized to serve civil process upon filing bond: Paul J. Cavicchi, 167 Faneuil street, Ward 22, Americo A. DeSimone, 451 Meridian street, Ward 1, James Hadge, 56 Hudson street, Ward 3, Abraham M. Hecht, 59 Lawrence street, Ward 14, David E. Horwitz, 67 Astoria street, Ward 18, Anthony Luongo, 376 Chelsea street, Ward 1, John M. McCushing, 19 Myrtle street, Ward 3, James D. Martin, 42 Whitten street, Ward 16, Samuel Rosengarten, 32 Browning avenue, Ward 14.

Constables of the City of Boston for term ending April 30, 1937, without power to serve civil process and to serve without bond: William Hough, 19 Chestnut avenue, Ward 10, Raymond H. Chisholm, 7 Haynes park, Ward 12.

This will not add to the total number of constables because they are to take the place of two men who have been confirmed but will not be assigned.

Severally laid over a week under the law.

TRAFFIC SIGNALS, ROXBURY.

The following was received:

City of Boston,
Office of the Mayor, May 25, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Traffic Commissioner relative to your order of May 11, 1936, concerning the installation of traffic signals at the junction of Seaver, Harold and Hutchings streets and also at the junction of Cliff, St. James and Warren streets.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, May 25, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of communication of May 14, 1936, from Secretary John F. Gilmore, Jr., ordering consideration and report on City Council order of May 11, 1936, which reads as follows:

"Ordered, That his Honor the Mayor be requested to instruct the Traffic Commissioner to install traffic signals at the junction of Seaver, Harold and Hutchings streets and also at the junction of Cliff, St. James and Warren streets."

I regret to state that there are no funds available for the installation of traffic signals at the above intersections.

Respectfully yours,

WILLIAM P. HICKEY, Commissioner.

Placed on file.

LIST OF SURETY BONDS.

The following was received:

City of Boston,
Office of the Mayor, May 18, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the City Clerk and a letter from the City Auditor relative to your order of May 11, 1936, concerning a list with reference to all surety bonds filed so far during the year 1936.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Office of the City Clerk, May 13, 1936.
To the City Council.

Gentlemen,—In answer to your order of May 11, 1936, concerning surety bonds filed in this office I respectfully report that the only bonds filed in this office are constables' bonds and blasting bonds. The constables' bonds are in the penal sum of \$3,000 and the blasting bonds range from \$1,000 to \$10,000. The surety required on each type of bond is an incorporated surety company and so far as I have been able to ascertain the sureties on the bonds filed have been domestic companies. The only duty of this office in relation to these bonds is to receive and file them, and I have no knowledge as to whether or not there is any agent or broker involved other than the general agencies of the several companies.

Respectfully,

W. J. DOYLE, City Clerk.

City of Boston,
Auditing Department, May 18, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I submit a list with reference to all surety bonds filed in this office so far during the year 1936, as requested in the accompanying City Council order. In cases where the bond premium has been billed directly to the city by the surety company writing the bond, it has been impossible to list the name of the agent or broker, since this item of information does not appear on the records of this office.

Respectfully,

CHARLES J. FOX, City Auditor.

(Appended was the list referred to.)

Placed on file.

ASSISTANT CLERK, CHARLESTOWN COURT.

The following was received:

City of Boston,
Office of the Mayor, May 18, 1936.
To the City Council.

Gentleman,—I transmit herewith a letter from the Budget Commissioner relative to your order of May 11, 1936, "concerning the filling of the supposed existing vacancy of assistant clerk in the Charlestown Court, and whether provision for such position is to be properly included in this year's budget."

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Budget Department, May 18, 1936
To: Honorable Frederick W. Mansfield, Mayor.
Subject: Attached City Council order, dated May 11, 1936.

"To obtain advices from the Judge of the Charlestown District Court with reference to definite information concerning the filling of the supposed existing vacancy of assistant clerk in the Charlestown Court, and whether provision for such position is to be properly included in this year's budget."

Memorandum.

The death on April 13, 1935, of Maurice M. Hurley, second assistant clerk in the Municipal Court of the Charlestown District, at an annual salary of \$2,250, created a vacancy in the said office of second assistant clerk.

On November 16, 1935, the Budget Commissioner received a letter from James J. Mullen, Esquire, Clerk of said Court, purporting to give notice of the promotional appointment of Mr. Peter J. Flaherty from the office of senior clerk at \$1,900 per annum to fill said vacancy. Said proposed promotional appointment has failed to this date to receive the approval of the Justice of said Court in accordance with the provisions of Massachusetts General Laws, chapter 218, section 10, a copy of which is attached hereto.

The current budget of said court provides ample funds for the position of second assistant clerk and will be available immediately upon the filing of said vacancy.

Respectfully,

FRANCIS J. MURRAY,
Budget Commissioner.

Chapter 218, Section 10.

"The clerk of a district court may, subject to the approval of the justice, appoint one or more assistant clerks, who shall be removable at his pleasure or at the pleasure of the court, for whose official acts the clerk shall be responsible, who shall be paid by him unless salaries payable by the county are authorized in this section or in section fifty-three. Any such assistant clerk may be a woman. Assistant clerks with salaries payable by the county may be appointed in each of the following courts, namely, the central district court of northern Essex, the municipal court of the Charlestown district, the district court of western Hampden, and courts the judicial districts of which have, according to the national or state census last preceding, a population of sixty thousand or more. Second assistant clerks with salaries payable by the county may be appointed in each of the following courts, namely, the municipal court of the Roxbury district, the East Boston district court and the municipal court of the Charlestown district."

City of Boston,

Office of the Mayor, May 18, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Budget Commissioner relative to your order of May 11, 1936, concerning a request to approve James A. Buckley as clerical assistant of the Municipal Court of the Charlestown District, as of November 16, 1935, at a salary of \$1,700 per annum.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Budget Department, May 18, 1936.

To: Honorable Frederick W. Mansfield, Mayor.
Subject: Attached City Council order, dated May 11, 1936:

"To approve James A. Buckley as clerical assistant of the Municipal Court of the Charlestown District, as of November 16, 1935, at a salary of \$1,700 per annum . . ."

Memorandum.

On November 16, 1935, the Budget Commissioner received a letter from James J. Mullen, Esquire, Clerk of the Municipal Court of the Charlestown District, purporting to give notice of the appointment of Mr. James A. Buckley as senior clerk at a salary of \$1,700 per annum "to fill vacancy caused by the promotion of Peter J. Flaherty." The proposed promotional appointment of said Peter J. Flaherty from the office of senior clerk to the office of assistant clerk failed to receive the approval of the Justice of said Court in accordance with the provisions of Massachusetts General Laws, chapter 218, section 10. Therefore, there was no vacancy, nor is there now a vacancy, in the office of senior clerk held by Mr. Flaherty.

Respectfully,

FRANCIS J. MURRAY,
Budget Commissioner.

Severally placed on file.

ACCEPTANCE OF CHARLES DANIELS SCHOOL.

The following was received:

City of Boston,

Office of the Mayor, May 18, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings relative to your order of May 11, 1936, requesting that the School Committee be notified by the Superintendent of Public Buildings officially of his willingness to receive from it the Charles Daniels School on Mead street, Charlestown, for the purpose of having a building for the Charlestown Joint Planning Board sponsoring W. P. A. activities.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Public Buildings Department, May 16, 1936.

John F. Gilmore, Jr.,

Assistant Secretary to the Mayor.

Dear Sir,—Referring to the attached order of the City Council regarding the Charles Daniels

School, Mead street, Charlestown, I stand ready and willing to receive said building from the School Committee for the purpose of having a building for the Charlestown Joint Planning Board sponsoring W. P. A. activities.

However, it is only with the positive assurance of this organization that it will assume all maintenance costs in connection with its occupancy of the premises that I am willing to accept same. Furthermore, I must be satisfied that a W. P. A. project has been approved for the reconditioning of the building. In other words the City of Boston is not prepared to make any expenditures either for remodeling the building or for maintaining it in the future.

Respectfully yours,

ROSSELL G. HALL,

Superintendent of Public Buildings.

Placed on file.

FENCE, SPRING STREET BRIDGE.

The following was received:

City of Boston,

Office of the Mayor, May 18, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 11, 1936, concerning the erection of a fence in the space between the abutments of the Spring street railroad bridge as a means of preventing further accidents at this particular location.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Public Works Department, May 18, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of May 14 with attached order of City Council dated May 11 and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to erect a fence in the space between the abutments of the Spring street railroad bridge as a means of preventing further accidents at this particular location."

and to state that a wooden barrier was placed between the granite piers of the Spring street railroad bridge May 11, 1936.

Respectfully yours,

C. J. CARVEN,

Commissioner of Public Works.

Placed on file.

RELOCATING OF CAR STOP.

The following was received:

City of Boston,

Office of the Mayor, May 19, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the trustees of the Boston Elevated Railway relative to your order of May 11, 1936, concerning the relocating of the outbound car stop on Spring street, opposite Alaric street, West Roxbury.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Boston Elevated Railway,

May 18, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—Replying to your letter of May 14 with order of the City Council requesting that the outbound car stop on Spring street, opposite Alaric street, West Roxbury, be moved two elevated poles south of its present location; the stop where now located serves people living on Powell and Alaric streets, and they are practically the only people who would be accommodated by a stop in the present or in the proposed location. If changed to the location suggested, it would require these people to retrace their steps over 100 feet.

We believe the people who use the stop prefer to have it in its present location, but suggest that consideration be given to improvement of lighting conditions at that place.

Very truly yours,

EDWARD DANA,

Executive Vice President
and General Manager.

Placed on file.

WARNING SIGNS, SPRING STREET
BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, May 20, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Traffic Commissioner relative to your order of May 11, 1936, concerning the placing of suitable warning signs at both sides of the approach to the Spring street railroad bridge, West Roxbury.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, May 19, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated May 11, 1936, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to place suitable warning signs at both sides of the approach to the Spring street railroad bridge, West Roxbury."

Orders have been issued to erect two "Slow" signs in Spring street, West Roxbury. Also to paint the center piers of the railroad bridge with alternate black and white diagonal stripes.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

BUS LINE TO CITY HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, May 20, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the trustees of the Boston Elevated Railway Company relative to your order of May 4, 1936, concerning the establishing of a bus line from South Boston to the Boston City Hospital and return with a five-cent fare in each direction.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Boston Elevated Railway,
May 19, 1936.

Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—The trustees have considered the request contained in order of the City Council accompanying your letter of May 7 for establishment of a bus line from South Boston to the Boston City Hospital and return, with a five-cent fare in each direction, but do not feel that they can consistently grant the request.

Such a bus line would parallel existing service and would mean the substitution of a five-cent fare for the present ten-cent fare. The present car line from City Point to Dudley street passes the hospital buildings and by means of transfer at Dorchester and Eighth streets all of South Boston is readily served.

The establishment of special reduced rate service to the City Hospital would mean additional expense with decreased revenue, and for these reasons the trustees do not feel that it can be justified under present conditions.

Very truly yours,
EDWARD DANA,
Executive Vice President
and General Manager.

Placed on file.

SERVICE TO FRANKLIN PARK
STATION.

The following was received:

City of Boston,
Office of the Mayor, May 19, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the trustees of the Boston Elevated Railway relative to your order of May 4, 1936, concerning the extending of the present Dudley street-Blue Hill avenue-Grove Hall service to Franklin Park station.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Boston Elevated Railway,
May 18, 1936.

Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—The trustees have considered the request contained in order of the City Council accompanying your letter of May 7 for extension of the Dudley street-Blue Hill avenue-Grove Hall service to Franklin Park with a five-cent fare, but do not feel that they can consistently grant it.

Service is now operated from Dudley street to Franklin Park and to Franklin Field via Warren street, which parallels Blue Hill avenue, and with a short walk makes available the five-cent local fare to Franklin Park and Franklin Field.

To extend the Dudley street-Blue Hill avenue-Grove Hall service to Franklin Park would involve considerable expense and the riding would fluctuate considerably with the weather. This, together with the fact that receipts would be lessened rather than increased, makes it inadvisable to extend the service as requested.

Very truly yours,
EDWARD DANA,
Executive Vice President
and General Manager.

Placed on file.

STAIRWAY, CHARLESTOWN.

The following was received:

City of Boston,
Office of the Mayor, May 20, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of March 16, 1936, concerning the advisability of purchasing the property abutting the stairway, now closed, leading from the High Bridge to Water street, Charlestown, with the object of again making the stairway available for public use.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, April 13, 1936.
Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.
Dear Sir,—Replying to your request as to the desirability and feasibility of purchasing property on Washington Street North, Charlestown, for the purpose of installing a flight of steps leading from Washington Street North to Water street, I beg leave to state that the former steps were erected and privately owned on the property of Charles M. Morrill. In the course of years the steps rotted to such an extent that they were removed by the owner of the property; the city had absolutely no interest in this flight of steps.

This office can see no occasion calling for the erection of a flight of steps leading from the High Bridge to Water street. At the present time there is a flight of steps on the westerly side of the High Bridge giving access to Water street. Persons using the easterly sidewalk of the High Bridge coming from Boston and not wishing to cross the bridge roadway to use the steps mentioned above have only to walk around the angle corner at the junction of Washington Street North and Chamber street and approach Water street by way of Chamber street. This calls for an additional length of walking of approximately 500 feet in order to reach Water street by way of the short length of Chamber street. To any person arriving at the City square station of the Boston Elevated Railway and desiring to go to Water street, the proposed steps would not be as convenient to reach Water street as the Chamber street approach mentioned above.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

PIANO FOR FANEUIL HALL

The following was received:

City of Boston,
Office of the Mayor, May 25, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings together with a copy of a letter from Mr. Leon H. Palmer, Department Secretary, Massachusetts Depart-

ment, Sons of Union Veterans of the Civil War, offering to donate a piano to the City of Boston—to be kept and placed in Faneuil Hall.

I am also transmitting a form of order drawn by the Corporation Counsel accepting the offer.

I recommend the acceptance of the gift and the passage of the accompanying order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department, May 11, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—Attached herewith is a copy of a letter from Leon H. Palmer, Secretary, Massachusetts Department, Sons of Union Veterans of the Civil War, offering to present a piano to the city in memory of the Grand Army of the Republic.

A piano has always been lacking in Faneuil Hall and in my opinion one would be a most acceptable gift.

Therefore, in order that the said gift may be recorded for posterity in the records of the city I respectfully suggest, if it meets with your approval, that an order of acceptance be drawn up and forwarded to the City Council. If and when said order is approved, I will be pleased to communicate with the Sons of Union Veterans of the Civil War.

Respectfully yours,
ROSWELL G. HALL,
Superintendent of Public Buildings.

Massachusetts Department, Sons of Union
Veterans of the Civil War,
88 Tremont Street, Boston,
May 5, 1936.

Mr. Roswell G. Hall,
Superintendent of Public Buildings.

Dear Sir,—The Massachusetts Department, Sons of Union Veterans of the Civil War, would appreciate the opportunity to present a piano to the City of Boston to be placed and kept in Faneuil Hall, in memory of the Grand Army of the Republic.

This piano would be a Grand, Baby Grand or Upright, according to your preference, and we trust the plan will meet with your approval.

On receipt of notification from you, if favorable, arrangements will be started at once with that end in view.

Very truly yours,
LEON H. PALMER,
Department Secretary.

Whereas, The Massachusetts Department, Sons of Union Veterans of the Civil War has, by letter dated May 5, 1936, addressed to Mr. Roswell G. Hall, Superintendent of Public Buildings of the City of Boston, stated that it would appreciate the opportunity to present a piano to the City of Boston, to be placed and kept in Faneuil Hall in memory of the Grand Army of the Republic; and

Whereas, There is at present no piano belonging to the City of Boston in Faneuil Hall, now, therefore it is

Ordered, That his Honor the Mayor be, and he hereby is, authorized to accept for, and in the name of the City of Boston from the Massachusetts Department, Sons of Union Veterans of the Civil War, a piano to be placed and kept in Faneuil Hall in memory of the Grand Army of the Republic.

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Daniel A. Barry, for compensation for damage to car caused by an alleged defect in Metropolitan avenue, Roslindale.

John and Catherine Bayiates, for compensation for damage to property and injuries caused by city truck.

Berry, Dodge Company, for compensation for damage to property at 224 and 226 Milk street, caused by loose stone in street.

Philip A. Mack, for compensation for damage to car caused by an alleged defect in Chardon street.

Wanda W. MacKusick, for compensation for garbage container taken from premises by ash men.

New England Tomato Company, for compensation for damage to property at 73 Clinton street by water from street.

James V. Ross, to be reimbursed for execution issued against him on account of his acts as operator of truck of Sanitary Division.

State Street Exchange, for compensation for damage to property at 20-30 Congress street, caused by break in sewer.

Charles A. Vogel, for compensation for damage to truck by dump cart.

Executive.

Petition of Jennie K. Cahoon, to be paid annuity on account of death of her husband, William Cahoon, late member of Police Department.

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

Anna M. Greene, Current Events Hall, May 23.
Mary Magee, Highland Hall, June 5.
Veronica K. Sheridan, Repertory Theatre, June 17.

Mary Campbell, Jordan Hall, June 10.
Edna V. Sheehan, Whitton Hall, June 11.
Orin F. Gallagher, Mechanics Hall, June 3.
Shirley Ruby, Shubert Theatre, June 2.
Frances Barber, J. J. Williams Hall, May 28.

MINORS' LICENSES.

Applications for minors' licenses were received from thirty newsboys and five bootblacks. Licenses granted, under usual conditions.

APPROVAL OF CONSTABLES' BONDS.

The bonds of the following-named constables, having been duly approved by the City Treasurer, were received and approved, viz.:

George A. Borofski, Morris Chalfin, Stephen J. Dunleavy, Louis Goldberg, Solomon Gorfinkle, John H. Howard, Frank F. Lane, Salvatore Maffei, John A. May, Patrick H. Murphy.

THE ANNUAL BUDGET.

Coun. AGNEW, for the Committee on Appropriations, submitted the following:

The Committee on Appropriations, to which was referred the several budget recommendations of the Mayor for the County of Suffolk and the City of Boston, having considered the subject, respectfully recommends that the same ought to pass as herewith submitted.

For the Committee,
JAMES E. AGNEW, Chairman.

Coun. AGNEW—Mr. President, in reporting for the Committee on Appropriations and as chairman of that committee, I wish at this time to thank all the members of that committee who so unselfishly gave of their time in the consideration of this budget. For the cooperation and assistance of the members of the committee I, as chairman, am very grateful. I also wish to acknowledge with personal thanks the interest and assistance of other members of the Council, those who were not members of the committee, but sat with the committee and conscientiously engaged in the various hearings on the budget. The committee as a whole wishes to extend its thanks for the assistance given by the Budget Commissioner, Mr. Murray, and his assistant, Mr. Sullivan. The majority of the committee in executive session and after careful consideration of the budget concluded that Mayor Mansfield has reduced the cost of the government of the City of Boston for the year 1936. This was evidenced to your committee by the reduction in allowances to practically every city and county department. With very few exceptions, allowances have been slashed over those of 1935. To treat them separately would mean going into the matter at great length. The appended documents of 1935 and 1936 speak for themselves and are available as public documents for comparison. Therefore, the Committee on Appropriations by majority vote recommends the passage of the budget as herewith submitted for the year 1936.

AMOUNTS ALLOWED FOR 1936.

City Maintenance.	
Department.	Allowances.
Art Department	\$1,000 00
Assessing Department	311,308 79
Auditing Department	81,000 00
Boston Port Authority	34,791 00
Boston Retirement Board	32,513 52
Boston Traffic Commission	174,347 99
Building Department	222,140 38
Board of Appeal	14,965 00
Board of Examiners	5,315 00
City Clerk Department	44,271 06
City Council	84,275 00
City Council Proceedings	11,250 00
City Documents	30,000 00
City Planning Board	51,425 00
Collecting Department	167,648 27
Election Department	318,051 23
Finance Commission	50,000 00
Fire Department	4,243,310 70
Wire Division	100,973 71
Health Department	944,928 94
Hospital Department	3,252,791 31
Sanatorium Division	614,249 06
Institutions Department:	
Central Office	48,125 00
Child Welfare Division	343,571 36
Long Island Hospital	798,566 33
Steamers "Hibbard" and "O'Meara"	64,850 00
Law Department	135,261 35
Library Department	1,197,866 00
Licensing Board	49,658 00
Market Department	15,651 33
Mayor's Office	82,290 00
Public Celebrations	38,000 00
Conventions, etc.	12,500 00
Park Department	1,517,817 10
Cemetery Division	68,649 49
Police Department	5,869,047 68
Public Buildings Department	559,521 00
Real Estate Division	20,000 00
Public Welfare Department:	
Central Office	8,175,030 90
Temporary Home	10,640 00
Wayfarers' Lodge	17,550 00
Public Works Department:	
Central Office	37,405 41
Bridge Service	409,389 81
Bridges, Repairs, etc.	50,000 00
Ferry Service	346,817 83
Lighting Service	982,462 79
Paving Service	1,357,856 56
Snow Removal	800,000 00
Sanitary Service	2,290,472 57
Sewer Service	554,335 00
Registry Department	84,333 86
Reserve Fund	400,000 00
Sinking Funds Department	2,925 00
Soldiers' Relief Department	690,856 93
Statistics Department	7,900 00
Street Laying-Out Department	192,846 82
Supply Department	69,151 84
Treasury Department	81,625 57
Weights and Measures Department	49,333 85
Total City Maintenance	\$38,223,365 34

County Maintenance.

Department.	Allowances.
Suffolk County Courthouse (Custodian)	\$274,965 11
County Buildings	110,611 64
Jail	256,886 02
Supreme Judicial Court	60,750 00
Superior Court, Civil Session, General Expenses	414,185 65
Superior Court, Civil Session, Clerk's Office	184,479 03
Superior Court, Criminal Session	501,983 98
Probate Court	25,338 89
Municipal Court, City of Boston	461,588 33
Municipal Court, Charlestown District	31,340 80
East Boston District Court	30,899 10
Municipal Court, South Boston District	31,795 20
Municipal Court, Dorchester District	43,607 16
Municipal Court, Roxbury District	99,219 66
Municipal Court, West Roxbury District	37,984 50
Municipal Court, Brighton District	22,111 25

Boston Juvenile Court	\$29,426 84
District Court of Chelsea	37,916 17
Registry of Deeds	186,914 11
Index Commissioners	24,142 57
Insanity Cases	36,120 00
Land Court	7,050 00
Medical Examiner Service, Northern Division	25,390 21
Medical Examiner Service, Southern Division	17,452 00
Associate Medical Examiner Service, Northern Division	2,105 00
Associate Medical Examiner Service, Southern Division	1,880 00
Miscellaneous Expenses:	
Auditing Department	20,519 17
Budget Department	2,204 53
Collecting Department	1,400 00
Sheriff	4,250 00
Treasury Department	7,090 00
Granite Avenue Bridge	3,501 70
Social Law Library	1,000 00
Penal Institutions Department:	
Office Expenses	41,980 06
House of Correction	492,621 96
Steamer "Michael J. Perkins"	64,218 97
Total County Maintenance	\$3,594,929 66

Revenue Departments,

Department.	Allowances.
Printing Department	\$406,215 69
Departmental Stationery and Postage	125,000 00
City Record, Publication of	33,550 50
Public Works Department:	
Water Service	1,192,229 72
Water Income Division	284,569 15
Collecting Department:	
Water Division	98,591 32
Public Works Department:	
Traffic Tunnel	252,550 38
Total Revenue Departments	\$2,392,706 76

APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1936.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1936, 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.

Ordered, That the appropriation for Water Service, current expenses, and the payment to the State, under the provisions of chapter 483 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; and the appropriation for the Traffic Tunnel be met by the income from tolls and any excess over income from taxes, in accordance with the provisions of section 11, chapter 297 of the Acts of 1929, as amended by chapter 74 of the Acts of 1935; that the other appropriations hereinafter specified be met out of the money remaining in the treasury at the close of business on December 31, 1935, exclusive of the money raised by loan or needed to carry out the requirements of any statute gift, trust or special appropriation, by the income of the financial year beginning January 1, 1936, by loans to the amount of \$4,000,000 authorized by chapter 80 of the Acts of 1936, and taxes to the amount of \$31,318,295, 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 1936, or for any other taxes or assessments payable to the Commonwealth, shall be payable in two equal installments, on July first and on October first of 1936, that interest shall be charged on all taxes remaining unpaid after the second day of November, 1936, in accordance with the provisions of chapter 59, section 57, of the General Laws, as amended by chapter 254, section 42, of the Acts of 1933, 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 first day of October, 1936, 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 report was accepted, and the question came on the passage of the orders.

Coun. NORTON—Mr. President, I would move to send the budget back to the Mayor with the request that he cut a million dollars from it.

Coun. SHATTUCK—Mr. President, again we have been presented with a budget after more than one third of the fiscal year has elapsed, and again we are asked to pass it with little opportunity for critical examination either by ourselves or by the Finance Commission and other public or quasi-public agencies. For the delay, the Legislature is responsible this year for the last time. Hereafter, now that the tax limit has been repealed, the Mayor must take sole responsibility for any delay. There is no reason why the budget for 1937 should not be in the hands of the Council by the first of next January. The Mayor is, however, responsible for the form of the budget. In his inaugural message he promised "better budget contents, control and procedure." Again this year (as I pointed out last year) there are no comparative figures showing expenditures and appropriations in previous years. If such figures had been given, the hollowness of the Mayor's claimed savings would have been demonstrated. It would have appeared that the departments other than Public Welfare and Soldiers' Relief are recommended for appropriations of \$29,341,132 as compared with expenditures last year of \$29,231,244. In other words, far from bringing about any savings, the Mayor would give them about \$110,000 more than they spent last year. In the Public Welfare and Soldiers' Relief departments \$10,894,078 is recommended, as compared with expenditures last year of \$12,790,041. This looks like a tidy saving of about \$1,900,000. But the fact remains that most, if not all, of this alleged saving is likely to prove nonexistent. The expenditures of the Welfare Department to date and the weekly expenditures of the last few weeks indicate only a very small cut in Welfare costs this year as compared with last year. For example, for the week ending May 9 the expenditure of the Welfare Department was \$191,004.43 as compared with \$195,911.01 last year. All the talk that has been going around to the effect that the budget has been cut to the bone is pure moonshine, it just is not so. The Mayor's announcement of last January that "substantial retrenchments" in city costs would be part of his financial plan has been repudiated. The same old waste and extravagance go on. Again in this year's budget document there are no figures showing revenue collections in previous years, and the budget is so segregated that, with the exception of a few large items, no reductions can be made without going into the administrative question of whether a particular position or a particular small item of expenditure is needed. It ought to be possible to make cuts in department appropriations which leave to the Mayor the problem (which is his under the Charter) of deciding what positions to eliminate and how to reorganize the work of the department so as to live within the appropriation. If the burden of evaluating each position and

each activity in all its details is to remain with the Council, it should at least be allowed ample time for study, including a preview of all department estimates and of information furnished in support of the estimates, and should be furnished with a budget officer and assistants to advise it on the many administrative problems involved in making detailed changes in a highly segregated budget. The Massachusetts budget document and the Massachusetts procedure might well be followed by the City of Boston. For certain activities which are allegedly self-supporting, no appropriation is made to cover deficits. Two of these, the Water Department and the Traffic Tunnel, are running large deficits. That of the Water Department in 1935 was \$273,000, and that of the Traffic Tunnel was \$256,214. Boston's share of the Elevated deficit and the Governor square default, which are assessed without appropriation, amounts to \$1,590,916.68. These deficits amount to over \$1 in the tax rate. The operating deficit of the city is increasing. Last year \$19,000,000 of tax notes were carried forward from the previous year, and this year \$21,500,000 of tax notes were carried forward. The interest rate on recent borrowings has been rising. The rate on the last issue was 1.20 per cent, which is the highest rate any municipality in Massachusetts has paid this year. This indicates that we are beginning to wear out our welcome with lenders. Already we have authorized a borrowing of \$4,000,000 toward welfare expenses. The Mayor virtually admits that at least \$2,000,000 more must be borrowed for this purpose. Even if welfare expenses remain within the present budget allowance, it will probably be necessary to borrow at least \$8,000,000 in order to keep the tax levy at \$37. In order to pay our way without borrowing for operating expenses, a tax rate of about \$42 on the thousand would be necessary. This, however, does not tell the whole story. Many properties are assessed at from 50 per cent to 300 per cent above their fair market value, notwithstanding the requirement of law that they be assessed at their fair market value. This is particularly true in the case of business properties in the downtown sections and of properties in the formerly high-value residential districts. There are many properties which are fully rented at going rentals and yet do not produce sufficient income to pay taxes and operating expenses. Others, in which there are vacancies or which are mortgaged, are in still worse plight. This condition cannot last. Over-assessments in open defiance of law, coupled with the high tax rate, are doing immense damage to real estate values in Boston, and this in turn is hurting the credit of the city. Unless these values can be maintained and increased, the city cannot raise the revenue to pay its necessary expenses. Mayor George J. Bates of Salem, who has made an outstanding record of economy and efficiency in the administration of his city, in a recent speech issued a warning which all should heed. He showed that Massachusetts industries in 1920 employed 696,000 people as compared with 424,000 in 1934, and that during this period industrial pay rolls dropped from \$892,000,000 to \$408,000,000. In 1925 our banks held only \$1,662,000 in foreclosed real estate as compared with \$200,000,000 on January 1, 1936. As he very truly said, we have met declining wages, declining business, and declining revenues by a policy of extravagant administration. While everything else is down, the cost of government is at or near its peak. So high has the cost of government risen in Massachusetts that it nearly equals the wages paid to those employed in Massachusetts industries. The *Boston Post*, commenting editorially upon Mayor Bates's speech, says:

"Our people are steadily getting poorer, while spenders run riot. Plainly, we are on the road to bankruptcy."

Let it not be supposed that for all this the present administration is responsible. Far from it. Much of our excessive debt and other burdens were inherited from past administrations. But that is no reason why the present Mayor should not be held to his pledge to eliminate waste and extravagance and to bring about "substantial retrenchments." A bulletin of the United States Department of Commerce, Bureau of the Census, released May 13, 1936, gives financial statistics of cities in 1934. This bulletin shows that of all cities having populations of 500,000 or over, the per capita costs in Boston are the highest, and that, with the exception of New York and Buffalo, Boston's per capita costs are far beyond those of other comparable cities. Since these figures were

published all sorts of alibis have been offered. These might be convincing, were it not for the fact that there are thirteen cities in the list. The comparison is not with a few, but with many. And every one of them shows lower per capita costs, and the average cost of all the thirteen is much lower than in Boston. If our motto is "After us the deluge," we shall go on piling operating deficit on operating deficit, and depressing with excessive taxation and excessive and unlawful assessments the property values on which we must depend for our revenue. For my own part, I am unwilling to take this course. I am unwilling to travel on a road that must inevitably lead to repudiation of our obligations both to our creditors and to our employees. I am interested in tomorrow, and next year, and the years to come, as well as in today. The budget which has been presented to us looks to today only. It fails to face the facts, and to deal effectively with the problem of retrenchment. Instead of helping to lift us out of the mire of debt and operating deficits, it leads us farther in. Tinkering will not do. A complete revision downward is necessary. The Mayor alone has the staff agencies and facilities to accomplish this object. The budget should go back to him for this purpose. With this end in view I shall vote against it.

President FITZGERALD—The question is on Councilor Norton's motion to return the budget to the Mayor with a recommendation that a million dollars be cut from it.

Coun. ROBERTS—Mr. President, I propose to vote for that motion, because I feel that it is the only way to manifest our idea that some money should be taken from the present budget. I think anyone who has made a study of city finances, who has sat in with the Appropriations Committee, or who is familiar with the City Auditor's and the Budget Commissioner's figures, must come to the conclusion that the matter of taking any money out of the budget is an administrative power and cannot be handled by the Appropriations Committee of the Council or by the Council acting as a whole. I think that many of the things that Councilor Shattuck has said about the current problems of the city are absolutely true. I feel, however, that the Mayor is not to be too sharply criticized for the course he has taken upon the budget which is now before us for consideration, when one realizes the tremendous welfare costs upon the city since 1930 and the fact that for 1936 there seems to be no prospect of a reduction in our expenditure of \$1,000,000 a month or \$12,000,000 a year for welfare. I feel that the problem of welfare costs is one that affects probably every city and town in the United States. Only a few days ago I saw in the papers that a certain township in New Jersey would be unable to meet its coming welfare expenses and therefore might have to license everybody to beg as a pauper on the streets. We can simply hope that that situation will never prevail in Boston. But we can readily realize that that situation seriously affects the figures that are brought before us in the present budget. If reductions are to be made, there must be retrenchment in personnel, in the schools, in other departments of the city. I would regret to see that, because I have never voted to take anybody off the pay roll. But something must be done if we are going to reduce the tax rate. How much or how soon the borrowings that we have been making are going to affect the future of the city only an expert can tell us. How much money may have to be borrowed now to meet our expenses is speculative at the present time. The City Auditor was here one day and I asked him how much he expected to borrow to take care of the welfare costs. He said that he was unable at the present time to say, but he did state that if the present situation continued we must borrow, and that certainly means a higher tax rate than the tax rate that has been suggested here. As I say, the whole thing is a very difficult problem. It is almost impossible for us to single out a single department and say, "We must curtail expenses here and take so much off of the personnel." That is not a problem of the Council but of the administrative force of the city, who have the facilities at hand. Therefore, I propose to vote for this motion.

Coun. McGRATH—Mr. President, I wish to say at the outset that I was not a member of the Appropriations Committee, but I saw fit to attend every meeting of the committee, in the interest of the people who elected me. I stated in my campaign for the City Council that I would do my utmost to keep the tax rate down, and it is my

intention to do so while I am a member of the body. I think the Committee on Appropriations have done a pretty good job on this budget, in view of the fact that more secrecy surrounded the budget this year than in any other year. When Mayor Mansfield sent his budget for the City of Boston to the Council, he told the newspapers that he had cut the estimates of his departments approximately \$7,500,000. If the Mayor's allowances in his budget are fair and adequate, and his reductions justified, his department heads must be an extravagant lot. Reduction of department estimates of three or four million dollars have been heard of before, but a reduction of \$7,500,000 in the estimates of alleged reformers proves that there must be something wrong. Can it be that the Mansfield department heads do not know how to run their departments economically or were they tipped off to help the Mayor make a showing by boosting their estimates? The Mayor boasted that his budget was \$1,786,000 less than last year. Some people believed it and wrote editorial eulogies of the Mayor for his economy. But some doubted it. It was a crushing blow to the Mayor to see who was the first to call his bluff. The Bureau of Municipal Research in the few years of its existence has not built up a reputation for sympathetic understanding of the needs of the rank and file of the people of Boston. But they are the people that the Mayor was playing up to when he said in his campaign that 65 cents out of every dollar as spent by the City of Boston was wasted. They watched the almighty dollar, and they want to make the eagle on the city dollar scream before it leaves the city treasury. Therefore, when the Bureau of Municipal Research answered the eulogies of Mayor Mansfield's economy with a sudden statement that the eulogies were not justified, it was a shock to poor Mansfield. It did not soften the shock when the Bureau used the expression "juggling" when commenting on what he had done. The Bureau said, "While the tax rate may be 'juggled' by borrowing, Boston's tax rate, without loans for current expenses, will be \$42. Borrowing the huge sum of \$8,100,000 for current costs would hold the rate to last year's figure of \$37." Mayor Mansfield announced in January that he positively would not borrow more than \$5,000,000 in 1936 to keep the tax rate down. Now the Chamber of Commerce comes into the picture with the statement that the true tax rate for 1936, as the result of the Mayor's budget (and making allowances for estimated state and metropolitan assessments and the school budget) will be \$42.25. This was another shock to Mansfield. Eliot Wadsworth, the Mayor's chairman of the Sinking Fund Board, is the president of the Chamber of Commerce. The Chamber uses some more harsh words, such as that "The reductions were more apparent than real"; "the reduction seems inadequate"; "the nature of the reductions is disappointing and the permanence of some of them is in doubt"; "the lower estimates cannot be said to represent substantial retrenchment taken on the initiative of the Mayor"; "the only conservative conclusion that may be drawn of the tax rate situation as it now exists is that it is unsatisfactory even to the point of becoming alarming"; "a \$37 tax rate with borrowing of at least \$8,000,000 is a hollow achievement." The Bureau of Municipal Research says in an official statement:

"The decreased allowance for the Public Welfare Department is open to question."

In 1935, welfare expenses were \$11,961,000. Mansfield allows only \$10,203,000, or \$1,758,000 less, despite the fact that the Welfare Department estimated a month ago that welfare payments would not be substantially less in 1936. The Mayor's cut amounted to 14.7 per cent. It was the Bureau of Research that figured that up to May 1 the cases had decreased only 6 per cent, and then the Chamber of Commerce made the point that the Public Welfare estimate of a need of at least \$11,000,000 did not include any allowance for increased needs expected on account of probable changes in the status of old age assistance and Federal unemployment relief. The Chamber of Commerce points out that, apart from an unwarranted cut of \$1,758,000 in the welfare item, the only other substantial cut was in the item for snow removal. Only the Almighty knows how much snow will fall before January 1. One big storm has cost Mansfield well over \$1,000,000. Mansfield has put into his budget for snow an amount approximately equal to what has already been paid out in 1936. If he

has one good snowfall before January 1, there is scarcely a penny in the budget to take care of it. Both Research Bureau and Chamber of Commerce point out that he spent last year \$317,000 more for snow removal than he has put into this year's budget. They both say this is an item absolutely beyond his control. They say the same of the welfare needs. But both point out that, except for those two arbitrary reductions, Mayor Mansfield increased his budget for 1936 over 1935. Mayor Mansfield claims that he has reduced the budget by \$1,786,000. The amount he reduced the Welfare Department takes up \$1,758,000 of this, and the amount he reduced the snow removal item takes up \$317,000 more. The departments whose appropriations he has cut make an interesting list. For instance, the Health Department is cut \$18,637, the Hospital Department is cut \$29,330, the Cemetery Department is cut \$35,128, the Public Welfare is cut \$1,757,422, the Sanitary Service (removal of ashes and garbage) is cut \$45,077, the Soldiers' Relief Department is cut \$138,541. In other words, the departments known as life and death departments are cut almost \$2,000,000. It should be borne in mind that in order to keep a total reduction of \$1,786,075 it was necessary to include in his reductions the full amount of the expenditure in 1935 for the Decennial Census. 1935 was the first time in ten years that this census was taken, and it cost the city \$54,999. Of course, there will not be another state census until 1945, but the Mayor had to build up his total of reductions, so he put in the amount that the census cost in 1935 as a reduction in 1936. I am not criticizing the budget without offering one or two suggestions as to where the Mayor may save some money, and I will offer them in a few moments. Of course, none of us want to cut the personnel, the salaries and wages of the city employees. But there are places where reductions can properly be made. In my perusal of the budget, it appears to me that all those items that provide work for the favored contractors still remain intact. It was my understanding that the Mayor was going to stop the practice when he took office, of allowing these less than \$1,000 contracts to the favored contractors. But according to the Finance Commission there is more of this kind of business going on today than ever before. But there is plenty of money in various departments and divisions for the hire of trucks. While I sat in with the Appropriations Committee I sent for the man who was supposed to have charge of the trucks that are hired by the City of Boston. These trucks are paid for at the rate of \$1.50 and \$1.55 an hour. There are approximately one hundred of them working today. That is an item that will run into well over \$200,000 this year. That is a lot of money to hand out to favored truck owners, when we consider that last year the city spent \$675,000 of its own money for trucks and other equipment. But I suppose those trucks will be allowed to accumulate rust and fall into disrepair as long as friends of the administration owning trucks are able to convince the Mayor that he should take care of them. Now, I haven't any trucks. I am not a contractor, and you cannot put a truck on unless you see somebody who is termed "the big shot." Well, I don't see "the big shot." But if the Mayor wants to reduce his budget by \$200,000 he can release those trucks. I don't know what work they do for him. But that is one item. Then I have here another item. When the Police Commissioner's secretary was down here I asked how much they spent for stamps in the course of a year to notify automobile owners who were tagged, and he said approximately \$12,000. Well, there is another item, Mr. President. It does seem as if some arrangement could be made which would comply with the statutes by which we could print on the back of these tags something to the effect that the owner who was tagged for parking overtime should go to such and such a place in the courthouse within forty-eight hours, and we could probably save \$12,000 there. I am not going into the individual items in the budget, although there are quite a few of them that could be picked out if it would not take too much time. But I do think that a few suggestions of this type, along with the suggestions that might be made by other councilors, might indicate possible reductions that would be in line with the suggestion by Councilor Norton that the budget be cut a million dollars. I think that might readily be the result of judicious cuts, which

would not interfere at all with personnel. It is a very strange thing to me that money can be found for all these purposes that I have indicated, but that when the Mayor is asked to put up a few traffic lights in front of churches and parochial schools in my district, he can't find any ready cash, and I would like to remind the Mayor that these schools are saving the City of Boston a tremendous amount of money each year in lower school costs, so that the least the Mayor and the administration should do is to provide safety devices so that the children going to and coming from those schools and churches might have a little protection from vehicles. But, while the Mayor has not been fair with me or with the people of my district, yet I feel that to vote against this budget would do more harm to our citizens and our employees than to anyone else. For that reason I am going to be fair and vote for the Mayor's budget. But I want to plainly state that I am extremely disappointed in the Mayor and his financial advisers for the sort of a budget that has been placed before us this year. I have offered some constructive suggestions which I would certainly like to see him adopt and save the City of Boston some money. There are other things that might well be looked into. Every head of a department or every individual representing a department who came before the Appropriations Committee, when you asked him what "office equipment" meant and what "office supplies" meant simply answered "stationery and stamps." I think if that item was scrutinized, we could probably save \$100,000 there.

Coun. NORTON—Mr. President, I don't believe I can add anything to what has been said but, as this is the most important matter that comes before us annually, I would like to take just a few minutes to make a statement for the record. The Mayor of Boston in the budget this year calls for an expenditure of \$485,000 over what was expended last year. Let us hold that in mind. Furthermore, let us remember that the Mayor of Boston, in his campaign throughout this city, as an important plank in his platform, said, "I will reduce the city expenses. I will reduce the load, the cost on industry, that is destroying our city." I want some of the Mayor's friends here today to answer my statement to the effect that the Mayor has violated his one and most solemn pledge to the citizens of Boston in the last campaign, and that instead of reducing he is adding. We all appreciate the terribleness of this awful depression that we are in and realize the enormous need for welfare expenses. For that we cannot criticize the Mayor. But I am now talking about the expenses of the regular departments of the City of Boston, where he has had a real opportunity to cut expenses. He has not done so, but has increased them. As I say, the budget calls for expenditure of \$485,000 over that of 1935. The "saving" of \$1,800,000 is not saving at all, but merely a bad guess on what welfare will cost. Boston ended the year with a deficit of over \$21,000,000. We now pay more for money than any large city of the state, including Fall River, Lowell, and so on. That is what the bankers think of us. Boston paid expert Carleton F. Sharpe \$35 a day for a report on this budget. Where is it? Why is it hidden? The successor of the successor of the successor of the present Mayor will be paying back money the Mayor is now borrowing. The true tax rate should be \$42 or more, not \$37. The Mayor must stop hiding behind the prejudice against the Governor to cover up these facts brought out by experts of the Municipal Research Bureau and the Chamber of Commerce. Boston's youth must leave their home town. Unemployment will get worse. Industry cannot live in the highest taxed city of America. Boston takes over \$56,000,000 out of our real estate. No city of our size takes over half of this amount. The figures for Baltimore are \$27,322,000; for St. Louis, something over \$29,000,000; for Cleveland, about \$27,000,000; for Los Angeles, slightly less than \$45,000,000; for Detroit, \$54,339,000; for Philadelphia, \$71,000,000, and for Chicago, less than \$96,000,000. Boston's largest silk mill, employing hundreds, out my way, is just leaving. Over 700 manufacturing establishments have left Boston; over 600 buildings have been torn down to avoid taxes; there are over 200 parking spaces, where there were buildings, north of Massachusetts avenue. The member from Ward 5 has had more experience in these municipal and financial matters than the average man has in a lifetime. He was chairman of the Legislative Committee on Ways and Means

and is recognized throughout the Commonwealth for his knowledge of municipal and state finance. In exact line with what he says we have the statement of the Municipal Research Bureau and of the Chamber of Commerce, but the Mayor says, "Believe me." In 1933 he borrowed on five year bonds to meet current expenses \$7,600,000; in 1934, \$3,800,000 on tax titles; in 1935, \$7,000,000 on ten year bonds and \$3,000,000 on tax titles. In 1936, to date, there have been arrangements made to borrow \$6,000,000, and the chances are that the amount will run up to over \$8,000,000. And all of this in face of the fact that at the first of this year he stood up and solemnly stated, "I will not borrow over \$5,000,000 this year," or words to that effect. Peter Murray asks if I cannot take a joke. (Laughter.) No, I cannot when it means that hundreds of homes in my ward will be up for tax sales. I cannot take that kind of a joke. Just look around you. You can buy the Paddocks Building, the Old South Building, the Kimball Building, for 25 cents on the dollar, or less. There is no building you may look at, except the public utility buildings, that you cannot buy for much less than they are assessed for. That is the situation here. I have already referred out in our section to what is known as the silk mill, that is about to move away. It has been running out there in Hyde Park over twenty-four hours a day, employing over two hundred people, at the Hyde Park and Boston line. Because of high taxes they are leaving Boston. They are going to a place where they will be taxed free for the next five years, in a situation where they can compete with their competitors in St. Louis, Baltimore, Chicago and other cities. They cannot pay the Boston taxes and compete. Go out and look at that silk mill in Hyde Park. You will see it is working nights. But they are immediately going to move, and then what will become of the more than two hundred people who are employed there, within the next two months. They will be looking for something to do, for something to eat, and will undoubtedly wind up on welfare, at more expense to the city. The power to tax is the power to destroy. We tax the people of Boston more than they are taxed in any other large city in America, and we are going to tax still more, and drive away commerce and industry. You can then go out and walk through my district and see the deserted section, where homes will have to be given up because they cannot pay the rent. This a serious matter that is coming before the Council today. I cannot agree with the councillor from Dorchester that to vote against this budget is to hold up salaries of employees. It is like putting women and children out in front in times of warfare or riot, and saying, "Don't shoot." We who oppose this budget, these proposed expenditures, may well claim to be the best friends of city employees, their real friends. We are protecting them in protecting the finances of this city. We are their real friends, and the next few years will show it. The editor of the *Post* points to the thousands of families on welfare in Hoboken, New Jersey. Well, that is going to happen here with all these industries leaving us, as you know they must go and will go because of tax burdens that they cannot bear. And in the light of these facts the Mayor says, "I am saving \$1,800,000." All he is doing is giving a bad guess, and where do you suppose, of all city departments, he is giving this bad guess? The welfare Department. Is there a fifteen year old boy in Boston who does not know, what we all know, that the Welfare Department this year will probably spend more than ever? Well, my time is up; my song is ended. (Applause from the galleries.)

President FITZGERALD—The galleries will kindly refrain from demonstration.

Coun. WILLSON—Mr. President, assuming that the committee has not got available the figures that I would like to have, inasmuch as there are a few more important figures that I would like to suggest, I would move that the budget be sent to the Executive Committee, and that the Budget Commissioner be sent for.

President, FITZGERALD—The question first comes on Coun. Norton's motion to return the budget to the Mayor with a request that \$1,000,000 be taken from it.

Coun. FINLEY—Mr. President, we have just listened to two of our colleagues who have seen fit to make some rather hectic and violent remarks detrimental to the present Mayor of Boston and the administration he is giving to this city, and they have stressed the point that the budget a

submitted by the Appropriations Committee should be further reduced. I would like to give my views, just what I think of the administration conducted by our present Mayor on behalf of the people of Boston, and to take strong issue with the statements made by our colleague from Ward 18 (Coun. Norton) and also our colleague from Ward 13 (Coun. McGrath). I believe they have tried to paint a picture that is exactly opposite to the true one of Mayor Mansfield, the chief executive of this city. I, as a member of this Council, have had occasion to know what has been going on. I am not a member of the Appropriations Committee, but I also have seen fit to attend various meetings that have been held by that committee, and I would like to challenge any member of this Council to show where one million dollars can be reduced from the budget as submitted without taking it from the personnel, the city employees of our city. I wish to stand here on my feet and say that I am absolutely opposed to any such method, because I do not believe that salary-cutting is a cure for our economic evils. Mayor Mansfield, in a sincere effort to economize and help the people of Boston, inaugurated some reductions in personnel, at the suggestion of the Municipal Bureau and other reform organizations, and I submit to the members of the Council that the amount saved was infinitesimal and absolutely of no help whatsoever. I think it would be better for the learned councillors in this body to use the intellect they have been given to make a real fight to have taxes raised by some means rather than having them placed upon the home owner and the business man of our city, so that we can get some relief in a substantial way. Until that is done, I feel that further reductions will be impossible. We are seeing a picture painted here today that is detrimental to every member of this body. We are giving the general public the idea that the matter of reducing the expenditures of our city lies in our hands. It does not. We have very little to do with it. We are simply a recommending body. The relief of the burden on the home owners of the city lies with the Legislature, and I believe if we as councillors go before them showing the necessity for the relief that the City of Boston is entitled to, a substantial way will be found to reduce our expenses. Many things have been said detrimental to our city, comparing it with Chicago, St. Louis and other cities, but any fair-minded man who knows anything about the real facts knows that Boston has done noble work in caring for the afflicted and the unemployed during this depression, has really done a better job than any other great city in the United States. Have our employees suffered what the employees of the city of Chicago have suffered, or have they suffered from conditions that prevail in Columbus, Ohio, where at the present time ten fire stations out of nineteen are closed and where the police force has been reduced? I hope the members of the Council will give serious consideration to this budget as presented and will appreciate the Herculean efforts that the Mayor of Boston has made. Speaking as one who has had occasion to visit his office at times, I know that the greatest concern he has is to bring this city through a trying period. I question whether any other man could have done as well under the difficulties with which he has labored, and I think, in spite of the criticism that we have heard heaped on him by the members of the Council, we should appreciate the position he is in and help him through this trying time.

Coun. BRACKMAN—Mr. President, I am going to agree with what the last speaker has said. One would almost think that the worldwide depression from which we are suffering was the result of the Boston budget. Certainly there is no man here who would favor a wholesale discharge of city employees. I certainly would not want the blood of a thousand families on my hands in these days where men are practically starving to death trying to maintain their families. If there should be a cut of a million dollars in the budget, regardless of where it was to come from, it would simply mean laying off a great many employees, and perhaps reducing the tax rate 50 cents in doing it. I hope the suggestion will be defeated.

Coun. PETER J. FITZGERALD—Mr. Chairman, I do not wish to engage in controversy with any member of the Council, but, as a first-year member, although with a legislative background, I feel that I am compelled as a member of the Committee on Appropriations to say a few words. I sat here for an entire week with the other mem-

bers of the committee. We went through every department, and all of us asked a number of questions, and came to the conclusion, as has been said by my colleague, that the only way in which you can reduce the budget is by the wholesale cutting of city employees. Now, why should we not, as members of the Council, not only be on the level with ourselves but with the public at large? I had the honor to sit with the gentleman from the Back Bay (Coun. Shattuck) as a member of the Legislature, and, with all due respect for him—and I have the highest respect, knowing that there is nowhere a higher minded or more conscientious representative of the public—he always, as a member of the Legislature, had the cutting complex. I can remember him as a member of the Committee on Mean Ways, as we called it years ago, he certainly did want to cut. No matter what the appropriation was, he did not always recognize the human element, but wanted to cut. As for the gentleman from Hyde Park (Coun. Norton), I have the highest regard for him as a friend and as a colleague, but I would like to have him point out where we can cut without cutting employees. As for the Chamber of Commerce and the Bureau of Municipal Research, what do they care about the human element, when it comes to cutting the amount to be received by a man who may be getting \$12, \$15 or \$20 a week? What do they care whether he is not only maintaining his own family but may have to help others? We know that the majority of the city employees today are holding the bag for many who are depending on their salaries. The Mayor of Boston needs no defence from me, nor do I rise in his defence, but I do say from my brief experience with him—and I have not been so successful downstairs—that I consider the Mayor one of the most capable, conscientious and sincere men we have had for a long time, judged by his service in the past three years. That is more than exemplified when you take the administration of his predecessor. I am not misled by any controversy between the Governor of the Commonwealth and the Mayor. I am not interested. But I am interested in the welfare of the taxpayers and the city employees, and I shall vote against this proposed blanket million dollar cut, when the gentleman from Hyde Park does not state where he wants it to be cut.

Coun. SHATTUCK—Mr. President, I would like to ask the gentleman, through you, if he was in the Legislature during the period of the Fuller administration, when I tried to increase a number of items in the budget and was defeated through the almost unanimous opposition of the other party?

Coun. PETER J. FITZGERALD—I was there and if the gentleman will tell me about the particular items I might be able to answer. There were twenty-one departments we voted on.

Coun. SHATTUCK—When the budget came up I felt that the Governor had cut grossly a number of items. I made motions to increase a number of the items in the budget and was opposed by the members of the other party. I had more than a majority in my own party, and if it were not for the votes of his party most of the increases would have gone through.

Coun. PETER J. FITZGERALD—I would like to ask the gentleman from the Back Bay if he is referring to Alonzo Cook's department?

Coun. SHATTUCK—I think none of the proposed increases were in that department. Most of them were in the Department of Mental Diseases.

Coun. PETER J. MURRAY—I would like to ask the gentleman what party was in power during Fuller's administration, in the House?

President FITZGERALD—The Republican party.

Coun. PETER A. MURRAY—Then, his own party was not with him.

Coun. NORTON—Mr. President, I will take just thirty seconds. We are asked, where can the Mayor cut? Nobody wants to cut faithful employees, Mr. President. But why do they insist on placing women and children out in front? The ones we are trying to get at are the contractors, the waste and extravagance that is taking place in a number of ways, the \$200,000 marble walls of the cellar of Quincy Market, and so on, a million dollars can easily be saved in such ways, not touching the city employees.

Coun. Norton's motion to send the budget back to the Mayor with a request to reduce it by a million dollars was lost.

Coun. WILSON—Mr. President, I again press my motion that the budget be sent to the Executive Committee.

The budget was referred to the Executive Committee.

REINSTATEMENT OF W. P. A. WORKERS.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to confer with State W. P. A. Administrator Paul Edwards in an effort to bring about the reinstatement of W. P. A. workers who were discharged from the Library project on May 18, 1936.

Coun. ROSENBERG—Mr. President, there has been called to my attention the fact that last Monday, May 18, some 178 persons working on the W. P. A. Library Reclassification Project, Work Number 582, were discharged from employment. That the said project was approved in December, 1935, for work to begin January 1, 1936, and to run up to and including June 30, 1936, when a new agreement would be drawn in accordance with the rules and regulations of the W. P. A. There was allocated for this project the sum of \$862,980. The sum spent on the project up to May 10, 1936, \$251,290.03. The sum unexpended on project as of May 10, 1936, \$611,689.97. There were employed on this project approximately 1,200 persons, most of whom are working at the Earle Building, 285 Columbus avenue, where the second, fourth and fifth floors are used for the project, while some are doing work at the Central Library at Copley square, making certain preparations necessary for the carrying out of the project. There are detailed with the workers experts from the library staff, who act in an advisory capacity in arranging the operations. These workers have been performing a very valuable service according to library statisticians, having already completed the reclassification of the Shelf Work-Book Index. Here a serious problem arises; there is ample funds available to carry on the project with the workers employed, when approximately two hundred are discharged, and about 60 per cent being of Jewish faith. Why were these men and women fired? Was it because the immediate supervisor of the project has racial prejudice? If the Supervisor Boltz was responsible for the discharge of those persons and his action that of racial animosity, he should be fired. There is no room in the operation of our government, be it local or national, for anyone in authority to injure the people of any race or creed. Among those who have been discharged are some who are college graduates holding and possessing degrees of distinction and recognition. The major part of this group had been employed on the project from periods varying from one year to that of two and a half years. They had been working with men and women who had been detailed there from the library staff under expert advice. They were all by this time well trained with the tools of operation of their project and now with all the experience at their command they are fired. What is the reason in back of it all? Among those who were discharged are those persons who have two, three, four and five dependents and from cases of worthy and needy families. This is contrary to the policy of the W. P. A., which, I am informed, would first let the less needy go and keep all the worthy cases that were apt to apply for welfare assistance on the rolls as long as possible. When these persons who were discharged made inquiry as to why they were let go they received the reply of "inefficiency." Inefficient, why? Because they had been working on the project under experts in the work of indexing and reclassification for a period from one year to two and a half years? Inefficient, why? Because some had from two to five dependents? Inefficient, why? Because some had been college graduates holding several degrees? Inefficient, why? Because some belong to a political party other than that of the present administration? Inefficient, why? Because of racial discrimination? Inefficient, why? Because persons on nonrelief are kept on the job and those who will have to apply for welfare are let go? It is a sad commentary when acts of this nature are exercised against poor and needy individuals in the matter of dole being given to the persons working on the W. P. A. In the matter of employment I say it shouldn't make any difference to what race or creed a person belongs to who

is seeking work or who is at work under the W. P. A. so long as it is a worthy case. It should also not make any difference as to what political party one is affiliated with; even if the person is an alien he or she should be given the same consideration, and the most worthy and deserving cases should receive preference and not be discharged because of certain racial denomination. I hate to believe that the discharge of the people on this project was aimed at racial discrimination against the persons of Jewish faith. Why were 178 persons discharged from this project with about 60 per cent of one racial group? What is the explanation for it all? Where are these persons who were discharged and their families going to turn to carry on? There is only one place and that is to apply for welfare aid to swell the rolls that are now taxing the city with an enormous burden in its operations. Think it over, gentlemen. Here we will have people applying for aid and there is still \$600,000 unexpended on the project that was allocated for the work. I have already sent communications to President Roosevelt, Federal Relief Administrator Harry L. Hopkins, State Administrator Paul Edwards and Col. Thomas F. Sullivan to conduct an immediate investigation into the wholesale discharge of the persons who were let go on May 18 from this library project, and so that we may learn just what is back of it all. I demand the dismissal of Supervisor Boltz who has demonstrated racial prejudice. I further request the immediate reinstatement of those persons discharged in order that justice may be met.

(Applause from the galleries.)

President FITZGERALD—The Chair must remind those in the galleries that demonstrations are not permitted.

Coun. BRACKMAN—Mr. President, I am very glad that my colleague has brought the matter before the Council at this time. I would be the last man in the Council at any time to raise the question of racial prejudice, but it cuts me to the bone to see some of these supervisors who until recently were walking the streets of Boston with nothing to do, who by the grace of God have received positions under the W. P. A., who now exercise the opportunity that is given them to show racial bigotry and prejudice. It is not American. Those are not the kind of people we want handing out charity from our relief rolls today, and I hope those in charge, particularly Mr. Edwards, will investigate those who have been let go, and the reasons for it, so that some action may be taken in the matter.

Coun. AGNEW—Mr. President, during the last week I have been interviewed by a number of employees who were on the library project, and I have formed the opinion that there are reasons for the discharges of people on that project which should be investigated. At the present time I understand that the discharges are under investigation by Colonel Sullivan. I happened to contact various people last week regarding these discharges, and I understand that at the present time the whole thing is up in the air. I am going to ask you to send word to Colonel Sullivan to appear before the Council this afternoon in executive session and inform us what action is being taken on that project.

The order was referred to the Executive Committee.

RECESS.

On motion of Coun. ROBERTS the Council voted, at 3.32 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 FITZGERALD at 4.25 p. m.

ADDITIONAL HOUSING FOR CITY DEPARTMENTS.

President FITZGERALD submitted the following:

May 25, 1936.

To the Honorable City Council,
Boston, Massachusetts.

Gentlemen:

Ordered by the City Council April 27, 1936, that a Special Committee, to consist of five members of the City Council, be appointed to make a study and investigation as to the advisability

of the city acquiring additional land or buildings in the vicinity of the present City Hall for the purpose of housing the departments now occupying rented quarters.

Acting upon this authority your committee interviewed departmental heads and otherwise made a thorough survey of the subject involved and begs to submit the following facts:

For several years the City of Boston has had under consideration a new City Hall. Plans were made, and different locations suggested. One plan urged removal to an uptown location, but business interests in the downtown area strongly opposed the idea, and it was abandoned. Unquestionably the present site of city administration buildings is ideal for the reason that they are easily accessible to the real heart of business activity, banks, court house, State House, and travel points.

About a year ago new plans were made for a City Hall on the site of the present structure, substantially covering the entire lot fronting on School street. An appropriation was made and plans prepared. Negotiations were then started with Federal authorities for a grant to aid in the construction. His Honor the Mayor visited Washington and laid the plans before the proper authorities in the Capitol and strongly urged Federal financial support. Federal representatives appeared here in Boston to investigate the whole matter, but the ultimate result was negligible. The grant was refused. Therefore a new City Hall seems out of the question. This statement is supported in testimony before the committee by Major Roswell G. Hall, Building Commissioner, who, in response to the question of Councilor Gallagher, "But a new City Hall is out of the question, in your opinion?" Answer: "We are not going to get it, in my opinion."

The committee further examined into the present condition in so far as space and accommodations are concerned in the different departments in and out of city owned buildings. To summarize its findings briefly, the committee has found this general complaint: "The present facilities are inadequate and over-crowding exists."

Under present existing conditions it was determined that the city is paying for permanent outside space, per year, a substantial rent, estimated by Building Commissioner Hall at \$71,220 for 73,000 square feet. This rental payment has been going on for a number of years.

The committee has approached this situation from both an economical and coordinating point of view, and it is of the opinion that it would be desirable for the city to acquire quarters convenient to the present city buildings. With this idea in view, your committee has investigated buildings in the vicinity, the Houghton & Dutton Building at Beacon and Tremont streets, and the Young's Hotel property on Court street and Court square, directly opposite City Hall Annex. After an exhaustive investigation the committee has decided that the Young's Hotel property can be arranged to meet all requirements in a more satisfactory manner than any other submitted, taking into consideration the great convenience of having a building substantially adjoining the present City Hall.

The Young's Hotel property was occupied by the Federal Government during the construction of the new Federal Building, and was arranged to meet its requirements. These specifications are substantially what would meet the requirements of the city at the present time with the exception of a few alterations which can be done at a very moderate expense. The Government paid a rental of \$110,000 per year.

We understand the present owners would sell this property to the city on the basis of a rental or payment of \$36,000 per year for a period of fifteen years, totalling \$540,000, at a low rate of interest. The property would be deeded to the city outright, and merely pay for it on a rental basis plan.

After the property has been made suitable for the city to occupy, it could then alter the old City Hall, which is now in a very dangerous state, according to the report of the Building Commissioner and other department officials.

An additional economy would be that the Young's Hotel property can be heated from the present heating plant of the City Hall Annex.

A physical connection can be made with the Annex either underground, or by an arch, such as now connects City Hall proper and the Annex.

The committee also finds that the executive quarters of the Mayor are miserably cramped, and would suggest in the alterations of the City Hall that the old aldermanic chamber be renovated and made available for mayoral conferences, and whatever other purposes his Honor would require.

It would require too much valuable time of the City Council to read the complete testimony of department heads attached to this report. Therefore, in conclusion the committee is submitting brief abstracts of testimony given by department heads:

E. W. Roemer, Building Commissioner.

"Speaking strictly according to the Building Law, the structure is unsafe today. It should be overhauled and repaired immediately."

Commissioner Keeler, Health Department.

"There is not sufficient room. The quarters are cramped."

J. F. Doherty, City Collector.

"Very much overcrowded, and not only overcrowded now, but on account of the duties we will have to perform with the addition of more tax titles, which requires a multiplicity of work and expense, the department ought to have at least one third more space. I don't know how we are going to be able to function with the limited space there is there. As a matter of fact, I ought to have the entire floor."

Hilda H. Quirk, Registrar of Vital Statistics.

"Well, the space we have does not begin to answer our needs. Our over-crowded situation is a permanent one."

Charles H. Carey, Soldiers' Relief Commissioner.

"Our department is terribly crowded, people being almost on top of each other. People come in and have to tell their stories of their cases and there is no privacy at all."

Walter A. Murray, Acting Chairman of the Board of Statistics.

"We are overcrowded in our present quarters. There are many books, documents and records which are stored in the rooms of our department, placed in locations which are not ordinarily used for storage purposes. Further than that, the location of the Statistics Department has long been such that it is inaccessible to the average person or public employee, or official, and if it were placed in a more accessible location we feel that greater use would be made of its facilities."

Edward F. Kelly, Chairman of Board of Assessors.

"In my opinion it would be advantageous for the city to purchase the Young's Hotel property if it can be bought at the right price. Such a purchase would help to stabilize assessments in that area. This property was assessed in 1928 for \$1,500,000., and it is now assessed for \$1,013,000."

Roswell G. Hall, Commissioner of Public Buildings.

Question by Chairman Fitzgerald "Major, do you think this Council Committee should recommend that the city take over Young's Hotel? Of course the Houghton & Dutton building would be too much of a proposition, I suppose?"

Answer—"I don't know about it being too much of a proposition. You could use every inch of it, but it is not close enough to the Hall. As far as the two locations are concerned there is no comparison. If the city could get possession of Young's we could use the building to advantage, increasing the plant that runs the elevators and heats the two buildings now. We are badly overloaded in that respect at the present time. Our elevators take a lot of power and we have to hire power for the old building here from the Edison Company, for our plant is not adequate for lighting and heating both buildings and operating the elevators. Now, if Young's Hotel should be taken I would immediately ask that I be allowed to increase the size of the plant so as to operate both Young's Hotel and these two buildings together."

Question by Chairman Fitzgerald—"You will have to do something to your heating system any way?"

Answer—"Yes, sir. We will have to increase the size of the plant, have to spend some money on it. We don't want to but we will have to. But I could make the plant sufficient by a tunnel under Young's Hotel and light it, and operate it, and

operate these two buildings with it, which would be a very economical way to handle the matter. Young's Hotel of course, is right here, and we could connect it up with overhead passages right to the Annex."

In conclusion, in answering Chairman Fitzgerald's query "Any other questions of Mr. Hall? Have you anything further to say, Major?"

Answer—"No, except as far as I am concerned, I think it would be a splendid thing to take over Young's. I would like to see it done. I do not know what we would do if we were required to take care of every department here. We would not have space to take care of them all.

Question by Councilor Agnew—"You have been advocating this ever since you came into City Hall?"

Answer—"Not the purchase, but the use of it. Frankly, with every department in the city hollering for space, I don't see what we can do, unless additional accommodations are provided. We can't hire space, can't afford it."

The committee consider it advisable under all the circumstances to take over the Young's Hotel property if advantageous arrangements can be made, and recommend that this report and the testimony obtained be printed as a city document, and referred to his Honor the Mayor for such action as he may deem advisable.

For the Committee,
JOHN I. FITZGERALD, Chairman.

Coun. ROBERTS—Mr. President, I would like to say that, as, member of the committee, I could not attend any of the meetings of the committee. I have, however, read certain parts of the reported hearings, in which it appeared that, for substantially the same rental now paid by certain departments whose rent we are obliged to pay outside of City Hall, quarters of our own could be obtained which could be used for the same purpose, the rental also to be considered a part of the purchase price. This would seem to be a very advantageous arrangement. But the trouble, as I see it, with the present Young's Hotel, is that it would cost a good deal to put it in shape for the purposes intended. I have not gone into it at all, but I shall be glad to go along with the committee, subject to that reservation.

Coun. SHATTUCK—Mr. President, hearing that report at the present time, the price at which this property could be purchased has not been made altogether clear to me. If I understand correctly, it would be acquired under annual installments of \$36,000 over a period of fifteen or twenty years. Whether that would be the only price, or whether there would be capital stock that also would have to be paid for, was not clear to me.

President FITZGERALD—That was the figure submitted to the committee—that they would lease the property for the sum of \$36,000 annually for twenty years, and that the city would then own the property or that the city could make a cash offer for it, which would then be subject to consideration. However, our suggestion is simply that this be published as a document, and it can then be read and considered.

Coun. SHATTUCK—Well, I understand that that is the only proposition up to the present time, that there shall be an annual payment of \$36,000 for fifteen years, the title to pass at the end of that time, although I suppose it might be possible to make some other satisfactory agreement.

President FITZGERALD—Yes.

The report was accepted, and the report and the hearings ordered printed as a city document.

Coun. NORTON—Now, just where are we at?

President FITZGERALD—This is simply a recommendation, and the Mayor can submit his conclusions to the Council.

Coun. NORTON—Mr. President.—

Coun. PETER A. MURRAY—Mr. President, I raise a point of order, that the order has been passed.

Coun. NORTON—I simply wish to rise to a point of information. What opportunity will there be for the Council to have the benefit of the advice, for example, of the Boston Real Estate Exchange on this matter?

President FITZGERALD—Well, the Mayor has to send his conclusions to the Council.

EXECUTIVE COMMITTEE REPORTS.

Coun. GALLAGHER, 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.:

Anna M. Greene, Current Events Hall, May 23, Mary Magee, Highland Hall, June 5, Veronica R. Sheridan, Repertory Theatre, June 17, Mary Campbell, Jordan Hall, June 10, Edna V. Sheehan, Whitton Hall, June 11, Orin F. Gallagher, Mechanics Hall, June 3, Shirley Ruby, Shubert Theatre, June 2, Frances Barber, J. J. Williams Hall, May 28,—recommending that leave be granted under usual conditions.

Report accepted, leave granted under usual conditions.

2. Report on message of Mayor and order (referred today) authorizing acceptance of piano for Faneuil Hall from Massachusetts Department Sons of Union Veterans of the Civil War—that same ought to pass.

Report accepted, said order passed.

3. Report on annual budget (referred today)—recommending that same ought to pass.

The report was accepted, and the question came on the passage of the appropriation orders.

Coun. WILSON—Mr. President, I shall be very brief, because I realize that probably this year, as in many previous years, the proper arrangements have been made and the necessary votes will be available when the roll is called. But, in order that my own position in voting against this budget may be a matter of record, there are one or two items to which I wish to refer. I notice that the chairman of the committee repeated the inference that might be drawn from the Mayor's message as set forth in the *City Record* of May 9, to the effect that the budget represented a slash in the expense of running the City of Boston. Of course, the figures as I see them justify no such conclusion. The budget, as submitted by the Mayor, appears to me to be largely just a make-shift arrangement. We are permitted to figure the various departments on a hidden ball play. Even the procedure of previous years has not been followed, because in the years during which I have been a member of the Council, and in two of which I have been chairman of the Committee on Appropriations, according to my memory there have always been, besides the detailed figures of the original department estimate in one column and the allowances as submitted by the Mayor in another column, columns showing the figures for the previous three years. This year we do not even have that information, and at least one department head at a meeting at which I was present admitted that the figures submitted for his department were figures as long ago as November, 1935, since which time nothing further was done in regard to them. As the Budget Commissioner informed us in committee meeting, the City of Boston hid its head in the sand so far as any expected tunnel deficit this year is concerned, and, of course, there will be one. We are asked also to forget what the Public Works Commissioner, Mr. Carven, told us would be inevitable—namely, that the Water Division would show a deficit running from \$400,000 to \$500,000 this year. We are asked further in voting for this budget to accept the *prima facie* case that there has been a slash chiefly effected by making ourselves believe—the wish being father to the thought—that the Public Welfare expense this year will run to about \$8,175,000, and we are asked to believe that despite the Mayor's insistence in the *City Record* of May 9, in the message in which he considers the budget:

"In view of the continuing heavy demands for public welfare which the Federal Work Relief program has reduced only to a limited degree, it is improbable that a reduction in last year's tax rate can be accomplished unless the Commonwealth should enact legislation prior to the declaration of the rate, giving substantial relief to the municipalities of the Commonwealth."

And yet we have the administration telling us of hopes for a substantial reduction this year in this most important item of the budget in the face of that statement and of an allowance last year of \$11,162,000-odd and an actual expenditure of \$11,924,000-odd. I suppose, of course, some members of the Council will hide behind the Mayor, who has recently been referred to as a big man in a big place. However that may be, he is not big enough to hide behind so far as the taxpayers of the City of Boston are concerned, and I certainly do not want to be put on record

as one of doubtful mentality by endeavoring to cheat the public into thinking that the budget we are voting on today is a slash, or even a fair attempt at producing such a budget as we should have in these hard times. I want to be put on record as saying this year that we have set up here before us a budget, by the administration of the City of Boston, something that simply represents so much window dressing. We have a budget that is not comparable with the budget figures of previous years. It is not a budget on which we even have a report of the Finance Commission, because, for the first time in my memory, it was not even submitted to that commission for a report. We have no figures from other agencies of the City of Boston. We are simply asked to vote on a budget that is guesswork at best, and I cannot help thinking of the words of one of the councilors who, in endeavoring to defend the Mayor, asked the members whether they would wish to live in Chicago or in Columbus, Ohio; to which, of course, the obvious response is that if we continue in the way in which we are going we will soon find ourselves in the unfortunate position of Chicago and of Columbus, Ohio, without even expressing the wish. In regard to the city employees, of course I am aware that the perfect cry against any man voting against the budget is that he is attacking city employees, and that the only way to cut the budget is to reduce salaries and fire employees. But I wish to say there are other items which could be eliminated or reduced without touching city employees. In that connection I might refer to raises in the Mayor's office—and God bless them for getting them! But that is one point that suggests itself, where there has been an increase. Also, what about reducing the number of the 80-odd constables? And let us remember, when we are talking about Chicago, Columbus and other cities, the history of Chicago, where school teachers worked for months without pay, and where in Chicago they had to resort to scrip and other devices with which to pay salaries of the city. Just as sure as there is a God in heaven, if we continue passing the kind of budget we do, borrowing large amounts of money to pay our current yearly expenses, as we have done for the last two or three years, the day will come when some Governor will place two or three men in charge of the affairs of the City of Boston, and the first thing those men will do will be to cut off the heads of 30 or 40 per cent of the city employees and slash the salaries of the 50 or 60 per cent left. So I agree with Councilor Norton of Hyde Park—as I do more often than I disagree with him—that members of the Council who vote with an eye to the economic safety of the City of Boston are the men who are saving the necks of the city employees, although they may not realize it at the time. I am inclined to the belief that more than one employee of the City of Boston knows that if we do go down in the wreckage of the depression, he may be among the first who will suffer; and then perhaps the employees of the city may look back to the day when the minority members of the Council had the courage and foresight to vote against such a fake budget as we have before us today.

Coun. GALLAGHER—Mr. President, for eight years I have sat here and listened annually to such discussions as we have heard today and with considerable respect for what has been said on both sides. But, Mr. President, what is there that we can do to reduce the budget? The budget was sent in to us about three weeks ago involving appropriations for city departments aggregating \$38,000,000 and containing something like 3,300 items. We have not had the time to go over the budget in a businesslike way. There is not a man sitting in the body who is not in favor of reducing the budget if it can be consistently done. This body will be held responsible, but that is not fair. We have not had sufficient time. I want to reduce the budget, and I want to praise Councilor Norton for the stand he has taken in the last eight years. I would be glad to see his efforts bear fruit. But what are we going to do with this budget? We are told that unless we pass it on or before June 1st city departments will cease to function. You talk about reducing the budget by \$1,000,000. I would be willing to do that if I could give sufficient time to go over the thing and see where, if possible, reductions might be made. But how can we do it in such a short time, dealing with lump-sum figures? Now, gentlemen,

let us be fair. This budget was sent in here for us to pass after three weeks' investigation. Have we had the time we should have? If we were business men and a \$38,000,000 proposition were put up to us, do we think we would pass on it in three weeks? I am of the opinion that the citizens of Boston, together with the city employees, must get together on this matter. I heard some applause from the gallery this afternoon in response to one of the councilors' thoughts. I venture to say that 99 per cent of those applauding have been anxious to get an increase of pay or to have a job, the result of which would be to increase the budget or help to keep it of its present size. So what are we going to do? I have had the pleasure of sitting here with these men and am of the opinion that they are strictly honest, and I know that their opinions have been helpful. So let some of these men, let the citizens of Boston, get together and help on this matter. It has been suggested that we are paying out more money at the present than we have for some little time. Of course, our city, like every city, is disturbed about its finances. But there is nothing for us to do, as far as I can see, until something is presented in this body, something constructive, that will be of some real help as regards cutting the budget.

Coun. NORTON—Would an amendment be in order to pass the budget for six months, say from January to June?

President FITZGERALD—No, that would be out of order.

Coun. NORTON—We must pass it as it is?

President FITZGERALD—Or reduce it.

Coun. SHATTUCK—Mr. President, it seems to me the members of the committee have given one of the best arguments this afternoon for sending the budget back to the Mayor. The last speaker says that there are 3,300 items and that there has been no opportunity to study them. He admits that undoubtedly there are many that ought to be reduced. Well, let the Mayor do it. That is his business. He has a staff and a lot of clerks. Let him do it, and take the responsibility. Let him do the work right, and then send the budget back to us.

Coun. GALLAGHER—Mr. President, if my memory serves me rightly I introduced an order several times that the Mayor, in going over the figures for the present year, invite the committee in to discuss them with him. But that was not done, and there is not time to do that now. Most of the departments on June 1st, if the budget is not passed, will be without their money. Now, I would like to see the budget and the tax rate reduced, and the only way to achieve that result is by cutting down our appropriations. I am of the opinion that the time is not far off when it will have to be done. But we have not had time to do it. The time for that is six months before the date of the passage of the budget. That might have been done if the Mayor had invited the committee in with him to go over the figures.

Coun. AGNEW—Mr. President, I would like to ask if the members of the City Council who criticize the budget would be willing to introduce an order asking that the budget pertaining to the salaries of city employees be reduced? Are they willing to stand on that platform? Why don't they come out in the open and say that the only way to reduce the budget is to cut the salaries of all city employees, and let them stand on an order that they will introduce to that effect?

Coun. McGRATH—Mr. President, in my speech I made a suggestion whereby we could cut \$300,000 from the budget, and I am not in favor of cutting any city employee. Stop the practice of allowing these less-than-\$1,000 contracts to the favored contractors. I think we could probably save \$100,000 there, and \$250,000 to \$300,000 on trucks that we don't need. Then there is the possible saving of \$12,000 on stamps in the Police Department, to which I have referred, and such items as the \$5,400 or \$5,500, at \$200 a week, paid to Farnham for his work on the Finance Commission, when he obtained certain information that he wanted in regard to Dolan. Then there was the matter of taking \$12,000 more out of the Reserve Fund, which I think is unconstitutional in view of what I have heard my brother Wilson say to the effect that we would have to have \$162,000 provided in the budget before we could make these loans. But the \$12,000 went through, making \$18,000 right there on the Dolan case. So there are those amounts which could readily be considered, with the \$200,000 or \$250,000 for trucks, and \$12,000 for stamps for the Police

Department. There is almost \$300,000 there. There is a suggestion. Cut out such items, and do not touch the city employees. But such orders as Councilor Norton introduces here do not tend to reduce our expenditures.

Coun. NORTON—Mr. President, I wonder if it would be possible to get the report made on this budget by one of the outstanding people in that line, Mr. Carleton F. Sharpe, who made a report on this budget. Where is it? I would like to know if we can get that report.

Coun. MELLEEN—Mr. President, I heartily agree with the chairman of the Committee on Appropriations with regard to action upon the budget, but I am going to ask the body to vote separately on the Charlestown Municipal Court budget, for this reason. There are two schools of thought in regard to the court situation over there in my district, one of which is that there has been no position vacated, because the Court's approval was not given to the promotion of the assistant clerk. Saturday afternoon, I understand, the Justice did approve of that promotion, thereby creating, even in his opinion, a vacancy in the position of clerical assistant and that would allow for the payment of salary to the clerical assistant appointed to fill the vacancy, except for the fact that in executive session the other day the representative of the Law Department said he tended toward the position, although he was not sure, that the clerical assistant had to be approved by the presiding judge. If that were so, it would leave Mr. Buckley in the same position that he was in before Mr. Flaherty became assistant clerk. In other words, there may be grounds for not paying Mr. Buckley even though the clerk appointed him clerical assistant, on account of the position of the representative of the Law Department, that he did not know whether the clerk had the right to appoint the clerical assistant without the approval of the judge. In the meantime there will be a pay day by the first of June, but in the meantime we will not know whether the Court will concur with the clerk in Mr. Buckley's appointment. Therefore, I am going to ask that the Charlestown Municipal Court appropriation be voted upon separately, and that it be reduced by 50 per cent.

President FITZGERALD—I would state that it seems to be plain, under the statute, that the clerk does have power to appoint the clerical assistants without the approval of the judge.

The budget, with the exception of the appropriation for the Charlestown Municipal Court, was passed, yeas 17, nays 4:

Yeas—Coun. Agnew, Brackman, Doherty, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Gleason, Kerrigan, Kilroy, McGurray, Mellen, George A. Murray, Peter A. Murray, Rosenberg, Selvittella, Tobin—17.

Nays—Coun. Norton, Roberts, Shattuck, Wilson—4.

The question then came on reducing the budget item for the Charlestown Municipal Court by 50 per cent.

Coun. SHATTUCK—Mr. President, I rise to a point of order. If reduction of the appropriation for the Charlestown Municipal Court by 50 per cent is in order, would not a motion for a reduction of 50 per cent in the entire budget be in order?

Coun. WILSON—We have just voted to pass the rest of the budget.

President FITZGERALD—The Chair will rule that the appropriation for the Charlestown Municipal Court may be reduced item by item.

Coun. AGNEW—I don't understand it in that way. I understand that the effect of the motion would be to give the Charlestown Municipal Court an appropriation for six months.

President FITZGERALD—That is out of order. The only thing you can do is reduce, and the Chair will say that if you should reduce that appropriation by 50 per cent there will be no money left for the Charlestown Municipal Court for the rest of the year. They have already used up practically 50 per cent, and will have to work without money until next November or December.

Coun. BRACKMAN—Mr. President, I don't know what the purpose of the councilor is in offering this motion. I just heard the motion to reduce the appropriation for the Charlestown Municipal Court 50 per cent.

Coun. MELLEEN—Mr. President, I shall be glad to explain it. Here was the situation that did exist over there. There was a vacancy created of assistant clerk. The procedure in filling was that the clerk appointed an assistant clerk, which

appointment, however, we were told should have the approval of the presiding justice. That approval was not given until last Saturday. But now that position has been filled. That meant if there is any ground for the possibility suggested by the Assistant Corporation Counsel, that the judge's approval may be necessary in the appointment of the clerical assistants, that there will be only one clerical assistant in the Charlestown Municipal Court. The judge now having approved, I understand, of the appointment of the assistant clerk, according to the general view, as I understand it, the clerk would have the right to himself appoint the clerical assistant. But if that position cannot be filled without the approval of the justice, also, there would be no vacancy and consequently the clerk could not put in the clerical assistant. As I say, I believe last Saturday morning the judge did approve of the assistant clerk, Mr. Flaherty, thereby creating a vacancy in the position of clerical assistant. Following the ordinary procedure the clerk could then appoint Mr. Buckley as clerical assistant, but there seems to be some doubt about that according to the opinion given by the Assistant Corporation Counsel to the committee, that there was possibly necessity of the justice approving the appointment to the position of clerical assistant. Therefore, there is still a question whether Mr. Buckley can draw pay, the thing still hangs in the air, and I am therefore asking that the Council hold up 50 per cent of the budget of the Charlestown Municipal Court; the reason being this, that between now and the first of June there is a pay day and on that day Mr. Buckley's name would naturally go on the pay roll signed by the clerk. If, however, there is any foundation for the feeling that the Court would have to approve of that appointment, Mr. Buckley might not get his pay. If the justice signed it, I am satisfied that Mr. Buckley will receive his pay; if not, the matter will have to go to Court. Therefore, I would like to have the appropriation for that court cut 50 per cent, until we see what the situation there is going to be.

Chairman FITZGERALD—The Chair would state that, as he understands, Mr. Buckley can be and has been appointed by the clerk, and that the approval of the Court for that appointment is not necessary.

Coun. MELLEN—Well, the representative of the Law Department was undecided the other day as to whether the appointment by the clerk of the clerical assistant, without the approval of the judge, was sufficient.

President FITZGERALD—Well, the Chair is not in doubt.

Coun. MELLEN—I understood it was a moot question whether the justice had to confirm the appointment of the clerical assistant by a clerk of the court.

Coun. BRACKMAN—Mr. President, I would suggest that the matter lie on the table for a week.

President FITZGERALD—No, we cannot do that. We have to pass it, because the tax rate has to be out the first of June, and I understand that there will not be sufficient money to run the court if this 50 per cent cut in this budget is made.

Coun. ROBERTS—Mr. President, it is a fact that, if we do reduce the budget of the Charlestown Court 50 per cent, the probation officers, judge and other attendants of the court would go without the salaries provided by law?

President FITZGERALD—I will say that that is so. The question comes on Councilor Mellen's motion.

Coun. AGNEW—I would like to have the Chair explain so that the members can understand what predicament the Charlestown Court would be in if we accept Councilor Mellen's motion, just what the situation is. Of course, we understand Councilor Mellen's point, but I don't think we would want to penalize the other employees of the court.

President FITZGERALD—If we should refuse this appropriation by 50 per cent, there would be no money for the employees of the court until November or December.

Coun. MELLEN—Of course, I don't want to inflict any hardship on the employees of the court, but I understand that if before the next pay day the judge does not sign Mr. Buckley's name on the pay roll Mr. Buckley cannot get his money. The others, however, can get theirs by attachment of funds, can they not?

President FITZGERALD—I would say that the clerk of the court has full power to appoint the clerical assistant, Mr. Buckley, and that he

has already appointed Mr. Buckley. It seems to me that that settles the matter.

Coun. MELLEN—Well, that is not the point as I see it. The Law Department are not clear as to the absoluteness of the clerk's power in the matter, thinking that it may rest with the presiding justice.

President FITZGERALD—It is not an undecided question. It is a question that has been decided in the past, and the clerk does have the power to appoint the clerical assistant.

Coun. MELLEN—If in your opinion, Mr. President, there is no danger of Mr. Buckley not being paid, I withdraw that motion.

The appropriation for the Charlestown Municipal Court was passed as submitted, yeas 20, nays 0.

4. Report on order (referred today) that Mayor confer with State W. P. A. Administrator to bring about reinstatement of W. P. A. workers discharged from Library project—that same ought to pass.

Report accepted, said order passed.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. PETER A. MURRAY, for the Committee on Jitney Licenses, submitted the following:

Report on order petition (referred April 6) of Boston Elevated Railway to run motor vehicles between Columbia Station and Franklin Park Station—recommending that leave be granted.

Report accepted, leave granted under usual conditions.

CONFIRMATION OF CONSTABLES.

Coun. AGNEW—Mr. President, for the Committee on Constables, I would call up, under unfinished business, No. 2 on the calendar, the name of Thomas Cannizzaro, appointed by the Mayor on April 13, 1936, as a constable authorized to serve civil process upon filing bond.

The question came on confirmation of the appointment of Thomas Cannizzaro. Committee, Coun. Gallagher and Mellen. Whole number of ballots 19, yes 19, and the appointment was confirmed.

ADDITIONAL ALLOWANCE TO WELFARE RECIPIENTS FOR COAL AND OIL.

Coun. FINLEY offered the following:

Ordered, That the Overseers of the Public Welfare Department be requested, through his Honor the Mayor, to eliminate future contracts for the supply of coal and fuel oil to welfare recipients, and to substitute therefor a sufficient additional allowance in the budget of said recipients to permit of the individual purchase of coal and oil for their needs.

Coun. FINLEY—Mr. President, I have introduced this order at this time as a means of preventing any further agitation with regard to coal and oil furnished to welfare recipients. I have been informed by men who are more versed in social service work in the city and state for a great many years than I am, that unless our present system is changed, we will always continue to have this same agitation. Anybody who has had experience with the way in which coal and oil have been furnished to the welfare recipients for some time knows something about the short weight and poor quality of coal furnished. At the present time in our city the welfare recipients are paid an allowance for food, light and rent, with the distinct understanding that the money furnished them shall be used for such purposes as in the opinion of well informed men there is no good reason why in cold weather a sufficient allotment cannot be made for these welfare recipients to buy their coal and oil in the same manner. I believe it would be an effective remedy, once and for all preventing further agitation and the smirching of some honorable men which we have recently witnessed in connection with this matter.

The order was referred to the Committee on Public Welfare.

JOYCE KILMER PARK.

Coun. FINLEY offered the following:
 Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to name the Recreational Park on Centre street, West Roxbury, opposite the Veterans of Foreign Wars Highway, the "Joyce Kilmer Park," in honor of America's Soldier Poet of that name.

Coun. FINLEY—Mr. President, the particular park referred to is located on Centre street, directly opposite the Veterans of Foreign Wars Highway, and adjacent to the Arnold Arboretum. It is an ideal spot for a recreational park and will be a fine addition to our playgrounds when it is completed under the supervision of Mr. Long of the Park Department. I think it very appropriate that we should name the park after Joyce Kilmer, the great American soldier and poet, and I am offering the order at the suggestion of the Joyce Kilmer Legion Post.

The order was passed under suspension of the rule.

WEIS-PENTZ SQUARE.

Coun. WILSON offered the following:
 Ordered, That the space at the intersection of Washington and Fairmount streets, Dorchester, be named Weis-Pentz square, in honor of John Frederick Weis and Virgil Carpenter Pentz, two veterans of the World War, who lost their lives in the service of their country.

Coun. WILSON—Mr. President, this order is offered at this time at the request of the Thomas J. Roberts Post of the American Legion. It is their suggestion that this particular square be given this double name in honor of these Dorchester boys both of whom were killed in the World War, and the Park Department can have two gold stars at the single location.

The order was passed under suspension of the rule.

OLD HARBOR POINT TERMINAL.

Coun. WILSON offered the following:
 Resolved, That the City Council of Boston strongly approves the proposed plan for the construction of a dock and the creation of a ship terminal at Old Harbor Point, in Dorchester.

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

Coun. WILSON—Well, Mr. President, I would ask for a roll call on that.

President FITZGERALD—This is a matter with which the Council has nothing directly to do, and under the rules it must be referred to the Committee on Rules. You are on that committee and can take care of it.

Coun. WILSON—I will take your suggestion, Mr. President. The Council has already voted affirmatively on the same subject. We will try to have it in next Monday, as it is getting late today.

PROHIBITION OF AUTO PARKING,
GALLIVAN BOULEVARD.

Coun. McGRATH offered the following:
 Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to prohibit the parking of automobiles on both sides of Gallivan Boulevard, between Adams street and Cushing Hill road, Ward 16.

Passed under suspension of the rule.

PERSONS LAID OFF FROM W. P. A.

Coun. BRACKMAN offered the following:
 Ordered, That his Honor the Mayor be requested to request the Governor of the Commonwealth to absorb as soon as possible into P. W. A. those persons laid off from W. P. A. in Boston.

Coun. BRACKMAN—Mr. President, there have been a great number laid off under W. P. A., and I understand from Colonel Sullivan that we have the unfortunate news that on Friday more will be laid off. We have no more W. P. A. projects in Boston, and the only hope for those working on W. P. A. in Boston is to be absorbed in some of the state P. W. A. projects. I am therefore urging the Mayor, as quickly as he can, to take the action suggested, with a view to having the men laid off here under W. P. A. absorbed into the P. W. A.

LIGHTING FACILITIES, WARD 14.

Coun. ROSENBERG offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install better lighting facilities at the intersection of Columbia road and Ceylon street, Ward 14, for the protection and safety of the hundreds of children who go to the Ceylon Street Playground for recreation, which is in this immediate vicinity.

Passed under suspension of the rule.

NATIONAL PUBLIC PARKS CHAMPIONSHIP TENNIS TOURNAMENT.

Coun. ROSENBERG offered the following:
 Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to reconsider their action in canceling the staging of the National Public Parks Championship Tennis Tournament in Boston during this coming August.

Coun. ROSENBERG—Mr. President, I shall be very brief. This order requests the Park Commission, through his Honor the Mayor, to reconsider its action in canceling the staging of the National Public Parks Championship Tennis Tournament in Boston during this coming August. On several occasions I have written and asked the Park Commissioner to stage this tournament on Franklin Field. There has been a lot of bickering back and forth in connection with the Harvard Stadium and otherwise, and after talk with the director—

Coun. PETER A. MURRAY—Mr. President, I doubt the presence of a quorum.

President FITZGERALD—The Chair will rule that a quorum is present.

Coun. ROSENBERG—Mr. President, Boston being the sixth largest city in the country, it seems strange that we cannot stage this tennis tournament of the National Public Parks Association in Boston. I would call attention to the fact that for many years our Park Commissioner and the Mayor have been inviting the tournament to come here, and it seems now that we have to turn it back—

Coun. PETER A. MURRAY—Mr. President, I still doubt the presence of a quorum, and I would ask for a roll call.

(A roll call showed that a quorum was in attendance.)

Coun. ROSENBERG—It seems too bad that now it should be turned back, after all the efforts that have been made. I understand that the President of the National Public Parks Tennis Tournament is the Park Commissioner of the city of Buffalo. It does seem, after going out and inviting this tournament to come to Boston, that something should be done to have it staged on Franklin Field, which is accessible and can be used for that purpose. I therefore ask for reconsideration of the action canceling the staging of the tournament here during this coming August, so that the matter may be referred to the Committee on Parks and Playgrounds, and efforts may be made to find ways and means of having that tournament in Boston.

The order was referred to the Committee on Parks and Playgrounds.

Adjourned, on motion of Coun. MELLEEN, at 5.23 p. m., to meet on Monday, June 1, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 1, 1936.

Regular meeting of City Council in Council Chamber, City Hall, at 2 p. m., Coun. GALLAGHER presiding in the absence of President Fitzgerald. Absent, Coun. John I. Fitzgerald and Wilson.

JURORS DRAWN.

Jurors were drawn under the law, Coun. KERIGAN presiding at the box in the absence of the Mayor, as follows:

Twenty-two Grand Jurors, Superior Criminal Court, to appear July 6, 1936:

Fred Mainiero, Ward 1; Thomas F. Nevins, Ward 3; Clifford W. Sears, Ward 4; Adolph Huber, Ward 7; James P. Roche, Ward 8; Angus H. MacDonald, Ward 9; Albert A. Governor, Ward 11; Arthur O. Peterson, Ward 11; Max Gilbert, Ward 14; Louis Silverman, Ward 14; Joseph J. Cannon, Ward 17; Ralph Lazerson, Ward 17; John A. MacGillivray, Ward 17; John F. Flynn, Ward 18; Gustave I. Brauner, Ward 19; Edward Nelson, Ward 20; James Campbell, Ward 21. Bartholomew LeLacheur, Ward 21; Charles W. Somes, Ward 21; Thomas Boyle, Ward 22; Joseph T. Donovan, Ward 22; William J. Southwell, Ward 22.

Sixty traverse jurors, Superior Criminal Court, to appear July 6, 1936:

Emery M. Davenport, Ward 1; John A. Farley, Ward 1; John Ferri, Ward 1; Bernard C. Gallo, Ward 1; Daniel J. Kelly, Ward 1; Henry Martinelli, Ward 1; George F. McInnis, Ward 1; Thomas R. Rawson, Ward 1; Frank G. Roome, Ward 1; Salin M. Ayoub, Ward 3; Antonio DiBiasi, Ward 3; Anthony Russo, Ward 3; Philip R. Allston, Ward 4; Frank M. Bell, Ward 4; Frank N. Mosher, Ward 4; Walter M. Robbins, Ward 4; Edwin J. Keyes, Ward 5; Frank L. Sanderson, Ward 5; Harry M. Whitney, Ward 5; Frank J. Barry, Ward 6; William H. Doyle, Ward 6; Louis Hakensen, Ward 6; Henry A. Menslage, Ward 6; Joseph P. Fitzpatrick, Ward 7; Albert W. Ziegler, Ward 7; Walter E. Brown, Ward 8; Robert H. Smith, Ward 9; Patrick Connolly, Ward 10; Frederick Dold, Ward 10; Frank A. Hudlin, Ward 10; Thomas J. O'Brien, Ward 10; Albert A. Peterson, Ward 10; Joseph Blacher, Ward 11; John E. Bowden, Ward 11; John W. Hartnett, Ward 11; Johan G. Oberg, Ward 11; Otis C. Kelley, Ward 12; John D. Lyons, Ward 13; Charles J. Nissen, Ward 13; William H. Ibach, Ward 15; Charles J. Little, Ward 15; Frank P. Taylor, Ward 16; George S. Ward, Ward 16; Clarence D. Crosby, Ward 17; Wesley G. Ross, Ward 17; George Baker, Ward 18; Arthur H. Brennan, Ward 18; George C. Greenwood, Ward 18; Thomas E. Keefe, Ward 18; Arthur P. Schumann, Ward 18; S. Otto Svenson, Ward 18; Arthur Wood, Ward 18; Percy E. Chellis, Ward 20; Edward F. Graham, Ward 20; William F. Law, Ward 20; Fred E. Ringer, Ward 21; Richard J. Fleming, Ward 22; William B. Jackson, Ward 22; Albert J. McNamara, Ward 22; Arthur L. Rankin, Ward 22.

ADDITIONAL BUILDING, CITY HALL.

The following was received:

City of Boston,
Office of the Mayor, May 27, 1936.

To the City Council.
Gentlemen,—I acknowledge receipt of a report of a committee of your Honorable Body, which was accepted on May 25, 1936, in which the committee recites that it "has

decided that the Young's Hotel property can be arranged to meet all requirements in a more satisfactory manner than any other submitted, taking into consideration the great convenience of having a building substantially adjoining the present City Hall." The report also states that it is the understanding of the committee that this property could be purchased on a rental basis plan of \$36,000 per year for a period of fifteen years, totaling \$540,000, plus a low rate of interest, the property to be deeded to the city outright.

The report does not specifically recommend that the Young's Hotel property be purchased, and it is simply referred to the Mayor "for such action as he may deem advisable."

In reference to this matter of obtaining larger quarters and some relief from conditions as they exist, I beg to say that the plan of purchasing Young's Hotel, on the terms suggested by the committee, has been before me for a long period of time. The proposal is not new.

Undoubtedly we do need a new City Hall which would be modern in every respect, affording ample room for all city departments and for reasonable expansion and, in my opinion, preferably erected upon the site of the present building. But the city cannot afford to build a new City Hall at the present time and it was rejected as a Federal project because the Washington authorities thought that it could not be completed within the time allotted by them.

But I am not at all certain that the next best thing is to purchase the old Young's Hotel property. The present City Hall is cramped, gloomy, antiquated and in a very dangerous condition, a description which would apply equally as well to the Young's Hotel building and I doubt if the proper solution of our problem would be to add another group of obsolete buildings to our present City Hall. But if that were the proper solution I doubt very much if the Young's Hotel property would be a bargain under the financial plan mentioned in your committee's report. That the buildings are close to the present City Hall and Annex is about the only consideration that makes the project at all feasible or attractive and there are many reasons why the project is not feasible at this time. Thus, in order to purchase this property, as suggested by your committee, it would be necessary to raise about \$165,000 by taxes because of the law which requires that an amount equivalent to 10 cents on every one thousand dollars of the assessed valuation of the city of the previous year be raised by taxation. The balance of \$375,000 would have to be borrowed and that would add to the bonded debt of the city. The cost of repairs and alterations, connecting the Annex with the Young's Hotel building by a tunnel and an arch and all the extras not now foreseen but which seem inevitably to accompany every city contract, would amount to a substantial sum.

In addition to this, the city now has a tax title to the Young's Hotel property dating from August, 1934, which will become absolutely vested in the city in August, 1936. The amount owed to the city for taxes, interest and costs by the owners of this property is now about \$105,000, about which nothing is said in the recommendation of your committee. Nor is anything said about current taxes while the fifteen-year period is running. If the owners were to accept from the city \$36,000 per year for rent and pay back to the city each year the current taxes at the present assessed values the difference would be \$96,000 which would be the next return to the owners during that period of time; and as pointed out above that would be wiped out entirely if the amount owed now on back taxes were to be deducted from the purchase price. But the owners do not propose to pay the taxes during the fifteen-year term. And it is their plan to have the city assume the taxes during that period. Thus we would be paying \$36,000 a year rent plus the loss of \$29,600 in taxes each year or a total of about \$65,600 per year, plus bond interest.

And finally, if the property were purchased and all the alterations made, instead of having a City Hall we would have a grotesque crazy-quilt patchwork of a municipal building in which the average Boston citizen would probably find it easy to get lost.

I am aware of the argument about the saving of money now paid for rent but when the whole situation is analyzed, as I have attempted to do above, I think your Honorable Body will agree with me that the purchase of this property under this financial plan at the present time, when we need to practice at least reasonable economy, is not feasible or practical.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

APPOINTMENT BY THE MAYOR.

Subject to confirmation by the Council the following appointment was received from the Mayor, viz.:

Weighter of Coal: Martha E. Mathiasen, 29 Burmah street, Mattapan.

Laid over a week under the law.

LIFEGUARDS AT SOUTH BOSTON BEACHES.

The following was received:

City of Boston,
Office of the Mayor, May 29, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of May 18, 1936, concerning the appointment of a sufficient number of lifeguards for the adequate protection of bathers using the South Boston beaches during the coming season.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department May 27, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of May 25, with inclosure, order from the City Council that the Park Department make arrangements for the appointment of a sufficient number of lifeguards for the adequate protection of bathers using the South Boston beaches during the coming season.

Please be assured the department is doing everything possible to obtain the proper number of lifeguards, and a project has been forwarded to the Federal Government to increase the number over last year.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

AUTOPSY ON MRS. SARAH E. FORD.

The following was received:

City of Boston,
Office of the Mayor, May 29, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter and reports from the Superintendent of the Hospital Department relative to your order of May 11, 1936, concerning the investigation of the circumstances surrounding the autopsy performed on Mrs. Sarah E. Ford, late of Boston, who died at the institution on April 23, 1936.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Hospital Department, May 20, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—I have received a notice from the City Council relative to investigat-

ing the circumstances surrounding the autopsy performed on Mrs. Sarah E. Ford, late of Boston, who died at the hospital on April 23, 1936.

I am inclosing herewith reports from Dr. F. Parker, Jr., pathologist, Dr. W. E. Patton, house officer on the III Medical Service, and Miss Ruth Church, record librarian. I believe that these reports explain the entire matter.

Yours sincerely,
JAMES W. MANARY, M. D.,
Superintendent.

The Boston City Hospital,
Boston, May 18, 1936.

Doctor Manary,
Supt. Boston City Hospital.

Dear Doctor,—Since difficulties have arisen concerning the permission for autopsy on the body of Elizabeth Holt, I am writing you to explain the actions taken by me in obtaining said permission.

Elizabeth Holt, a fifty-year old colored female, was admitted to the service April 15, 1936, in an irrational condition. Admission diagnosis was TBC pneumonia and questionable TBC meningitis. Patient stayed on Med. 4 for nine days, during which time her course was steadily downward. She expired on April 23, 1936. Because of X-ray findings, discharge diagnosis was lobar pneumonia, right upper lobe.

On the morning after the patient's death I obtained the address of her nearest relative from the admission slip, which was given as Leon Holt, husband, of 45 Irving street, Boston. The same address was listed for the patient.

I visited Mr. Holt, whom I found with a man who stated that he was a brother of the patient. Mr. Holt expressed his willingness that an autopsy should be performed. When the patient's brother was asked for his opinion on the matter he declined to make a statement. The permission for autopsy was signed in the presence of the brother by Mr. Holt and witnessed by me.

During the following afternoon I received a call from the man whom I recognized as the one who had represented himself as the patient's brother on the preceding morning. He stated that Leon Holt was no relation of Elizabeth Holt, and that he, the brother, was the nearest living relative. He stated that he did not wish the autopsy to be performed. The pathologists were notified and the autopsy was interrupted.

I shall be willing to discuss the matter with you at any time you wish.

Yours sincerely,
W. E. PATTON, M. D.,
Senior, 3 Medical Service.

Mallory Institute of Pathology,
Boston City Hospital,
Boston, Mass., May 18, 1936.

Dr. C. H. Pelton,
Boston City Hospital, Boston.

Dear Dr. Pelton,—In regard to the question of an autopsy on the patient Sarah E. Ford, who was admitted under the name of Elizabeth Holt, the following are the facts as far as our department is concerned:

Permission for an autopsy was signed by a man posing as her husband, but her brother objected to this permission. In the meantime, the body had been put on the table and the usual skin incision made. However, nothing further was done since we were notified of her brother's objection to the autopsy. Mr. Preston, manager of W. H. Graham, Inc., the undertakers, examined the body and observed that merely a skin incision had been made and no autopsy performed. A doctor called in by the brother made this same observation.

If there is any further information I can give you, please let me know.

Sincerely yours,
F. PARKER, JR., M. D.

Placed on file.

IDENTIFICATION CARDS OF UTILITY EMPLOYEES.

The following was received:
 City of Boston,
 Office of the Mayor, May 29, 1936.
 To the City Council.

Gentlemen,—I transmit herewith a letter from the Corporation Counsel relative to your order of May 4, 1936, concerning the inclusion of a small photograph on the identification cards of employees of the New England Telephone and Telegraph Company, the Boston Consolidated Gas Company and the Edison Electric Illuminating Company of Boston, who are sent out to visit private premises, and also that water-meter readers from the Water Division of the Public Works Department be provided with such proper identification.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Law Department, May 19, 1936.
 Hon. Frederick W. Mansfield,
 Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from your office dated May 7, 1936, with which was submitted the following order passed by the City Council on May 4, 1936,—

“Ordered, That the officials of the New England Telephone and Telegraph Company and also the officials of the Boston Consolidated Gas Company and also officials of the Edison Electric Illuminating Company of Boston, through his Honor the Mayor, be respectfully requested to provide for the including of a small photograph on the identification cards of such of their employees as are sent out to visit private premises, and also that water-meter readers from the Water Division of the Public Works Department be provided with such proper identification.”

This order was introduced by Councilor Wilson, who made the following statement in introducing it:

“Mr. President, I think this is a request that, upon being made by the Chief Executive of the City of Boston to the officials of these public service corporations, and also to the head of the Public Works Department, will no doubt receive a proper response. I have in mind the fact that we have repeated instances, especially in the residential sections of the city, where sneak thieves, or other small operators, will flash a handful of papers, claiming to represent the Gas Company, the Edison Company, the Telephone Company or to be water-meter readers, passing themselves off for meter readers or something of the sort and, having obtained access to the premises, steal property that they may see lying around. It seems to me this is a reasonable precaution for the Telephone Company, the Consolidated Gas Company and the Edison Company, as well as for the Water Division of the Public Works Department, with its meter readers. I feel that there will be no reasonable objection anywhere to this request for proper identification.”

While the latter part of the order with reference to the identification of water-meter readers is somewhat ambiguous in language, and might be interpreted to be intended as an ordinance, it is clear from the order as a whole and from the statements of the councilor introducing the order that, properly construed, the provisions of the order, with regard to the identification of water-meter readers, were not so intended and that, therefore, you are not obligated to act with reference to said order to prevent its becoming effective, even if you disapprove it.

Mr. McMurry, Division Engineer, in charge of the Water Income Division of the Public Works Department, has advised this office that all meter readers employed by that division wear badges bearing the seal of the city, each of which badges bears an individual number, and that both he and Commissioner Carven are of the opinion that these badges are sufficient for identification purposes and that complaints are negligible. He also has

expressly stated that, both in his opinion and in that of Mr. Carven, identification cards with photographs attached are unnecessary.

Conferences with representatives of the Boston Consolidated Gas Company, the New England Telephone and Telegraph Company and the Edison Electric Illuminating Company, the three utility corporations referred to in the above quoted order, indicate that the following precautions are now taken by those companies for purposes of identification:

All meter readers of the Boston Consolidated Gas Company wear complete distinctive uniforms, with the insignia of the company on the coat and a badge of the company on the hat; collectors carry badges of the company and until a year or so ago, carried identification cards with photographs, but the experience with photographs was so unsatisfactory that the practice was discontinued; service men wear caps with badges on the caps; street foremen wear badges on their coats and salesmen and house servicing female employees have identification cards and in some cases badges. The badges of the company are of a rather elaborate nature, distinctively enameled and numbered and it is said that they “cannot be duplicated.”

All persons employed by the New England Telephone and Telegraph Company who are sent out by the company to visit private premises wear a numbered badge of the company with a blue bell enameled upon it.

All meter readers of the Edison Electric Illuminating Company wear uniforms with badges of the company, and all employees, whether employed inside or outside, have identification cards to which are attached photographs of the persons to whom the cards are assigned with the seal of the company impressed on the corner of the photograph, the card containing the signature of the employee.

In view of the technique for identification employed by the Water Income Division, and the advice of Messrs. McMurry and Carven it would seem doubtful that identification cards with photographs for meter readers of the Water Income Division are necessary.

The Edison Electric Illuminating Company already employs the identification card with photograph technique, and a conference with the Edison Company officials on this matter is, therefore, clearly unnecessary.

Inasmuch as the Boston Consolidated Gas Company and the New England Telephone and Telegraph Company have a system of identification at the present time, and as they must have given considerable thought to the value of identification cards (in fact, we know that the Gas Company has), I see no advantage to be gained in conferring with them further for the purpose of recommending the use of such cards.

Very truly yours,
 HENRY E. FOLEY,
 Corporation Counsel.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Louis Abrams, for compensation for damage to property at 26½ North street, caused by faulty sewer.

Marion Bevere, for compensation for injuries and damage to clothing on East Boston Ferry.

Peter Flannery, for compensation for lobster car wrecked by city truck.

J. Goldstein, for refund on refuse tickets.

Chester W. Gushee, to be reimbursed for use of property at 92 Fuller street, by Public Works Department.

Charles G. Kelley, for compensation for damage to car by city truck.

Charles G. Loring, for refund on fee for building permit.

Helen L. Ramus, for compensation for damage to car caused by an alleged defect at 116 Eutaw street.

Wade H. Jones, for compensation for injuries caused by an alleged defect in Cummington street.

Frank F. Risoldi, for compensation for damage to car caused by an alleged defect at Brookline avenue and Riverway.

A. D. Russo & Co., for compensation for damage to property at 92 Commercial street, caused by water from sewer pipes.

Danato Tempesto, for compensation for damage to coat on rubbish container at 290 Washington street, Brighton.

James Thomas, for compensation for damage to car by city cart.

Charles S. Wilson, for compensation for damage to car caused by an alleged defect in Florida street.

Edwin S. Read, for compensation for injuries caused by city truck.

PERMITS FOR CHILDREN.

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

Mildred C. Sacco, East Boston High School, June 12.

Mary E. Ring, Brighthelmstone Hall, June 12.

Adrienne K. Leeman, Peabody Playhouse, June 10.

Lola M. Daly, Hollywood Theatre, June 12.

Permits were granted under usual conditions.

REQUEST FOR ATTENDANCE OF COL. THOMAS F. SULLIVAN.

Coun. PETER A. MURRAY—Mr. President, I would like to find out from Colonel Sullivan something in regard to the plans for the W. P. A. workers, and also in regard to some statements that have been recently made in regard to that activity. I suggest that Colonel Sullivan be notified, so that he can appear before us in executive meeting.

Chairman GALLAGHER—The City Messenger is directed to notify Colonel Sullivan to appear before us in executive meeting, when we take our recess.

APPROVAL OF CONSTABLES' BONDS.

The bonds of the following-named constables, having been duly approved by the City Treasurer, were received and approved, viz.:

Thomas Cannizzaro, Joseph Dinubile, Maurice J. Glick, Frank J. Macchia, Daniel McConologue, James G. Peters, Max Rabinovitz, Michael F. Simmons.

Severally approved by the Council.

CONFIRMATION OF CONSTABLES.

Coun. AGNEW, for the Committee on Constables, called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor May 25, 1936, of constables without power to serve civil process and to serve without bonds, viz.:

William Hough, Roderick H. Chisholm.

The question came on confirmation of the appointments. Committee, Coun. Rosenberg and Mellen. Whole number of ballots, 15, yes 14, no 1, and the appointments were confirmed.

Coun. AGNEW, for the Committee on Constables, also called up, under unfinished business, the following names from No. 2 on the calendar (appointments of constables authorized to serve civil process upon filing bonds, submitted by the Mayor May 25, 1936), Abraham M. Hecht, David E. Horwitz and Samuel Rosengarten, and under No. 3 on the calendar, appointment as constable to serve civil process upon filing bond submitted April 13, 1936, the name of William Tepper.

The question came on the confirmation of said appointments. Committee, Coun. George A. Murray and Finley. Whole number of ballots 16, yes 16, and the appointments were confirmed.

TENNIS CHAMPIONSHIP TOURNAMENT.

Coun. BRACKMAN offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Park Commissioner to renew his efforts to bring to Boston the National Public Parks Tennis Championship Tournament, which originally was scheduled to be played at Franklin Field, Boston.

Passed under suspension of the rule.

SKELETON FORCE ON SATURDAYS.

Coun. BRACKMAN offered the following:

Ordered, That his Honor the Mayor be requested to direct the heads of the departments to make provisions for a skeleton force on Saturdays during the months of July and August for all city employees in said departments.

Passed under suspension of the rule.

INVESTIGATION OF FIRE RATES.

Coun. McGRATH offered the following:

Ordered, That the President of the City Council appoint a special committee of three members to investigate and study fire insurance rates in Boston and to confer with the Board of Fire Underwriters.

Coun. McGRATH—Mr. President, in my experience in writing insurance in the Dorchester district for the past twelve years my loss ratio has been but \$256, and in that period I have probably turned in to the insurance companies about \$75,000. There was a lobby of the insurance companies last year in the matter of the workmen's compensation and liability insurance, which the state was thinking of handing under a separate department. Five different insurance men visited my office and asked me to do what I could to influence the Representatives and Senators from that district to vote against it. I asked the representatives of the companies what the reason was for the different insurance rates on streets adjacent to each other, and the only answer was, "Congestion." I think, with the ratio of loss I have stated, and with the amount of money I have turned into the insurance companies, there should certainly be a dropping or a readjustment of the rates. For example, they have increased the liability rate on a three family house from \$25 to \$42, with no explanation. That is the reason for the introduction by me of this order, and I would like to have the President appoint such a committee as is provided for in the order.

Coun. ROSENBERG—Mr. President, I am interested in this order also, because, as a representative of the Dorchester district, I find that, for some reason or other, from an insurance point of view, the Dorchester district seems to be a blacklisted section. In other words, it seems to be set aside as a dangerous district in the matter of insurance rates. I don't believe the losses in the Dorchester district are as great as they are in other sections of the city, and I don't see why people living in that residential section of my district should be barred or discriminated against, why they should have to pay an exorbitant rate of insurance. I think, if you will look up the insurance rates, you will find that the people of Dorchester are paying two or three times as much as people in other sections of the city. I believe that an investigation of the rates in different sections will prove beneficial to Dorchester and will bring about a reduction in the insurance rates not only in Dorchester but probably in greater Boston.

The order was passed under suspension of the rule.

WARD 7 IMPROVEMENTS.

Coun. KERRIGAN offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Anabel street, Ward 7.

Ordered, That the Commissioner of Public Works be requested, through his honor the Mayor, to repave with smooth pavement Eastman street, Ward 7.

Severally passed under suspension of the rule.

SIDEWALK ON BOGANDALE ROAD.

Coun. FINLEY offered the following:
 Ordered, That the Commissioner of Public Works make a sidewalk along Bogandale road, both sides, entire length, 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 ASSABET STREET.

Coun. McGRATH offered the following:
 Ordered, That the Commissioner of Public Works make a sidewalk along Assabet 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 granolithic, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

RECESS.

The Council voted, on motion of Coun. PETER A. MURRAY, 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. GALLAGHER at 4 p. m.

CONFIDENCE IN COLONEL SULLIVAN.

Coun. SHATTUCK offered the following:
 Resolved, That the Council has confidence in Col. Thomas F. Sullivan, the Administrator of W. P. A. Projects in Boston, and in Henry C. Boltz, the head of the Library Project, and believes that they acted in good faith and with fairness in connection with the reduction of the number of persons employed on the Library Project.

Coun. BRACKMAN—Mr. President, I believe, in view of what Colonel Sullivan said in the Executive Committee room, charges of racial prejudice or unfairness on the part

of Colonel Sullivan and Mr. Boltz should be withdrawn. I desire to say, however, that I did vote for the order that was introduced at our last meeting for an investigation of this matter. I believe when charges of this sort are made, it is nothing but right that there should be an investigation, and I felt, therefore, that the order was a very fair one. I do feel now, however, that the charge of racial prejudice has not been sustained, and I am in entire accord with the resolution, in so far as the question of racial prejudice is concerned. I think on that charge that these men should be exonerated.

Coun. ROSENBERG—Mr. President, I think in acting upon this order at this time the Council may probably be acting a little prematurely. We have heard one side of the story, without giving to the workers who have objected to certain things an opportunity to come in and be heard. I understand also that 178 of the workers who were discharged have been reinstated, receiving two weeks of their salary that they were deprived of and that the matter is still under investigation by State Administrator Edwards, I certainly believe the order should be laid on the table until the workers have been given a chance to be heard.

The order was passed under suspension of the rule.

LOW COST MILK.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the matter of low cost milk for welfare recipients and others in Boston.

Coun. NORTON—Mr. President, State Administrator Joseph C. Cort of the Massachusetts Milk Control Board has written me to the effect that other cities are furnishing milk in this way at 8 cents, 8½ cents and 8¾ cents a quart, and that he personally will be glad to contact Boston milk dealers relative to supplying needy Boston families with milk at or around 8 cents a quart. I understand that Fall River supplies milk at 8½ cents a quart, 100,000 men, women and children today in Boston are living on less than one quart of milk a week. Three quarts is necessary for minimum health, and 19 per cent of the students in the Hyde Park Junior High School suffer from malnutrition. At the Henry Grew School five children were shown to me who had been getting milk through the Teachers' Fund, and have lost weight since that has been cut off. Milk is the most important item in the budget of the poor. If New York City can furnish milk at 3 cents a quart, Baltimore at 7½ cents, and Fall River, Mass., at 8½ cents, why cannot Boston do the same? The milk is supplied to those with cards between the hours of 7 a. m. and 10 a. m. at city buildings throughout the city.

The order was passed under suspension of the rule.

Adjourned, on motion of Coun. AGNEW, at 4.06 p. m., to meet on Monday, June 8, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 8, 1936.

Regular meeting of the City Council in Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Agnew, Kilroy, Norton and Wilson.

ACCEPTANCE OF BRUNSWICK AND FOWLE STREETS.

The following was received:

City of Boston,
Office of the Mayor, June 8, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Board of Street Commissioners relative to your orders of May 11, 1936, concerning the acceptance and laying out as public highways of the following streets:

1. That section of Brunswick street in Ward 14 from number 198 to Columbia road.
2. Fowle street in Ward 19.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Street Laying-Out Department,
June 3, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Your Honor,—Inclosed please find City Council orders requesting the acceptance and laying out of Brunswick street, Ward 14, and Fowle street, Ward 19, together with request for consideration and report.

At the present time the W. P. A. program has been suspended owing to the failure of the Federal authorities to approve any projects for the construction of new streets. If and when the W. P. A. officials authorize the continuation of new street construction, the Board of Street Commissioners will be glad to give consideration to Brunswick and Fowle streets.

In the meantime there are no city funds available for these projects.

Respectfully yours,
OWEN A. GALLAGHER, Chairman.
Placed on file.

W. P. A. BAND CONCERTS, FRANKLIN PARK.

The following was received:

City of Boston,
Office of the Mayor, June 8, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of May 18, 1936, concerning the advisability of making arrangements for W. P. A. band concerts at Franklin Park at least three afternoons a week during the summer months.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, May 27, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of May 25, with inclosure, order from the City Council that the Park Commission consider the advisability of making arrangements for W. P. A. band concerts at Franklin Park at least three afternoons a week during the summer months.

The department will be pleased to try and make such arrangements. Partial plans for summer band concerts have already been made and we will endeavor to have additional concerts allocated to us.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

LIFE GUARDS, CASTLE ISLAND BEACH.

The following was received:

City of Boston,
Office of the Mayor, June 8, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of May 18, 1936, concerning the making of arrangements for additional life guards to cover Castle Island Beach, Ward 6.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, May 27, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of May 25, with inclosure, order from the City Council that the Park Department make arrangements for additional lifeguards to cover Castle Island Beach.

Please be assured the department is doing everything possible to obtain the proper number of lifeguards, and a project has been forwarded to the Federal Government to increase the number over last year.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

VETO OF GRANOLITHIC SIDEWALK ORDERS.

The following were received:

City of Boston,
Office of the Mayor, June 8, 1936.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on June 1, 1936, for the making of an artificial stone sidewalk with granite edgestones on both sides of the entire length of Bogandale road, Ward 20.

I am informed by the Commissioner of Public Works that there are no funds available at the present time for this construction. Under the circumstances I am constrained to veto the order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Office of the Mayor, June 8, 1936.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on June 1, 1936, for the making of a granolithic sidewalk with granite edgestones on both sides of Assabet street in Ward 16.

I am informed by the Commissioner of Public Works that there are no funds available at the present time for this construction. Under the circumstances I am constrained to veto the order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Office of the Mayor, June 8, 1936.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on May 18, 1936, for the making of a sidewalk with granite edgestones on K street, between Broadway and Third street, in Ward 6.

I am informed by the Commissioner of Public Works that there are no funds available at the present time for this construction. Under the circumstances I am constrained to veto the order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.
Severally placed on file.

LOAN AGAINST TAX TITLES.

The following was received:
City of Boston,
Office of the Mayor, June 8, 1936.
To the City Council.

Gentlemen,—From present indications the city will hold at the beginning of next month unencumbered tax titles of approximately \$4,000,000. I propose that under the provisions of chapter 281 of the Acts of 1936 that the city shall borrow from the Commonwealth against these tax titles for the purpose of liquidating a temporary loan issued in 1935 in the amount of \$4,000,000 which becomes due and payable on July 10. I submit herewith an order covering this proposal and respectfully recommend its adoption by your Honorable Body.

Tax titles represent delinquent taxes. Taxes of this character when paid are used to meet current financial requirements of the city. The payment of temporary loans as they become due and payable is a current financial requirement. In recommending, therefore, that tax titles in the possession of the city be used to liquidate a temporary loan I am recommending the same procedure as would be followed if the delinquent taxes represented by such tax titles had actually been collected by the city.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Ordered, That under the provisions of section 1, chapter 281, of the Acts of 1936, amending section 2 of chapter 49 of the Acts of 1933, the City Treasurer be authorized to secure the approval of the Emergency Finance Board to the issuance of notes of the city in the amount of \$4,000,000, said notes to be sold at their face value to the Commonwealth and the proceeds to be used to pay revenue loans of 1935.

Referred to the Committee on Finance.

INVOICES FOR DELIVERY OF COAL AND OIL.

The following was received:
City of Boston,
Office of the Mayor, June 3, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the City Auditor relative to your order of May 11, 1936, concerning invoices for delivery of coal and oil to welfare recipients during the past winter.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Auditing Department, June 1, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—At your request I have considered the following order adopted by the City Council at the meeting of May 11, 1936:

"Ordered, That the City Auditor be respectfully requested, through his Honor the Mayor, to advise the City Council whether all invoices for delivery of coal and oil to welfare recipients during the past winter season have been accompanied by certificates as to quality, and whether such invoices have therefore been paid only when deliveries have been made in accordance with contract specifications."

Invoices covering deliveries of coal and oil to welfare recipients when forwarded by

the Welfare Department to this office for examination and audit prior to payment are accompanied by weigher's certificates, indicating that the quantities involved are correct. No certificates as to quality are submitted to this office.

The Welfare Department has an annual contract with a reputable laboratory which provides for spot tests of the quality of coal and oil. The Welfare Department relies upon the reports submitted as a result of these tests, and under the general practice of the city any adjustments in the way of premiums or penalties are made when the last invoice submitted by the various vendors is ready for payment. In short, the responsibility for checking the quality of coal and oil is considered to be that of the Welfare Department.

Respectfully,
CHARLES J. FOX, City Auditor.
Placed on file.

CONTRACTS WITH BABCOCK COAL COMPANY.

The following was received:
City of Boston,
Office of the Mayor, June 4, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Corporation Counsel relative to your order of April 27, 1936, concerning your request to cancel existing contracts between the Babcock Coal Company and the City of Boston.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Law Department, June 3, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from your office dated April 30, 1936, with which was submitted the following order of the City Council:

"Ordered, That his Honor the Mayor be requested to comply with City Council order of December 16, 1935, and cancel any existing contracts between the Babcock Coal Company and the City of Boston."

The contract between the City of Boston and the Babcock Coal Company, providing for delivery of coal to welfare recipients, contemplated deliveries upon request of the Welfare Department up to and including April 30, 1936. It is my understanding that no deliveries have been received from the Babcock Coal Company since that time. No payments have been made by the city to the Babcock Coal Company since that date and none will be made until we are able to satisfy ourselves as to whether or not the Babcock Coal Company has properly performed its contract.

Very truly yours,
HENRY E. FOLEY, Corporation Counsel.
Placed on file.

PAVING OF RILL STREET AND JOHNSTON ROAD.

The following was received:
City of Boston,
Office of the Mayor, June 3, 1936.
To the City Council.

Gentlemen,—I transmit herewith two letters from the Commissioner of Public Works relative to your orders of May 18, 1936, concerning,

1. Paving of Rill street, Dorchester, with smooth paving.
2. Resurfacing of Johnston road, Ward 14, with smooth paving.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, June 1, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of May 25 with attached City Council order dated May 18, 1936, and reading as follows:

"Ordered, That his Honor the Mayor request the Public Works Commissioner to pave with smooth pavement Rill street, Dorchester," and to state that Rill street, from Hancock street to southwest of Ware street, has a length of 570 feet, roadway width 23 to 26 feet and sidewalks on either side. The existing pavement is gravel, which was covered with an asphalt blanket coat in 1921. One half of the street has granite edgestones and about three fourths of the sidewalk is artificial stone with loam spaces on one side. To place a smooth pavement on a concrete base and the necessary regulating will cost \$5,800. At the present time there is no money available for this work, as at date the Reconstruction of Streets loan has not been authorized.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

City of Boston,
Public Works Department, June 1, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of May 25 with attached City Council order dated May 18, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving Johnston road, Ward 14,"

and to state that Johnston road, from Blue Hill avenue to Harvard street, has a length of 808 feet, roadway width of 34 feet and sidewalks on either side of 8 feet in width. The existing pavement is asphalt macadam with granite edgestones; four and one half foot artificial stone sidewalks with loam spaces, all laid in 1912. To construct a smooth pavement on a concrete base with necessary regulating will cost \$10,200. At the present time there is no money available for this work, as at date the Reconstruction of Street loan has not been authorized.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

ACCEPTANCE OF TAYLOR TERRACE AND STARR LANE.

The following was received:

City of Boston,
Office of the Mayor, June 8, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Board of Street Commissioners relative to your orders of May 4, 1936, concerning:

1. Acceptance and laying out as a public highway, Taylor Terrace, in Ward 15.
2. Acceptance and laying out as a public highway, Starr Lane, in Ward 19.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Street Laying-Out Department,
June 3, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Your Honor,—Inclosed please find City Council orders requesting the acceptance and laying out of Taylor terrace, Ward 15, and Starr lane, Ward 19, together with request for consideration and report.

At the present time the W. P. A. program has been suspended owing to the failure of the Federal authorities to approve any projects

for the construction of new streets. If and when the W. P. A. officials authorize the continuance of new street construction, the Board of Street Commissioners will be glad to give consideration to Taylor terrace and Starr lane.

In the meantime there are no city funds available for these projects.

Respectfully yours,
OWEN A. GALLAGHER, Chairman.

Placed on file.

OVERHEAD PASS, WARD 14.

The following was received:
To the City Council.

Gentlemen,—I transmit herewith a letter from the Board of Street Commissioners relative to your order of March 30, 1936, concerning the advisability of the erection of an overhead pass leading from Blue Hill avenue, facing Hosmer street and extending up to Duke street, in Ward 14.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Street Laying-Out Department,
June 3, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Your Honor,—Inclosed please find City Council order relative to the erection of an overhead pass leading from Blue Hill avenue, facing Hosmer street and extending up to Duke street, together with your request for consideration and report thereon.

This would be a rather expensive project which would have to be undertaken on city funds. At the present time there are no funds available for such a project, therefore favorable consideration cannot be given by the Board of Street Commissioners.

Very truly yours,
OWEN A. GALLAGHER, Chairman.

Placed on file.

ACCEPTANCE OF CRESCENT STREET.

The following was received:

City of Boston,
Office of the Mayor, June 8, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Board of Street Commissioners relative to your order of May 18, 1936, concerning the acceptance and laying out as a public highway of Crescent street, Charlestown.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Street Laying-Out Department,
June 3, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Your Honor,—Inclosed please find City Council order requesting the acceptance and laying out of Crescent street, Charlestown, as a public way, together with request for consideration and report.

At the present time the W. P. A. program has been suspended owing to the failure of the Federal authorities to approve any projects for the construction of new streets. If and when the W. P. A. officials authorize the continuation of new street construction, the Board of Street Commissioners will be glad to give consideration to Crescent street.

In the meantime there are no city funds available for this project.

Respectfully yours,
OWEN A. GALLAGHER, Chairman.

Placed on file.

PETITIONS FOR CHILDREN.

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

Kathryne I. Brymer, Current Events Club-house, June 10.
Ellen F. Carney, Orient Palace Theatre.
Lester Paul Gould, Whitton Hall, June 15.
Leave was granted under usual conditions.

PETITIONS REFERRED.

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

Claims.

Barnet Gallis, for refund on license.
Lena Ginsburg, for compensation for injuries caused by an alleged defect in Dover Street Baths.

Anthony Gutowski, for compensation for loss of property at Roslindale Municipal Building.

Caleb T. Handy, to be reimbursed for expenses incurred in laying new location of water pipe.

Fannie M. Jones, for compensation for injuries caused by city team.

Josephine B. Kenney, for compensation for injuries caused by an alleged defect at Washington and Avon streets.

James L. McCusker, for compensation for injuries caused by an alleged defect in Police Station 1.

John McDonough, for refund on sign permit.
Morris Rosenfeld, for compensation for injuries caused by city truck.

Berkley Sandler, for compensation for injuries caused by an alleged defect in Haymarket square.

James Thomas, for compensation for damage to car by city car.

Katharine T. Welsh, for compensation for injuries caused by an alleged defect at 185A Bowdoin street.

Executive.

Petition of Frances E. Dolan to be paid annuity on account of death of her husband, Charles F. Dolan, late member of Fire Department.

APPROVAL OF CONSTABLES' BONDS.

The bonds of the following-named constables, having been duly approved by the City Treasurer, were received and approved, viz.:

Charles B. Broad, Joseph C. DeSantis, David E. Horwitz, Albert A. Levine, Harold C. Mitchell, Samuel Rosengarten, John Ruggiero, Abraham S. Singer, William Tepper.

Severally approved by the Council.

PERSONS LIABLE TO ENROLLMENT IN MILITIA.

Notice was received from the Board of Assessors that number of persons in City of Boston liable to enrollment in militia in 1936 was 145,500.

Placed on file.

APPOINTMENT OF GEORGE L. DeBLOIS.

Notice was received from the Mayor of appointment of George L. DeBlois of 62 Chestnut street as member of Zoning Board, to fill unexpired term of Frank Brewster, deceased.

Placed on file.

MAYOR'S ABSENCE FROM CITY.

Notice was received from the Mayor of his absence from city from Saturday, May 30, at 2 p. m., to Wednesday June 3, at 5.30 p. m.

Placed on file.

REPORT OF COMMITTEE ON CLAIMS.

Coun. SELVITELLA, for the Committee on Claims, submitted the following:

Report on petition (referred May 18) of Eugene O'Keefe to be reimbursed for amount of judgment issued against him on account of his acts as operator of motor truck belonging to Paving Division, Public Works Department, recommending the passage of accompanying order, viz.:

Ordered, That the sum of fifteen hundred dollars be allowed and paid to Eugene O'Keefe in reimbursement for amount of judgment issued against him on account of his acts as operator of a motor truck belonging to the Paving Division, Public Works Department, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

PRECAUTIONS AGAINST INJURY ON FEDERAL WORK.

Coun. McGRATH submitted, for purposes of the record, the following letter received by him from Congressman John W. McCormack:

Congress of the United States,
House of Representatives,
Washington, D. C.,

May 23, 1936.

John J. McGrath, City Councillor, City Hall,
Boston, Mass.

Dear John,—I am in receipt of a letter from Admiral Peoples of the Procurement Division of the Treasury Department in relation to the supervision of Federal Construction Work, which you wrote me about some time ago. In his letter, Admiral Peoples states:

"As a result of a comprehensive study with regard to this matter, this division is incorporating the following quoted paragraph in all future specifications for work under contract of this office:

"The Contractor shall take all precautions necessary for the protection against injury of all persons engaged at the site in the performance of the contract. He shall comply with all applicable provisions of the Manual of Accident Prevention in Construction, dated 1930, of the Associated General Contractors of America."

I have sent the original of this letter to Jim Moriarty. This appears to represent a very splendid victory.

With best wishes, I am,

Sincerely yours,

JOHN W. McCORMACK.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Coun. GALLAGHER called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointment submitted by the Mayor June 1, 1936, of Martha E. Mathiasen, to be Weigher of Coal.

The question came on confirmation of the appointment. Committee, Coun. Finley and Selvittella. Whole number of ballots 13; yes 12, no 1, and the appointment was confirmed.

Coun. SELVITELLA called up, under unfinished business, under No. 2 on the calendar, the names of Paul J. Cavicchi and Americo A. DeSimone, appointments submitted by the Mayor May 25, 1936, of constables authorized to serve civil process upon filing bonds.

The question came on confirmation. Committee, Coun. Selvittella and Finley. Whole number of ballots 14; yes 12, no 2, and the appointments were confirmed.

SOLDIERS' RELIEF.

Coun. KERRIGAN, 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 June, 1936.
Report accepted; order passed.

—————
COMMITTEE ON JITNEY LICENSES.

Coun. MURRAY, for the Committee on Jitney Licenses, submitted the following:

Report on petition (referred May 11) of Boston Elevated Railway Company to operate motor vehicles between City square and Chelsea line on Chelsea Bridge,—recommending that leave be granted.

Coun. McGRATH—Mr. President, I would like to know what Councilor Mellen has to say about this?

Coun. MELLEEN—I know nothing about it.

I would like to hear what the story on it is.
Coun. PETER A. MURRAY—The license

had been granted some time ago, and now the Elevated has taken over the Eastern Massachusetts and would like a renewal of the license.

Coun. MELLEEN—Is it a routine thing?

Coun. PETER A. MURRAY—Yes.

The report was accepted and leave granted on usual conditions.

—————
THE NEXT MEETING.

On motion of Coun. ROBERTS it was voted that when the Council adjourns it be to meet on Monday, June 29, 1936, at 2 p. m.

—————
Adjourned at 2.25 p. m., on motion of Coun. ROSENBERG, to meet on Monday, June 29, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

SPECIAL MEETING.

Monday, June 15, 1936.

Special meeting of City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Agnew, Brackman, Gleason, McGrath, Mellen, Norton, Roberts, Shattuck, Wilson.

The meeting was held pursuant to the following call:

City of Boston,

Office of the Mayor, June 11, 1936.

To the Members of the City Council.

Gentlemen,—You are hereby requested to assemble in the City Council Chamber, City Hall, on Monday, June 15, 1936, at two o'clock p. m., to take action on the proposed loan order of \$4,000,000 against tax titles held by the city, and on such other financial orders as may be submitted by me for your consideration.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Placed on file.

SOUTH BAY FLATS, ETC.

The following was received:

City of Boston,

Office of the Mayor, June 15, 1936.

To the Honorable the City Council.

Gentlemen,—I submit for your consideration a letter addressed to me by the Corporation Counsel, under date of June 15, 1936, relating to possible ownership by the city of property which once constituted flats and which now constitutes partly flats and partly filled land situate in that part of Boston known as South Bay. I am also submitting a form of order referred to in said letter.

In view of the matters stated in said letter and of the obvious importance, in the interests of the city, of making the investigation therein referred to, I strongly recommend the passage of the order herewith submitted.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Law Department, June 15, 1936.

Hon. Frederick W. Mansfield,

Mayor of Boston.

Dear Mr. Mayor,—The ownership of that property which once constituted flats and which now constitutes partly flats and partly filled land situate in that part of Boston known as South Bay has long been a matter of inquiry and consideration. All of this land was within the territorial limits of the early towns of Boston, Roxbury and Dorchester, and is now within the territorial limits of the City of Boston. A large portion of the original flats have already been filled by persons and corporations other than the City of Boston and some of the original upland which surrounded the South Bay has been removed and used for filling in the old South Cove and other places.

Prior to the Colonial Ordinance of 1647 all land between high and low water marks belong to the Crown. The said ordinance of 1647 transferred to the owners of the upland all land between high and low water marks to a distance of not more than 100 rods.

There is reason to believe that a large portion of the land constituting these original flats always remained the property of the several towns during their separate corporate existence and became the property of the City of Boston as successor of the said towns. If title to this land or any part thereof is in the city, it will be necessary for the city to assert its ownership in the near future so

that the city may not lose its rights through adverse possession. As the city may have title to a very substantial portion of said land, it is, in my opinion, most essential in the interests of the city to proceed promptly with a determination of the matter. Accurate information as to the ownership of said flats can be obtained only by making engineering surveys and by a thorough search and examination of all early records, plans, surveys and engineering reports relating to the boundaries between said towns of Boston, Roxbury and Dorchester and to the various allotments and conveyances of the upland and flats surrounding the South Bay.

It seems, therefore, imperative to obtain expert assistance, plans, surveys and engineering records to accomplish the very important result of ascertaining the true ownership to said land and I am inclosing an order for an appropriation from Reserve Fund to meet the necessary expenses of making this determination which, if it meets with your Honor's approval, should be introduced in the City Council.

Very truly yours,

HENRY E. FOLEY,
Corporation Counsel.

Whereas, The City of Boston may have title to certain land originally constituting flats and situate in that part of Boston called the South Bay; and

Whereas, It is necessary to determine whether the city has such title and, if it has, promptly to preserve the same by appropriate legislation; now, therefore it is hereby ordered, that the sum of ten thousand dollars be, and it hereby is, appropriated, to be expended by the Corporation Counsel, for such expert assistance and for the acquisition and making of such maps, plans, surveys and engineering data as he may deem necessary for the purpose of determining and enforcing the rights, if any, of the city in and to the lands and flats abutting on or included in the South Bay, the sum so appropriated to be charged to the Reserve Fund.

Referred to Executive Committee.

TRANSFER TO H. RELIEF PROJECTS.

The following was received:

City of Boston,

Office of the Mayor, June 15, 1936.

To the City Council.

Gentlemen,—I am in receipt of the inclosed communication from the Acting Commissioner of Public Works requesting a transfer of \$25,000 from the Reserve Fund to the H. Relief Projects, item in the Paving Service budget for the current year.

This sum is to be used to carry on the construction work now being done on about fifty streets under W. P. A. projects, and on which work 1,800 men are employed. I therefore submit herewith an order providing for the transfer of the above mentioned sum from the Reserve Fund and respectfully recommend adoption by your Honorable Body.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston.

Public Works Department, June 11, 1936.

To His Honor the Mayor.

The money which was allocated to the Highway Division of the Public Works Department under Item H on Emergency Relief Projects is exhausted.

In order to carry on the projects which have been started the sum of \$25,000 is necessary. I respectfully recommend that this sum be transferred from the Reserve Fund.

At the present time in the Paving Service we have about fifty (50) streets under construction, on which 1,800 men are employed, and this money which is now being requested is absolutely necessary to carry on the work.

Respectfully yours,

JOSHUA ATWOOD,

Acting Commissioner of Public Works.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Reserve Fund, \$25,000, to the appropriation for Public Works Department, Paving Service, H, Relief Projects, \$25,000.

Referred to Executive Committee.

LOAN FOR POLICE RADIO SYSTEM.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1936.
To the Honorable the City Council.

Gentlemen,—On February 28, 1934, your Honorable Body gave its second and final reading and passage to a loan order, under the provisions of chapter 366 of the Acts of 1933, in the sum of \$350,000, for a police communications system, and on May 7, 1934, your Honorable Body authorized me to enter into a grant agreement with the United States of America for a grant to the city to aid in financing said project.

On September 9, 1935, your Honorable Body passed an order rescinding a loan order, in the sum of \$75,000, given its second and final reading and passage on March 14, 1933, for a police radio system.

I am transmitting to your Honorable Body a copy of a letter from the Police Commissioner to me dated June 3, 1936, in which he requests the appropriation of an additional sum of \$85,000 in order "to complete the work already begun and now nearing completion" and in which he requests that an application be made to the Federal Government for an additional Federal grant to complete said project. The commissioner also states that the original estimates upon which former Commissioner Hultman based his request for the appropriation of \$350,000 were insufficient, and that for the estimated cost of \$435,000 the city will have a complete two-way radio system for seventy-seven cars instead of a one-way system for seventy-two cars and a two-way service in five cars, the proper estimated cost of which originally should have been \$485,000.

I submit to your Honorable Body a form of loan order for said additional sum of \$85,000 for your consideration and action.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Police Department,
Office of the Commissioner,

June 3, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Public Works Project No. 8200, Boston Police Communication System.

Dear Mayor Mansfield,—In 1934 Eugene C. Hultman, Police Commissioner, undertook the initial steps of providing a modern police communication system for the City of Boston and suggested an appropriation of \$350,000, then estimated to be sufficient by Commissioner Hultman, the sum being based on a previous survey made by the Massachusetts Institute of Technology. The system then to be provided included, in addition to extensive changes in the wired communication system, the installation of a new radio system which was to be essentially a complete one-way system plus two-way radio equipment for five police cars to operate in Division 9. This radio installation was conceived as the first step toward a complete two-way radio system, incorporating in this first step just enough car response equipment (two-way feature) to test its practicability and police value; this to be followed by a city-wide extension of the two-way feature when successfully demonstrated.

At the time Commissioner Hultman suggested this appropriation of \$350,000 (separate from the \$75,000 which had been previously appropriated but was later rescinded) he had already executed a contract with the General Electric Company for the installation of a broadcasting station at Police Headquarters, one-way radio receiving equipment for seventy-

two cars and, for the car response (two-way feature), a receiving station at Division 9 and two-way radio equipment in five cars only, at a price of \$89,800. This provided the equipment for the first step referred to above. The same contract contained an option for the purchase of additional equipment to provide city-wide two-way radio service (i. e., the additional station house receivers and the car response equipment for the seventy-two additional cars) at an additional price of approximately \$63,700. Other necessary charges in connection with this extension would have increased the total additional funds required to approximately \$75,000. It is therefore clear that when the appropriation of \$350,000 was suggested for the first step it was expected that the cost of the system when completed would be approximately \$425,000.

This \$350,000 was thereafter appropriated in connection with a Public Works Administration grant of \$85,500. After the project was approved by the P. W. A., Commissioner Hultman signed a new contract with the General Electric Company without change of price, incorporating certain general clauses required by P. W. A. At the same time the new contract required the complete installation by February 23, 1935, with a subsequent test period requiring final completion of a tested system by May 24, 1935.

It now appears that the original estimates upon which Commissioner Hultman based his request for the first appropriation were insufficient and that this first step could not be completed within that appropriation nor could the final complete system have been provided—under the proposals then effective—within the estimated sum of \$425,000.

In the meantime, however, two breaches of contract had been made by the General Electric Company: One, in not completing the installation by February 23, 1935, and the other, in not complying strictly with the wave band specifications. On January 16, 1935, prior to my taking office, the engineers notified my immediate predecessor, Commissioner Leonard, that these breaches were impending.

For a period of some nine months, commencing with my appointment, negotiations of an exceedingly technical and delicate nature were carried on relative to these breaches of contract, the waiver of them, and the modification of the contract. As a result of these long negotiations a modification of the contract was secured in consideration of the waiver of these breaches. This modification, approved by yourself and P. W. A., provides a suitable guarantee for a period of five years by the General Electric Company in case of interference with the Boston Police radio by outside broadcasting stations (thus covering the wave-band breach), and, in addition, the installation of all the additional radio equipment necessary for city-wide two-way radio communication i. e., the equipment for a sufficient number of the remaining station houses to provide satisfactory pick-up from all points in the city and equipping the extra seventy-two cars; originally estimated to cost \$63,700, plus certain other parts, raising this to about \$66,000). To effect this modification it was necessary to exclude from the contract and to pay separately for certain spare parts and service equipment, which are estimated to cost approximately \$12,000.

The effect of this modification is to save the city some \$54,000 net at a sacrifice of some additional spare parts and service equipment not immediately required.

By virtue of this negotiation it has been made possible to provide the complete city-wide two-way radio system, together with the modernization of the wired communication system for \$435,000, or substantially the amount originally estimated for the complete system, whereas, without this modification, the total cost would have been in excess of \$485,000. However, it is necessary to complete the entire system (i. e., the second step as well as the first) at this time, and to provide the additional funds required for that purpose. It should be noted that the two-way

equipment on the five cars has been in operation for some ten months, and has demonstrated the police value of this feature.

I am attaching hereto an estimate (Table 1) prepared by Jackson & Moreland, the engineers employed by Commissioner Hultman, who are in charge of this work. This estimate with its notes is self-explanatory and covers the total requirements of the project except for certain items (shown on Table 2 and totaling \$8,104.72) which have been paid out of Police Department operating budgets of 1934 and 1935 and which, therefore, need not be considered in the additional appropriation required.

It should be noted that the engineers' estimate does not allow credit for certain savings to the city, outside this appropriation, which should be considered as reducing the city's net cost for the project. These savings include \$8,600 for the salaries of civil service personnel, permanently employed by the Police Department, to be paid under this project, which would otherwise have been charged to the Police Department's operating budget. Similarly, against the engineers' estimated cost of \$11,000 for interest during construction, there would be considered the fact that the Police Department has had the use of a one-way radio system since July, 1934, and two-way for one division since June, 1935, without as yet any payment to the General Electric Company. Interest on this equipment in actual service would ordinarily be attributable to operation and would be paid by the city independently of the project appropriation, and would amount to at least \$6,000. In addition, there will be a direct payment to the city, as a result of this project but not credited to this particular appropriation, for the salvage value of old cable to be removed, amounting to another \$6,000.

Allowing for these three savings (totaling \$20,500) outside this appropriation, the net cost to the city for this complete communication system will be approximately \$415,000, excluding items above mentioned which have already been paid out of the Police Department's ordinary budgets for 1934 and 1935.

It is understood that under the provisions of the grant agreement it is necessary that adequate funds for the completion of the entire project covered by the agreement shall be available before any payment under the \$88,500 grant is made.

It will, therefore, be necessary to provide approximately \$85,000 to complete the work already undertaken and now nearing completion.

I understand that this Public Works project (Docket No. 8200, Police Communication System) is not closed to a supplementary grant. It may, therefore, be possible to secure an additional Federal grant in connection with the additional appropriation. I believe that recent Federal grants on some projects have been at the rate of approximately fifty per cent.

It should be noted that any application for supplementary Federal grant in connection with the additional appropriation should provide for including within the scope of the project the spare apparatus spare parts and service equipment which were originally included in the project, but were excluded under Item 3 of the "Application to Amend application for Grant," dated January 27, 1936. This equipment was excluded at that time in order that the scope of the project might correspond in that respect with the amended contract with the General Electric Company, but this equipment is required for the satisfactory completion of the project and should, therefore be included at the time when application is made for supplementary grant. The cost of this equipment, approximately \$12,000, is included in Table 1.

Similarly, the item for installation charges for telephone and electric service equipment (\$5,000) should be included within the scope of the project, in order that it may be covered in the same appropriation. This item is not eligible for Federal grant, and for that reason was previously excluded from the scope of the project. The Public Works Administration now regards such expenditures as properly within the scope of the project even though not eligible for grant.

I should be glad to supplement this letter by verbal discussion and can readily arrange for the presence of the engineers at such a discussion, should you consider this desirable. I should also be glad to assist in the preparation of an application for a supplementary Federal grant if you consider this procedure advisable.

Very truly yours,
E. M. MCSWEENEY,
Police Commissioner.

TABLE 1.

PUBLIC WORKS PROJECT No. 8200, BOSTON POLICE COMMUNICATION SYSTEM.
TOTAL ESTIMATED COST.
(Excluding Certain Related Items Paid out of Police Department Operating Budgets for 1934 and 1935, Shown on Table 2.)

Radio-Telephone System	* \$107,710 00
Signal Cable Purchase	89,604 00
Automobile Generators	3,325 00
Installation of Signal Cable	94,466 00
Underground Conduit	8,497 00
Headquarters Building Conduit	750 00
Installation of Signal Equipment	59,195 00
Field Engineering, Supervision and Inspection:	\$363,547 00
Jackson & Moreland	7,270 00
Police Department Employees	8,500 00
Total Field Construction Cost (eligible for grant)	\$379,317 00
Preliminary Engineering	26,500 00
Administration and Legal Expense	10,000 00
Interest	11,000 00
Subtotal	\$426,817 00
Items not Eligible for Grant:	
Telephone and Electric Service Installation	5,000 00
Comparative Radio Demonstration	1,000 00
Total	\$432,817 00
Original Appropriation	350,000 00
Estimated Deficit	\$82,817 00
Additional Appropriation Required	\$85,000 00

* Includes approximately \$12,000 for radio maintenance equipment (spare apparatus, etc.).

TABLE 2.

BOSTON POLICE COMMUNICATION SYSTEM, ESTIMATED EXPENDITURES RELATED TO PUBLIC WORKS PROJECT
No. 8200, BUT OUTSIDE THE SCOPE THEREON.
(Items Paid Under Police Department Ordinary Budget 1934 and 1935.)

Includes Only Expenditures Under Direction of Jackson & Moreland.	Commenced Prior to P. W. A. Grant.	Other Items.
Building Alterations in 1934, R. J. Connolly, Inc.....	\$1,586 00	
Branch Power Service in 1934, M. B. Foster Electric Company.....	265 00	
Engineering on above items, Jackson & Moreland.....	111 08	
Original Installation of Auto Generators.....		\$85 26
Installation Charges for Leased Telephone Equipment, New England Telephone and Telegraph Company.....		585 82
A. C. Power Service at Headquarters, Edison Electric Illuminating Com- pany of Boston.....		1,471 00
Permanent Pavement Repairs.....		3,076 76
New Patrol Boxes furnished by Signal Service.....		770 00
Work on Fire Department Cables, Sugden.....		153 82
	\$1,962 06	\$6,142 66
Total.....	\$8,104 72	

Ordered, That in accordance with the provisions of chapter 366 of the Acts of 1933, and acts in amendment thereof and in addition thereto, the sum of \$85,000 be, and hereby is, appropriated, to be expended under the direction of the Police Commissioner, for Police Communications System, in addition to the sum of \$350,000 appropriated so to be expended for said purpose by order given its second and final reading and passage on February 28, 1934, 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 of \$85,000, the same to be issued outside the limit of indebtedness.

Referred to Executive Committee.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1936.
To the City Council.

Gentlemen,—The attached requests for transfers within departmental appropriations have been examined and investigated by the Budget Commissioner, I accordingly recommend adoption of the accompanying orders by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, 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: Municipal Court, South Boston District:

From the appropriation for B-4, Transportation of Persons, \$119.80, to the appropriation for B-17, Care of Persons, \$10; B-39, General Repairs, \$19.80; C-16, Wearing Apparel, \$90.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Sanitary Service:

From the appropriation for A-1, Permanent Employees, Chauffeurs, Teamsters, Laborers, 657 at \$5 to \$5.50 a day, \$100, to the appropriation for A-1 Permanent Employees, clerk, 1 at \$1,500-\$1,600 a year, \$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 Building Department:

From the appropriation for H, Relief Projects, \$1,585, to the appropriation for B-35, Fees, Services of Venires, etc., \$85; B-42, Miscellaneous Services, \$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 Institutions Department, Long Island Hospital:

From the appropriation for A-2, Temporary Employees, \$500, to the appropriation for F-11, Workmen's Compensation, \$500.

From the appropriation for B-39, General Repairs, \$33.14, to the appropriation for B-29, Stenographic and Copying, \$33.14.

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, Services of Venires, etc., \$160, to the appropriation for A-2, Temporary Employees, \$160.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Registry of Deeds:

From the appropriation for D-1, Office, \$20, to the appropriation for B-42, Miscellaneous Services, \$20.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Superior Court, Civil Session, Clerk's Office:

From the appropriation for D-1, Office, \$308, to the appropriation for C-9, Office, \$308.

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 Port Authority:

From the appropriation for G, Incidentals, \$136, to the appropriation for B-39, General Repairs, \$50; D-16, Miscellaneous Supplies, \$10; E-1, Building, \$76.

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 C-16, Wearing Apparel, \$300, to the appropriation for C-17, Miscellaneous Equipment, \$300.

Referred to Executive Committee.

ICE FOR DRINKING FOUNTAINS.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1936.
To the City Council.
Gentlemen,—I am in receipt of a request from the Acting Commissioner of Public Works that an appropriation be made available for the purchase of ice for the public drinking fountains. In accordance with this request, I submit the attached order providing for the furnishing of the required amount from the Reserve Fund and respectfully recommend approval of this order by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, June 13, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.
Dear Sir,—I respectfully recommend that an appropriation of \$5,000 be made from the Reserve Fund to cover the cost of furnishing ice for drinking fountains during the coming summer season.
Respectfully yours,
JOSHUA ATWOOD,
Acting Commissioner of Public Works.

Ordered, That the Commissioner of Public Works be authorized to expend a sum not exceeding \$5,000 for the purpose of furnish-

ing ice for the public drinking fountains during the summer season, said sum to be charged to the Reserve Fund.
Referred to Executive Committee.

ORDER RECALLED FROM FINANCE COMMITTEE.

Coun. DOWD—Mr. President, I now move that the order for a \$4,000,000 tax title loan before the Finance Committee be recalled and referred to the Executive Committee.
The rule was suspended and the Council voted to recall the order from the Committee on Finance and refer it to the Executive Committee.

RECESS.

On motion of Coun. GALLAGHER the Council voted at 2.28 p. m. to take a recess subject to the call of the Chair, and the City Messenger was directed to notify City Auditor Fox to attend the executive meeting. The members reassembled in the Council Chamber and were called to order by President FITZGERALD at 2.44 p. m.

President FITZGERALD—There not being a sufficient number of members present to pass the loan orders that are before us, this special meeting will be adjourned to Thursday, June 18, at 1 p. m.

Adjourned at 2.44 p. m. to Thursday, June 18, 1936, at 1 p. m.

CITY OF BOSTON.

Proceedings of City Council.

SPECIAL MEETING.

Thursday, June 18, 1936.

Adjourned special meeting of the City Council in the Council Chamber, City Hall, at 1 p. m., President FITZGERALD in the chair and all the members present except Coun. Roberts, Shattuck and Wilson.

RECESS.

The Council voted, on motion of President FITZGERALD, at 1.20 p. m. to take a recess subject to the call of the Chair. The Council reassembled in the Council Chamber at 2 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of the Mayor and order (referred June 15) for loan of \$4,000,000 against tax titles—recommending that the order ought to pass.

Coun. DOWD—Mr. President, for the record and speaking personally for myself, realizing the credit of the City of Boston throughout the country, realizing that we have never defaulted on any of our bonds or any of our payments, I think we should serve notice on the great banking institutions in this city that we realize that something is going on, in view of the fact that on temporary loans in the past there have always been from three to five bidders, but as explained by the City Auditor, the last two times there has been only one bidder. Now it is very evident that the banking institutions of the City of Boston, who are willing to loan money to outside industries in outside cities, are trying to create a monopoly in the City of Boston. We find in large cities throughout Massachusetts that the local institutions are only too willing to loan the cities their money, and I cannot see any real, sound, logical reason why a city like Boston, with the credit we have, should only have one bidder. To my mind it is an attempt to create a monopoly by the banking institutions in Boston.

Coun. NORTON—The City of Boston pays the highest price for its loans of any city in Massachusetts. We are paying more for money than Fall River, New Bedford, Lowell, Lawrence and Brockton, who were hit greatly by the depression. Boston is paying more money for short-term loans, tax-anticipation notes, than any other city in Massachusetts. It is only a question of time when there are no bidders and when the banking institutions refuse to accept and do business with the city, when the crisis comes, and when that comes, things are going to move fast and God help certain folks at the Hall. Those are the people I would like to protect and keep the old house going as long as possible. I asked the auditor why this unusual procedure was adopted of borrowing on tax titles to pay off short term bonds. The reason is, they do not want to go into the market. They are afraid. No one knows what the bankers would say to the city today if they asked for \$4,000,000.

The report was accepted, and the order was read once and passed, yeas 19, nays 0.

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

2. Report on message of Mayor and order (referred June 15) for transfer of \$5,000 for the purpose of providing ice for the drinking fountains—recommending that same ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

3. Report on message of Mayor and order (referred June 15) for transfer of \$25,000 from the Reserve Fund to the Public Works Department, Paving Service, for P. W. A. projects—recommending that order ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

4. Report on message of Mayor and orders (referred June 15) for transfer in various departments—recommending that orders ought to pass.

Report accepted; orders severally passed, yeas 19, nays 0.

5. Report on message of Mayor and order (referred June 15) for loan of \$85,000 for Police Communication System—recommending reference of order to the Committee on Finance.

Report accepted and order referred to Committee on Finance.

The purposes for which the meeting was called having been accomplished, the President declared the meeting adjourned at 2.10 p. m., to meet on Monday, June 29, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 29, 1936.

Regular meeting of the City Council of the City of Boston held in the City Council Chamber at two o'clock p. m., President FITZGERALD in the chair, and all the members present except Coun. Doherty.

WEIGHERS OF COAL.

The following was received:

City of Boston,
Office of the Mayor, June 29, 1936.
To the City Council.

Gentlemen—Subject to confirmation by your Honorable Body I hereby appoint the following named as weighers:

Weighers of Coal: Charles F. Haggerty, 16 Kahler avenue, Milton, Mass.; Joseph J. Pzenny, 11 Boardman street, Salem, Mass.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Laid over for one week under the law.

JOYCE KILMER PARK.

The following was received:

City of Boston,
Office of the Mayor, June 11, 1936.
To the City Council.

Gentlemen,—I have approved the order adopted by your Honorable Body on May 25, 1936, requesting the Park Commission to name the recreational park on Centre street, West Roxbury, opposite the Veterans of Foreign Wars Highway, the Joyce Kilmer Park, in honor of America's soldier poet of that name.

I have been informed by the chairman of the Park Department that signs designating the area as Joyce Kilmer Park will be erected immediately.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Placed on file.

TRAFFIC SIGNAL LIGHTS, WARD 14.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1936.
To the City Council.

Gentlemen,—I transmit herewith two letters from the Traffic Commission relative to your two orders of May 18, 1936, concerning the installation of automatic traffic signal lights at the following locations:

1. Talbot avenue, Harvard street and Blue Hill avenue, Ward 14.
2. Intersection of Warren and Waumbeck streets and Elm Hill avenue.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, June 25, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated May 18, 1936, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signal lights at the intersection of Talbot avenue, Harvard street and Blue Hill avenue, Ward 14."

To properly signalize this area it would be necessary to include Angell street, so that the signalized intersection would then properly

be Angell street, Blue Hill avenue, Harvard street and Talbot avenue.

The cost of a traffic signal at this location is estimated at \$4,500.

At the present time there are no funds available for this installation.

Respectfully yours,

OWEN A. GALLAGHER,
Acting Commissioner.

City of Boston,
Traffic Commission, June 25, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated May 18, 1936, which reads as follows:

"Ordered, That his Honor the Mayor be requested to install traffic signals at intersection of Warren and Waumbeck streets and Elm Hill avenue."

The estimated cost of installing the signal at this location is \$3,000.

There are no funds available at this time for this installation.

Respectfully yours,

OWEN A. GALLAGHER,
Acting Commissioner.

Placed on file.

REPAVING ANNABEL AND EASTMAN STREETS.

The following was received:

City of Boston,
Office of the Mayor, June 11, 1936.
To the City Council.

Gentlemen,—I transmit herewith two letters from the Acting Commissioner of Public Works relative to your orders of June 1, 1936, concerning the repaving with smooth pavement of the following streets:

1. Annabel street, Ward 7.
2. Eastman street, Ward 7.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, June 10, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I have your note of June 8 with attached order of City Council dated June 1, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Annabel street, Ward 17,"

and respectfully report that this street is now under construction by W. P. A. forces.

Respectfully yours,

JOSHUA ATWOOD,
Acting Commissioner of Public Works.

City of Boston,
Public Works Department, June 10, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I have your note of June 8 with attached order of City Council dated June 1, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Eastman street, Ward 7,"

and respectfully report that this street is now under construction by W. P. A. forces.

Respectfully yours,

JOSHUA ATWOOD,
Acting Commissioner of Public Works.

Placed on file.

APPROVAL OF APPOINTMENT OF JAMES A. BUCKLEY.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Corporation Counsel relative to your

order of May 11, 1936, concerning the status of James A. Buckley as clerical assistant of the Municipal Court of the Charlestown District.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Law Department, June 13, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from your office submitting the following order of the City Council, passed on May 11, 1936:

"Ordered, That his Honor the Mayor, the Budget Commissioner and the Law Department be requested to approve James A. Buckley as clerical assistant of the Municipal Court of the Charlestown District, as of November 16, 1935, at a salary of \$1,700 per annum and said salary to be increased at the rate of \$100 per annum until the amount of \$2,200 be reached; said James A. Buckley having been legally appointed to the said position of clerical assistant on the said 16th day of November, by the Clerk of the Municipal Court of the Charlestown District according to General Laws, chapter 218, section 69."

At a meeting of the Committee on Appropriations of the City Council held on May 22, 1936, which was attended by a representative of this department, my opinion was requested as to whether or not (1) the approval of the Justice of the Municipal Court of the Charlestown District is a condition precedent to the effective appointment by the clerk of said court of a second assistant clerk of said court, (2) the clerk of said court may properly and effectively appoint a clerical assistant without the approval of said justice and (3) James A. Buckley had been properly and effectively appointed clerical assistant in said court by the said clerk on or about November 16, 1935.

I have been advised by the Budget Commissioner that on November 16, 1935, James J. Mullen, clerk of said court, notified the Budget Commissioner that he (said clerk) had that day "appointed Peter J. Flaherty as second assistant clerk of this court, at a salary of twenty-two hundred and fifty dollars per annum, to fill the vacancy caused by the death of Maurice M. Hurley" and "appointed James A. Buckley as senior clerk of this court, at a salary of seventeen hundred dollars per annum, to fill the vacancy caused by the promotion of Peter J. Flaherty." Prior to May 22, 1936, Mr. Mullen and Honorable Charles S. Sullivan, Justice of said court, had advised me that the Justice had not approved the purported appointment of said Peter J. Flaherty (who, prior to and on November 16, 1935, was clerical assistant of said court) as second assistant clerk of said court (the Justice stating that the purported appointment had never been properly presented to him).

I have also been advised by the Budget Commissioner that the 1935 and 1936 budgets, approved by you, include an item for one senior clerk (the designation for clerical assistant) for the Municipal Court of the Charlestown District, and that by the County Compensation and Classification Plan (hereinafter referred to) the compensation for said senior clerk is fixed at a minimum annual salary of \$1,700 with an annual increment of \$100 until the maximum annual salary of \$2,200 is reached.

On May 27, 1936, the Budget Commissioner transmitted to me a copy of a letter from James J. Mullen, clerk of said court, to him dated May 23, 1936, in which Mr. Mullen notified him that on said date he appointed Peter J. Flaherty second assistant clerk to fill the vacancy caused by the death of Maurice M. Hurley, that said appointment had been approved by Honorable Charles S. Sullivan, Justice of said court, and that he (Mr. Mullen) had, on said date, appointed James A. Buckley senior clerk of said court to fill the vacancy caused by the promotion of said Peter J. Flaherty. The Budget Commissioner also transmitted a copy of a letter from said

Justice to him dated May 26, 1936, in which the Justice notified the Budget Commissioner that "there has been no senior clerk appointed in the Municipal Court of the Charlestown District," and stated further the following:

"... As standing Justice of that court, I am the only one who can make such an appointment.

"My official position is tantamount to that of a head of the department, and under the County Compensation Plan, Document 55 of 1931, clerks of that nature are appointed by the head of the department."

I have been advised by Charles S. O'Connor, Clerk of the Supreme Judicial Court for Suffolk County, James F. McDermott, Clerk for Civil Business of the Superior Court for Suffolk County, William M. Prendible, Clerk for Criminal Business of the Superior Court for Suffolk County, William F. Donovan, Clerk for Civil Business of the Municipal Court of the City of Boston, and William D. Collins, Clerk for Criminal Business of the Municipal Court of the City of Boston, that the uniform practice has been for such clerk to appoint clerical assistants without reference of the appointments to any of the justices of his respective court for approval. John T. Lane, Clerk of the Boston Juvenile Court, has informed me that there are no clerical assistants in said court.

Daniel J. Falvey, Deputy City Auditor, has informed me that the practice in the matter of appointments of clerical assistants by clerks of the district courts in Suffolk County (other than the Municipal Court of the City of Boston) has not been uniform; that in most cases, notices of such appointments have not contained any statement as to approval of the appointment by the justice; but that in a few instances, the notices of such appointments have contained a statement by the clerk or the justice to the effect that the justice of the court has approved the appointment.

Section 10 of chapter 218 of the General Laws (Ter. Ed.) provides as follows:

"The clerk of a district court may, subject to the approval of the justice, appoint one or more assistant clerks, who shall be removable at his pleasure or at the pleasure of the court, for whose official acts the clerk shall be responsible and who shall be paid by him unless salaries payable by the county are authorized in this section or in section fifty-three. Assistant clerks with salaries payable by the county may be appointed in ... the municipal court of the Charlestown district. ... Second assistant clerks with salaries payable by the county may be appointed in ... the municipal court of the Charlestown district, ..."

Section 69 of said chapter 218 provides as follows:

"The clerk of each district court, except the clerks of the municipal court of the city of Boston for civil and criminal business, shall be allowed annually for clerical assistance such amount as the mayor of the city of Boston, if the district court is in Suffolk county, ... may approve."

Prior to the effective date of chapter 301 of the Acts of 1931 entitled,—

"An Act Making Certain Adjustments in the Provisions of the General Laws Relative to County Offices and Positions, in Consequence of the Enactment of Laws Providing for the Classification of Certain of Such Offices and Positions, and Otherwise Perfecting Said Provisions, and Also Clarifying by the Elimination of Redundant Language and Otherwise the Provisions of said General Laws Relative to State Offices and Positions Subject to Classification."

section 33 of which amended section 69 of chapter 218 of the General Laws, so as to provide as above set forth, said section 69 provided as follows:

"The clerk of each district court, ... shall be allowed annually for extra clerical assistance such amount as the mayor of the city of Boston, if the district court is in Suffolk county, ... may approve, upon the certificate of the justice and clerk that extra clerical

assistance was actually performed and necessary, stating the names of the persons by whom it was performed and the time occupied."

Section 49 of chapter 35 of the General Laws as most recently amended by section 1 of chapter 182 of the Acts of 1935, provides as follows:

"Every office and position whereof the salary is wholly payable from the treasury of one or more counties, or from funds administered by and through county officials, except the offices of county commissioners and associate county commissioners, justices and special justices of the district courts, clerks and assistant clerks of the district courts other than the municipal court of the city of Boston, trial justices, other offices and positions filled by appointment of the governor with the advice and consent of the council, and probation officers, . . . shall be classified by the board in the manner provided by sections forty-eight to fifty-six, inclusive, and every such office and position, now existing or hereafter established, shall be allocated by the board to its proper place in such classification."

Section 51 of said chapter 35 provides as follows:

"The board shall (a) pass upon and finally adopt and put into effect, with such modifications, changes and additions as it shall deem proper, the classification and compensation plans and rules for their administration proposed by the director of accounts under section fifty; . . ."

Section 56 of said chapter 35 provides as follows:

"For Suffolk county, the duties prescribed for the board by section fifty-one, . . . shall be performed by the city council of the city of Boston, subject to the provisions of the charter of said city; the duties prescribed by sections forty-nine to fifty-five, inclusive, for the director of accounts shall be performed by the budget commissioner of said city, and all other duties prescribed and powers conferred by said sections forty-nine to fifty-five shall be performed by the mayor of said city. . . ."

Pursuant to the provisions of chapter 400 of the Acts of 1930 (incorporated in sections 43 to 56, inclusive, of said chapter 35), the Budget Commissioner proposed compensation and classification plans for the officers and employees of Suffolk County and rules for the administration thereof which were adopted by the City Council on April 13, 1931, and approved by the Mayor on April 15, 1931. (City Document 55, 1921.)

Paragraph 12 of said rules provides as follows:

"Any recommendation for promotions, transfers and new appointments shall be submitted, in writing, by department heads to the Budget Commissioner. Such recommendation, if conforming to the classifications and compensation plans and rules, shall be approved by the Commissioner. . . ."

Section 70 of chapter 218 of the General Laws (Ter. Ed.) provides as follows:

"The clerks of the municipal court of the city of Boston for civil business and for criminal business and the clerk of the Boston juvenile court shall each be annually allowed for clerical assistance such amounts as the majority of the justices of said municipal court and the justice of said Boston juvenile court, respectively, may recommend, subject, however, to the approval of the officers having in Suffolk county the powers of county commissioners."

Section 102 of chapter 221 of the General Laws (Ter. Ed.) provides as follows:

"The clerks of the courts in the several counties, the clerk of the supreme judicial court for Suffolk county and the clerks of the superior court for said county shall each be annually allowed for clerical assistance, to be paid by their respective counties, such amounts as shall be approved by the county commissioners in a writing signed by them

or, in Suffolk county, by vote of the officers having in said county the powers of county commissioners."

1. It is my opinion that the approval of the Justice of the Municipal Court of the Charlestown District is a condition precedent to the effective appointment by the clerk of said court of a first assistant clerk or a second assistant clerk of said court (General Laws, chapter 218, section 10).

2. Based upon the language and history of section 69 of chapter 218 of the General Laws, however, it is my opinion that said clerk may properly and effectively appoint a clerical assistant without the approval of said Justice. Allowance to the clerk of an amount for clerical assistance must import the power in the clerk to determine what person or persons shall render such clerical assistance, subject, of course, to the power in the Mayor to limit such amount. Even if the interpretation of section 69 be deemed doubtful or ambiguous, the uniform practice in the matter of appointment of clerical assistants in the offices of the Clerk of the Supreme Judicial Court for Suffolk County, of the Superior Court for Suffolk County, both for civil and criminal business, and of the Municipal Court of the City of Boston, both for civil and criminal business (see similarity of language of section 70 of chapter 218 and section 102 of chapter 221 to said section 69), and the predominating practice in the matter of such appointments in the other district courts for Suffolk County (with the possibility that in these exceptional cases the request for approval of the Justice may have been a matter of courtesy rather than an interpretation of compliance with a legal requirement) would be entitled to great weight and would resolve any such doubt or ambiguity.

See

Burrage v. County of Bristol, 210 Mass. 299.

Tyler v. Treasurer & Receiver General, 226 Mass. 306, 310.

Scott v. Commissioner of Civil Service, 272 Mass. 237, 241.

Power's Case, 275 Mass. 515, 518.

Such power to appoint clerical assistants without the necessity of judicial approval (subject to the express statutory limitation of approval by the Mayor as to the amount to be expended for such assistance) is consistent with the authority of "a public officer clothed with official functions of a highly important nature," to quote the language used by Chief Justice Rugg in defining the duties of a clerk of a district court in Suffolk County in *O'Connell v. Retirement Board of Boston*, 254 Mass. 404, 406.

While paragraph 12 of the rules for the administration of the County Compensation and Classification Plans provides that recommendations for new appointments shall be submitted, in writing, by department heads to the Budget Commissioner, it is my opinion that such rule should not be construed to mean that clerical assistants in the district courts should be appointed by the Justice of the respective court. Such construction would, in my opinion, invalidate said rule, in view of the provisions of said section 69.

3. Based upon the facts furnished me, it is my opinion that Peter J. Flaherty was not properly and effectively appointed second assistant clerk of said court until May 23, 1936; that at least from November 16, 1935, until May 23, 1936, there was no vacancy in the position of clerical assistant of said court; and that as the Mayor had not approved an amount for clerical assistance in excess of the amount of salary of one clerical assistant of said court, James A. Buckley was not properly and effectively appointed clerical assistant of said court until May 23, 1936.

Since the Committee on Appropriations of the City Council has requested my opinion as to the matters herein set forth, I should appreciate your transmitting a copy of this letter to such committee.

Very truly yours,

HENRY E. FOLEY,
Corporation Counsel.

Placed on file.

TRANSFERS WITHIN DEPARTMENTAL
APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, June 29, 1936.
To the City Council.

Gentlemen,—The attached requests for transfers within departmental appropriations have been examined and investigated by the Budget Commissioner. I accordingly recommend adoption of the accompanying orders by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, 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 Port Authority:

From the appropriation for B-10, Rent, Taxes and Water, \$44; B-12, Bond and Insurance Premiums, \$41.40, to the appropriation for B-39, General Repairs, \$31.40; C-13, Tools and Instruments, \$8; D-16, Miscellaneous Supplies, \$10; E-1, Building, \$36.

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, Police Officers, etc., 5 at \$2,100 a year, \$1,243.80, to the appropriation for A-1, Permanent Employees, Clerks, 11 (12) at \$900 to \$1,600 a year, \$1,243.80.

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 H, Relief Projects, \$2,786, to the appropriation for B-12, Bond and Insurance Premiums, \$281; C-3, Electrical, \$1,000; C-9, Office, \$500; C-16, Wearing Apparel, \$5; E-1, Building, \$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 Licensing Board:

From the appropriation for A-1, Permanent Employees, Clerk, 1 at \$2,500 a year, \$2,500; Clerk and Messenger, 1 at \$1,600 a year, \$1,600; Clerk, 1 at \$22 a week, \$1,111.67; Stenographer and Clerk, 1 at \$22 (\$18) a week, \$240.50; Clerk, 1 at \$18 (\$15) a week, \$192, to the appropriation for A-1, Permanent Employees, Clerk (First Clerk), 1 at \$2,500 (\$2,700) a year, \$2,700; Clerk and Messenger (Second Clerk), 1 at \$1,600 (\$1,800) a year, \$1,800; Clerk, 1 at \$22 (\$23) a week, \$1,144.17.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Mayor, Office Expenses:

From the appropriation for B-1, Printing and Binding, \$800, to the appropriation for C-4, Motor Vehicles, \$800.

From the appropriation for B-13, Communication, \$300, to the appropriation for B-1, Office, \$300.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Park Department:

From the appropriation for A-1, Permanent Employees, Laborers, Mechanics, etc., 345 at \$30 a week, \$9,750; B-6, Hire of Teams and Auto Trucks, \$2,115.50; D-4, Forage and Animal, \$250; E-2, Highway, \$7,500, to the appropriation for B-16, Care of Animals, \$250; B-42, Miscellaneous Services, \$3,000; C-4, Motor Vehicles, \$2,115.50; C-5, Motorless

Vehicles, \$250; D-3, Fuel, \$5,000; D-11, Gasoline, Oil and Grease, \$1,500; E-13, Miscellaneous Materials, \$7,500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Welfare Department, Central Office:

From the appropriation for C-9, Office, \$201.08, to the appropriation for A-1, Permanent Employees, Assistant Supervisor, 1 at \$1,800 (\$2,200) a year, \$201.08.

From the appropriation for A-1, Permanent Employees, Visitor, Senior, 1 at \$2,200 a year, \$0.00, to the appropriation for A-1, Permanent Employees, Visitor, Senior (Assistant Supervisor), 1 at \$2,200 a year, \$0.00.

From the appropriation for C-9, Office, \$1,635, to the appropriation for B-3, Advertising and Posting, \$25; B-5, Express Charges, \$1,500; B-14, Motor Vehicles Repair and Care, \$50; B-18, Cleaning, \$10; B-37, Photographic and Blueprinting, \$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, Wayfarers' Lodge:

From the appropriation for D-2, Food and Ice, \$106, to the appropriation for C-12, Medical, Surgical, Laboratory, \$55; D-1, Office, \$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, Temporary Home:

From the appropriation for D-2, Food and Ice, \$140, to the appropriation for B-13, Communication, \$50; B-18, Cleaning, \$25; C-12, Medical, Surgical, Laboratory, \$25; C-13, Tools and Instruments, \$20; D-5, Medical, Surgical, Laboratory, \$20.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Sewer Service:

From the appropriation for A-1, Permanent Employees, Engineers, Grade 3, 13 (11) at \$2,400 to \$2,700 a year, \$50, to the appropriation for A-1, Permanent Employees, Engineers, Grade 4, 6 (7) at \$2,700 to \$3,000 a year, \$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 Soldiers' Relief Department:

From the appropriation for F-8, State and Military Aid, Soldiers' Relief and Burials, \$500, to the appropriation for H, Relief Projects, \$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 Street Laying-Out Department:

From the appropriation for A-1, Permanent Employees, Chief Draftsman, 1 at \$2,700 a year, \$1,700, to the appropriation for A-1, Permanent Employees, Chief Draftsman, 1 at \$2,700-\$2,800 a year, \$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 Superior Court, Civil Session, General Expenses:

From the appropriation for A-1, Permanent Employees, Clerk, Assistant in Equity, 1 at \$5,000 a year, \$850, to the appropriation for A-1, Permanent Employees, Senior Clerk, 0 (1) at \$1,700 a year, \$850.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be,

and hereby is, authorized to make the following transfer in the appropriations for Municipal Court, City of Boston:

From the appropriation for A-1, Permanent Employees, Justices, Special, 6 at \$30 per diem, \$200, to the appropriation for H, Relief Projects, \$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 Municipal Court, City of Boston, Probation Department:

From the appropriation for A-1, Permanent Employees, Probation Officers (female), 8 at \$2,500 a year, \$1,005.68, to the appropriation for A-1, Permanent Employees, Clerks, 7 (9) at \$1,000 to \$1,800 a year, \$1,005.68.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Municipal Court, Brighton District:

From the appropriation for D-1, Office, \$50, to the appropriation for C-10, Library, \$50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Medical Examiner Service, Northern Division:

From the appropriation for B-28, Expert, \$55, to the appropriation for C-13, Tools and Instruments, \$25; D-16, Miscellaneous Supplies, \$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, Water Service:

From the appropriation for A-1, Permanent Employees, Clerks, 2 (1) at \$1,900 a year, \$955.16; Foremen, 8 at \$2,300 to \$2,500 a year, \$100.48, to the appropriation for A-1, Permanent Employees, Clerks, 2 (3) at \$2,100 a year, \$1,055.64.

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, Traffic Tunnel:

From the appropriation for B-39, General Repairs, \$50, to the appropriation for B-28, Expert, \$50.

Referred to Executive Committee.

LOAN FOR HOSPITAL BUILDING.

The following was received:

City of Boston,

Office of the Mayor, June 29, 1936.

To the Honorable the City Council.

Gentlemen,—On February 26, 1934, your Honorable Body gave its second and final reading and passage to a loan order, under the provisions of chapter 366 of the Acts of 1933, in the sum of \$1,500,000, for new buildings and alterations, and on April 9, 1934, your Honorable Body authorized me to enter into a grant agreement with the United States of America for a grant to the city to aid in financing said project.

I am transmitting to your Honorable Body copy of a letter from the President of the Board of Trustees of the Boston City Hospital to me dated June 29, 1936, in which he requests the appropriation of the additional sum of \$70,000 in order fully to furnish and equip the new Surgical Operating and Ward Building, and in which he states that said building will be ready for occupancy "perhaps in the early fall."

I submit to your Honorable Body form of loan order for said additional sum of \$70,000 and recommend immediate consideration and adoption by your Honorable Body of said order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Hospital Department, June 29, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—The new Surgical Operating and Ward Building, which is now completed, has been turned over to us and is ready for occupancy.

When it was originally estimated that the cost of the building would be \$1,500,000, it was contemplated that said sum would be only enough for the building itself, without the increase in the Power Plant of the Main Building (because of the additional load due to the new Surgical Operating and Ward Building) and without the furniture and equipment necessary in order fully to equip the building for use.

Because the contract sum for the building was lower than anticipated, \$100,000 became available for the Power Plant and approximately \$80,000 is now available for furniture and equipment. The total estimated cost of all furniture and equipment for the entire building is, however, \$150,000, and the sum of \$70,000 will be needed in order completely to equip the Surgical Operating and Ward Building for use so that it will be ready to open perhaps in the early fall.

I therefore respectfully request that an additional appropriation, in the sum of \$70,000, be made for furnishing and equipping the Surgical Operating and Ward Building; and since there is a possibility of an additional grant from P. W. A., I recommend that an application for such additional grant be made to the Federal authorities.

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

Ordered, That in accordance with the provisions of chapter 366 of the Acts of 1933, and acts in amendment thereof and in addition thereto, the sum of \$70,000 be, and hereby is, appropriated, to be expended under the direction of the Hospital Trustees for New Buildings and Alterations and Equipment, in addition to the sum of \$1,500,000 appropriated so to be expended for said purpose by order given its second and final reading and passage on February 26, 1934, 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 of \$70,000, the same to be issued outside the limit of indebtedness.

Coun. DOWD—As chairman of the Finance Committee I feel, in view of the fact that the Surgical Building should be opened as soon as possible, the matter might be referred to the Executive Committee with the hope we might be able to give it one reading today. In other words, the hospital has been fully completed for the last two months and I feel we should do everything in our power to assist in opening it. While we are not to blame for the order coming in at this late date, nevertheless the hospital should be equipped and I request we give it first reading today.

Referred to the Executive Committee.

TRANSFER FOR HOSPITAL PROJECT.

The following was received:

City of Boston,

Office of the Mayor, June 29, 1936.

To the City Council.

Gentlemen,—I am in receipt of the inclosed communication from the President of the Board of Trustees of the Boston City Hospital requesting a transfer of \$20,000 from the Reserve Fund to the H, Relief Projects item in the hospital budget for the current year.

This sum is necessary to maintain the same number of men now at work at the hospital on W. P. A. project. I therefore submit herewith an order providing for the transfer

of the above mentioned sum from the Reserve Fund and respectfully recommend adoption by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Hospital Department, June 25, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—In order to take care of the needs of the W. P. A. beyond June 30, and up until August 1, it will be necessary to have \$20,000.

This amount will carry us until the large appropriation has been made.

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

Ordered, That under authority of chapter 261 of the Acts of 1933 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Reserve Fund, \$20,000, to the appropriation for Hospital Department, H, Relief Projects, \$20,000.
Referred to the Executive Committee.

APPROPRIATION FOR RANDIDGE FUND EXCURSIONS.

The following was received:

City of Boston,
Office of the Mayor, June 23, 1936.
To the City Council.

Gentlemen,—The chairman of the Park Commissioners informs me that an appropriation of \$5,000 will be required for transportation and incidental expenses in connection with excursions to be arranged under the Randidge Fund for children in various sections of the city. I believe this to be a project of exceptional merit and accordingly am submitting herewith an order providing for the appropriation of the necessary amount, the same to be charged to the Reserve Fund.

I respectfully recommend adoption of the accompanying order by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Ordered, That the sum of \$5,000 be, and the same hereby is, appropriated, to be expended by the Board of Park Commissioners, for recreation purposes, by the transporting of children from the various parts of the city to certain recreational centers within and without the limits of the city, and for other incidental expenses in connection therewith, said sum to be charged to the Reserve Fund.
Referred to Executive Committee.

RESCISSION OF LOANS.

The following was received:

City of Boston,
Office of the Mayor, June 29, 1936.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the City Auditor in which it is recommended that portions of loans authorized in connection with three P. W. A. projects be rescinded. The projects in question have been completed, and because of grant payments received from the Federal Government it has not been necessary for the city to issue the full amount of loans originally authorized. The accompanying orders provide for the rescission of the amounts authorized but not issued. I respectfully recommend adoption of these orders by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Auditing Department, June 25, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—Three projects in the first P. W. A. program of the city are now officially closed,

in that all work originally contemplated under these projects have been completed and the final grant payment from the Federal Government on each project has been received. Largely because of these grant payments it has not been necessary to utilize the total borrowing power originally authorized by the City Council for each project. Since the projects have been completed the excess amount of loans authorized but not issued are no longer required, and therefore, in my opinion, should be rescinded. The following table indicates the amounts in question:

Project.	Amount to be Rescinded.
Replacement of the Brookline Avenue Water Main from the Brookline Line to Beacon Street.....	\$100,000
Water Main Construction.....	200,000
Northern Avenue Bridge, Reconstruction and Repair.....	100,000

I have had prepared three orders providing for the rescission of the above amounts, and respectfully recommend that these orders be submitted to the City Council.

Respectfully,
CHARLES J. FOX,
City Auditor.

Ordered, That the right to borrow money for Water Main Construction, under authority of chapter 366, Acts of 1933, as amended by chapter 21, Acts of 1934, approved by the Mayor on February 27, 1934, be limited to \$500,000, and that the authorization to borrow in excess of said amount for said purpose, be, and the same hereby is, rescinded.

Ordered, That the right to borrow money for Replacement of the Brookline Avenue Water Main from the Brookline Line to Beacon Street, under authority of chapter 366, Acts of 1933, as amended by chapter 21, Acts of 1934, approved by the Mayor on February 27, 1934, be limited to \$250,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

Ordered, That the right to borrow money for Northern Avenue Bridge, Reconstruction and Repair, under authority of chapter 366, Acts of 1933, as amended by chapter 21, Acts of 1934, approved by the Mayor on May 2, 1934, be limited to \$275,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

Referred to Executive Committee.

MUNICIPAL EMPLOYMENT BUREAU.

The following was received:

City of Boston,
Office of the Mayor, June 23, 1936.
To the City Council.

Gentlemen,—I am advised by the Director of the Municipal Employment Bureau that the appropriation authorized for the running expenses of the Bureau will be exhausted in about three weeks.

In my opinion the Bureau is doing a worthwhile work and in order that it may continue I submit herewith an order providing for a further allotment from the Reserve Fund of \$10,000. It is estimated that this amount will be sufficient to continue the activities of the Bureau until the end of the year.

I respectfully recommend the adoption of the accompanying order by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Ordered, That the sum 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.

Referred to Executive Committee.

LOAN FOR PUBLIC WELFARE.

The following was received:

City of Boston,
Office of the Mayor, June 25, 1936.
To the City Council.

Gentlemen,—I am forwarding herewith a loan order in the sum of \$1,000,000 to be used for the purposes provided in chapter 80 of the Acts of 1936, namely, Public Welfare, including Mothers' Aid and Old Age Assistance, Soldiers' Benefits, including State Aid, Military Aid, Soldiers' Burials and Soldiers' Relief, and any Federal Emergency Unemployment Relief project. This sum, together with the \$4,000,000 previously appropriated by your Honorable Body, totals \$5,000,000, the amount of funded borrowings contemplated in the tax program for this year. At a subsequent meeting of your Honorable Body I will introduce an appropriation order allocating the above mentioned sum of \$1,000,000. I respectfully recommend adoption of the accompanying order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Ordered, That under the provisions of chapter 80 of the Acts of 1936 the City Treasurer be authorized to borrow the sum of \$1,000,000 for the purposes provided under said chapter, to be expended as may hereafter be appropriated by the City Council and 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, same to be issued outside the limit of indebtedness.

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Frank Aguglia, for compensation for damage to property at 147 Neponset avenue, caused during construction of Claymont terrace.

Mrs. Edward C. Albee, for compensation for injuries caused by an alleged defect in Tremont street.

Crawford W. Bolton, for compensation for damage to car caused by an alleged defect in Blue Hill avenue.

The Frank Bova Company, for compensation for damage to property at 77 and 79 Clinton street, caused by water in cellar.

Charles E. Brown, for compensation for damage to property at 24½ and 26 North street, caused by backing up of sewage.

Mary E. Cavanagh, for compensation for injuries caused by an alleged defect at 12 Lawnwood place.

H. W. Cherrington, for compensation for loss of property taken by garbage collectors from 14 Linden street, South Boston.

Gerson Chmara, for compensation for damage to car by city truck.

Alfred Y. Christie, for compensation for damage to property at 715 LaGrange street, caused by change of grade of sidewalk.

John C. Conley, for compensation for damage to car caused by an alleged defect at 153 Tyler street.

Daniel W. Donahue, to be reimbursed for judgment issued against him on account of his acts as operator of motorcycle of Police Department.

Mary E. Dunn, for compensation for damage to coat caused by an alleged defect at Market and North Beacon streets.

Sarah and William H. Lear, for compensation for damage to property at 97 Byron street, caused by bursting of water meter.

Sandra Lehrun, for refund on refuse tickets.

Mary A. Lynch, for compensation for injuries caused by an alleged defect at 116 G street, South Boston.

Maine Poultry Company, for compensation for damage to car by city wagon.

Elizabeth L. McCoy, for compensation for damage to gloves caused by an alleged defect in Boston Common.

Mrs. Joseph O'Donnell, for compensation for damage to property at 32 Upton street, caused by leak in water main.

Maurice Potter, for compensation for damage to car caused by an alleged defect at 156 West Brookline street.

John F. Ryan, to be reimbursed for judgment issued against him.

Shawmut Stables, Inc., for compensation for damage to wagon by city wagon.

Max Siegel, for refund on permit for electrical sign.

Abraham I. Silverman, for refund on second-hand furniture license.

Sarah J. Warner, for compensation for damage to property at 44 Leamington road, caused by blasting work.

Elizabeth Waters, for compensation for injuries caused by an alleged defect in Huntington avenue.

F. A. Watson, for compensation for injuries caused by an alleged defect at 21 Thomas street, Jamaica Plain.

Evelyn Apostolu, for compensation for damage to car caused by truck of Park Department.

Timothy J. Flahive, for compensation for damage to car caused by an alleged defect in South street.

Sarah Landen, for compensation for property taken from locker at North End Park, Boston.

Executive.

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

Florence Hamilton, Recital Hall, June 26, 1936.

Gino Gallozzi, North End Hall, July 1, 1936.

Ursula M. Loughran, Hotel Somerset, June 11, 1936.

Ethel M. Gegan, Whiton Hall, June 23, 1936.

APPROVAL OF CONSTABLES' BONDS.

The bonds of the following-named constables, having been duly approved by the City Treasurer, were received and approved, viz.:

Samuel Goldkrand, Abraham M. Hecht, John B. Blotto.

JURY LIST.

The following was received:

City of Boston,
Office of the City Clerk, June 29, 1936.
To the City Council.

Gentlemen,—You are hereby notified that the list of inhabitants qualified to serve as jurors, prepared by the Election Commissioners and contained in City Document No. 58, was this day filed with me.

Respectfully,

W. J. DOYLE, City Clerk.

Placed on file.

In connection with the communication Coun. DOWD offered the following:

Ordered, That the City Clerk be hereby directed to cause the names on the Jury List (City Document No. 58) transmitted to 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.

MINOR'S LICENSES.

Petitions were received for minors' licenses from sixty newsboys.
Licenses granted under usual conditions.

FINANCE COMMISSION REPORT ON
STANDARD COAL COMPANY.

The following was received:

City of Boston,
Finance Commission, June 15, 1936.
To the Honorable the City Council.
Gentlemen,—On May 4, 1936, the Finance Commission requested the City Auditor to withhold his approval from all bills presented by the Standard Coal Company under a contract to supply coal to the city buildings, pending an investigation by the commission of the quality of the coal delivered by that company. This contractor was not involved in the investigation of coal deliveries to welfare recipients, which has already been reported upon.

The commission has held public hearings on this matter and has taken under oath the testimony on which the findings of this report are based. Mayor Mansfield was invited to send his own shorthand reporter to these hearings. Having accepted that invitation, it is presumed that the Mayor now has a complete transcript of the sworn testimony.

The commission deems it to be its duty to make this report of its findings to your Honorable Body, because public attention was called to delinquencies of the contractor by members of the City Council at formal sessions.

Contract Awarded to Standard Coal Company.

A contract to furnish 5,000 tons of anthracite and 9,000 tons of semi-bituminous coal to various city departments was awarded by the Superintendent of Supplies, Warren W. Loomis, on April 23, 1935, to the Standard Coal Company. The officers of this company are Goldie Kline, president, and Max Kline, treasurer. The company has done considerable business with the city for many years, and its character and reputation were well known to the city authorities. Coal purchased under this contract was for distribution to the buildings of the Library, Park, Public Works and Public Buildings Department.

The Superintendent of Supplies gave notice of his award to the Standard Company on April 23, 1935. On May 2, 1935, the Standard Company filed in City Hall notice of assignment of all sums becoming due the company to the Foreston Coal Company, Inc. This assignment was on record in the City Treasurer's office when Mayor Mansfield approved the award on May 8, 1935.

In 1934, when the Standard Company had a similar contract with the city, all sums payable to the company were assigned to H. N. Hartwell & Son, Inc. These assignments were to the companies from which the Standard Company arranged to obtain coal for delivery under the two contracts. They were required by the two wholesale coal companies before delivery of coal to the Standard Company.

When the Finance Commission requested the auditor to withhold further payments from the Standard Company, the tonnage required by the contract had been delivered and there remained \$15,205.55 of the total contract price unpaid. The Standard Company, therefore, had already received \$102,279.32, or 87 per cent of the contract price.

The officials of the departments which received coal from the Standard Company have approved all bills as submitted, and the remaining unpaid bills were in process of payment until the Finance Commission requested that a stop-order be issued.

Complaint Against Standard Coal Company.

While the approval by the Mayor of award of the contract was pending in 1935, vigorous protest was made in the City Council against award to this company on the ground that its court record was evidence of unreliability.

When the bid of the company came to public notice, the Sealer of Weights and Measures gave notice to the Superintendent of Supplies that the company had a bad court record.

Notwithstanding these two complaints, award was approved. The Standard Coal Company's bid was \$6,000 less than the next lowest bidder.

Arrangements for Checking Deliveries.

The Supply Department made a contract with Arthur D. Little, Inc., for fuel engineering service in relation to this and other city coal contracts. The Little Company was required to take samples at stipulated intervals and to perform other service intended to ensure the acceptance only of the quality and size of coal specified. This contract required tests as prescribed for coal by the American Chemical Society. The tests so prescribed include a sizing test. The size of the coal required was of the essence of the contract.

A second form of check on the company, but not provided for in the contract, was ordered by Mayor Mansfield within a few days after formal execution of the contract. This was the assignment by the Sealer of Weights and Measures of his deputy to the coal yard of the Standard Company with instructions to weigh every pound of coal that left the yard.

This order resulted from the fact that the Standard Company was found by the Sealer of Weights and Measures to be giving short weight on the first delivery of coal made under the contract. In addition to these checks, it is the duty of the coal inspector permanently employed in the Supply Department to make regular inspections.

Complaints Against Coal Delivered.

From the very start of the deliveries under the contract there was complaint against the quality, the size, and the weight of the coal delivered. These complaints came from every department to which the coal was distributed.

The trouble over short weight subsided when, after the company was haled into court for short weight on a delivery to the Suffolk County Courthouse, a deputy sealer was stationed at the company's yard. This precaution cost the city approximately \$2,000 according to the testimony of the Sealer of Weights and Measures.

The trouble over the size and burning quality of the coal was continuous throughout the life of the contract. Officials or employees of all the departments to which this company delivered coal made complaint that it was often dirt and dust; generally of a size smaller than required; that it produced unsatisfactory heat and frequently not enough to supply hot water and keep the building warm; that it formed large clinkers and damaged the grates and linings of the fire boxes.

All the witnesses who appeared before the commission to give testimony of complaint were city employees. Many of them stated that they had notified the Supply Department by telephone or in writing of the unsatisfactory quality of the coal. At some city buildings it appears that the coal was sometimes fair and sometimes poor. At some others it was uniformly poor. The general impression was that it never could be depended upon to be good quality, regardless of the method or volume of complaint.

The dissatisfaction with the coal delivered cannot be attributed to "idle gossip of disgruntled firemen." The most vigorous complaints registered with the Supply Department came from the business agent of the Public Library Department, James W. Kenney, and from the Superintendent of the Bath Division of the Park Department, James E. O'Reilly, both of whom are veteran officials of the city with established reputations for reliability and capability.

Mr. Kenney's protests were based on his investigation of complaints originating with firemen or custodians in branch libraries, which were sponsored and indorsed in very case by the librarian in charge. A typical complaint of this sort was contained in a letter, written to Kenney and forwarded by him to the Supply Department, from Miss Guerrier, librarian at the West Roxbury Branch. Miss Guerrier wrote in one of several complaints:

"I feel that I ought to report on the poor quality of coal that we received this year. Instead of burning as it should, it forms huge masses of stone-like clinkers and since it is impossible to shake them through the grate,

Mr. Mackin has practically to pull the entire fire out every day. This makes his work very difficult and is also wasteful, for it takes much more coal to keep the fire going.

"Usually an inspector comes to test the coal but no one has been here this winter.

"I think that something ought to be done about it for we have never had coal like this before."

Mr. O'Reilly, Superintendent of the Bath Division, wrote to the Deputy Commissioner of Parks, Charles A. Hogan:

"Early in February, I think on the second Saturday, I came to this office, and as a result of talks with the firemen and engineers working in our buildings, I called the Standard Coal Company on the 'phone, and asked for Mr. Cohen, the manager, and told him I intended to lodge a protest against the award of any further contracts for coal to his company for two reasons, one, because the company was delivering coal of poor quality; and two, because of failure to make deliveries with reasonable promptness . . . Thereupon I made protest in a formal manner against the granting of any further coal contracts to the Standard Coal Company."

Notwithstanding that this complaint was repeated by Mr. O'Reilly to the Supply Department, he states later in this same letter which was dated April 30, more than two months after the incident above mentioned:

"A week ago last Tuesday an inspector from the Supply Department viewed the coal in the coal bin at L street, made the comment that it was very poor quality. . . . It is a curious fact that while the quality of coal received in our houses for the last five or six months has been the cause of some complaint, not until the last five or six weeks, when the Standard Coal Company was making its final deliveries, did this sudden access of very poor coal begin."

All such testimony of officials and employees who used the coal conflicted with the reports of the chemist. The latter made no finding at any time of poor quality. The complaints of the city employees were thereupon disregarded.

The Service Rendered by the Chemist.

It appears that Arthur D. Little, Inc., took samples regularly and made chemical analyses which were reported to the Supply Department. This constituted all the service rendered by the Little Company. The complete set of reports were produced and examined at the hearing of the commission. It could not be found that there was mention of the size of the coal delivered on any one. In other respects the coal delivered was reported by the chemist to be within specified limitations.

The Superintendent of Supplies admitted that to believe the chemist, which he chose to do, he must disbelieve the city employees who testified under oath that the coal was poor.

In contrast, the Finance Commission employed Perry Barker to take and analyze samples at three buildings where the quality was complained of. Barker is fuel engineer for the School Department and acted in the same capacity for the Supply Department under the Fitzgerald, Curley, Peters and Nichols administrations. Mr. Barker reported that in all three instances he found the quality somewhat lower than the quality delivered to the school buildings under another contract, but with similar specifications. The school coal is purchased by the Business Agent of the School Committee. Mr. Barker, however, reported that in these three instances he found that the coal was approximately 57 per cent below the size required by the contract. The maximum variation in size allowed by the contract was 40 per cent.

Mr. Barker informed the Finance Commission that lower quality of the city buildings coal coupled with the abnormal size variation indicated a size and quality that coincided with the results claimed by the city employees who had to use the Standard Company's coal.

The Court Record of the Contractor.

Max Kline, doing business in his own name, or as the Standard Coal Company, has been prosecuted in court for fraudulent sales and deliveries of coal on five occasions. Each time the Sealer of Weights and Measures was the complainant. The record of his business reputation was therefore in the possession of the city at all times.

The record consists of these items:

1. On March 8, 1922, Max Kline was prosecuted for short weight of 975 pounds in a called-for delivery of 6,600 pounds.

2. On December 28, 1922, Max Kline was prosecuted for short weight of 1,130 pounds in a called-for delivery of 9,250 pounds.

3. On August 20, 1926, the Standard Coal Company was prosecuted for short weight of 3,600 pounds in a called-for delivery of 17,600 pounds.

4. On January 20, 1933, the Standard Coal Company was prosecuted for short weight of 1,530 pounds in a called-for delivery of 11,500 pounds.

5. On May 24, 1935, the Standard Coal Company was prosecuted for short weight of 1,100 pounds in a called-for delivery of 16,700 pounds.

The last item in this record was in connection with the first delivery of coal under this contract.

Conclusions.

It is apparent that the Standard Coal Company was not a responsible bidder for the contract. A company which must assign all payments due to its supplying wholesaler before it can receive the merchandise it is contracting to deliver must have poor financial standing. This was known to the city authorities by the long list of assignments on file in the City Treasurer's office.

It is apparent also that the Standard Coal Company was not a firm with which the city can safely do business. Three of the five prosecutions on record against the company or its owner related to instances where the company or its owner gave the city short weight. This was known to the officials making the contract. The Sealer of Weights and Measures offered it as a reason for rejection of their bid. City Councilors called attention to it in Council session repeatedly.

This was a case where the rule of award of a contract to the lowest bidder might have been waived. The bidder was not financially responsible or reliable in business.

The substantial difference in the Standard Company's bid and the bids of reliable dealers should have given warning of what might be expected. This \$6,000 differential was counterbalanced by the cost of watching the weights—\$2,000 to the deputy sealer—and the loss in efficiency of many buildings and employees by the poor character of coal.

The Supply Department rested its defence to some extent on the failure of the chemist to advise specifically that the coal was not up to standard; but the failure of the chemist to mention size in any report, even after it was brought to public attention that the size was complained of, is evidence of slipshod service by both the chemist and the Supply Department.

The Supply Department obviously should have required special reports from the chemist because of the unusual volume of complaints from city employees. The department, however, apparently ignored the fact that the chemist was not making all the tests that the contract required.

The officials of the departments from which complaints came about the quality of the coal are not without blame. They have paid the Standard Company or its assignee approximately \$100,000 and have approved bills for \$15,000 more for coal than that many of them were informed by their subordinates was poor coal. If any one of the complaining department officials had refused to approve a bill for the coal delivered because it was poor coal, the city might have obtained what it contracted to buy. Now the company has received its \$100,000 without reprisal of any

kind until the Finance Commission asked the auditor to withhold further payment.

Recommendations.

The Finance Commission recommends:

1. That the city establish a black list of coal contractors who have been found to be committing a fraud on the city. On this list immediately should be placed the names not only of the discredited local distributors, but the coal operating companies who knowingly supplied coal to them that was not up to the required specifications. In the case of the city buildings and in the case of the welfare coal, it was coal operating companies which, behind assignments of due bills and complete ownership of stock, directed the business of the bidding company and received the major portion of a profit obtained by fraudulent practices.

2. That the city employ a new fuel engineer. The reputation enjoyed by the laboratory company which analyzed this city coal and the welfare coal did not spring from recognized competence in fuel engineering. What is needed is not a mere chemical analyst, but an experienced fuel engineer who will give to the Supply Department the kind of service which the Business Agent of the School Committee obtains from his fuel engineer. Chemical analysis of samples of coal is only a part of this service. By faithful compliance with the contract made with the city by Arthur D. Little, Inc., this company might have stopped the fraud the coal companies have perpetrated on the city, and the hardship they have caused city employees and welfare recipients.

3. The Supply Department should not continue to buy all merchandise if it is to have no responsibility for delivery. The present method gives everybody concerned with the purchase and delivery of goods an opportunity to pass the blame to somebody else if anything goes wrong. What has been found to be true in the coal situation is quite likely to be true in other purchases.

4. The commission believes that the city should pay the Standard Coal Company or its assignee nothing more for the coal delivered under this contract unless and until ordered to do so by a court.

Respectfully submitted,
E. MARK SULLIVAN, Chairman,
PHILIP A. CHAPMAN,
ROBERT ROBINSON,
JAMES E. MAGUIRE,
JOSEPH A. SCOLPONETTI,
The Finance Commission.

ROBERT E. CUNIFF,
Secretary.

Placed on file.

SOLDIERS' RELIEF.

Coun. KERRIGAN, 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 July, 1936.

Report accepted; order passed.

REORGANIZATION OF CERTAIN CITY DEPARTMENTS.

Coun. GALLAGHER, for the Committee on Ordinances, submitted the following:

Report on message of Mayor and ordinance (referred May 4) re consolidation of departments, recommending ordinance ought not to pass, without prejudice.

The report of the committee was accepted.

Coun. WILSON—Mr. President, in an important matter of this kind, after an experience of a good many years in this body and having in mind the comment that may be made, adverse or otherwise, I wish my position to be very clear on the record. The proposed plan was worked out by a committee of three professors appointed by President Compton of the Massachusetts Institute of Technology, namely, Col. Robert C. Eddy, who is an as-

sociate professor in engineering and business administration, Charles L. Norton, formerly head of the physics department, and Charles B. Breed, head of the civil engineering department. They all stand high in their profession and none has any political ax to grind, but none of them has ever had any practical experience in the administration or any other branch of municipal government and no one of them has previously worked out any such plan of city administration. The Law Department itself of the city has made no study of the problem, but its function has been solely to prepare the proposed form of the ordinance to embody the ideas of the committee. In the preparation of the plan no department heads, we are informed, were personally interviewed or even consulted, nor was any physical survey made of the various departments themselves. The committee considered a written statement submitted to the Mayor with reference to the functions of the various departments and consulted the Municipal Register for the past few years, the 1933 List of City Employees, the Auditor's Monthly Exhibits and the existing statutes and ordinances. The committee of three further cited various surveys made of the city of New Orleans, Montreal, San Francisco, Newark, New Jersey, Wilmington, Delaware, Rochester, New York, Chicago and Atlantic City. I have the highest regard for the good judgment of the gentlemen comprising the committee and every sympathy with any desire to improve city departments' efficiency and economy. Without further study, however, it is a question whether sometimes the cure is not worse than the alleged disease and I strongly believe that on questions of administration the City of Boston cannot easily be compared with the other great cities in the United States. Here we have an executive called the Mayor, but who in effect has most of the powers of a city manager. There is such unusual concentration of authority already in the form of our city government that the legislative branch cannot even unanimously pass over a veto by the Mayor such few items as have been retained for Council consideration. Briefly, I understand the committee of three to have made a theoretical study of the forty-six departments which remain under the control of the Mayor, of which fourteen are found to be not exclusively under his jurisdiction. Of the remaining thirty-two departments, they find four really have special duties and fifteen only perform no engineering functions. The committee therefore considered a total of thirteen existing departments, and created a new Public Works Department to include twelve engineering divisions and one administrative division. Five of the twelve divisions are considered as staff divisions with engineering duties and seven are considered as line divisions for the protection of certain activities. The purpose of the proposed change is said to be the elimination of unnecessary duplication, lessening of the necessity for filling vacancies in personnel, improved efficiency and greater economy in management. Broadly, the plan promises greater efficiency and economy,—a purpose worthy of adoption but only if the new plan really effects that purpose. The sponsors of the plan claim it avoids conflicts of authority and eliminates duplication of personnel, but your Committee on Ordinances was given no specific information or detail as to where that desired result is concretely effected. Mr. George S. Parker of the Boston Real Estate Exchange stated that he had not read the report, but strongly believed in the principles which it hoped to carry out. I believe in the purpose of approved efficiency and greater economy in city government, but even after reading that report and in the light of nine years membership in the City Council I question whether the plan would accomplish the purpose intended. I agree with Mr. Parker on the abstract principle that in the long run efficiency means economy. I agree with him that one head should coordinate the work and be primarily responsible, but, as I understand, under our present very unusual and distinctive City Charter the Mayor is given those powers and

that responsibility to an extraordinary degree. Mr. Parker pointed out that the repeated opening of city streets for the Edison Light and Gas Company work is an incident of existing inefficiency and division of responsibility. Of course, as a matter of fact, permits for street openings, whether for the Edison Light Company, the Gas Company or Telephone Company work, I understand are now all a single department matter and the Public Works Department is supposed to notify all three utility companies that street resurfacing work being contemplated no further openings will be permitted for a definite period of time except in case of emergency. Mr. Elliot Wadsworth of the Chamber of Commerce frankly stated that he had never sat in with the committee, but felt the idea of the proposed plan was an excellent one, and with that statement I believe all of the members of the committee agreed. He stated he did not look on the plan necessarily as an economy measure. He felt it would be an endless task to go through the executive workings of these particular departments, although I assume that very thing should be done before we make any drastic changes; and Mr. Wadsworth said: "In a general way, I have considered this program looking to the concentration of authority and intervening an expert, a general manager you might call him, between all these departments and the Mayor of Boston." Colonel Eddy explained that the Mayor is usually a lawyer. The Public Works Commissioner would be an engineer. There is no occasion for the Mayor to consider engineering matters and went on to say that 90 per cent of the new commission's work would be administrative. In fact, I gather from these expert witnesses who appeared before the Committee on Ordinances that the average Mayor of Boston is not expected to be of sufficient ability to operate as the charter intended. He should be reserved for the more pleasant social functions and duties. I believe that in a city where the responsibilities are more divided than they are in Boston, some such plan might be more imperative, but I really believe the committee overlooks the extraordinarily wide and broad direct powers of the Mayor of Boston as our charter now provides. There is already concentration of authority and responsibility in the City of Boston to an extent probably not to be found in any other city in the United States unless under a city manager. The proposed plan in its outline refers to the economies to be gained, but the committee was furnished no real information or detail, whether long-range or otherwise. Colonel Eddy felt "that it would be presumptuous for any one to give a list of employees that could be dispensed with although there would be savings of that sort. The only immediate change we were advised would be the difference between the salaries of the present department heads listed as \$117,220 and the proposed officials listed as \$102,000, namely, \$15,200; and even that saving was finally reduced at the hearings to only \$3,000 despite the fact that elimination of two of the three Street Commissioners and Deputy Park Commissioner and the three members of the Transit Commission would seem to suggest a saving amounting to over \$42,000. Undoubtedly the proposed plan has many merits, but it would also appear to have items of doubtful value. I have in mind the protest of Peter F. Dolan, a Technology graduate, and for forty years in the Wire Division of the Fire Department. Even Colonel Eddy frankly stated: "I do not think the efficiency of the Wire Department can be improved," and yet under the proposed plan we break up the present duties of that splendid organization into three separate segments. Now, as I stated, Mr. President, I realize you do not need to be told by me, because you have been carefully over the report, but I believe the committee is entitled to have the results of the hearings a matter of public record. I understand that this ordinance is being sent back to the Mayor "Ought not to pass, without prejudice." It may be he will send it in again. I personally believe more direct con-

crete study of the various departments and the proposed plan should be made. I have every regard for these three gentlemen who have done such a splendid piece of work. I do not believe the City of Boston, with its concentrated authority in the Mayor, can be compared with any surveys or studies made of New Orleans or Wilmington, Delaware. I am introducing some orders for more detailed information with reference to the vacancies, if any, that have been filled, or that have not been filled. I think it is a matter that has been treated very well in theory, and with every respect for the Mayor, I believe the Mayor is entitled to more detailed information and more of a guarantee that this plan if put through will result in what the committee purports it to result in, because, as I stated, it is not infrequent, especially when you bother with a city government, it is not infrequent that the cure is worse than the disease.

Coun. SHATTUCK—This is not a new matter. It has been before us since last December, or at least it was filed with the previous Council and has been in print and available since last December, the only change being one providing protective provision for persons in these departments who might be affected,—that provision to protect them in their positions. Other than that, it is just the same as the measure which was presented to us last December, so we have had over six months to consider it and study it. It seems to me that it is a step in the right direction; that it is a step in the direction of efficiency and economy. I do not imagine any great economy would be made immediately. I do not know that any very large economy would be made at any time, but I think we would, at least, get more service for each dollar expended, because in these various engineering departments, instead of having a separate engineering force in each one, we would have more consolidation and coordination and the possibility of persons now working in these departments to be transferred from one activity to another according to where the peak load was at the moment. This matter has been not only before us for six months, but before it came to us was studied a long time by these men who are experienced in advising municipalities on other problems and I believe that we should adopt it at this time and for that reason in the committee I voted for the measure and dissented from the adverse vote, and I shall vote against rejection of the ordinance at this time.

Coun. DOWD—The word "economy" is a very familiar word, but to any of us who understand the city finances and the city budget, there is only one place that economy of any kind can be effected. It certainly cannot be effected in our Welfare Department, our Institutions or Police or Fire Departments. I am going to vote against this for one reason—that I see in it an ulterior motive, not within this year perhaps, but within a few years, of either discharging thousands of city employees or reducing their salaries, and I do not believe there are any members of this Council who would sanction any such thing even at the pretext of the word "economy." These professors have done a real fine job in drawing up this report. They have talked about engineers for heads of the departments. What we want is less engineers and somebody at the head of our departments who would have practical knowledge of how to run those departments. They can say what they want, that there won't be a single, solitary civil service employee removed, but we all know it can be done. We have seen it done and by the stroke of a pen those in authority within two years from now could smash thousands of city employees either by discharging or by cutting their salaries, and I will vote against it today and will vote against it so long as the Mayor sees fit to send it in.

Coun. ROBERTS—I feel that we are being driven into a situation where in a year or two, or possibly longer, certain consolidations may be forced upon us and Boston will lose some more of its home rule. If the tax rate

goes higher and no economy effected nobody knows what the situation is we will be in. Personally, all of us prefer to know what we are getting into rather than have some economies forced upon us. Now, of course, this report is far from being perfect. Doubtless it will take many years to see whether or not it is workable, but I feel we have the duty and I feel I will have to vote against the committee report and give these consolidations some chance, if possible, to see if we cannot work out some economies.

Coun. GALLAGHER—This order was sent in something like five or six weeks ago. The committee held three or four meetings. The committee that made this report spent a year and a quarter going over it. It is true what the councilor from Ward 5 says, that a similar order was sent in last December, just at adjournment time. Today we have six new members in this body from that of last year. The committee felt that because of lack of time that it could not intelligently go into the matter. We gave a lot of time to it at the three or four meetings we had. At the time the Council received the order the Committee on Appropriations was going over the budget. If the report of the committee is accepted this afternoon it does not mean the order is killed. The Mayor has the right to send it back here, but, gentlemen, I am of the opinion, as were a majority of the members of the committee, that because of the lack of time the report of the committee should be accepted.

Coun. McGRATH—I don't know if I understand it correctly, but is there a guarantee that none of the city employees will be discharged? I can remember a few years ago, during a campaign, where "there was 65 cents of every dollar in the City of Boston wasted for graft and corruption" and "I won't reduce the welfare recipients" and "I won't kick them off," and "I won't discharge a single city employee." What happened? They are reduced today on the welfare from \$9 to \$8.67. I asked the committee representing the Welfare, when before the Budget Committee, and the excuse they gave was "We want to give them the full money in bills and not have any change." Well, any one who wants to believe that as an excuse can; I do not. "65 cents of every dollar is wasted for graft and corruption." We have the highest tax rate we have ever had in Boston. Now, they are going to guarantee the city employees. I was a member of a committee of three who waited on the Mayor to ask him to put back, for one day, without pay, sixty men that he discharged, so they would not lose their civil service rating, and he refused absolutely to do it, and I do not believe in this report here where he says he won't discharge a single, solitary employee, because I do not think that any one would believe him after what he has already done.

Coun. PETER J. FITZGERALD—I would like to have my position clearly understood on the matter of this consolidation. As a member of your Committee on Ordinances, I listened carefully at the first hearing to Mr. Weinstein explain the legal aspect of the order. At that hearing I requested Colonel Eddy with his two associates be invited to appear before your committee so we might intelligently digest the report. Men can put on paper what they cannot say in person and it was proven in this case. My position is, I am opposed to it. I do not need any further time on it. Their purpose is apparent. They have given the most complicated report that I have ever read. I am not an engineer, nor am I familiar with a college curriculum, but I do know the English language and when Colonel Eddy appeared before our committee he didn't give any specific instance where this was of any benefit to the City of Boston. For example, I asked Colonel Eddy how long he had been with Technology, and he said eight years. I asked if he had ever been identified with any city or town in the capacity of an engineer or a public works commissioner and he replied that he had not. I asked him if he had ever drawn up any report parallel

to the one before the committee, and he said he had not. He said he did have some experience in constructing camps,—soldiers' camps. Now, some of you boys have served in army camps and I was in a camp at South Carolina. It had no sidewalks; had no edge-stones; its toilet facilities were segregated in 30 by 30 feet square, and the water was rusty and the doctor told us the water was good for us if we lacked certain iron for certain glands in our body, but the engineers forgot to add that we needed roller skates after drinking the water. I asked him if he had ever visited any army posts during the construction of the post, and he said that he had not; that he was in Washington studying contour maps. Now, engineering is a practical sort of thing along with the theory, but when you take a department such as the Public Works Department and have the interest of the taxpayers at heart and you have the interest of the city employee at heart, you are not voting on theory, especially when that theory does not prove that there is a saving. Eventually it means the actual reduction in employees. I do not question the motives of the Municipal Research Bureau, nor question the motives of the Chamber of Commerce, but they are not kidding me. There is only one thought they have in mind and that is to reduce the personnel of the City of Boston. Let us be on the level with this thing. I do not want any more time and although I dislike to disagree with the Mayor on this, I told him that I could not and would not support it in view of the evidence submitted by Colonel Eddy and nobody present in that room who heard the gentleman talk and explain this thing would under any circumstances have any respect for any man who would want to vote for it. We need no further time, and unless these men bring in something that is really practical, that is an actual saving to the taxpayers of Boston, I won't even countenance it. It did not belong here in the first place. I am just as much interested as anybody in the tax rate of Boston. I have a home-owning district and when I vote I want to vote right according to my conscience, and when I vote on this matter and vote according to my conscience I know I am doing no wrong, but if I was to vote simply on a theoretical report such as this and if all men voted merely on theoretical reports on great financial matters, the taxpayers would be in real jeopardy, and I hope we will proceed with the rejection of this report.

The question came on the passage of the ordinance.

Coun. ROBERTS—Mr. President, I ask for a roll call.

The ordinance was rejected, the vote on its passage being:

Yeas—Coun. Roberts and Shattuck—2.

Nays—Coun. Agnew, Brackman, Dowd, Finley, Peter J. Fitzgerald, John I. Fitzgerald, Gallagher, Gleason, Kerrigan, Kilroy, McGrath, Mellen, George A. Murray, Peter A. Murray, Rosenberg, Selvitella, Tobin, Wilson—18.

Later in the session Coun. NORTON said:

Mr. President, I ask unanimous consent to be recorded "Yes" on the acceptance of the report of the committee. I understood the committee reported in that the consolidation bill ought not to pass, without prejudice. I want to vote "No" on that particular phase of it. I would like to be recorded as "Yes" on the passage of the consolidation bill itself.

President FITZGERALD—If there is no objection the councilor will be so recorded.

PAYMENT TO A. R. DOYLE, INC.

Coun. PETER A. MURRAY offered the two following orders:

Ordered, That chapter 324 of the Acts of 1936, entitled "An Act Authorizing the City of Boston to pay a Certain Sum of Money to A. R. Doyle, Inc., for Labor and Materials Furnished to Said City," be, and hereby is, accepted.

Ordered, That under the provisions of chapter 324 of the Acts of 1936, there be allowed and paid to A. R. Doyle, Inc., the sum of \$1,420.10 for labor and materials furnished by said corporation to said city under a contract approved November 14, 1935, entitled "Sheet Asphalt Pavement in Beaver Place, City Proper," said sum to be charged to the Reserve Fund.

Severally referred to Executive Committee.

REPAVING OF HATCH STREET.

Coun. KERRIGAN offered the following:
 Ordered, That the Commissioner of Public Works be requested through his Honor the Mayor, to repave with smooth pavement Hatch street, Ward 7.

Passed under suspension of the rule.

PAYMENT TO THOMAS E. GOGGIN.

Coun. KERRIGAN and GEORGE A. MURRAY offered the following:

Ordered, That chapter 422 of the Acts of 1936, entitled "An Act Authorizing the County of Suffolk to Pay Certain Compensation to Thomas E. Goggin of Boston" be, and hereby is, accepted.

Referred to Executive Committee.

CREDIT TO EDMUND V. AHERN.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That chapter 335 of the Acts of 1936, entitled "An Act Authorizing the City of Boston to allow a Credit to Edmund V. Ahern in Connection with Certain Licenses Issued to Him by Said City," be, and hereby is, accepted, and the Licensing Board is hereby authorized to make the credit allowance in accordance with the provisions of said act.

Referred to Executive Committee.

SIDEWALK ON TRAIN STREET.

Coun. McGRATH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Train street, entire length, 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 granolithic, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

SIDEWALKS IN WARD 6.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk in front of 309 E street and along Silver street for a distance of approximately 100 feet from the corner of E street, Ward 6, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of granolithic, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

NAMING OF JOHN L. GLEASON SCHOOL.

Coun. DOWD offered the following:

Resolved, That the City Council of Boston request the School Committee, through his Honor the Mayor, to name the school now being erected at John Eliot square, Roxbury, the John L. Gleason School in honor of the late Representative John L. Gleason.

Passed under suspension of the rule.

RESCINDING OF PUBLIC WELFARE ORDER.

Coun. DOWD offered the following:
 Ordered, That his Honor the Mayor demand that the Public Welfare Department rescind the order which in effect states that if anyone in a recipient's family went to work the entire salary that he received would be taken from the welfare amount.

Coun. DOWD—Mr. President, this is a little touch of economy by the so-called brain trusters of our Welfare Department. Ever since the Welfare Department has been inaugurated any family receiving \$15 a week with seven or eight children, if one went to work and got \$7 or \$8 a week and had to go to Dedham or some other suburban town, they would at least allow them carfare and \$3 a week to dress on, but under the new rule made by the brain trusters at 43 Hawkins street, if a child goes to work and makes \$10 and the family is receiving \$15, the department will take the entire \$10 away, leaving the young man or young woman without any carfare, so I am asking the Mayor to rescind that order.

Coun. SHATTUCK—I would like to ask the gentleman if this brain trust is part of the same brain trust they have in Washington?

Coun. DOWD—Probably he can answer that question because most of the brain trusters in Washington are Republicans.

Passed under suspension of the rule.

RECESS.

The Council, on motion of Coun. GALLAGHER, took a recess, subject to the call of the Chair, at 3 p. m. The members reassembled in the Council Chamber and were called to order by President FITZGERALD at 5 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. GALLAGHER, 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.:

Gino Gallozzi, North End Union Hall, July 1, 1936.

Ursula M. Loughran, Hotel Somerset, June 11, 1936.

Ethel M. Gegan, Whitton Hall, June 23, 1936. Report accepted; leave granted under usual conditions.

2. Report on order (referred today) authorizing the County of Suffolk to pay compensation to Thomas E. Goggin—recommending order ought to pass.

The report was accepted and the order passed.

3. Report on order (referred today) authorizing the City of Boston to accept act allowing city to extend credit to Edmund V. Ahern—recommending order ought to pass.

Report accepted and the order passed.

4. Report on order (referred today) for acceptance of chapter 324 of the Acts of 1936, authorizing payment of money to A. R. Doyle, Inc.—recommending order ought to pass.

Report accepted and order passed.

5. Report on order (referred today) that under provisions of chapter 324 the city pay A. R. Doyle, Inc., \$1,420.10—recommending order ought to pass.

Report accepted and order passed.

6. Report on message of Mayor and order (referred today) for various departmental transfers, recommending various orders ought to pass.

Report accepted; said order passed, yeas 17, nays 0.

7. Report on message of Mayor and order (referred today) for transfer of \$5,000 from Reserve Fund for Randidge Fund—recommending order ought to pass.

Report accepted; said order passed, yeas 17, nays 0.

8. Report on message of Mayor and order (referred today) for transfer of \$20,000 from Reserve Fund to Hospital Department, to H, Relief Projects—recommending order ought to pass.

Report accepted; said order passed, yeas 16, nays 0.

9. Report on message and order (referred today) for rescinding certain balances and loans authorized but not issued *re* Brookline Avenue Water Main, Water Main Construction, Northern Avenue Bridge—recommending order ought to pass.

Report accepted; said order passed, yeas 15, nays 0.

10. Report on message of the Mayor (referred today) for loan of \$70,000 for Hospital Buildings, Alterations, etc.—recommending order ought to pass.

Report accepted; said order passed, yeas 15, nays 0.

11. Report on message and order of Mayor (referred today) for loan of \$1,000,000 for Public Welfare, Soldiers' Relief, State Aid, etc.—recommending order ought to pass.

Report accepted, yeas 15, nays—Coun. Shattuck—1, and the order received its first reading.

12. Report on message of Mayor (referred today) for appropriation of \$10,000 for Employment Bureau—recommending passage of the order in following new draft, viz.:

Ordered, That the sum of \$5,000 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.

Report accepted. The order failed of passage (15 votes being required) yeas 14, nays—Coun. Norton, Roberts, Shattuck and Wilson—4.

Coun. TOBIN—I move reconsideration and assignment for Thursday's meeting.

The motion was carried.

Coun. ROBERTS—Mr. President, what is the reason for meeting next Thursday?

Chairman GALLAGHER—Unless we pass some loan order there will be payless days.

TEMPORARY MATRON, CHARDON STREET HOME.

Coun. BRACKMAN, KERRIGAN and DOWD offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Board of Overseers of Public Welfare to employ a temporary matron during the ten weeks' vacation period at the Chardon Street Home, to prevent the matrons now employed from being required to work seven days per week.

Passed under suspension of the rule.

LOAN FOR TRAFFIC SIGNALS.

Coun McGRATH called up, under unfinished business, No. 4 on the calendar, as follows:

4. Ordered, That the sum of \$50,000 be, and the same hereby is, appropriated, to be expended under the direction of the Boston Traffic Commission, for automatic traffic signals at various intersections and points in Boston, 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 May 4, 1936, the foregoing order was read once and passed, yeas 16, nays 2.

Order passed, yeas 15, nays 0.

Coun. NORTON—I ask unanimous consent to be recorded against the one million dollar loan order.

Chairman GALLAGHER—There being no objection the councilor is so recorded. I wish to state it is essential that every member be present Thursday at one o'clock.

Coun. McGRATH—Why?

Chairman GALLAGHER—To appropriate money to pay city employees.

ELEVATED SUMMER SCHEDULE.

Coun. PETER J. FITZGERALD offered the following orders:

Ordered, That his Honor the Mayor request the trustees of the Boston Elevated Railway to revise their summer schedule on all lines affecting the Dorchester district.

Ordered, That his Honor the Mayor request the Board of Trustees of the Boston Elevated Railway to restore the Dudley street bus line operating between Fields Corner Station via Dorchester avenue, Savin Hill avenue, Stoughton street to Dudley Street Station.

Coun. PETER J. FITZGERALD—The Boston Elevated has put their summer schedule into effect and they have cut down the running time and they have also cut out cars on the rapid transit line, and on the Dudley street line they have abolished the line until September, and it has caused great inconvenience to the car-riders in my district on the Dudley street line and those in Wards 15 and 16, and also to the entire Dorchester section who are affected by the cut in schedule of the rapid transit.

Orders passed under suspension of the rule.

BANDSTAND AT FRANKLIN FIELD.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor confer with the trustees of the White Fund to consider the advisability of the erection of a bandstand at Franklin Field.

Coun. ROSENBERG—I will be very brief on this order, but I introduced the order asking the Mayor to confer with the trustees of the White Fund to consider the advisability of erecting a bandstand on Franklin Field. Every time an order is introduced requesting something of the trustees of the White Fund for Dorchester they seem to ignore it, or they have no funds available for the Dorchester section. I believe the erection of a bandstand on Franklin Field would serve a useful purpose in the same manner that the Parkman Bandstand has served on the Common, for the purpose of band concerts for the enjoyment of the public and for holding open air meetings, and I ask that this order be passed under suspension of the rule.

The President ruled the order out of order.

TRAFFIC CONDITIONS IN WARD 14.

Coun. ROSENBERG offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to investigate traffic conditions at Wollaston terrace and Woodrow avenue, Ward 14, and make suitable changes to correct the present hazardous conditions at this location.

Passed under suspension of the rule.

CHEVERUS ROAD.

Coun. McGRATH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Cheverus road, Ward 16, as a public highway.

Passed under suspension of the rule.

LABAN PRATT ROAD.

Coun. McGRATH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Laban Pratt road, Ward 16, as a public highway.

Passed under suspension of the rule.

ARBROTH STREET.

Coun. McGRATH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor

the Mayor, to accept and lay out Arbroth street, Ward 16, as a public highway.

Passed under suspension of the rule.

INFORMATION RE CONSOLIDATION OF DEPARTMENTS.

Coun. WILSON offered the following:

Ordered, That the Budget Commissioner be requested, through his Honor the Mayor, to submit to the City Council a complete list of the positions to be affected by the proposed consolidation of departments and the proposed "elimination of unnecessary duplication in department work," giving in each instance (a) the name of the employee, (b) his department, (c) position held, (d) present salary.

Passed under suspension of the rule.

Ordered, That the Budget Commissioner be requested, through his Honor the Mayor, to submit to the City Council a complete list of all city employees who have died, or been retired, or promoted, during (a) 1934, (b) 1935, and (c) 1936,—giving in each case the name of the employee, position held, amount of annual pay, whether the position has been filled, and at what present salary.

Passed under suspension of the rule.

HEALTH UNIT FOR DORCHESTER.

Coun. WILSON offered the following:

Ordered, That the trustees of the George Robert White Fund be respectfully requested, through his Honor the Mayor, to provide a so-called Health Unit, centrally located, for the five Dorchester wards of the city, prior to the expenditure of accumulated income for a planatorium or a municipal stadium.

Coun. WILSON—On that third order with reference to requesting action by the trustees of the White Fund, I have in mind, of course, the manner in which the money has been spent to date, including the North End building in 1924, East Boston in 1926, South Boston in 1927, Roxbury in 1927, Charlestown in 1929, the West End in 1930, Roxbury again in 1933 and the beautiful and delightful Prado in your own ward constructed in 1933 or 1934. The annual income from that fund runs around \$200,000, and I would assume enough income has accrued during the past two years to furnish to some central part of the five Dorchester wards comprising better than one-quarter of the city one of these health units, and I urge upon them the fairness of again considering that request prior to the building of any planatorium or amphitheater in the Back Bay.

President FITZGERALD—That matter of the health unit in Dorchester is now under consideration and must lie there for ninety days before any action can be taken and the councilor should appear before the Board of Trustees.

Coun. WILSON—Mr. President, may I raise two points. The first is that, of course, if my arithmetic is correct the accrued income in the White Fund would be just about enough to take care of a White Fund unit for Dorchester without considering a planatorium or amphitheater in the Back Bay. The second is, and I know that the other four Dorchester councilors would join me in the wish that our President as one of the five trustees of the White Fund advise us the next time there is a hearing, because some of us have been fighting for such a fund from one to nine years.

President FITZGERALD—It was brought up at the last meeting and it has nothing to do with the Council and there will be no planatorium built by the White Fund. The order is ruled out.

PERAMBULATION OF BOUNDARY LINES.

Coun. WILSON offered the following:

Ordered, That two members of the City Council, the assistant city clerk, and the chief engineer of the Street Laying-Out Department, or their duly appointed substitutes, be, and hereby are, appointed in behalf of the City Council to perambulate the boundary lines and to examine the bound marks between Boston and the adjacent cities and towns of Revere, Everett, Somerville, Newton, Brookline, Dedham and Milton, to report descriptions of the same and to cause bound marks to be erected or removed wherever necessary; the expense incurred under authority of this order, if any, to be charged to the Reserve Fund.

Coun. MELLEN—May I ask whoever introduced that order what he means by "perambulate"?

Coun. WILSON—As I understand it, that is a statutory requirement to fix our boundaries and is done every five years and the perambulating in modern days consists of automobile transportation rather than walking the distance.

Passed under suspension of the rule.

CONSTABLE CONFIRMED.

Coun. AGNEW called up, from No. 2 on the calendar, the name of Alfred Blaustein.

The question came on confirmation. Committee, Coun. Finley and Mellen. Whole number of ballots 13; yes 11, no 2, and the appointment was confirmed.

Coun. AGNEW, for Committee on Constables, called up No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor May 26, 1936, of constables authorized to serve civil process upon filing bond, viz.:

James Hadge, Anthony Luongo, John M. McCushing, James D. Martin.

Committee, Coun. McGrath and Mellen. Whole number of ballots 16; yes 14, no 2, and the appointments were confirmed.

FIRE LOSSES.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of calling together representatives of the insurance companies and Building, Fire, Police and District Attorney's offices relative to the question of reducing Boston's fire losses.

Coun. NORTON—I have been the subject of considerable abuse drawing attention to the fact that the City of Boston has doubled the fire loss of any other city in the world, even though we have reduced the fire loss considerably in the last few years, unquestionably the last year. In my opinion it is not only a question for the Fire Department, it is a question for the Police Department, District Attorney's office and the Building Department cooperating together to prevent such fires in the business district in Boston. Chief Fox is on record as having said that in his opinion many of these fires are not on the level.

Coun. McGRATH—I introduced an order somewhat along this line for the reduction of fire insurance rates, and I suggest that the President appoint a committee. I just asked the President of the Council now if he had appointed the committee along the same line as Councilor Norton, to cooperate with the insurance companies, and reduce fire insurance rates.

The order was passed under suspension of the rule.

LOW COST MILK FOR BOSTON.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of the possibility of low cost milk for Boston.

Coun. NORTON—It is too bad the Mayor of Boston does not vigorously do something about this problem of milk. Why can't we do what Baltimore and Fall River have done?

The order was passed under suspension of the rule.

Coun. NORTON—I ask unanimous consent to make a statement?

Chairman GALLAGHER—If there is no objection—

Coun. NORTON—I was not here during the debate on ordinance dealing with consolidation. The Mayor of Boston, when running for Mayor, claimed program of efficiency and reduction in city expenses. I suppose he will deny it, but the record will show he did. Today we have had before us one of the most important bills before this body. When it first came I had it sent back, asking that he put in the protective provision for the employees. The Mayor of Boston did that and sent it back to this Council. I claim the Mayor of Boston, if interested in the bill, if he wished the

bill to pass this Council, should have taken the time and effort, and interest to have convinced enough of the councilors to have passed the bill. I can give you fifty citations of bills that Mayors of Boston have been interested in in the past where the Council itself was against the bill, but through the intervention of the Mayor and dissemination of additional knowledge the Council has eventually passed the bill. Now, Mr. President, the Mayor has merely unloaded this from his own desk and placed it in the lap of the Council so he can say to certain sections of the electorate of Boston "I did my part." I claim, Mr. President, that he did not do his part. He casually sent it down here and casually let the matter run along. You know what he could have done if he wanted to but he did not.

Adjourned, on motion of Councilor KILROY, at 5.35 p. m. to meet on Thursday, July 2, 1936, at 1 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Thursday, July 2, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 1 p. m. President FITZGERALD in the chair. Absent, Coun. Doherty.

APPOINTMENT BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, July 2, 1936.

To the City Council.

Gentlemen,—Subject to confirmation by your Honorable Body I hereby appoint John D. Garvey, 16 Lyall street, West Roxbury, as a weigher of coal.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Laid over one week under the law.

VETO—LOAN ORDER FOR TRAFFIC SIGNALS.

The following was received:

City of Boston,
Office of the Mayor, July 1, 1936.

To the City Council.

Gentlemen,—I herewith return without my signature and with my disapproval a form of loan order read and passed by your Honorable Body on May 4, 1936, and on June 29, 1936, in the sum of \$50,000, for automatic traffic signals at various intersections and points in Boston, said sum to be expended under the direction of the Boston Traffic Commission.

I have been advised by the Corporation Counsel in an opinion dated May 16, 1936, that because of the provisions of chapter 224 of the Acts of 1936, the city may not properly authorize borrowing for traffic signal installation unless a sum equal to ten cents on each one thousand dollars of the assessed valuation of the city for the preceding year has been appropriated from available revenue funds or voted to be raised by taxation for such purpose in the year when the loan is authorized. Inasmuch as such sum has not been appropriated during the year 1936 from available revenue funds or voted to be raised by taxation for traffic signal installation, the city may not properly authorize borrowing for such purpose. It is, therefore, apparent that the order returned herewith is invalid.

I am transmitting herewith copy of the opinion of the Corporation Counsel hereinbefore referred to.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Law Department, May 18, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from your office dated May 6, 1936, in which my opinion is requested as to the necessity of appropriating from revenue or taxes as a condition precedent to the authorization of debt by the city, in view of the provisions of section 5 of chapter 224 of the Acts of 1936.

Said section 5 provides as follows:

"Section seven of said chapter forty-four, as so appearing, and as affected by chapter one hundred and sixty-four of the acts of nineteen hundred and thirty-one, is hereby amended by striking out, in the third line, the words 'as to' and inserting in place thereof the words:—for the purposes set forth in,— by inserting after the word 'cents' in the fifth

line the words:—, or in the case of Boston ten cents,— by inserting after the word 'but' in the thirty-eighth line the words:—, except in Boston,— and by inserting after clause (12) the following two new clauses:— (13) In Boston, for acquiring ferry, fire, institutional or police boats, fifteen years. (14) In Boston, for traffic signal, fire alarm or police communication installations, ten years,— so as to read as follows:— Section 7. Cities and towns may incur debt, within the limit of indebtedness prescribed in section ten, for the following purposes, and payable within the periods hereinafter specified, but, except for the purposes set forth in the eleventh clause, no loan shall be authorized in any year under any one of the following clauses unless a sum equal to twenty-five cents, or in the case of Boston ten cents, on each one thousand dollars of the assessed valuation of the city or town for the preceding year has been appropriated from available revenue funds or voted to be raised by taxation for the purposes set forth in such clause in the year when the loan is authorized: (1) For the construction of sewers for sanitary and surface drainage purposes and for sewage disposal, thirty years. (2) For acquiring land for public parks or playgrounds or public domain under chapter forty-five, thirty years; but no indebtedness incurred for public domain shall exceed one half of one per cent of the last preceding assessed valuation of the city or town. (3) For acquiring land for any purpose for which a city or town is or may hereafter be authorized to acquire land, not otherwise specifically provided for; for the construction of buildings which cities or towns are or may hereafter be authorized to construct; or for additions to such buildings where such additions increase the floor space of said buildings, including the cost of original equipment and furnishings of said buildings or additions, twenty years. (4) For the construction of bridges of stone or concrete or of iron superstructure, twenty years. (5) For the original construction of public ways or the extension or widening thereof, including land damages and the cost of pavement and sidewalks laid at the time of said construction, or for the construction of stone, block, brick or other permanent pavement of similar lasting character under specifications approved by the department of public works, ten years. (6) For macadam pavement or other road material under specifications approved by the department of public works, or for the construction of sidewalks of brick, stone or concrete, five years. (7) For the construction of walls or dikes for the protection of highways or property, ten years. (8) For the purchase of land for cemetery purposes, ten years. (9) For the cost of additional departmental equipment, five years; but, except in Boston, each department shall be considered separately in determining the amount that must be provided from revenue funds or proceeds of taxation before such indebtedness may be incurred. (10) For connecting dwellings or other buildings with common sewers, when the cost is to be assessed in whole or in part on the abutting property owners, five years. (11) For the payment of final judgments rendered after the fixing of the tax rate for the current year, one year. (12) For the establishing of public airports, including the acquiring of land, grading and constructing suitable surface on such field, the construction of necessary buildings and the original equipment and furnishing of same, ten years. The proceeds of indebtedness incurred hereunder may be expended for the establishment of such an airport jointly by two or more municipalities. (13) In Boston, for acquiring ferry, fire, institutional or police boats, fifteen years. (14) In Boston, for traffic signal, fire alarm or police communication installations, ten years. Debts may be authorized under this section only by a two thirds vote."

Based upon said section 5, it is my opinion that the city may not properly authorize borrowing for the purposes set forth in any clause thereof (including those purposes set forth in the fifth, sixth and fourteenth clauses), except the purpose set forth in the

eleventh clause, unless a sum equal to ten cents on each one thousand dollars of the assessed valuation of the city for the preceding year has been appropriated from available revenue funds or voted to be raised by taxation for the purposes set forth in such clause in the year when the loan is authorized.

Section 11 of said chapter 224 provides as follows:

"The provisions of sections four to ten, inclusive, shall not apply to debt in the city of Boston authorized prior to the effective date of this act whether or not issued."

Based upon said section 11, it is my opinion that if the city has authorized borrowing prior to the time said chapter 224 became effective, namely, on April 18, 1936, such borrowing would not be subject to the foregoing limitation whether or not any debt has been issued under such authorization.

Very truly yours,
HENRY E. FOLEY,
Corporation Counsel.

Placed on file.

VETO OF SIDEWALK ORDERS.

The following were received:

City of Boston,
Office of the Mayor, June 30, 1936.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on June 29, 1936, for the making of a granolithic sidewalk with granite edgestones in front of 309 E street and along Silver street for a distance of approximately 100 feet from the corner of E street in Ward 6.

I am informed by the Commissioner of Public Works that there are no funds available at the present time for this construction. Under the circumstances I am constrained to veto the order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

City of Boston,
Office of the Mayor, June 30, 1936.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on June 29, 1936, for the making of a granolithic sidewalk with granite edgestones along both sides of the entire length of Train street in Ward 16.

I am informed by the Commissioner of Public Works that there are no funds available at the present time for this construction. Under the circumstances I am constrained to veto the order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

SALE OF LAND, LENOX STREET.

The following was received:

City of Boston,
Office of the Mayor, July 1, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated June 19, 1936, relating to an offer to purchase certain property situate on the southwesterly side of Lenox street, Boston, containing 545 square feet of land, more or less, which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$150, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at public auction with a minimum price of \$150 is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
June 19, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit herewith copy of an offer from S. B. Watson, 75 Windsor street, Boston, as agent for Mrs. Graves, for the vacant land on the southwest side of Lenox street, Boston (formerly No. 128) containing 545 square feet, in the sum of one hundred and fifty dollars (\$150).

The costs to the city up to December 30, 1935, amount to one hundred eight dollars and forty-six cents (\$108.46), which includes the nonpayment of taxes since the year 1931, but does not include interest.

If and when the above amount of one hundred and fifty dollars (\$150) is approved by your Honor and the City Council, the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of one hundred and fifty (\$150) will be the minimum price for the property that the city is willing to accept and will be announced as the first bid at a public auction sale.

In my opinion it will best serve the city's interests to proceed on the foregoing basis.

Respectfully yours,
ROSWELL G. HALL,
Superintendent of Public Buildings.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated August 26, 1935, foreclosed a right of redemption under a tax title filed in the Land Court, Suffolk Registry District, with certificate of title No. 23206, to about 545 square feet of land, situate on the southwesterly side of Lenox street, Boston, as is more fully described in said tax deed, said tax deed being Document No. 113842; and

Whereas, An offer to purchase the said premises has been made by S. B. Watson, agent, in the sum of one hundred and fifty dollars (\$150); now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcel of land at public auction at a minimum price of one hundred and fifty dollars (\$150); and it is hereby further

Ordered, That the said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser of said parcel of land a written instrument satisfactory in form to the Law Department of the City of Boston conveying all the right, title and interest of said City of Boston in said premises upon the payment to it of the sum bid therefor at said auction.

Referred to the Committee on Public Lands.

SALE OF LAND, WASHINGTON HEIGHTS AVENUE.

The following was received:

City of Boston,
Office of the Mayor, July 1, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated June 8, 1936, relating to an offer to purchase certain property situated on the northeasterly side of Washington Heights Avenue East, West Roxbury, which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$100, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at

public auction with a minimum price of \$100 is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
June 8, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit herewith copy of an offer from Mr. Campbell D. Shaw, 212 Belgrade avenue, Rosindale, for the vacant land at Washington Heights Avenue East, West Roxbury, Lot 13, in the sum of one hundred dollars (\$100).

The costs to the city up to December 30, 1935, amounted to seventy dollars and twenty-six cents (\$70.26), which includes the non-payment of taxes since the year 1930, but does not include interest.

If and when the above amount of one hundred dollars (\$100) is approved by your Honor and the City Council, the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of one hundred dollars (\$100) will be the minimum price for the property that the city is willing to accept and will be announced as the first bid at the public auction sale.

In my opinion it will best serve the city's interests to proceed on the foregoing basis.

Respectfully yours,
ROSWELL G. HALL,
Superintendent of Public Buildings.

June 5, 1936.

Mr. Edmund W. Giblin.

Dear Sir,—I make an offer of \$100 for lot of land on Lot 13, Washington Heights Avenue East. Supposed owner D. J. Khoury; 5997 Docket; 2301 File; 125458 Recording of Record.

Respectfully submitted,
CAMPBELL D. SHAW,
Established 1913.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated June 24, 1935, foreclosed a right of redemption under a tax deed filed in the Land Court, Suffolk Registry District, with certificate of title No. 12337, to about 5,132 square feet of land situate on the northeasterly side of Washington Heights Avenue East, West Roxbury, as is more fully described in said tax deed, the said tax deed being Document No. 107476; and

Whereas, An offer to purchase the said premises has been made by Mr. Campbell D. Shaw in the sum of one hundred dollars (\$100); now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcel of land at public auction at a minimum price of one hundred dollars (\$100); and it is hereby further

Ordered, That the said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser of said parcel of land a written instrument satisfactory in form to the Law Department of the City of Boston conveying all right, title and interest of the said City of Boston in said premises upon the payment to it of the sum bid therefor at said auction.

Referred to the Committee on Public Lands.

SALE OF LAND, CAMDEN PLACE.

The following was received:

City of Boston,
Office of the Mayor, July 1, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated June 24, 1936, and a copy of a letter from J. M. Dupont to the Superintendent of Public Buildings, dated June 22, 1936, relating to an offer to purchase certain property situate on Camden place, Boston, which property was acquired from foreclosure of tax titles held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is \$325 for 16 Camden place and \$350 for 15 Camden place, the Superintendent of Public Buildings having stated in his letter that a sale of said property at the said price would be advantageous to the City of Boston.

I respectfully recommend the adoption of this order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
June 24, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit herewith copy of an offer from Mr. J. M. Dupont, 364 Quincy street, Dorchester, for the vacant land at 16 Camden place, Boston, in the sum of \$325, and for 15 Camden place, Boston, in the sum of \$350.

The costs to the city on 16 Camden place amount to \$593.95 from the year 1930 up to December 30, 1935. The costs on 15 Camden place amount to \$360.47 from 1930 to 1935. These costs include the nonpayment of taxes but do not include interest.

As your Honor will note in the copy of the offer attached the buyer intends to erect a new building on the premises which will, when completed, bring into the city in additional taxes approximately \$3,000 per year. I am strongly in favor of accepting this offer and recommend that the property be sold at private sale as a public auction would require considerable time and delay a deal which I consider most advantageous to the City of Boston.

As a further incentive for this sale, the construction of the proposed building will put several people to work.

Respectfully yours,
ROSWELL G. HALL,
Superintendent of Public Buildings.

364 Quincy Street,
Dorchester, Mass., June 22, 1936.
Major Roswell G. Hall, Superintendent,
Department of Public Buildings,
City Hall, Boston.

Dear Sir,—In connection with premises located at 16 Camden place and 22 Camden place, Boston, and now owned by the City of Boston, I wish to make offers of \$325 and \$350, respectively.

In taking this matter up with his Honor the Mayor, I should like to convey to him the following facts for consideration.

I have acquired all the other lots of this area at prices ranging from \$75 to \$325. To wit, one lot from the South Weymouth Cooperative Bank, \$150; another lot from the office of Joseph Wiggin, an administrator, for \$220; another lot owned by Caggiano, at the price of \$75, etc. These lots, individually, due to the zoning laws of the City of Boston, are now valueless for building purposes, there being only sixteen feet of frontage. The purpose for which this land is desired is to erect an addition to a standing building. When the contemplated addition is completed it will be taxable by the City of Boston for approximately \$80,000; and the cost of taking out building, sewer, and other permits will run into well over \$100, thus giving the city another source of revenue.

If this land can be acquired immediately, building operations will start within a very short time, thereby giving employment to many mechanics.

Will you also bring to the attention of his Honor the Mayor the fact that most of these lots have been a bone of contention for a great number of years, inasmuch as taxes have been concerned, and by making it possible for the contemplated erection to be carried out, this now practically valueless property will soon become fruitful and revenue-yielding.

I should very much appreciate your attention to subject matter and a very early reply, inasmuch as I should like to definitely formulate my plans for immediate operations.

Respectfully yours,
J. M. DUPONT.

Whereas, The City of Boston by decrees of the Land Court, Suffolk Registry District, dated March 25, 1935, and October 7, 1935, respectively, foreclosed the rights of redemption under two tax deeds recorded with Suffolk Deeds, Book 4390, page 587, and Book 5291, page 108, respectively, to two parcels of land situate in Camden place, Boston, Massachusetts, and more fully described in said tax deeds; and

Whereas, An offer to purchase the said property has been made by J. M. Dupont in the sum of three hundred and fifty dollars (\$350) for the property numbered 15 Camden place and three hundred and twenty-five dollars (\$325) for the property numbered 16 Camden place; now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcels of land for the sums of three hundred and fifty dollars (\$350) for the property numbered 15 Camden place and three hundred and twenty-five dollars (\$325) for the property numbered 16 Camden place; and it is hereby further

Ordered, That the said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser thereof a written instrument, satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of said City of Boston in said property upon the payment to it of three hundred and fifty dollars (\$350) for the property numbered 15 Camden place and three hundred and twenty-five dollars (\$325) for the property numbered 16 Camden place.

Referred to the Committee on Public Lands.

TRANSFER OF FUNDS.

The following was received:

City of Boston,
Office of the Mayor, July 2, 1936.
To the City Council.

Gentlemen,—I am in receipt of the inclosed communications from the Commissioner of Public Works and the Traffic Commissioner requesting the sums of \$15,000 and \$900, respectively, be transferred to their budgets from such funds as are available.

The sum of \$15,000 requested by the Commissioner of Public Works is needed to carry on the various relief projects during the month of July, and the sum of \$900 requested by the Traffic Commissioner is needed to replace equipment and supplies destroyed by fire.

I am therefore forwarding herewith orders transferring the above sums from the Reserve Fund and respectfully recommend adoption by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, June 30, 1936.
To His Honor the Mayor.

It is estimated that the sum of \$15,000 will be needed by the Paving Service of the High-

way Division to carry on the various emergency relief projects during the month of July.

I therefore respectfully request that this sum be transferred from such funds as are available to Item H, Relief Projects, of the Highway Division.

Yours respectfully,
C. J. CARVEN,
Commissioner of Public Works.

City of Boston,
Traffic Commission, June 30, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—A fire occurred in this office on the night of June 8, 1936, which resulted in serious damage to the office and destroyed practically all the stationery on hand; two typewriters, certain other items of office equipment and seriously damaged a Ditto machine and a calculating machine.

It is necessary that the destroyed equipment and supplies be replaced at once.

As you are aware the budget allowances for this department represent the minimum normal requirements for the year and will not take care of an emergency expenditure of this nature. I respectfully request, therefore, that the allowances in the following budget items be strengthened by the transfer from available sources of the amounts indicated.

B-39, General Repairs.....\$100 00
The emergency expenditure in this item is for repair of typewriters, Ditto machine and calculating machine.

C-7, Furniture and Fixtures..... 20 00
Replacement of office chair cushions, etc.

C-9, Office Equipment..... 280 00
Replacement of two typewriters, three pencil sharpeners and a Bostich Stapling machine.

D-1, Office Supplies..... 500 00
All of the stationery and other office supplies were stored in a wooden cabinet which was entirely destroyed.

Very truly yours,
WILLIAM P. HICKEY, 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, \$15,000, to the appropriation for Public Works Department, Paving Service, H, Relief Projects, \$15,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Reserve Fund, \$900, to the appropriation for Boston Traffic Commission, B-39, General Repairs, \$100; C-7, Furniture and Furnishings, \$20; C-9, Office, \$280; D-1, Office, \$500.

Referred to the Executive Committee.

DEPARTMENT TRANSFERS.

The following was received:

City of Boston,
Office of the Mayor, July 1, 1936.
To the City Council.

Gentlemen,—The attached requests for transfers within departmental appropriations have been examined and investigated by the Budget Commissioner. I accordingly recommend adoption of the accompanying orders by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, 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 Buildings Department:

From the appropriation for H, Relief Projects, \$150, to the appropriation for B-10, Rent, Taxes and Water, \$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 Soldiers' Relief Department:

From the appropriation for F-8, State and Military Aid, Soldiers' Relief and Burials, \$898.45, to the appropriation for A-1, Permanent Employees, Visitors, etc., 15 (16) at \$1,600 to \$2,000 a year, \$845.26; A-2, Temporary Employees, \$53.19.

Referred to the Executive Committee.

REORGANIZATION OF CITY DEPARTMENTS.

The following was received:

City of Boston,
Office of the Mayor, July 1, 1936.

To the City Council.

Gentlemen,—In view of the action of your Honorable Body at its last meeting in rejecting the proposed reorganization of city departments "without prejudice," and in consideration of the further fact that some members of your Honorable Body expressed themselves as not having had the time thoroughly to examine into the project, I assume that a resubmission of the proposed reorganization would not be unfavorably received.

Therefore, I am resubmitting the ordinance in question in order that more study may be given to it and with the hope that your Honorable Body will conclude that the passage of this ordinance will be for the best interests of the city. I strongly recommend the passage of the ordinance.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

(Appended was a copy of the proposed ordinance as submitted on May 4, 1936.)

Referred to the Committee on Ordinances.

EMBANKMENT ROAD CORNER.

The following was received:

City of Boston,
Office of the Mayor, June 8, 1936.

To the City Council.

Gentlemen,—I inclose herewith a report from the Boston Traffic Commissioner relative to the order adopted by your Honorable Body on May 4, 1936, relative to the advisability of rounding off the westerly corner of Embankment road and Beacon street.

Evidently this proposal meets with the approval of the Traffic Commission which suggests that it be transmitted to the Board of Street Commissioners for the purpose of making the necessary land-takings.

I quite agree with the view of the Traffic Commission and it seems to be a very reasonable and desirable improvement which can be made at a very slight expense. I am adopting the suggestion of the Traffic Commission and am forwarding a copy of the Traffic Commissioner's letter to them for consideration and report.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, June 4, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated May 4, 1936, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to consider the advisability of rounding off the westerly corner of Embankment road and Beacon street so as to permit a freer movement of traffic from Embankment road into Beacon street, and, if deemed advisable to report what steps the Traffic Commission recommends for accomplishing this purpose."

The section of Beacon street between Embankment road and Berkeley street is the most

heavily-traveled street in the City of Boston. The major portion of the westbound traffic in this street enters the area by making a right turn from Embankment road. The curb corner at this point juts out so that it seriously retards the movement of vehicles making the turn and therefore adds to the serious congestion at the intersection of Beacon street and Embankment road. In our opinion, this sharp turn from Embankment road into Beacon street constitutes a difficult and hazardous traffic situation. It would be materially improved by cutting back the corner on a larger radius.

About four years ago the same proposal as the present Council order contemplates was under advisement by this commission and the inclosed plan designated as C-6, was prepared showing the proposed widening of this intersection which, if effected, would greatly relieve the existing congestion and permit cars two abreast to make the turn from Embankment road into Beacon street, thereby enabling 30 per cent more cars to clear the intersection in a given time.

As the plan indicates, the parcel of land necessary to be taken by eminent domain to accomplish this small widening would be very small and the project correspondingly inexpensive.

It is respectfully suggested that this proposal be transmitted to the Board of Street Commissioners who have authority under the law to make the necessary land-taking.

Respectfully yours,

WILLIAM P. HICKEY, Commissioner.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Sotir and Nago Elia, for compensation for damage to property at 60 East Springfield street, caused by escape of sewage into premises.

Aloysius W. Kraft, for compensation for damage to glasses caused while going through Park Street Subway.

Miles Laboratories, Inc., for compensation for damage to car caused by police car.

Ellen Moriarty, for compensation for damage to person caused by an alleged defect at 169 H street, South Boston.

Marie Pistone, for compensation for damage to property at 45 Oakview terrace, caused by blasting.

Lorenzo Silipigni, for compensation for injuries caused by an alleged defect at 25 North Market street.

COMMITTEE ON JITNEY LICENSES.

Petition of Boston Elevated for license to operate motor vehicles between City square and Chelsea Bridge.

APPOINTMENT OF HENRY E. FOLEY.

Notice was received from the Mayor of the appointment of Henry E Foley to the Special Unpaid Commission to study the problems of the Boston Port Authority.

Placed on file.

RESIGNATION OF MORRIS CHALFIN.

Notice was received from the Mayor of resignation of Morris Chalfin as constable.

Placed on file.

STREET RAILWAY POLICE.

Notice was received from the Mayor of Cambridge of appointment of street railway police for Boston Elevated Railway.

Placed on file.

REPORT OF COMMITTEE ON CLAIMS.

Coun. SELVITELLA, for the Committee on Claims, submitted the following:

Report on the petition of Roger J. O'Connor (referred May 18)—recommending the passage of the following:

Ordered, That the sum of fifty dollars be allowed and paid to Roger J. O'Connor in reimbursement for amount of judgment issued against him on account of his acts as operator of a motor truck belonging to the Paving Division, Public Works Department, said sum to be charged to the Reserve Fund.

Report accepted; order passed.

Report on the petition of Roger J. O'Connor (referred May 18)—recommending the passage of the following:

Ordered, That the sum of one hundred and fifty dollars be allowed and paid to Roger J. O'Connor in reimbursement for amount of judgment issued against him on account of his acts as operator of a motor truck belonging to the Paving Division, Public Works Department, said sum to be charged to the Reserve Fund.

Report accepted; order passed.

Report on the petition of Frank C. McKenna (referred May 18)—recommending the passage of the following:

Ordered, That the sum of fifty dollars be allowed and paid to Frank C. McKenna in reimbursement for amount of judgment issued against him on account of his acts as operator of motor apparatus belonging to the Fire Department, said sum to be charged to the Reserve Fund.

Report accepted; order passed.

Report on the petition of James V. Ross (referred May 25)—recommending the passage of the following:

Ordered, That the sum of seventy-five dollars be allowed and paid to James V. Ross in reimbursement for amount of judgment issued against him on account of his acts as operator of a motor truck belonging to the Sanitary Division, Public Works Department, said sum to be charged to the Reserve Fund.

Report accepted; order passed.

TAX TITLE LOAN.

President FITZGERALD called up, under unfinished business, No. 3 on the calendar, viz.:

3. Ordered, That under the provisions of section 1, chapter 281, of the Acts of 1936, amending section 2 of chapter 49 of the Acts of 1933, the City Treasurer be authorized to secure the approval of the Emergency Finance Board to the issuance of notes of the city in the amount of \$4,000,000, said notes to be sold at their face value to the Commonwealth and the proceeds to be used to pay revenue loans of 1935.

On June 13, 1936, the foregoing order was read once and passed, yeas 19, nays 0.

Coun. WILSON—That is the four-million dollar loan order?

President FITZGERALD—It is.

Coun. WILSON—Mr. President, as a matter of record I wish to state that I have tried consistently to vote against the city borrowing money to pay current bills, but I understand that this present loan proposal is a new undertaking in city finances and a proper arrangement under any financial set-up. I understand we have on our hands at the present time some \$20,000,000 of outstanding taxes of past years and we have taken a lot of tax titles, if I understand the figures correctly. It is now proposed to borrow \$4,000,000 against these back tax titles and back taxes and discharge an earlier loan of \$4,000,000. In effect we thus borrow \$4,000,000 against uncollected taxes of prior years and pay off loans of like amount, or almost the same amount, already made against anticipated taxes for this year. In other words, it is just like any business house raising money on the slow moving accounts receivable and when these frozen assets have been liquidated, they being the security for the loan, they must

be applied against the loan rather than being surplus money left around to play with. I therefore consider this plan is distinct from earlier loans to pay current bills and is one which I understand is now being tried this year for the first time and is sound financing. It amounts to raising cash on existing slow accounts receivable and the back taxes as and when collected must be applied to the payment of this loan rather than being free for still further appropriations, whether this year or in 1937; and for that reason I feel I can consistently vote for this particular loan order of \$4,000,000.

The order was passed, yeas 20, nays—Coun. Shattuck—1.

EMPLOYMENT BUREAU TRANSFER.

President FITZGERALD called up, under unfinished business, No. 4 on the calendar, viz.:

4. Ordered, That the sum of \$5,000 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.

Coun. NORTON—On this matter, I have opposed the Employment Bureau, Mr. President, in past years, and I am not going to vote for it today, but I would like to say for the record that even though I opposed the bill through the years, they have down there a man in charge, Mr. Samuel Warren, who seems to go out of his way to be of assistance to members of this body. I never ran into a more kindly man, trying to handle an extremely difficult subject; so I am not going to vote on this thing today, Mr. President.

Coun. WILSON—In common with the counselor from Hyde Park, I have consistently opposed this Employment Bureau and I vote today in favor of half the request of the appropriation with some misgivings. I agree with him that Mr. Warren is a man of experience and one who ought to be able to produce something down there in the Municipal Employment Bureau with the pay roll and the personnel he has got. I admit I question whether the goods are being produced, certainly so far as a great majority of the Council are concerned, and I will reserve my rights when the final \$5,000 comes in at a later date, and attempt to find out some more detailed figures than are available at the present time. With that explanation I personally shall vote for this amended figure of \$5,000 today.

Coun. SHATTUCK—Mr. President, this is a matter that comes up about every three months and the appropriation is considered and we cut it down to enough to last for three months, and vote for it with, may be, some misgivings and reservation, and then in three months when the matter comes up again we do the same thing. We have been doing it for a number of years. I do not believe this activity will be modified so long as we keep voting the amount necessary every three months. Misgivings do not do any good. I shall vote against it.

The order was passed, yeas 17, nays—Coun. Shattuck—1.

WARD 14 STREETS.

Coun. ROSENBERG 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 Johnston terrace, Ward 14.

Passed under suspension of the rule.

CODIFICATION OF SPECIAL STATUTES RELATING TO BOSTON.

Coun. WILSON offered the following orders: Ordered, That the City Auditor be requested, through his Honor the Mayor, to advise the City Council the dates and amounts of payments made incident to the proposed codifica-

tion of statutes relating to the City of Boston, as to which a sum not to exceed \$20,000 was authorized as long ago as June, 1926.

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to inform the City Council as to what progress, if any, has been made during the past ten years on the proposed codification of statutes relating to the City of Boston, authorized at a cost not to exceed \$20,000 as long ago as June, 1926; and also how much time has been spent by how many employees of the Law Department on such work, and how much further time and money, if any, will be required to complete the work.

Coun. WILSON—In short explanation of those two orders, of course, back in the two years following 1908 there was a codification of the special statutes relating to the City of Boston made at a cost of around \$11,000, and completed in a period of some two years. Back in the spring of 1926 the City Council appropriated a sum of money, or authorized the transfer of a sum of money, not exceeding \$20,000, from the reserve fund, as I remember it, to be utilized for an up-to-date codification or possible revision of all special acts relating to the City of Boston. That was ten years ago. The amount then authorized was \$20,000, or twice what it cost in 1908. I understand through successive corporation counsels various attaches of that paid office have also worked on the project and it occurred to me that after the expiration of ten long years perhaps there might be some report available on this rather expensive project.

The order was passed under suspension of the rule.

NEXT MEETING.

Coun. GALLAGHER—I move when we adjourn today that we adjourn to meet again on August 3d.

Coun. McGRATH—August 3d? I think we ought to get back here and have the Acting Mayor sign one of these traffic loans so we can get something done while the Mayor is having a good time in Europe. If we can pass one of those orders, I would agree to the adjournment.

President FITZGERALD—The question is on Councilor Gallagher's motion.

The motion was carried.

DEATH OF ADAM DOBROSKY.

Coun. WILSON offered the following:

Ordered, That an appropriate committee of the City Council be appointed to confer with the officials of the Boston City Hospital concerning the unfortunate case of Adam Dobrosky, in order to ascertain all true facts relating to same.

Referred to Committee on Hospitals.

Coun. WILSON—Might I ask, Mr. President, who will be the ranking chairman, Mr. Doherty being on vacation or is he expected back shortly?

President FITZGERALD—He will be back next week.

Coun. NORTON—Talking on the motion, the Hospital Committee, who is the chairman?

President FITZGERALD—Coun. Doherty is chairman of the committee. Do you want private hearings?

Coun. NORTON—I believe, Mr. President, before questions of this kind are brought to the public, I have a little feeling on this particular bill. After visiting various hospitals in this country and in Europe, I have come to the conclusion that from the standpoint of the treatment of the poor of Boston, we have the finest hospital in the world and no better citizens in Boston than those who are running the hospital from Mr. J. P. Manning down to the superintendent. I had a case similar to this where the late Frank Finneran was brought into the Relief Station under similar conditions and I want to say the treatment

given to him at that time made me feel very proud to be a member of the city government of Boston. All of my contacts with the hospital have led me to believe there is no city in the world, and I have been in the Bellevue Hospital in New York City and in the hospitals in Paris and Berlin and other places in Europe, and no citizens are receiving better attention than the poor people of Boston are receiving at the Boston City Hospital. I reserve the right to criticize certain expenses of the hospital, but I am not losing sight of the fact it is my candid opinion it gives our poor as fine a break as is given to any people of a large city in the universe.

Coun. WILSON—Without entering into any long argument on the character of the doctors and the five trustees in charge, perhaps I am narrow enough to believe that human life and suffering is even more important than expense even in the Boston City Hospital, great as it is, and as splendidly as it is run the greater part of the time. I do not know what the correct story is with reference to this unfortunate case of April 8. If we read some of the statements in the newspapers correctly, it would almost seem that the Haymarket Relief Station should be closed if matters have reached such a state that it is necessary to telephone from that station in the middle of the day to the main hospital to get permission to make a lumbar puncture or an X-ray. Either that or some shifts are necessary at the Haymarket Relief Station. I do not ask for any long drawn out public hearings unless the same become necessary, but I believe the Hospital Committee, or some committee of the Council, should confer with the trustees of the City Hospital. I am inclined to believe the facts will be laid before the committee. If they are not, and if we do not ascertain the correct facts, and if we ascertain that certain changes are necessary, then we will have a public hearing if we have to get a new committee to get it.

Coun. NORTON—Answering the councilor's statement where he says he considers human life more important than expenses. Yes, we all do. I imagine that he made that statement as a result of my statement that I was interested in expenses of the hospital. Well, to clarify that for the record, let me state what I was referring to. My remarks were in reference to the cost of food at the hospital where it was found the food paid for was not going to the patients. I said then and say now any one who would rob sick people is not entitled to charity or consideration. I say the cost of raw food at the hospital was more than the cost of raw food at hospitals with double the number of patients,—where the food was not going to the sick. I hope no one will ever question my placing expenses ahead of human life.

The order was referred to the Committee on Hospitals.

PARKING ON GALLIVAN BOULEVARD.

Coun. McGRATH offered an order for a loan of \$50,000 for traffic signals.

Coun. McGRATH—Mr. President, I was not here when the Mayor sent the veto letter to the Council of the \$50,000. I have not had an answer on the order I introduced here about a month ago, Mr. President, to forbid the parking of automobiles on Gallivan Boulevard between Adams street and St. Brendan's Church. Last Saturday evening due to the congestion of the traffic in that section, because an individual is more important than the population of the ward, one woman was killed, being knocked 82 feet and both legs cut off. I understand, and another woman is in the hospital probably dead at this time. Last night in the same vicinity a woman was hit and seriously injured. Yesterday morning in the same vicinity a boy after serving mass in St. Brendan's Church was hit by an automobile and seriously injured. I inquired for the first time in the Mayor's office in about six weeks, and asked where the order was and no one seemed to be able to find it. I say there is no individual that owns a store

in Ward 16 that is any more important than the public, and I ask at this time that you sign that order as Acting Mayor of Boston to forbid the parking of automobiles in this section. Going back to my order of \$50,000 for traffic lights, the last time I was in the Mayor's office I asked if he would install two traffic lights and after kidding me for about three months about the traffic lights and the surveys he was going to make with the co-operation of the two pastors of St. Mark's Church and St. Ann's Church informed me may be the tax rate would go up. I say to you, Mr. President, if the parochial schools closed down in the City of Boston how much would that increase this tax rate,—and the Mayor on his trip to Europe,—wonderful! I wish I had the money to go and leave the City of Boston with a loan order of \$4,000,000—never mind the traffic lights; never mind accidents. There were four accidents out there in three days in that section and in front of St. Mark's Church. When he got a survey of the accidents he said "Only seven out there in a year and a half." I said that three of them was fatal and I was a witness to three and the other four were serious. I am introducing the order for \$50,000. That is the reason I did not want to adjourn until August 3. You might have the necessary meetings and if you sign it, Mr. Mayor, we will have some protection in Dorchester where we have not had a public improvement in the last eight years.

President FITZGERALD—The Corporation Counsel has ruled that the Mayor could not sign that order.

Coun. McGRATH—Who couldn't sign it?

President FITZGERALD—The Mayor. That is the ruling of Corporation Counsel, that the order is illegal.

Coun. McGRATH—On the \$50,000?

President FITZGERALD—Yes.

Coun. McGRATH—Why can't he?

President FITZGERALD—Corporation Counsel has advised him he couldn't.

Coun. McGRATH—He could sign the one for \$10,000 for the Law Department. I am objecting to these other loan orders as I understand it they are unconstitutional.

President FITZGERALD—Those were not loan orders. They were transfers.

Coun. McGRATH—It is according to who wants them.

Order referred to the Committee on Finance.

REINSTATEMENT OF STRIKING POLICEMEN.

Coun. SHATTUCK offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to inform the City Council as to whether he proposes to reinstate in the police force any of the men who broke their oaths of office by going on strike in 1919, and what he knows about the promise alleged by Senator Carroll for the reinstatement of twenty-five of these men.

Coun. SHATTUCK—Mr. President, in the *Boston Globe* of this morning I saw a news item headed "25 of strikers to join police. Promise is revealed—Curley silent on row." Below there is a statement as follows:

"Although neither would divulge the source of the promise, Senator Edward C. Carroll of South Boston and School Committeeman Maurice J. Tobin last night said that they had been promised that 25 of the 1919 strikers will be reinstated shortly to the Boston Police force."

"The Governor himself last night dispelled any supposition that he was the source of the promise."

It appears, however, further down in the statement that various conferences have been held in the Governor's office by Senator Carroll and Mr. Tobin on this subject, and Carroll says:

"It is true," said Senator Carroll, "that I have taken up the fight of the police strikers

with the Governor, and the Governor has agreed to talk it over with us Tuesday at the State House."

"Asked about the commissioner's attitude, the Senator indicated the commissioner was not the source of the promise by saying, 'I don't know anything about Commissioner McSweeney's attitude. But I do know, and I am saying now, that 25 men will be reinstated to the police force.'"

Now, in the first place, if there is an appropriation available for filling the vacancies in the police force, those vacancies should be filled by young and active men of the highest character, not by middle-aged men who went on strike in 1919. In the second place, it is very desirable to know who is running the Police Department. The promoters of this proposition say they have not taken it up with Commissioner McSweeney and yet they have obtained a promise and been to the Governor's office and the inference is they got the promise there, although he does not seem to admit it. I think it is high time we should know who is running the department and whether it is proposed to do any such thing.

President FITZGERALD—Mr. Councilor, are you willing to have your order amended by striking out the words "those who broke their oath" and say "those who went on strike in 1919"?

Coun. SHATTUCK—I suppose it is a fact they did break their oath.

President FITZGERALD—Those on vacation were not here?

Coun. SHATTUCK—Then they didn't go on strike.

President FITZGERALD—Well, they were not taken back.

Coun. DOWD—May I first state that that was a very nice political speech by the councilor from the Back Bay and one, of course, we expect when election time rolls around, but there cannot be any doubt in the mind of any individual here or any one in Boston or Massachusetts, who runs the Police Department. There is only one Police Commissioner and that is the present Police Commissioner, Mr. McSweeney who is running the affairs of the Police Department. Our good councilor from the Back Bay wants the newspapers to leave the impression that the public think the Governor is running the Police Department. Well, we know that that is all wrong, but we do know that it was a Republican Legislature and a Republican Senate that passed the bill authorizing the Police Commissioner to reinstate the striking policemen. What were they doing,—simply kidding him,—raising their hopes? Now they say they cannot be appointed. I have no objection, and certainly most of the members of the Council have no objection if the Police Commissioner in his wisdom, after a physical examination which is necessary, reinstates some of those policemen, who perhaps were ill-advised or not during the recent police strike in the City of Boston. Because they made a mistake, and I for one am not willing to say they made a mistake, are they going to be penalized all their lives? We see strikers in other institutions in America and they are all covered by our great unions in America, but the striking policemen must bear the penalty of that for the rest of their lives. I am not so much bothered with that as with the insinuation that the councilor has left that the Governor has promised to reinstate the striking policemen. We all know that even Police Commissioner McSweeney, unless he goes to the court, cannot put any more policemen than he has money in the budget and it comes to us first before any one is going to be reinstated, and, so far as I can see in our present budget there is not a five-cent piece to take care of any individual in the police force. We all agree and admit that we need at least 250 more police in the City of Boston. There isn't any question about that,—for the protection of the lives and property of the public. So far as striking policemen are concerned, if they are going to put on some more, I certainly feel that a certain percentage of those men who are physically able should be placed back to work. I cannot agree with the councilor from the

Back Bay on the so-called statement of Senator Carroll. We all know newspapers. It might have been said, but I certainly do object to the insinuation being left that the Police Commissioner is being interfered with by the Governor of the Commonwealth because candidly I do not believe it, knowing Police Commissioner McSweeney as I do, that he will not allow any interference, and he has done a real job while he has been there.

Coun. TOBIN—I raise the point of order that the order as written is one that cannot be properly acted on by the Council and ask that it be ruled out of order.

President FITZGERALD—The Chair will refer this order to the Executive Committee so it can be properly amended.

Coun. TOBIN—if it is not properly before us, it cannot be amended in the Executive Committee.

President FITZGERALD—It is properly before us.

Coun. ROBERTS—I ask for a vote on that order now. There is no reason to refer it to the committee.

Coun. DOWD—I move to send it to the Committee on Rules, Mr. President.

The motion of Coun. Dowd to refer order to the Committee on Rules lost. Yeas 9, nays 11:

Yeas—Coun. Dowd, P. J. Fitzgerald, Gallagher, Gleason, Kerrigan, Kilroy, McGrath, P. A. Murray, Tobin—9.

Nays—Coun. Agnew, Brackman, Finley, J. I. Fitzgerald, Mellen, Norton, Roberts, Rosenberg, Selvitella, Shattuck, Wilson—11.

RESCINDING OF WELFARE DEPARTMENT ORDER.

Coun. DOWD offered the following:

Ordered, That his Honor the Acting Mayor demand that the Public Welfare Department rescind their order in reference to one specific case in Roxbury where the family with thirteen children was cut down in their allowance.

Coun. DOWD—I dislike very much to introduce the individual order in so far as the Public Welfare is concerned, but I have in mind a specific case of a family of a man, wife and thirteen children, who have been receiving \$7 from the Welfare and \$13.75 from the W. P. A., a total of \$20 for fifteen people to get along on. Recently this family was cut down to \$1.28 with the addition of \$13.72 from the W. P. A., which makes \$15. I contend that no large family of fifteen people can live in any way on \$15 a week, and I accordingly ask the Acting Mayor to take the matter up.

Passed under suspension of the rule.

TEN-MILE ROAD RACE IN ROXBURY.

Coun. FINLEY offered the following:

Ordered, That the expense for roping off the streets for the ten-mile road race in West Roxbury be charged to the City Council appropriation.

Passed under suspension of the rule.

PENDING PETITIONS FOR ABATEMENT.

Coun. BRACKMAN offered the following:

Ordered, That the Acting Mayor be requested to confer with the chairman of the Board of Assessors relative to expediting the great number of petitions for abatement that are pending in that department.

Coun. BRACKMAN—At the present time there is outstanding in the collector's office of the City of Boston for 1935 over \$10,000,000 in uncollected taxes and for 1934 there is almost \$2,000,000 uncollected taxes. I believe most of those have been caused by the failure on the part of the Board of Assessors to act on thousands of petitions for abatement of assessed values that are now pending before the Board of Assessors. So far as I have been

able to ascertain from my investigation most of these matters are being tied up by the chairman of the Board of Assessors. I have observed there have been great numbers of people who have sought a hearing in the assessors' office who have been unable to see the chairman of the board on whose desk reposes thousands of petitions for abatement. Now those petitions are tying up the collection of taxes in Boston because most of those people are waiting to get action, either adversely or in favor of their petition before they pay their taxes. Now if the chairman of the board is too busy to act on questions which fall within his jurisdiction, then we have got to get somebody else to do the work. He has alibied and made excuses that he has had to appear before the Appeals Board and everywhere else, but he has not been able to see the people of Boston relative to giving them a fair hearing on their petitions for abatement. Now we are directly chargeable with the failure on the part of our city employees to carry out their duties and I would be negligent in my duties should I sit by and permit this condition to exist in the office of the Board of Assessors because if the amount uncollectible becomes so large that a great burden is foisted on Boston, there is no question in my mind but that some day we, the members of the City Council, will be blamed for the laxity that exists in that department. I might say in fairness to one member, Mr. Murphy, that he has been the only man on that board who has given 100 per cent of his time, and he has seen every one who has come to him, but his hands are tied by the present chairman of the Board of Assessors. Now I submit that any citizen of Boston has at least a right to a hearing on filing petition for abatement, that he should at least be shown the consideration that that department should show him by acting on his petition and the result will be the City of Boston will collect this \$11,000,000 that is outstanding at the present time.

Passed under suspension of the rule.

ROPING OFF WASHINGTON PARK.

Coun. BRACKMAN and Coun. DOWD offered the following:

Ordered, That the expense of roping off Washington Park during the Roxbury Historical Pageant on June 18 and July 1 be charged to the appropriation of the City Council.

Passed under suspension of the rule.

BUS STOP, KNEELAND AND WASHINGTON STREETS.

Coun. KERRIGAN offered the following:

Ordered, That the Boston Elevated Trustee be requested, through his Honor the Mayor, to provide for a bus stop at the corner of Washington and Kneeland streets in connection with their Bay View-City Proper bus line.

Passed under suspension of the rule.

RECESS.

By direction of the President, the Council at 2.15 p. m. took a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by Coun. GALLAGHER at 2.40 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. GALLAGHER, for the Executive Committee, submitted the following, viz.:

1. Report on message and order (referred today) relative to transfers from Reserve Fund to Public Works Department and Traffic Division—that orders ought to pass.

2. Report on message and orders (referred today) for transfers within departmental appropriations—that orders ought to pass.

Coun. TOBIN—May those be taken up separately?

Chairman GALLAGHER—We will first take the order of Public Works, Traffic Division.

Report accepted; order passed, yeas 18, nays 0.

Chairman GALLAGHER—We will take up order for within departmental appropriations.

Report accepted, order passed, yeas 19, nays 0.

3. Report on message and order (referred June 15) for transfer of \$10,000 from the Reserve Fund for expert assistance, maps, plans, etc., re South Bay Flats—that order ought to pass.

Coun. McGRATH—I move we lay this on the table until the next meeting.

On showing of hands the motion to lay on table until the next meeting was adopted, yeas 8, nays 6.

Coun. BRACKMAN—Mr. Chairman, I further doubt the vote and ask for a roll call.

Coun. AGNEW—I understand this matter was before the Council in executive, and there may be some substantial reason why at this time it should be laid on the table and there may be some councilors who are more convers-

ant with the matter than others and I think it might be advantageous to the Council if this matter should lay on the table if some of the councilors would explain the reason for it.

Chairman GALLAGHER—The question is on the motion to lay on the table.

The motion to lay on the table was adopted, yeas 10, nays 9:

Yeas—Coun. Agnew, Dowd, P. J. Fitzgerald, Gleason, Kilroy, McGrath, Mellen, G. A. Murray, P. A. Murray, Tobin—10.

Nays—Coun. Brackman, Finley, J. I. Fitzgerald, Gallagher, Kerrigan, Roberts, Rosenberg, Shattuck, Wilson—9.

4. Report on order of Coun. Shattuck (referred today) concerning appointments in the Police Department—recommending passage of the order in the following new draft:

Ordered, That the Police Commissioner be requested to inform the City Council as to whether he proposes to reinstate in the police force any of the men who went on strike in 1919.

Report accepted; order passed.

Adjourned, on motion of Coun. ROBERTS, at 3.15, to meet on Monday, August 3, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

SPECIAL MEETING.

Wednesday, July 8, 1936.

Special meeting of the City Council, held in the Council Chamber, City Hall, at 1 p. m., with all members present except Coun. Doherty, Dowd, Finley, P. J. Fitzgerald, Kilroy, P. A. Murray, Norton, Roberts and Selvitella. Coun. GALLAGHER presiding.

The meeting was called in pursuance of the following notice:

City of Boston,
Office of the City Clerk,
July 6, 1936.

A special meeting of the City Council will be held in its chamber, City Hall, on Wednesday, July 8, 1936, at 1 o'clock p. m.

By order of the Court,

W. J. DOYLE, City Clerk.

Subject: To draw jurors.

Jurors were drawn in the manner prescribed by law, the Mayor being absent, Coun. BRACKMAN making the drawing, as follows:

Sixty traverse jurors, Superior Criminal Court, to appear August 3, 1936:

Albert M. Costello, Ward 1; Antonio De-Simone, Ward 1; Arthur B. Gradone, Ward 1;

John F. Heil, Ward 1; John F. Joyce, Ward 1; Timothy J. Mahoney, Ward 1; Charles V. Moore, Ward 1; James R. Clark, Ward 2; Dennis F. Crowley, Ward 2; James E. Murphy, Ward 2; Michael J. Brennan, Ward 3; Max Carmen, Ward 3; Charles T. Anderson, Ward 4; William F. Derry, Ward 4; Cedric S. Ramsdell, Ward 4; Harold M. Edwards, Ward 5; Thomas Cooney, Ward 6; Patrick Ryan, Ward 6; James J. Stapleton, Ward 6; John J. Murphy, Ward 7; Raymond A. Wilde, Ward 7; Joseph M. Eich, Ward 9; Thomas H. Howe, Ward 9; Joseph M. Howell, Ward 9; James J. Lennihan, Ward 9; Michael Toland, Ward 11; Leon E. Bowie, Ward 12; George Owen, Ward 12; William F. Graham, Ward 13; Thomas P. McCarthy, Ward 13; Morris Epstein, Ward 14; Joseph Lewis, Ward 14; Charles Liberman, Ward 14; Thomas A. Aylward, Ward 15; Frederick M. Wilkins, Ward 15; Joseph Cooper, Ward 18; Clarence C. Dodge, Ward 18; John P. Groves, Ward 18; Harry H. Hamilton, Ward 18; Henry M. Hayes, Ward 18; John M. Hogarty, Ward 18; Frank F. Hovey, Ward 18; Lewis Perry, Ward 18; Havelock C. Cox, Ward 19; Lawrence A. Fay, Ward 19; Thomas Huleatt, Ward 19; Roderick MacQueen, Ward 19; William G. Marple, Ward 19; Ernest J. Stahl, Ward 19; George H. Brauer, Ward 20; Frederick Cote, Ward 20; Daniel J. Donovan, Ward 20; Louis A. Hartel, Ward 20; Patrick J. Mahoney, Ward 20; Paul S. Peters, Ward 20; William C. Allen, Ward 21; John Edward Buckley, Ward 21; John B. Angus, Ward 22; John A. McGillivray, Ward 22; Nicholas Patterson, Ward 22.

Adjourned at 1.50 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, August 3, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Coun. GALLAGHER in the chair. Absent, Coun. John I. Fitzgerald, Peter A. Murray, Norton and Shattuck.

ADDITIONAL APPROPRIATION FOR SUMNER TUNNEL.

The following was received:

City of Boston,

Office of the Mayor, August 1, 1936.

To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Commissioner of Public Works advising that several of the items in the budget of the Sumner Traffic Tunnel are either insufficient or no appropriation was made in the original budget, and to meet the requirements for the balance of the year an additional appropriation of \$1,800 will be required. I submit herewith an order providing for the appropriation of this amount from the income of the Sumner Traffic Tunnel, and respectfully recommend its adoption by your Honorable Body.

Respectfully,

JOHN I. FITZGERALD, Acting Mayor.

City of Boston,
Public Works Department,
July 24, 1936.

To His Honor the Mayor.

Dear Sir—For the proper operation and maintenance of the Sumner Tunnel during the remainder of the year, it will be necessary to make the following transfers from the income of the Sumner Tunnel, Public Works Department, and I respectfully request that these transfers be made:

- C-9, Office, \$500.
- F-15, Deposit Adjustments, \$300.
- E-1, Building, \$1,000.

Reasons:

- C-9. For purchase of new safe.
- F-15. This is a new budget item for which no money was requested or allowed. The transfer is necessary in accord with recommendations of auditors to City Auditor.
- E-1. More materials purchased than anticipated.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Ordered. That to meet the current expenses payable during the financial year beginning with the first day of January, 1936, an additional sum of \$1,800 be, and the same hereby is, appropriated from the income of the Traffic Tunnel for the following purposes:

- C-9, Office, \$500.
 - E-1, Building, \$1,000.
 - F-15, Deposit Adjustments, \$300.
- Referred to the Executive Committee.

ADDITIONAL FUNDS FOR NEW DISTRICT WELFARE BUILDINGS.

The following was received:

City of Boston,

Office of the Mayor, August 1, 1936.

To the City Council.

Gentlemen,—I have been advised by the Overseers of the Public Welfare that the new district welfare buildings in East Boston and Dorchester are practically completed and are ready for occupancy and it will be necessary to purchase furniture and office equipment. For this purpose the sum of \$3,500 will be needed and can be made available by transfer from the appropriation for the New

Charities Administration Building. I therefore recommend adoption of the accompanying order by your Honorable Body.

Respectfully,

JOHN I. FITZGERALD, Acting 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 Public Welfare Department, New Charities Administration Building, \$3,500, to the appropriation for Public Welfare Department, New District Welfare Buildings, Furnishing and Equipping, \$3,500.

Referred to the Executive Committee.

LOAN ORDER FOR PUBLIC WELFARE, SOLDIERS' RELIEF AND W. P. A. PROJECTS.

The following was received:

City of Boston,

Office of the Mayor, August 1, 1936.

To the City Council.

Gentlemen,—Under date of June 25, 1936, the Mayor submitted to the Council a loan order in the sum of \$1,000,000, the proceeds to be used under the provisions of chapter 80 of the Acts of 1936 for Public Welfare, Soldiers' Relief and W.P.A. project expenses. This order has received one reading by the Council and its second and final reading will be considered at today's meeting. The Mayor in submitting this loan order stated that "at a subsequent meeting of your Honorable Body I will introduce an appropriation order allocating the above-mentioned sum of \$1,000,000."

I am advised by the Budget Commissioner that appropriations provided in the budget for Mothers' Aid in the Public Welfare Department and W. P. A. project expenses in the Hospital and Paving Departments are running low and that they should be strengthened forthwith in order to avoid any possibility of temporary suspension of these activities. In view of the evident emergency I submit herewith an appropriation order in which allocation of the \$1,000,000 has been made by the Budget Commissioner. I recommend adoption of this order after the loan order to which it is related has received its second and final reading.

Respectfully,

JOHN I. FITZGERALD, Acting Mayor.

Ordered. That the sums hereinafter specified be, and hereby are, appropriated for the several departments and for the objects and purposes hereinafter stated; that the same be met from a loan of \$1,000,000 to be made under chapter 80 of the Acts of 1936 in accordance with a recommendation submitted by the Mayor to the City Council on June 25, 1936.

Hospital Department.	
H. Relief Projects.....	<u>\$100,000</u>
Public Welfare Department.	
F. Special Items.....	<u>\$800,000</u>
9. Care of Dependents.....	\$500,000
10. Mothers' Aid.....	300,000

Public Works Department, Paving Service.

H. Relief Projects.....	<u>\$100,000</u>
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Referred to the Executive Committee.

TRANSFERS WITHIN DEPARTMENTS.

The following was received:

City of Boston,

Office of the Mayor, August 1, 1936.

To the City Council.

Gentlemen,—The attached requests for transfers within departmental appropriations have been examined and investigated by the Budget Commissioner. These transfers represent emergency matters which will not permit of delay. I accordingly recommend adoption of the accompanying orders by your Honorable Body.

Respectfully,

JOHN I. FITZGERALD, Acting 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 Hospital Department, Sanatorium Division:

From the appropriation for D-5, Medical, Surgical, Laboratory, \$800, to the appropriation for E-13, Miscellaneous Materials, \$500; F-11, Workmen's Compensation, \$300.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Police Department:

From the appropriation for A-1, Permanent Employees, Stenographers, 30 at \$1,000 a year, \$5,000, to the appropriation for A-2, Temporary Employees, \$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 Welfare Department, Temporary Home:

From the appropriation for D-2, Food and Ice \$25, to the appropriation for E-13, Miscellaneous Materials, \$25.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Paving Service:

From the appropriation for C-17, Miscellaneous Equipment, \$7.54; E-2, Highway, \$5,000, to the appropriation for B-39, General Repairs, \$3,000; B-42, Miscellaneous Services, \$2,000; G-12, Medical, Surgical, Laboratory, \$7.54.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Sewer Service:

From the appropriation for B-6, Hire of Teams and Auto Trucks, \$260.80; C-2, Machinery, \$200; D-1, Office, \$200; E-1, Building, \$50; H, Relief Projects, \$300, to the appropriation for B-10, Rent, Taxes and Water, \$80.80; B-15, Motorless Vehicle Repairs, \$100; B-16, Care of Animals, \$100; C-17, Miscellaneous Equipment, \$200; D-13, Chemicals and Disinfectants, \$200; E-9, Machinery, \$50; F-11, Workmen's Compensation, \$300.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriation for Superior Court, Civil Session, General Expenses:

From the appropriation for B-34, Jurors, \$2,500, to the appropriation for B-29, Stenographic and Copying, \$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 Superior Court, Civil Session, Clerk's Office:

From the appropriation for A-1, Permanent Employees, Clerks, Senior, 21 (19) at \$1,800 to \$2,200 a year, \$1,000, to the appropriation for A-1, Permanent Employees, Clerks, Principal, 14 (16) at \$2,100 to \$2,600 a year, \$1,000.

From the appropriation for D-1, Office, \$50, to the appropriation for C-10, Library, \$50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Penal Institutions Department, House of Correction:

From the appropriation for B-39, General Repairs, \$6,000; B-42, Miscellaneous Services, \$1,000; C-2, Machinery, \$550; D-13, Chemicals and Disinfectants, \$500, to the appropriation for B-18, Cleaning, \$50; B-28, Expert, \$600; D-5, Medical, Surgical, Laboratory, \$500; D-8, Laundry, Cleaning, Toilet, \$500; D-11, Gasolene, Oil and Grease, \$400; E-1, Building, \$5,000; E-9, Machinery, \$500; E-10, Electrical, \$500.

Referred to the Executive Committee.

LOAN FOR POLICE COMMUNICATION SYSTEM.

The following was received:

City of Boston,
Office of the Mayor, August 3, 1936.
To the Honorable the City Council.

Gentlemen,—On June 15, 1936, his Honor the Mayor transmitted to your Honorable Body a form of loan order for the additional sum of \$85,000 for the P. W. A. Project of Police Communications System (P. W. A. Docket No. 8200). Your Honorable Body has, however, taken no action on said loan order.

On July 22, 1936, the State Director, P. W. A., advised me that delay in providing the additional necessary funds to complete the project would constitute a violation of the terms of the Grant Agreement between the city and the United States of America.

In order to prevent the possibility of the city's losing a Federal Grant on the entire project, I strongly urge and recommend that your Honorable Body give its first reading of said loan order at its meeting today, and its second reading and passage of said loan order at its meeting on August 17, 1936.

Respectfully,

JOHN I. FITZGERALD, Acting Mayor.

Placed on file.

TRANSFER FROM GEORGE F. PARKMAN FUND.

The following was received:

City of Boston,
Office of the Mayor, July 14, 1936.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Board of Park Commissioners, requesting the transfer of the sum of \$50,000 from the income of the George F. Parkman Fund to the maintenance and improvement of the Common and Parks in Existence on January 12, 1887.

I submit herewith an appropriation order and respectfully recommend its immediate passage by your Honorable Body.

Respectfully,

JOHN I. FITZGERALD, Acting Mayor.

City of Boston,

Park Department, July 10, 1936.

Hon. John I. Fitzgerald,

Acting Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners, you are respectfully asked to request the City Council to transfer from the income of the George F. Parkman Fund the sum of \$50,000 which is now available, to be expended under the direction of the Board of Park Commissioners as follows:

Common and Parks in Existence on January 12, 1887, Maintenance and Improvement of.....	<u>\$50,000</u>
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When making up the budget estimates for the year 1936, a sum equal to the total yearly income of the George F. Parkman Fund was deducted from Item A-1, Permanent Employees, with the understanding that this deduction was to be replaced by the total yearly income of said Parkman Fund for 1936, to be transferred as it accrued from time to time during the year to the regular maintenance appropriation of the Park Department.

Respectfully yours,

WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$50,000 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:

Common and Parks in Existence on January 12, 1887, Maintenance and Improvement of.....	<u>\$50,000</u>
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Referred to the Executive Committee.

REINSTATEMENT OF STRIKING POLICEMEN.

The following was received:

City of Boston,
Office of the Mayor, July 29, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Police Commissioner, relative to your order of July 2, 1936, concerning the possible reinstatement in the police force of any of the men who went on strike in 1919.

Respectfully,
JOHN I. FITZGERALD, Acting Mayor.

Office of the Police Commissioner,
354 Berkeley Street,
July 21, 1936.

Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Mr. Gilmore,—With reference to your communication of July 6, inclosing copy of City Council order of July 2 relative to informing the City Council as to whether the Police Commissioner proposes to reinstate in the police force any of the men who went on strike in 1919, you will please find quoted below a statement that was issued to the Press, which is self-explanatory,

"I have never agreed to reinstate any striking police officers, and never said that I would or would not do so.

"This matter has been agitated for seventeen years, and is one that affects the citizens of Boston and the morale of the Police Department probably more than any other question. I do not propose to be hurried or stampeded into any decision upon this matter, and intend taking plenty of time to consider it."

Yours respectfully,
E. M. MCSWEENEY,
Police Commissioner.

Placed on file.

RESCINDING ORDER OF WELFARE DEPARTMENT IN SPECIAL CASE.

The following was received:

City of Boston,
Office of the Mayor, July 15, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Welfare Department, relative to your order of July 2, 1936, concerning the rescinding of an order of that department in reference to a specific case where there is a family with thirteen children.

Respectfully,
JOHN I. FITZGERALD, Acting Mayor.

City of Boston,
Overseers of the Public Welfare, July 14, 1936.
Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office,
Dear Sir,—This is to acknowledge receipt of your communication of July 6, 1936, inclosing the following order from the City Council dated July 2, 1936:

"Ordered, That his Honor the Acting Mayor demand that the Public Welfare Department rescind their order in reference to one specific case in Roxbury where the family with thirteen children was cut down in their allowance."

I beg to reply that inasmuch as no special family was mentioned we are unable to identify the case. We have a case, however, where there are thirteen children and in which the father of the family receives \$13.72 from the W. P. A. and where we are supplementing to the extent of \$1.28.

The Catholic Charitable Bureau is also assisting to the extent of \$5 a week and three quarts of milk daily. Formerly the Overseer's aid was \$7 a week but this was reduced to \$1.28 as the result of a recent vote of the Board of Overseers which stated that no supplementary relief above the \$15 maximum be allowed in dependent aid cases without a specific vote of the Board.

Yours truly,
JOHN C. L. DOWLING, Executive Director.
Placed on file.

REVISION OF SUMMER SCHEDULE ON BOSTON ELEVATED.

The following was received:

City of Boston,
Office of the Mayor, July 15, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Elevated Railway, relative to your order of June 29, 1936, with reference to a revision of their summer schedule on all lines affecting the Dorchester district.

Respectfully,
JOHN I. FITZGERALD, Acting Mayor.

Boston Elevated Railway,
Office of the Trustees,
July 6, 1936.

Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.
Dear Sir,—The trustees have considered request contained in order of the City Council of June 29 for revision of summer schedule on all lines affecting the Dorchester district.

It is not generally appreciated that the riding on the Elevated during July and August decreases over 25 per cent. Each summer it becomes necessary, without wasting service which would add to the deficit, to adjust the schedules to this reduced load for these months. This is done with great care and after detailed checking. In September the service is again restored to the requirements of the increased riding.

Very truly yours,
H. W. HARRIMAN, Chairman.
Placed on file.

BETTER LIGHTING FACILITIES AT BLUE HILL AVENUE AND HAZLETON STREET.

The following was received:

City of Boston,
Office of the Mayor, July 15, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works, relative to your order of May 4, 1936, concerning provisions for better lighting facilities at Blue Hill avenue and Hazleton street, Ward 14.

Respectfully,
JOHN I. FITZGERALD, Acting Mayor.

City of Boston,
Public Works Department, July 14, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of May 7 with attached order of City Council dated May 4 and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide better lighting facilities at Blue Hill avenue and Hazleton street, Ward 14," and to state that in compliance with the order of the City Council a large 1500 candle power lamp was installed at the junction of Blue Hill avenue and Hazleton street, July 2, 1936.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.
Placed on file.

PROHIBITING PARKING AUTOMOBILES ON GALLIVAN BOULEVARD.

The following was received:

City of Boston,
Office of the Mayor, July 14, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Traffic Commission, relative to your order of May 25, 1936, concerning the prohibiting of the parking of automobiles on both sides of Gallivan Boulevard, between Adams street and Cushing Hill road, Ward 16.

Respectfully,
JOHN I. FITZGERALD, Acting Mayor.

City of Boston,
Traffic Commission, July 13, 1936.
Hon. John I. Fitzgerald,
Acting Mayor.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated May 25, 1936, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to prohibit the parking of automobiles on both sides of Gallivan Boulevard, between Adams street and Cushing Hill road, Ward 16."

This matter was considered at a meeting of the Boston Traffic Commission on July 10, 1936, and it was voted to prohibit parking for a trial period of sixty days, beginning July 20, 1936, in the south side of Gallivan Boulevard, from Granite avenue to Cushing Hill road.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

REPAVING HATCH STREET.

The following was received:

City of Boston,
Office of the Mayor, July 10, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works, relative to your order of June 29, 1936, concerning the repavement with smooth pavement on Hatch street, Ward 7.

Respectfully,
JOHN I. FITZGERALD, Acting Mayor.

City of Boston,
Public Works Department, July 9, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of July 3, 1936, with attached order of City Council dated June 29, 1936, and reading as follows:

"Ordered That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Hatch street, Ward 7."

and to state that Hatch street, from East Eighth street to Marine road, has a length of 267 lineal feet, roadway width of 19 feet and sidewalks on either side 5 feet in width. The existing pavement is a tar macadam laid in 1913.

To resurface with a smooth pavement and perform the necessary regulating will cost \$1,900. Until a loan for the reconstruction of streets is obtained this work cannot be considered, as at the present time there is no money available for street construction.

Very truly yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

LAYING OUT ARBROTH STREET AS PUBLIC HIGHWAY.

The following was received:

City of Boston,
Office of the Mayor, July 9, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Board of Street Commissioners relative to your order of June 29, 1936, concerning the acceptance and laying out as a public highway Arbroth street, Ward 16.

Respectfully,
JOHN I. FITZGERALD, Acting Mayor.

City of Boston,
Street Laying-Out Department,
July 8, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Your Honor,—City Council order requesting the acceptance and laying out of Arbroth street, Ward 16, as a public highway is at hand.

I regret to state that there are no funds available for this project at the present time. If and when the W. P. A. street construction program is resumed, the Board will be very pleased to give Arbroth street careful consideration.

Respectfully yours,
OWEN A. GALLAGHER, Chairman.

Placed on file.

LAYING OUT JOHNSON TERRACE AS PUBLIC HIGHWAY.

The following was received:

City of Boston,
Office of the Mayor, July 9, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Board of Street Commissioners relative to your order of July 2, 1936, concerning the acceptance and laying out as a public highway Johnson terrace, Ward 14.

Respectfully,
JOHN I. FITZGERALD, Acting Mayor.

City of Boston,
Street Laying-Out Department,
July 7, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Your Honor,—City Council order requesting the acceptance and laying out of Johnson terrace, Ward 14, as a public highway has been received.

I regret to state that there are no funds available for this project at the present time.

Respectfully yours,
OWEN A. GALLAGHER, Chairman.

Placed on file.

LAYING OUT AS PUBLIC HIGHWAYS STREETS IN WARD 16.

The following was received:

City of Boston,
Office of the Mayor, July 9, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Board of Street Commissioners relative to your orders of June 29, 1936, concerning:

1. Acceptance and laying out as a public highway Cheverus road in Ward 16.
2. Acceptance and laying out as a public highway Laban Pratt road in Ward 16.

Respectfully,
JOHN I. FITZGERALD, Acting Mayor.

City of Boston,
Street Laying-Out Department,
July 7, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Your Honor,—City Council orders requesting the acceptance and laying out of Cheverus road and Laban Pratt road, Ward 16, have been received.

I regret to state that there are no funds available for these projects at the present time.

Respectfully yours,
OWEN A. GALLAGHER, Chairman.

Placed on file.

JOHN L. GLEASON SCHOOL.

The following was received:

City of Boston,
Office of the Mayor, July 10, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston School Committee, relative to your order of June 29, 1936, concerning the name of the late Representative John L. Gleason being given to the school now being erected at Eliot square, Roxbury.

Respectfully,
JOHN I. FITZGERALD, Acting Mayor.

City of Boston,
Office of the School Committee, July 9, 1936.
Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.
Dear Mr. Gilmore,—At last evening's conference, the School Committee received your communication of July 3, transmitting order passed by the City Council on June 29, 1936, requesting the School Committee, through his Honor the Mayor, to name the school now being erected at Eliot square, Roxbury, the John L. Gleason School, in honor of the late representative, John L. Gleason.

The secretary was directed to acknowledge receipt of the communication and inform the City Council, through his Honor the Mayor, that the order was placed on file.

Very truly yours,
ELLEN M. CRONIN, Secretary.

Placed on file.

RESTORATION OF DUDLEY STREET BUS LINE.

The following was received:

City of Boston,
Office of the Mayor, July 10, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Elevated Railway, relative to your order of June 29, 1936, concerning the restoration of the Dudley street bus line operating between Fields Corner Station via Dorchester avenue, Savin Hill avenue, Stoughton street to Dudley Street Station.

Respectfully,
JOHN I. FITZGERALD, Acting Mayor.

Boston Elevated Railway, Office of the Trustees.
July 9, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—Replying to your letter of July 3, with reference to order of the City Council, requesting restoration of the Dudley street bus line operating between Fields Corner Station via Dorchester avenue, Savin Hill avenue, Stoughton street and Dudley Street Station, during the summer months the riding on the Elevated system decreases about twenty-five per cent as compared with other months of the year, and it is necessary, to avoid increasing the deficit, to adjust our mileage as equitably as possible to correspond with the reduced riding. It was for that reason that operation of the Savin Hill-Dudley street coach line has been discontinued for the summer months.

The Uphams Corner car line traverses the same streets between Uphams Corner and Dudley street, and the section between Uphams Corner and Dorchester avenue is served by a coach line, so that by transfer, there is service the entire length of the coach line which has been temporarily discontinued.

Very truly yours,
EDWARD DANA,

Executive Vice-President and General Manager.

Placed on file.

APPROPRIATION FOR CEMETERY DIVISION.

The following was received:

City of Boston,
Office of the Mayor, August 1, 1936.

To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Board of Park Commissioners requesting that under the provisions of chapter 117, Acts of 1913, an appropriation of \$40,000 be made from the income of the Cemetery Fund for maintenance expenses of the Cemetery Division. The budget of this latter division as approved by your Honorable Body contemplated use of this income as now proposed. In order to continue the regular activities of the Cemetery Division, it is necessary to secure this appropriation at once.

In view of this emergency I submit herewith an appropriation order and respectfully recommend its immediate passage by your Honorable Body.

Respectfully,
JOHN I. FITZGERALD, Acting Mayor.

City of Boston,
Park Department, July 30, 1936.

Francis J. Murray,

Budget Commissioner.

Dear Sir,—When making up the budget appropriation for the Park Department, Cemetery Division, the sum of \$40,000 was deducted from the labor items contained therein, to be replaced later from the income of the City of Boston Cemetery Fund.

As the balances on these items are now getting low, I respectfully ask that, in accordance with chapter 117, Acts of 1913, a request be made for an appropriation of \$40,000, same to be distributed to the said items, as follows:

Superintendent of Parks and Cemeteries, 1 at \$3,600 per year.....	\$616 18
Bookkeeper and stenographer, 1 at \$1,700 per year.....	617 88
Chauffeur, 1 at \$31.50 a week.....	598 50
Clerk and stenographer, 1 at \$2,300 a year.....	835 76

Clerk and stenographer, 1 at \$1,900 per year.....	\$689 60
Custodian, 1 at \$2,200 per year.....	372 79
Custodians and cemetery keepers, 2 at \$2,200 per year.....	1,696 28
Engineer, 1 at \$41.50 a week.....	888 50
Gardener-fireman, 1 at \$36 a week.....	432 00
Gardeners, treemen, etc., 11 at \$33 a week.....	6,270 00
Laborers, 46 at \$30 a week.....	23,371 75
Matrons, 2 at \$22 a week.....	836 00
Mechanic, 1 at \$36 a week.....	684 00
Sexton, 1 at \$36 a week.....	684 00
Stonemason and dynamiter, 1 at \$39 a week.....	571 00
Supervisor of veterans' graves, 1 at \$2,300 per year.....	835 76
	<u>\$40,000 00</u>

Very truly yours,
WILLIAM P. LONG, Chairman.

Ordered, That under the provisions of chapter 117, Acts of 1913, the sum of \$40,000 be, and hereby is, appropriated from the income of the Cemetery Fund, to be expended under the direction of the Park Commissioners, for Cemetery Division, maintenance and improvements, \$40,000.

Referred to the Executive Committee.

PETITIONS REFERRED.

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

Committee on Jitney Licenses.

Petition of the Boston Elevated Railway to operate motor vehicles between City square and the Chelsea line.

Executive.

Petition of Margaret H. Gillis, to be paid an annuity on account of the death of Stephen J. Gillis, late member of Police Department.

Claims.

Max Belsky, for refund on second-hand dealer's license.

Mrs. James E. Blair, for compensation for injuries caused by an alleged defect at 432 Massachusetts avenue.

Annie M. Brice, for refund on building permit.

Nellie Broderick, for compensation for injuries caused by an alleged defect in City Hall Annex.

Nellie A. Bryant, for compensation for damage to clothing caused by an alleged defect at Fifth and I streets.

Samuel H. Bullock, for compensation for damage to property at 42 Sawyer street, during tearing down of building.

Mary E. Burke, for compensation for injuries caused by an alleged defect at 151 Stoughton street.

Bent E. Carlsen, for compensation for damage to car by city car.

James E. Clinton, to be reimbursed for raising grade of sidewalk.

Lena Cohen, for compensation for injuries caused by police officer.

Robert E. Cooney, for compensation for injuries caused by an alleged defect at Corey and Centre streets.

Walter T. Cummings, for compensation for injuries caused by an alleged defect at Long Island.

Alfred DeSimone, for compensation for damage to car by city team.

William L. Donohoe, for compensation for damage to property at 51 Albany street, caused by bursting of water main.

Cornelius H. and Eliza Donovan, for compensation for damage to property at 41 Oakview terrace, by blasting.

Frederick Doyle, for compensation for injuries caused by an alleged defect at 64 Chestnut avenue.

Nathan Eidleman, for compensation for loss of property at J. Street Bath House.

Timothy J. Flahive, for compensation for damage to car caused by an alleged defect in South street.

Albert J. Florentino, Jr., for compensation for injuries caused by city truck.

Joseph F. Gallagher, for compensation for damage to coat caused by an alleged defect at Tremont and School streets.

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

Gladys M. Housley, for compensation for damage to dress caused by an alleged defect in Prescott street, East Boston.

Alice G. Keenan, for compensation for damage to property at 25 Henshaw street, Brighton, caused by laying water pipes.

Mary E. Kenney, to be reimbursed for taxes overcharged at 1123 and 1125 Columbus avenue and 4 Station street.

Edythe S. Levine, for compensation for damage to car by city team.

Louis Levine, for compensation for damage to car by city wagon.

Hyman Levitts, for compensation for loss of clothing at City Point Bath House.

Henry Lubach, for compensation for damage to car and injuries caused by fire apparatus.

Frances R. McCarthy, for compensation for damage to car caused by an alleged defect at Boylston and Charles streets.

Joseph F. McCarthy, for compensation for damage to property at 15 Allen street, caused by city truck.

Harriet H. Miller, for compensation for damage to car by city truck.

Mae Mulkern, for refund on refuse tickets.

National Ice Cream, for refund on ferry tickets.

John W. J. O'Dowd, for compensation for damage to car by sewer truck.

Marie M. O'Leary, for compensation for damage to clothing by spray from city truck.

Richard A. Power, for compensation for loss of clothing taken from Carson Beach.

Rand Sandals, Inc., for refund on refuse tickets.

Roscoe R. Ricker, for compensation for damage to car by city car.

Jack Singer, for compensation for damage to clothing caused by an alleged defect at Washington and Boylston streets.

Rudolph B. Slamin, to be reimbursed for execution issued against him on account of his acts as operator of car of Police Department.

Charles H. Smith, for compensation for damage to car caused by ladder truck of Station 12.

Domenic Socca, for compensation for damage to car caused by an alleged defect in Western avenue, Brighton.

Annie M. Stoddard, for compensation for injuries caused by an alleged defect at 9 Butler street.

Cornelius J. Sullivan, to be reimbursed for execution issued against him on account of his acts as operator of truck of Public Works Department.

Patrick Sullivan, to be reimbursed money paid to Soldiers' Relief Department by W. H. Sullivan.

Zigmund Talent, for compensation for damage to car caused by an alleged defect in Blue Hill avenue and Canterbury street.

Russell W. Taylor, for compensation for damage to car by city truck.

Marie Troisi, for compensation for damage to car by city truck.

U-Dryvit Auto Rental Company, Inc., for compensation for damage to truck by city truck.

William A. Walsh, for compensation for injuries caused by an alleged defect at 30 Jamaica way.

Irving Wolfe, for compensation for damage to car by garbage truck.

Mary A. Wood, for compensation for injuries caused by an alleged defect at Hammond and Sussex streets.

Hyde Park Co-operative Bank, for repair to street at 49 De Soto street, West Roxbury, left in defective condition by city workers.

Beatrice M. Koenig, for compensation for damage to car by city cart.

Henry Lubbeck, for compensation for damage to car and personal injuries caused by fire chief's car.

MINORS' LICENSES.

Applications were received for minors' licenses from thirty-three newsboys and three bootblacks, and it was voted that licenses be granted under the usual conditions.

APPROVAL OF CONSTABLES' BONDS.

The constables bonds of the following-named constables having been duly approved by the City Treasurer, were received and approved, viz.:

Alfred Blaustein, James D. Martin, David B. Kaplan, John M. McCushing, Luongo Anthony, David Klayman, Paul J. Cavicchi.

NOTICES OF APPROVAL.

Notice was received of the approval of the State Emergency Finance Board of P. W. A. loan for school buildings.

Notice was received of the approval of the State Emergency Finance Board of tax-title loan to the City of Boston of \$3,000,000.

Order of the Metropolitan District Commission dated July 23, 1936, was received granting to the Edison Electric Illuminating Company of Boston location for pole and wires at the junction of Blue Hill avenue and Blue Hills Parkway.

Placed on file.

OPINION OF LAW DEPARTMENT RE JITNEY LICENSES.

The following was received:

July 20, 1936.

To the Honorable the City Council.

Gentlemen,—There has been transmitted to me the following order passed by your Honorable Body:

"Ordered, That the Corporation Counsel furnish the City Council with an opinion as regards to the following matters, to wit:

1. Has the City Council any authority to revoke a jitney license granted to a transportation company where it appears that said company has consistently violated and is continuing to violate rules and regulations properly adopted by the Boston Traffic Commission and also several sections of chapter 90 of the General Laws and ordinances of the City of Boston.

2. Assuming that said transportation company having been granted a jitney license by the City Council is violating provisions of the General Laws and ordinances adopted by the City Council and rules properly adopted and promulgated by the Boston Traffic Commission, has the City Council any authority to pass an ordinance providing for the revocation of such license upon proof that said company is, in fact, violating the law?"

The common carriage of passengers by motor vehicle is now governed by the provisions of chapter 159A of the General Laws added by section 1 chapter 408 of the Acts of 1931.

Section 1 of said chapter provides as follows:

"Section 1. No person shall, except as otherwise provided in this chapter, operate any motor vehicle upon any public way in any city or town for the carriage of passengers for hire, in such a manner as to afford a means of transportation similar to that afforded by a railway company, by indiscriminately receiving and discharging passengers along the route on which the vehicle is operated or may be running, or for transporting passengers for hire as a business between fixed and regular termini, without first obtaining a license for such operation from the city council of such city or the selectmen of such town, in this chapter called the licensing authority; provided, that, in respect to any boulevard or way under the jurisdiction of the metropolitan district commission, such commission shall constitute the licensing authority. Any such license issued by a city council under this section shall be subject to the approval of the mayor. The fee for any such license shall not exceed ten dollars. Such license may limit the number of vehicles to be operated thereunder. Any person, receiving a license under this section and operating a vehicle or vehicles thereunder, shall, in respect to such operation, be subject to such orders, rules or regulations as shall be adopted by the licensing authority under this chapter. No license, certificate or permit shall be required under this chapter in respect to such carriage of passengers as is exclusively interstate."

Section 3 of said chapter provides:

"Section 3. If a person desiring to operate any motor vehicle for the purposes and in the manner aforesaid over a route covering at least twenty miles holds a license therefor in the terminal municipalities and also a license in all but one of the intervening municipalities, or in case seven or more municipalities intervene, in all but one or two thereof, the department of public utilities, hereinafter in this chapter called the department, on petition of such person, shall act as the licensing authority in the one or two municipalities, as the case may be, in which such person's application for such an original license has not been

favorably acted upon within three months after the filing thereof. The department, before issuing such a license, shall give a public hearing thereon after notice to the licensing authority of such a municipality, and if the department finds that public convenience and necessity requires that the applicants be allowed to operate motor vehicles through such a municipality and over a route as aforesaid, it may issue a license therefor and shall specify therein the route or routes over which such motor vehicles shall be operated therein, but operation under such a license shall be limited to through traffic without stopping in such municipality for taking on or discharging passengers, except in case of a railroad or railway company operating a bus line as a part of its system."

Section 4 of said chapter provides:

"Section 4. Each license issued after July eighteenth, nineteen hundred and twenty-seven, under the provisions of general law applicable thereto or under this chapter, and not since revoked, shall remain in force and effect as to the routes and for the number of vehicles specified in such license or operated thereunder, notwithstanding any limitation therein contained as to the time it shall remain in effect, until revoked as hereinafter provided. After public notice and hearing, the licensing authority may, for good and sufficient reasons to be stated in the order of revocation, revoke in whole or in part such a license issued by such authority, but unless within thirty days after any such order of revocation, except an order made by the department or by the metropolitan district commission, acting as such licensing authority, the licensee consents thereto in writing, such order shall not be valid until approved by the department after public notice and hearing."

By virtue of the provisions of sections 1 and 3 above quoted of said chapter 159A, no person may operate a motor vehicle upon any public way (other than a boulevard or way under the jurisdiction of the Metropolitan District Commission) in any city of the Commonwealth for the carriage of passengers for hire in such a manner as to afford a means of transportation similar to that afforded by a street railway company, by indiscriminately receiving and discharging passengers along the route of operation, or for transporting passengers for hire as a business between fixed and regular termini unless (a) the carriage is exclusively interstate or (b) a license for such operation is obtained from the city council of such city with the approval of the mayor, except that in the latter instance, if the route of operation covers at least twenty miles and the operator holds a license therefor in the terminal municipalities and a license in all but one of the intervening municipalities (or if there are seven or more intervening municipalities in all but one or two), and such one or two municipalities, as the case may be, fail to issue a license within three months after the filing of an application therefor, a license from such municipality is unnecessary if a license for operation therein is granted by the Department of Public Utilities.

By virtue of the provisions of section 4 above quoted of said chapter 159A, every license issued for such operation and outstanding after July 13, 1927, whether issued under the provisions of applicable general law or under chapter 159A and not revoked remains in effect as to the routes and for the number of vehicles specified in the license or operated thereunder until revoked as in said chapter 159A authorized (notwithstanding any limitation therein contained as to the time it should remain in effect.) Section 4 of said chapter 159A authorizes, in my opinion, the revocation (in whole or in part) of any license for the common carriage of passengers for hire by motor vehicles, regardless of when such licenses were issued, by the licensing authority (in the case of cities, the city council with the approval of the mayor, except in the limited instances above indicated, i. e., except where the licensing authority is the Metropolitan District Commission or the Department of Public Utilities) but only after public notice and a hearing and for good and sufficient reasons stated in the order of revocation, but unless within thirty days after an order of revocation is made by a city council, the licensee consents thereto in writing, such order shall not be effective until approved by the Department of Public Utilities after public notice and hearing.

In view of the foregoing, it is my opinion that your Honorable Body may, with the approval of the Mayor revoke, in whole or in part, any license granted by it whether granted under the provisions of chapter 159A or under the provisions of predecessor general laws, for the common carriage of passengers for hire by motor vehicle provided that such revocation (1) follows public notice and a hearing (2) is for good and sufficient reason stated in the order of revocation and (3) either (a) is consented to in writing by the licensee within thirty days after the order is made or (b) is approved by the Department of Public Utilities after public notice and hearing.

Consistent and continued violation of valid rules and regulations of the Boston Traffic Commission or of substantial prohibitions of General Laws or ordinances constitute, in my opinion, if established, good and sufficient reason for revocation.

An ordinance such as is referred to in the above quoted order of your Honorable Body would not, in my opinion, increase your powers of revocation. (See, however, sections 93 to 110, inclusive, of the Revised Ordinances of 1925).

Very truly yours,

HENRY E. FOLEY,
Corporation Counsel.

Placed on file.

APPOINTMENTS BY THE MAYOR.

Notice was received of appointments as follows:
Michael McCormack, 256 Ashmont street, Dorchester, as Food Inspector.
Edward F. Loonie, Jr., 23 Sparhawk street, Boston, as Deputy Sealer of Weights and Measures.
Severally placed on file.

PAYMENT OF AID TO SOLDIERS AND SAILORS.

Coun. KERRIGAN offered an order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of July, 1936.

Passed under suspension of the rule.

JURORS DRAWN.

Jurors were drawn in the manner prescribed by law, Coun. ROBERTS presiding at the box in the absence of the Mayor.

Fifty-five traverse jurors, Superior Criminal Court, to appear September 14, 1936:

John C. Burns, Ward 1; Arthur J. Donovan, Ward 1; Clarence C. Landry, Ward 1; William Joseph Shields, Ward 1; Andrew Willis, Ward 1; Denis Creedon, Ward 2; Isaiah H. Humphrey, Ward 2; Charles E. Riordan, Ward 2; Charles Kallas, Ward 3; Arthur Kornick, Ward 3; Michael Romano, Ward 3; Patrick J. FitzGerald, Ward 4; Chester F. Ellis, Ward 5; James H. Harnigan, Ward 5; Robert E. MacWilliam, Ward 5; Laurence J. Ostlund, Ward 5; Edward A. Cashman, Ward 7; Edward J. Devin, Ward 8; John H. Harris, Ward 9; James P. O'Keefe, Ward 9; John J. Johnson, Ward 11; Leo F. Will, Ward 11; Walter I. Mears, Ward 12; John A. Crowley, Ward 13; Roy S. Webb, Ward 13; Abraham J. Cooper, Ward 14; Abraham Emanuel, Ward 14; Samuel Levy, Ward 14; William R. Allen, Ward 15; Arthur J. Case, Ward 15; Mathew J. Condon, Ward 15; Timothy S. Carroll, Ward 16; James E. Coyne, Jr., Ward 16; George Joseph Curtis, Ward 16; Daniel J. Sullivan, Ward 16; Francis J. Finnegan, Ward 17; Joseph Kaplan, Ward 17; William J. McNulty, Ward 17; John Williams, Ward 17; Nicholas A. Barelli, Ward 18; Herbert E. Dewar, Ward 18; David Y. Horn, Ward 18; Leonard W. Miller, Ward 18; Leon Saef, Ward 18; Ernest Saldwalk, Ward 18; Richard J. Donnelly, Ward 19; William J. MacIsaac, Ward 19; Robert B. Watson, Ward 19; Thomas E. Costello, Ward 20; Daniel L. Crowell, Ward 20; Edward W. Jaques, Ward 20; Alvin G. Landers, Ward 20; Eric A. Nelson, Ward 20; Kenneth P. Burk, Ward 22; John G. Mitchell, Ward 22.

Eighty-three traverse jurors, Superior Civil Court, to appear September 14, 1936:

Michael H. Connolly, Ward 1; George W. Crowley, Ward 1; John P. Huberlin, Ward 1;

Michael LaMotta, Ward 1; William J. Shannon, Ward 1; Charles S. Carroll, Ward 2; Clifford George, Ward 2; William P. Manley, Ward 2; Hugh Travers, Ward 2; Peter P. Conley, Ward 3; Antonio Lerro, Ward 3; Fred J. Lombardi, Ward 3; John F. McNamara, Ward 3; William A. Reed, Ward 3; Louis Richie, Ward 3; Michael J. Sullivan, Ward 3; Louis Springer, Ward 3; John J. Drew, Ward 4; Hazen R. Gardiner, Ward 4; William F. Griffin, Ward 4; John A. McDonald, Ward 4; William R. McDonald, Ward 4; Joseph E. Pellegrini, Ward 4; John L. Barlow, Jr., Ward 5; Thomas F. Anglin, Ward 7; John E. Fitzgerald, Ward 7; George A. Murphy, Ward 7; Ralph H. Young, Ward 7; William Lynch, Ward 8; Walter G. Caldwell, Ward 9; Peter J. Bates, Ward 10; Mario Bertolini, Ward 10; Charles H. Hurley, Ward 10; Frank E. McCarthy, Ward 10; Patrick F. Cannon, Ward 11; Ferdinand T. Kelley, Ward 11; John F. Manning, Ward 11; George Pauly, Ward 11; Harry L. Bailey, Ward 12; George H. Hartnett, Ward 12; James F. Kingwell, Ward 12; Frederick P. Burger, Ward 13; Joseph Lydon, Ward 13; Barnett Norman, Ward 13; George D. Thompson, Ward 13; Samuel Golder, Ward 14; George L. Goodwin, Ward 14; Hyman E. Sedersky, Ward 14; Joseph P. Crowley, Ward 15; Thomas S. Doherty, Ward 15; Francis J. Lee, Ward 15; James P. McCormack, Ward 15; Walter S. Bryant, Ward 16; John D. Driscoll, Ward 16; John E. King, Ward 16; Daniel A. McCann, Ward 16; Harold J. McSoley, Ward 16; Robert Norris, Ward 16; Walter B. Arey, Ward 17; Leopold Aronson, Ward 17; Walter E. Dooley, Ward 17; William H. Grinnell, Ward 17; Thomas F. Wight, Ward 17; Arthur A. Brown, Ward 18; Robert J. Greim, Ward 18; Eric R. Johnson, Ward 18; James J. O'Shea, Ward 18; Charles A. Peterson, Ward 18; Leo A. Reardon, Ward 18; John L. Rooney, Ward 18; John M. Dwyer, Ward 19; Patrick J. McGowan, Ward 19; Frederick S. Nisbet, Ward 19; Joseph Roche, Ward 19; Emil M. Echtele, Ward 20; John A. Martenson, Ward 20; Campbell D. Shaw, Ward 20; Charles S. Abber, Ward 21; William C. Dwyer, Ward 22; John J. Griffin, Ward 22; Daniel J. Lynch, Ward 22; James McLaughlin, Ward 22; Thomas E. Sullivan, Ward 22.

RESCISSION OF LOAN ORDERS.

The Chair called up, under unfinished business, No. 7 on the calendar, viz.:

7. Ordered, That the right to borrow money for Water Main Construction, under authority of chapter 366, Acts of 1933, as amended by chapter 21, Acts of 1934, approved by the Mayor on February 27, 1934, be limited to \$500,000, and that the authorization to borrow in excess of said amount for said purpose, be, and the same hereby is, rescinded.

Ordered, That the right to borrow money for Replacement of the Brookline Avenue Water Main from the Brookline Line to Beacon Street, under authority of chapter 366, Acts of 1933, as amended by chapter 21, Acts of 1934, approved by the Mayor on February 27, 1934, be limited to \$250,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

Ordered, That the right to borrow money for Northern Avenue Bridge, Reconstruction and Repair, under authority of chapter 366, Acts of 1933, as amended by chapter 21, Acts of 1934, approved by the Mayor on May 2, 1934, be limited to \$275,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

On June 29, 1936, the foregoing orders were read once and passed, yeas 15, nays 0.

The orders were given their second and final reading and passage, yeas 17, nays 0.

LOAN FOR PUBLIC WELFARE, ETC.

The Chair called up, under unfinished business, No. 5 on the calendar, viz.:

5. Ordered, That under the provisions of chapter 80 of the Acts of 1936 the City Treasurer be authorized to borrow the sum of \$1,000,000 for the purposes provided under said chapter, to be expended as may hereafter be appropriated by the City Council and 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, same to be issued outside the limit of indebtedness.

On June 29, 1936, the foregoing order was read once and passed, yeas 15, nays 2.

The order was given its second and final reading and passage, yeas 17, nays 0.

ADDITIONAL LOAN FOR HOSPITAL BUILDINGS.

The Chair called up, under unfinished business, No. 6 on the calendar, viz.:

6. Ordered, That in accordance with the provisions of chapter 366 of the Acts of 1933, and acts in amendment thereof and in addition thereto, the sum of \$70,000 be, and hereby is, appropriated, to be expended under the direction of the Hospital Trustees, for New Buildings and Alterations and Equipment, in addition to the sum of \$1,500,000 appropriated so to be expended for said purpose by order given its second and final reading and passage on February 26, 1934, 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 of \$70,000, the same to be issued outside the limit of indebtedness.

On June 29, 1936, 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.

FINANCE COMMITTEE REPORTS.

Coun. DOWD, for the Committee on Finance, submitted the following:

1. Report on message and order (referred June 15) for loan of \$85,000 for police communication system—that the same ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. DOWD—Mr. Chairman, in my opinion there are two substantial reasons why the Council should pass this loan order this afternoon. First and foremost we originally appropriated \$350,000 for radio equipment in the City of Boston Police Department. As a matter of test they have tried the two-way station in one station, Station 9, where they have five cars equipped with radio receiving sets, and it has proved successful. The Federal Grant on that \$350,000, which has not been received by the city and will not be received until the entire communication set is established, would amount to \$88,500 on the \$350,000. The second reason why it should be passed is because of the fact according to the Superintendent of Police and the Police Commissioner, in their opinion it is absolutely essential that a two-way radio be established throughout the City of Boston. Therefore I respectfully suggest in view of the fact that today is one of the last meetings when we can act on it that the Council pass this.

The order was read once and passed, yeas 16, nays 0.

2. Report on the order (referred July 2) for a loan of \$50,000 for traffic signals—that the order ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. DOWD—Mr. Chairman, I believe this is an order which should not be let go to the Mayor without saying a word or two on it. Recently in the last two or three months in various sections of Boston there have been a great many accidents. Let me say to the Mayor of Boston, if one life is going to be saved by the installation of \$50,000 worth of lights, then by all means the Mayor should appropriate that money. The Council has done everything it can. There is nothing more we can do than to pass the loan order and allow the Mayor to act on it. I can mention various spots in Boston, Charlestown, East Boston, Roxbury, Dorchester, and other sections of Boston where accidents have occurred in the last three months due to the fact that our traffic light system is not adequate. We have spent enough money in traffic lights in sections where they never should have been put, and where the masses of the people live it is very apparent it has been neglected, and I trust the Mayor of Boston will act on this, and I reiterate that if one life is lost due to the fact this fails to go through on the executive end, then the Council should not be held responsible.

Coun. McGRATH—Mr. Chairman, this is an order that I introduced, and the Mayor did not see fit to appropriate the money and I reintroduced the order. I would like to say if we cannot borrow this \$50,000, there is the Reserve Fund. I guess it is unlimited. Any time he needs money he can get it from the Reserve Fund. I would like to have him take this \$50,000 from the Reserve Fund and I am speaking in the interest of Ward 16 where there is only one light in the district,—a ward that probably pays as much taxes as any ward in Boston as a residential ward, and I would like to see this order passed.

Coun. BRACKMAN—Mr. Chairman, I will only take about a minute to say a few words on this order. I think this order is about as important as any piece of legislation we can have this year. This involves the safety of the people of our city. At the present time we do not have adequate traffic signals and as a result people are being injured on the streets of Boston every day, and if we save one life this \$50,000 will have been well spent.

Coun. WILSON—Mr. Chairman, I am in favor of this and the purpose of introducing this order was to send it along with No. 4 on the calendar where one particular spot downtown, which is fairly well covered at the present time, was concerned, but my understanding was that the order was sent back on the basis that under some new law 10 per cent of the loan order must also appear in another form, and I ask the Chair to confer with the City Clerk to advise us if that is so, and if it is, let us revamp the loan order and send it along in a manner so that it cannot be sent back on a technicality. Let us vote for something that can be signed or not signed.

Coun. DOWD—Mr. Chairman, I do not see any reason why it should be sent back to the Executive Committee. My understanding of the law is that if we pass this loan to the Mayor, then he will have to supply out of the tax rate 10 cents for each thousand dollars of valuation for the last three years. That is a problem for the Mayor of the city to solve. I do not think it is up to the Council. If the Mayor wants this traffic loan to pass, then he will provide sufficient money to finance it.

Coun. WILSON—Mr. Chairman, may we know what the ruling of the city clerk is?

Chairman GALLAGHER—I have been advised by the city clerk that what Councilor Dowd had to say on the order is substantially correct.

The order was read once and passed, yeas 17, nays 0.

3. Report on the order (referred May 11) for a loan of \$50,000 for granolithic sidewalks—that the order ought to pass.

The report of the committee was accepted. The order was read once and passed, yeas 16, nays 0.

CLAIMS REPORTS.

Coun. SELVITELLA, for the Committee on Claims, reported as follows:

1. Report on the petition of Rudolph B. Slamin (referred August 3)—recommending the passage of the following:

Ordered, That the sum of thirty-three dollars and eighty cents be allowed and paid to Rudolph B. Slamin in reimbursement for amount of judgment issued against him on account of his acts as an employee of the Police Department, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

2. Report on the petition of Cornelius J. Sullivan (referred August 3)—recommending the passage of the following:

Ordered, That the sum of ninety-six dollars and forty-five cents be allowed and paid to Cornelius J. Sullivan in reimbursement for amount of judgment issued against him on account of his acts as an employee of the Street Cleaning Division, Public Works Department, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

3. Report on the petition of John F. Ryan (referred June 29)—recommending the passage of the following:

Ordered, That the sum of one hundred dollars be allowed and paid to John F. Ryan in reimbursement for amount of judgment issued against him on account of his acts as operator of a motor vehicle belonging to the Sanitary Division, Public Works Department, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

4. Report on the petition of Daniel W. Donahue (referred June 29)—recommending the passage of the following:

Ordered, That the sum of five hundred and forty dollars and thirty-eight cents be allowed and paid to Daniel W. Donahue in reimbursement for amount of judgment issued against him on account of his acts as operator of a motorcycle belonging to the Police Department, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

PAYMENT TO PEARL I. CUMMINGS.

Coun. FINLEY offered the following:
Ordered, That chapter 435 of the Acts of 1936, entitled "An Act Authorizing the City of Boston to Pay a Sum of Money to Pearl I. Cummings of Said City," be, and hereby is, accepted.

Ordered, That under the provisions of chapter 435 of the Acts of 1936 there be allowed and paid to Pearl I. Cummings the sum of \$350 to compensate her for damages to her automobile which was struck by a motor vehicle of the Fire Department of said city, said sum to be charged to the Reserve Fund.

Referred to Executive Committee.

PAYMENT TO JOHN McGRATH.

Coun. MURRAY offered the following:
Ordered, That chapter 424 of the Acts of 1936, entitled "An Act Authorizing the Payment by the City of Boston of a Certain Sum of Money to the Parents of John McGrath of Said City," be, and hereby is, accepted.

Ordered, That under the provisions of chapter 424 of the Acts of 1936 the sum of two hundred and fifty dollars be allowed and paid to the parents of John McGrath, a minor, who was seriously injured on October fifth, nineteen hundred and thirty-five, by a vehicle of the Public Works Department of said city, in full compensation for medical, hospital and other expenses and damages on account of said injuries, said sum to be charged to the Reserve Fund.

Referred to Executive Committee.

RENTING OF BICYCLES ON SUNDAY.

Coun. ROSENBERG offered the following:
Ordered, That the Corporation Counsel be requested to petition the General Court at its next session for the enactment of legislation to permit the letting of bicycles on the Lord's Day.

Coun. ROSENBERG—It seems as though recently there has sprung up a very popular sport, and that is, to ride bicycles. It seems as though the blue sky law now in effect with reference to Sunday sports prevents the letting of bicycles on Sundays. The young men have their day of freedom on Sunday and are getting out in the public parks, highways and are enjoying themselves, or going down to beaches and different places and it appears that under the present blue sky law you cannot rent out a bicycle on Sunday. You can go down and rent an auto, or a boat, and engage in other sports that are licensed under the law. I notice in looking at the General Laws that at one time in the history of the Commonwealth people were not able to operate an automobile on Sunday and as a result the General Law was put into effect allowing the operation of automobiles on Sunday. The use of the bicycle is a healthy and youthful sport and I believe the amending of the General Laws recommended by the City of Boston will serve a useful and healthful purpose.

The order was passed under suspension of the rule.

CLEANING OF STREETS.

Coun. ROSENBERG offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to inaugurate a street cleaning campaign in Ward 14 for the health and protection of the residents of the district.

Coun. ROSENBERG—It appears as though Ward 14.—I don't know how the other sections of the city is being considered with reference to street cleaning, but it appears out in my district as though the people have got to go out and clean the streets themselves. I have been receiving letters from residents of the various streets, some saying that the Street Cleaning Department does not go up their street any more. I was out through some of the sections and found voluntary street gangs are gotten up and the debris gathered together and burned up. I think that should not be tolerated in a city like ours with so many people on the W. P. A. who ought to be able to keep the streets of Boston clean in the summertime when we need to keep them clean for the health and protection of the residents of the city.

Coun. McGRATH—I appreciate the effort the councilor is making, but I do not think that it should be confined to Ward 14, but should be all around the city.

Coun. DOWD—Is there any objection to the order being amended to read the entire city?

Coun. ROSENBERG—No.

The order as amended was passed under suspension of the rule.

FIRE HAZARD AT BOSTON AIRPORT.

Coun. SELVITELLA offered the following:

Ordered, That a special committee of five members of the City Council be appointed to investigate fire hazardous conditions at the Boston Airport and make such surveys as to these conditions so as to report on the advisability of maintaining a permanent fire apparatus at the Boston Airport.

Coun. SELVITELLA—Following the wonderful suggestion contained in an editorial in the *Boston Record* last evening, I filed this order so as to investigate the seriousness of the fire hazard at the Boston Airport. I am told that there is over a million dollars' worth of airplanes stored at the airport, as well as close to three quarters of a million dollars worth of buildings. Some of the commercial companies have threatened that unless some effort is made on the part of the city to give them fire protection that they will move out or limit their planes in Boston. The nearest fire station to the airport is over a quarter of a mile away and in case of a slight fire which would increase to a catastrophe, I am afraid that the entire group of planes, which I am told amount to \$125,000 each, would be destroyed in less than half an hour, and it is with that thought in mind that I am asking that a special committee be appointed to investigate this condition.

Coun. McGRATH—I have a similar order to investigate the fire insurance rates, and I think it would be well to wait until Mr. Fitzgerald, our president, gets back here so we can find out if he had appointed a committee. I think it would be a good idea if some insurance men were appointed to that committee because they understand the condition better than the ordinary citizen.

Coun. GALLAGHER—This relates only to the airport.

Coun. McGRATH—But I think the insurance men in the Council should go on the committee.

Order passed under suspension of the rule.

SATURDAY MORNING OFF BY EMPLOYEES AT BOSTON CITY HOSPITAL.

Coun. DOWD offered the following:

Ordered, That the Acting Mayor be requested to instruct the authorities of the Boston City Hospital to allow all employees of said hospital, who can be spared, Saturday morning off during the summer months, the same privilege which has been extended to all other departments of the city.

Coun. DOWD—I do not believe that employees should be let off if it would affect the health or life of any patient, but I do believe that the majority of the employees there should be extended the same privilege that has been extended to every other department in the City of Boston. As I understand it the Mayor sent a general order to all department heads stating that all employees who could be spared Saturday morning be spared and I am accordingly asking the Acting Mayor to extend the same privilege to every city department.

Passed under suspension of the rule.

CLEANING OF STREETS IN SOUTH BOSTON.

Coun. KERRIGAN and Coun. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to take immediate steps to clean all the streets in South Boston as a safeguard to the health of the community.

Passed under suspension of the rule.

PROPER ALLOWANCE FOR FOOD AND OTHER INCIDENTAL EXPENSES FOR WELFARE RECIPIENTS IN CERTAIN CASES.

Coun. BRACKMAN offered the following:

Ordered, That the Board of Overseers of the Public Welfare Department, be requested through his Honor the Mayor, to make proper allowances in fixing the budget of recipients for food and other incidental expenses where a recipient has a certain income from employed children.

Coun. BRACKMAN—Mr. President, it has come to my attention that the Overseers of the Public Welfare have promulgated a rule that if a child of a welfare recipient is earning some money, then that is deducted from the budget given the recipient without making any allowance for carfare or lunch money or other expenses of that child. In my district there is a family of seven children and the father and mother. One of the children recently secured a position in which she received \$12 a week. Out of the total of \$15 there was immediately deducted \$12, leaving \$3 paid to this recipient each week. Now we can all understand that a child of this kind who works must have clothing to go to work in; must spend carfare and lunch money, and it is grossly unfair to deduct this entire sum of money from the amount given the recipient. Now, this is one of the dumb rules that this Board has promulgated, among others, this year, and I ask this order be referred to the Executive Committee and that we send for Mr. Dowling to come here and explain why this rule should be in effect.

Coun. DOWD—One month ago I introduced a similar order. Let me first pay my tribute to some of these hard-boiled trustees of the Public Welfare, who sit down there and who live on the fat of the land and care not for the individual who knows not where his next meal or next month's rent is coming from. All they have to do is sit there and figure out how much hardship they can impose on the poor individuals who are receiving aid. God knows they themselves are not safe, for some day they might be down at that house of horrors asking for aid and they would like to be dealt with a little more gently than they are dealing with people at the present time. What Councilor Brackman says is the truth; an individual getting \$15 a week with seven or eight children and one child goes to work,—a girl, and a girl has to clothe herself and has to have carfare and lunch money. It would be better for that family to stay on the welfare than to allow the girl to take the job. It would appear every time the Mayor leaves the city this welfare board goes on a rampage and promulgates some such rule as this. I would like to ask Mr. Dowling, if he appears here, and we know very well he won't, why it is a man getting \$4 a week has to work two days. I was of the opinion that Lincoln freed the slaves, but they are bringing them back to Boston under the guise of the public welfare. In other words, every man getting aid there has got to work an additional day. Just think of a man getting \$4 a week and having to work two days for it, and a man working four days has got to work five days. There would be a possibility, if a man were allowed one day off, of his being able to get a position some place, or have an opportunity of looking for a position in order for him to get off the welfare roll, but under the present set-up there is not a possible chance and I want to congratulate Mr. Leonard, one of the trustees, for having the courage to fight this order which they put through. I hope when the Mayor arrives in town, he will put a stop to the activities of this so-called social group who would socialize every individual in Boston if they so desired and thought they were able to get away with it. There are two things

I would like to ask Mr. Dowling: First, the order that Councilor Brackman has spoken about and why he is making the welfare recipients work two days for \$4 a week in these times.

Referred to Executive Committee.

OPINION ON RESTRICTING OF PARKING OF AUTOMOBILES IN CERTAIN PLACES.

Coun. AGNEW offered the following:

Ordered, That the Corporation Counsel be requested to furnish the City Council with his opinion as to whether or not it is within the powers of the City Council or of the Traffic Commission, under the provisions of chapter 319 of the Acts of 1928, or any other provision of law, to prohibit or restrict the parking of automobiles in private ways or alleys or in public alleys.

Passed under suspension of the rule.

Coun. GALLAGHER—Before we take a recess, I would ask all those who can possibly stay, to stay until after recess as we have many matters here that require fifteen votes.

RECESS.

On motion of Coun. FINLEY the Council voted at 3.10 p. m. to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by Coun. GALLAGHER at 4.10 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on order (referred this day) that chapter 435 of the Acts of 1936 be accepted—that same ought to pass.

Report accepted; said order passed.

2. Report on order (referred this day) that chapter 424 of the Acts of 1936 be accepted—that same ought to pass.

Report accepted; said order passed.

3. Report on message and order (referred this day) transferring \$3,500 from the appropriation for the new Charities Administration Building to District Welfare Building—that same ought to pass.

Report accepted; said order passed, yeas 16, nays 0.

4. Report on message and order (referred this day) for transfer from income of the traffic tunnel for expense of the traffic tunnel—that same ought to pass.

Report accepted; said order passed, yeas 16, nays 0.

5. Report on message and order (referred this day) for transfer of \$50,000 from the Parkman Fund for Maintenance of Common and Parks—that same ought to pass.

Report accepted; said order passed, yeas 16, nays 0.

6. Report on message and order (referred this day) for transfer of \$40,000 from Cemetery Fund to the Cemetery Division of the Park Department—that same ought to pass.

Report accepted; said order passed, yeas 16, nays 0.

7. On the message and orders (referred this day) for transfers within various departments—that same ought to pass.

Report accepted; said orders passed, yeas 16, nays 0.

8. On message and order (referred today) allocating the loan of \$1,000,000 for welfare, etc.—that same ought to pass.

Report accepted; said order passed, yeas 14, nays—Coun. Wilson, 1.

9. On the message and order (referred this day) that the Public Welfare make proper allowance in fixing the budgets of welfare recipients—that same ought to pass.

Report accepted; said order passed.

CONFIRMATION OF APPOINTMENTS.

The Chair called up No. 1 and No. 2 on the calendar under unfinished business, viz.:

1. Action on appointments submitted by the Mayor June 29, 1936, of Charles F. Haggerty and Joseph J. Pzenny, to be Weighers of Coal.

2. Action on appointment submitted by the Mayor July 2, 1936, of John D. Garvey, to be a Weigher of Coal.

Question came on the confirmation of the above appointments. Committee, Coun. Agnew and Selytella.

Whole number of ballots 16; yeas 16, nays 0, and the appointments were confirmed.

HORSE RACING.

Coun. McGRATH offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to petition the Legislature for legislation that three thousand dollars daily will be charged for Horse Racing in the State of Massachusetts, plus a breakage and a charge of 15 per cent. Also, that racing be held only three days of the week, namely, Monday, Wednesday and Saturday.

Coun. McGRATH—I introduced an order some time ago asking that the employees of the dog tracks be limited to 10 per cent from out of the State of Massachusetts. I have been investigating down there the last couple of weeks and it is hard to find anyone from Boston. In the State of Maryland they charge \$3,000 a day for racing. I think it would be well if we had some legislation charging \$3,000 and the surplus over the fee that is now charged, the difference, be given to the Welfare Department to help support the welfare recipients.

Referred to the Executive Committee.

IMPROVEMENTS IN WARD 8.

Coun. DOWD offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Sherwood street, Ward 8, as a public highway.

Passed under suspension of the rule.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Pike street, Ward 8, as a public highway.

Passed under suspension of the rule.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor to accept and lay out Perch street, Ward 8, as a public highway.

Passed under suspension of the rule.

REPAIR OF FOUNTAIN IN PARK AT SEVER AND MAIN STREETS.

Coun. MELLEN offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to repair the fountain in the park, bounded by Main and Sever streets, so that the water may be turned on for the enjoyment of the children of that district.

Passed under suspension of the rule.

REPAYMENT TO HOME FOR DESTITUTE CATHOLIC CHILDREN.

Coun. MELLEN offered the following:

Ordered, That the Board of Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to repay from the fund established for the purpose to the Home for Catholic Destitute Children the amount of money advanced by the Home to the hospital for blood transfusions at the hospital for children in the charge of the Home for Catholic Destitute Children.

Coun. MELLEN—That last order calls for a word of explanation. Some of the children have needed blood transfusions, and through negligence or oversight the Home did not realize that there was a fund to pay for that. Consequently, the Home had to take \$250 out of its own treasury

and pay the City Hospital. Because that Home does such good work and alleviates the burden of the city, I believe they should have the money paid back.

Passed under suspension of the rule.

STORAGE OF OIL BY WHITE FUEL COMPANY.

Coun. GEORGE A. MURRAY offered the following:

Resolved, That the City Council be recorded with the state fire marshal as being unalterably opposed to the granting of additional storage facilities for gasoline and fuel oil to the White Fuel Company at 888 East First street, South Boston.

Coun. MURRAY—Back in 1933 the City Council at that time, or a councilor from South Boston, saw fit to introduce an order disapproving the action of the Street Commissioner and the Mayor of Boston in granting permit to this White Fuel Company. Since that time there has been much agitation. The White Fuel Company saw fit to take the action to the Supreme Court of Massachusetts on the ground that the action of the Board of Street Commissioners, in rescinding the permit they had granted was not proper, in view of the fact that proper notice had not been given. The Supreme Court upheld the White Fuel Company and then the City of Boston at a later date brought another action and they set forth as their ground that there had been an abuse under that permit. Consequently the Supreme Court upheld the city so far as this permit was concerned. This company under House Bill 1841 that was passed by the Massachusetts Legislature petitioned the fire marshal of this state, which bill set forth the fact that licensees who had received licenses prior to 1933 could have the license renewed if the Fire Commissioner at his discretion saw fit to do so. Last week the people of South Boston went before the fire marshal and there at a public hearing reported their protest and this order here now is a notice to the fire marshal of this state that the people of South Boston would not approve of any action on his part in so far as the granting of this permit is concerned. This was permit granting them the right to store some three million five hundred thousand gallons of range and fuel oil. Mr. President, I know that you can picture the terrible situation the people of Boston will be confronted with if this permit is granted. This section of South Boston that I know you know so well, will become a terrible oil field and this will be an opening wedge to oil companies to follow and they will be given a license to come over to South Boston and there open a coal and oil business. I know that you can picture the site on which this company intends to build. It is the most beautiful part of South Boston, in the City Point section, and I say in this order, Mr. President, this order is introduced so this body might be recorded as being against any such oil field.

Passed under suspension of the rule.

PAVING WEST FOURTH STREET.

Coun. GEORGE A. MURRAY and Coun. KERRIGAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement West Fourth street, between Dorchester street and Dorchester avenue, Ward 6.

Passed under suspension of the rule.

ADDITIONAL DAY'S WORK BY WELFARE RECIPIENTS.

Coun. SELVITELLA offered the following:

Ordered, That the Board of Overseers of the Public Welfare Department, through his Honor the Mayor, be requested to reconsider their vote with reference to additional days of work without compensation.

Coun. SELVITELLA—This order is directed to the Board of Overseers requesting them to change or reconsider their previous action in increasing the number of days that welfare recipi-

ents are obliged to work. It is almost parallel to slavery to ask these men who formerly worked one or two days a week on an average to work five days a week for the same amount of money. There doesn't seem to be any rhyme or reason to this ruling and I am interested more in trying to rid the welfare department than to increase their numbers and if the opportunity to seek employment is denied it will increase the welfare tolls, and so long as this rule is in effect these men will be denied the opportunity of seeking employment, being obliged to work every day of the week.

Passed under suspension of the rule.

INVESTIGATION OF BEANO GAMES.

Coun. WILSON offered the following:

Ordered, That the City Council Committee on License Fees conduct a public investigation of facts relative to the granting of licenses for, and the operation of, Beano games in Boston, especially with reference to the actual identity and character of the most frequent licensees, the amount of alleged receipts and expenses, and the supposed charitable, civic, educational, fraternal and religious purposes for which the alleged net proceeds have been and are being applied.

Coun. WILSON—Mr. President, none of us, of course, are against holding whist parties, or these Beano parties for the benefit of any church or charitable organization and, of course, chapter 31 of the Acts of 1934 was passed ostensibly to make legal the holding of prize whist parties and Beano parties for various churches of various denominations throughout the state without the possibility of police interference. All of us, being over twenty-one years of age, know that the result of the passage of that statute has been to cloak the promotion, primarily, of Beano games throughout the City of Boston and I assume in other cities and towns of the state. The permissive features of this chapter of 1934 have allowed these organized promoters to use the charitable, fraternal or educational specifications of the statute as a screen to operate Beano parlors on practically every easily accessible street corner in the City of Boston. Of course, under the terms of that chapter and that statute such games were permitted provided the proceeds charged for admission to participants in such games were donated solely to charitable, civic, educational, fraternal and religious purposes; and provided further that said game called Beano is conducted under a license authorized to be granted by the mayor of the city in which said game is to be conducted and upon such terms and conditions as the mayor may prescribe. Now I understand from consulting the License Division of the Mayor's office that the Mayor of Boston has made certain excellent provisions covering the control of these gambling games in the City of Boston. It has been provided by the Mayor's office that under no circumstances are money prizes to be offered. Of course, that rule is being violated every afternoon and every evening of the week. It is also provided that the games cannot be run in the name of an individual, but must be conducted in a hall and that there must be a complete report of the game filed within forty-eight hours after the games are played. Now when we see these Beano parlors, new ones, opening right up here on Washington street, at the corner of Beach and Washington street, with the come-on agents on the sidewalk beckoning the gullible and easy public into the Beano game, I think the time has come when the City Council of this city in some effort to protect the people,—if we can put it that way,—against themselves, certainly against the using of this statute by these promoters, should make some reasonable effort to check up the details with which these reports are going into the Mayor's office within forty-eight hours of each game completed. There are disagreeable rumors throughout the City of Boston that these games are played because they have protection and I venture to offer no guess as to the correctness of these rumors, but I think the time has come when we see one parlor after another opening obviously not for charitable, educational or fraternal purposes, but for the promotion of the bank accounts of the rings that are running them, that some definite investigation should be made both of the proceeds and the distribution of the proceeds of the games under this statute of 1934.

Passed under suspension of the rule.

BLINKER AT SULLIVAN AND MAIN
STREETS.

Coun. MELLEN offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to consider the advisability of placing blinker lights at the corner of Sullivan and Main streets, Ward 2, to prevent further accidents at this point.

Passed under suspension of the rule.

DRINKING FOUNTAIN AT TRAINING
FIELD IN CHARLESTOWN.

Coun. MELLEN offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to remove the drinking fountain in the training field in Charlestown, and replace it with an adjustable fountain which can be cooled.

Passed under suspension of the rule.

SIDEWALK, LINCOLN STREET.

Coun. MELLEN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Lincoln street, Charlestown, 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.

RE-ROUTING OF TRAFFIC IN
CHARLESTOWN.

Coun. MELLEN offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to make a report on the order recently introduced in the City Council relative to the re-routing of traffic in Chelsea, Adams, Joiner and Park streets in Charlestown.

Passed under suspension of the rule.

ARC LIGHT AT F AND ATHENS STREETS.

Coun. GEORGE A. MURRAY offered the following.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the installation of an arc light at the corner of F and Athens streets, Ward 6.

Passed under suspension of the rule.

REPAVEMENT OF C STREET.

Coun. GEORGE A. MURRAY and Coun. KERRIGAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement C street, between Broadway and Old Colony avenue, South Boston.

Passed under suspension of the rule.

BETTER LIGHTING FACILITIES ALONG
BLUE HILL AVENUE.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to make proper arrangements for better lighting facilities along Blue Hill avenue at the junction of Warren street, Grove Hall.

Coun. ROSENBERG—I merely want to say that I have introduced this order not for traffic lights, but for better lighting facilities due to the fact that two persons have been killed in the last year at this particular section.

Passed under suspension of the rule.

NEXT MEETING.

Coun. FINLEY—I move when we adjourn today we adjourn to meet two weeks from today. The motion was carried.

Adjourned at 4.35 p. m., on motion of Coun. ROSENBERG, to meet on Monday, August 17, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, August 17, 1936.

Regular meeting of the City Council of the City of Boston held in the City Council Chamber at 2 o'clock p. m., President FITZGERALD in the chair, and all the members present except Coun. P. J. Fitzgerald, Norton and Selvitella.

APPOINTMENT OF CONSTABLE.

The appointment by the Mayor was received of Samuel C. Baker of 35 Waumbek street, Roxbury, to be a constable of the City of Boston for the term ending April 30, 1937, authorized to serve civil process upon filing bond.

Laid over for one week under the law.

APPOINTMENTS OF MINOR OFFICERS.

The following appointments by the Mayor were received, viz.:

Weighers of Goods: Patrick J. O'Rourke, 996 River street, Hyde Park, Mass.; George A. Legrow, 22 Calhoun street, Everett, Mass.

Weighers of Coal: Ida B. Lavien, 41 Gleason street, Dorchester, Mass.; George F. Hartnett, 10 Akron street, Roxbury, Mass.

Laid over for one week under the law.

COST OF CODIFICATION OF STATUTES.

The following was received:

City of Boston,

Office of the Mayor, August 17, 1936.

To the City Council,

Gentlemen,—I transmit herewith a letter from the City Auditor, relative to your order of July 2, 1936, concerning the dates and amounts of payments made incident to the proposed codification of statutes relating to the City of Boston, authorized in 1926.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Auditing Department, August 3, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston,

Dear Sir,—I submit the following information in response to the order adopted by the City Council at its meeting of July 2, 1936, in which it was requested that the Council be advised as to "the dates and amounts of payments made incident to the proposed codification of statutes relating to the City of Boston."

According to the records of this office, an appropriation of \$20,000 was authorized by the Council in 1926 for this work, and of this amount \$19,921.97 was actually expended. With the exception of \$21 paid to the Commonwealth of Massachusetts for copies of the statutes of various years, this amount was disbursed solely for pay rolls. Between June 6, 1926, and February 28, 1929, the following persons were paid the amounts indicated after their names:

John F. Myron.....	\$6,631 91
David A. Marshall.....	6,631 91
Harold J. Field.....	6,637 15

Respectfully,

CHARLES J. FOX, City Auditor.

Placed on file.

STREET ACCEPTANCES, WARD 8.

The following was received:

City of Boston,

Office of the Mayor, August 17, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Acting Chairman of the Board of Street Com-

missioners, relative to your three orders of August 3, 1936, concerning the acceptance and laying out as public highways of the following streets in Ward 8:

1. Perch street.
2. Pike street.
3. Sherwood street.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Street Laying-Out Department,

August 12, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Attention: Bernard J. Dunn, Assistant Secretary.

Honorable dear Sir,—I have Mayor's office memo. under date of August 10, 1936, with the attached City Council orders relating to Perch street, Pike street and Sherwood street all located in Ward 8.

I am informed by Mr. Sullivan, the chief engineer of this department, that there are no plans available for the laying out and construction of these streets. Plans will be made at the earliest opportunity.

Public hearings will be held when the plans are completed and the orders for the laying out and construction of these streets will doubtless be passed and submitted to your Honor for approval.

Respectfully,

WALTER A. MURRAY,
Acting Chairman.

Placed on file.

SALES OF TAX TITLE PROPERTY.

The following were received:

City of Boston,

Office of the Mayor, August 17, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated July 14, 1936, and a copy of a letter from Harry Sidell, dated July 13, 1936, relating to an offer to purchase certain property situate at No. 7 Kemble street, Roxbury, which property was acquired from foreclosure of a tax title by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$251.30, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at public auction with a minimum price of \$251.30 is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Public Buildings Department,

July 14, 1936.

Hon. Frederick W. Mansfield,

Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935 concerning tax title property, I respectfully submit an offer from Mr. Harry Sidell for his client Mr. Joseph Sidell, 16 Stanwood street, Roxbury, for the land at No. 7 Kemble street, Roxbury, in the sum of two hundred fifty-one dollars and thirty cents (\$251.30).

The taxes owed the city amount to two hundred fifty-one dollars and thirty cents (\$251.30) from the years 1931-1936, inclusive. This includes the nonpayment of taxes since the year 1930, but does not include interest or Land Court charges.

If and when the above amount of two hundred fifty-one dollars and thirty cents (\$251.30) is approved by your Honor and the City Council, the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of two hundred fifty-one dollars and thirty cents (\$251.30) will be the minimum price for the property that the city is willing to accept and will be announced as the first bid at the public auction sale.

In my opinion, it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,

ROSWELL G. HALL,
Superintendent of Public Buildings.

Harry Sidell,
Counselor at Law,
One Beacon Street,
Boston, Mass., July 13, 1936.

George P. Donovan, 80 Joy Street, Boston, Mass.
Re: 7 Kemble Street, Roxbury.

Dear Sir,—In answer to yours of the 8th instant, I wish to advise you that my client has authorized me to increase the offer to \$251.30, for the above-mentioned lot of land.

Very truly yours,
HARRY SIDELL.

Whereas, The City of Boston, by a decree of the Land Court, Suffolk Registry District, dated April 29, 1936, foreclosed a right of redemption under a tax deed filed in the Land Court, Suffolk Registry District, with Certificate of Title No. 33147 to about 1,536 square feet of land, situate on the southerly side of Kemble street, as is more fully described in said tax deed, said tax deed being Document No. 113997; and

Whereas, An offer to purchase the said premises has been made in the sum of two hundred fifty-one and 30/100 dollars (\$251.30), now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all of the city's right, title and interest in said parcel of land at public auction at a minimum price of \$251.30; and it is hereby further

Ordered, That said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser of said parcel of land a written instrument satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of the said City of Boston in said premises upon the payment to it of the sum bid therefor at said auction.

Referred to the Committee on Public Lands.

City of Boston,

Office of the Mayor, August 17, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated June 29, 1936, relating to an offer to purchase certain property situated at No. 105 Bellamy street, Brighton, which property was acquired from foreclosure of a tax title by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$100, the Superintendent of Public Buildings having stated in his letter that a sale of the premises at public auction with a minimum price of \$100 is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
June 29, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit an offer from Mr. Jeremiah A. Coakley, 124 Brayton road, Brighton, Mass., for the vacant land, lot No. 105, Bellamy street, Brighton, in the sum of one hundred dollars (\$100).

The costs to the city up to December 30, 1935, amount to ninety-one dollars and thirty-seven cents (\$91.37), which includes the nonpayment of taxes since the year 1930, but does not include interest.

If and when the above amount of one hundred dollars (\$100) is approved by your Honor and the City Council, the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of one hundred dollars (\$100) will be the minimum price for the property that the city is willing to accept and will be announced as the first bid at the public auction sale.

In my opinion it will best serve the city's interests to proceed on the foregoing basis.

Respectfully yours,
ROSSELL G. HALL,
Superintendent of Public Buildings.

Whereas, The City of Boston, by a decree of the Land Court, Suffolk Registry District, dated October 10, 1935, foreclosed a right of redemption under a tax deed recorded with Suffolk Deeds, Book 5292, page 500, to about 5,723 square feet of land situate on the northerly side of Bellamy street, Brighton, as is more fully described in said tax deed; and

Whereas, An offer to purchase said premises has been made by Jeremiah A. Coakley in the sum of one hundred dollars; now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcel of land at public auction at a minimum price of one hundred dollars; and it is hereby further

Ordered, That said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver in the name and behalf of the City of Boston to the purchaser of said parcel of land a written instrument, satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of said City of Boston in said premises upon payment to it of the sum bid at said auction.

Referred to the Committee on Public Lands.

City of Boston,

Office of the Mayor, August 17, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated July 16, 1936, and a copy of a letter from Mr. Charles Kafulas, dated July 15, 1936, relating to an offer to purchase certain property situated in the rear on the westerly side of Washington street, Dorchester (Lot No. B2), which property was acquired from foreclosure of a tax title by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$72, the Superintendent of Public Buildings having stated in his letter that a sale of the premises at public auction with a minimum price of \$72 is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
July 16, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning Tax-Title Property, I respectfully submit an offer from Mr. Charles Kafulas, 336 Talbot avenue, Dorchester, for the vacant land, Lot No. B2, containing 507 square feet of land, situated in the rear on the westerly side of Washington street, Dorchester, in the sum of seventy-two dollars (\$72).

The costs to the city up to December 30, 1935, amount to seventy-one dollars and thirteen cents (\$71.13), which includes the nonpayment of taxes since the year 1930, but does not include interest.

If and when the above amount of seventy-two dollars (\$72) is approved by your Honor and the City Council, the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of seventy-two dollars (\$72) will be the minimum price for the property that the city is willing to accept and will be announced as the first bid at the public auction sale.

In my opinion it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,
ROSSELL G. HALL,
Superintendent of Public Buildings.

336 Talbot Avenue,
Dorchester, Mass.,
July 15, 1936.

Mr. George Donovan,
Real Estate Department, City of Boston,
80 Joy Street.

Dear Sir,—I hereby offer to the City of Boston, as owner, seventy-two dollars (\$72) for a lot of land in Ward 17 described as follows:

About five hundred seven (507) square feet of land lying in the rear from the westerly side of Washington street, adjoining an estate now or

formerly of William Minot, trustee, being Lot B2, C. B. Humphrey plan, dated November 2, 1929, registered in the Suffolk Registry District of Land Court, certificate number 23421. Said land is situated in Block 150 R2 in the Dorchester district.

Very truly yours,

CHARLES KAFSULAS.

Whereas, The City of Boston, by a decree of the Land Court, Suffolk Registry District, dated August 30, 1935, foreclosed a right of redemption under a tax deed filed in the Land Court, Suffolk Registry District, with Certificate of Title No. 23421 to about 507 square feet of land, lying in the rear from the westerly side of Washington street adjoining an estate now or formerly of William Minot, trustee, being Lot B2, C. B. Humphrey plan, dated November 2, 1929, as is more fully described in said tax deed, said tax deed being Document No. 107546; and

Whereas, An offer to purchase the said premises has been made in the sum of seventy-two dollars (\$72); now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all of the city's right, title and interest in said parcel of land at public auction at a minimum price of \$72; and it is hereby further

Ordered, That said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser of said parcel of land a written instrument satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of the said City of Boston in said premises upon the payment to it of the sum bid therefor at said auction.

Referred to the Committee on Public Lands.

City of Boston,

Office of the Mayor, August 17, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated July 15, 1936, and a copy of a letter from M. B. Holsberg to the Superintendent of Public Buildings, dated July 13, 1936, relating to an offer to purchase certain property situate on the northwesterly side of Washburn avenue, East Boston, which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is \$227.35, the Superintendent of Public Buildings having stated in his letter that a sale of said property at the said price would be advantageous to the City of Boston.

I respectfully recommend the adoption of this order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
July 15, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit an offer from Maurice B. Holsberg for his client Emma Goldinger for the vacant land on the northwesterly side of Washburn avenue, East Boston, containing 7,665 square feet of land, lot No. 15, in the sum of two hundred twenty-two dollars and thirty-six cents (\$222.36).

The costs to the city up to June 26, 1935, amount to two hundred twenty-seven dollars and thirty-five cents (\$227.35), which includes the nonpayment of taxes since the year 1931, but does not include interest.

This property was owned by the Goldinger family at the time that the city took possession, and I recommend that Emma Goldinger be allowed to redeem it at a private sale for the amount of the above offer.

In my opinion it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,
ROSWELL G. HALL,
Superintendent of Public Buildings.

18 Tremont Street,

Boston, Mass., July 13, 1936.

Major Roswell G. Hall,

Superintendent of Public Buildings.

Dear Sir,—My client, Emma Goldinger, is desirous of redeeming a lot of land on the northwesterly side of Washburn avenue in East Boston, containing 7,665 square feet and situated in Block 5, Section 7, in the East Boston district, shown on the Boston Assessors' Books of Plans of said city, filed in the Registry of Deeds, which property has been purchased by the city for taxes and has gone through the Land Court. The tax lien number in the Land Court is 6064.

I understand that it will require \$222.36 to redeem the property, and I understand my client is willing to pay this amount for redemption.

Please let me know what is necessary to be done by my client to further put through this matter.

An early reply will be greatly appreciated.

Very truly yours,

M. B. HOLSBERG.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated June 26, 1935, foreclosed the right of redemption under a tax deed recorded with Suffolk Deeds, Book 5365, page 172, to about 7,665 square feet of land situate on the northwesterly side of Washburn avenue, East Boston, as is more fully described in said tax deed; and

Whereas, An offer to purchase the said premises has been made by Maurice B. Holsberg, in behalf of his client, Emma Goldinger, in the sum of two hundred twenty-two and 36-100 dollars (\$222.36); now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcel of land for the sum of two hundred twenty-two and 36-100 dollars (\$222.36); and it is hereby further

Ordered, That the said Superintendent of Public Buildings be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser thereof a written instrument satisfactory in form to the Law Department, conveying all right, title and interest of said City of Boston in said premises upon the payment to it of two hundred twenty-two and 36-100 dollars (\$222.36).

Referred to the Committee on Public Lands.

REPAIR OF FOUNTAIN.

The following was received:

City of Boston,

Office of the Mayor, August 17, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department, relative to your order of August 3, 1936, concerning the repairing of the fountain in the park bounded by Main and Sever streets, Charlestown.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Park Department, August 12, 1936.

Hon. Frederick W. Mansfield,

Mayor of Boston.

Dear Sir,—I have your memorandum of August 12 with inclosure, order from the City Council, that the Park Commission be requested to repair fountain in park bounded by Main and Sever streets, Charlestown.

Please be informed the fountain was repaired two weeks ago and the water has been running in same since the repairs were made.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

EMPLOYEES AFFECTED BY PROPOSED CONSOLIDATION.

The following was received:

City of Boston,

Office of the Mayor, August 17, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Budget Commissioner, relative to your order of June 29, 1936, requesting a complete list of the

positions to be affected by the proposed consolidation of departments and the proposed "elimination of unnecessary duplication in department work."

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Budget Department, August 3, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In compliance with the request contained in the order adopted by the City Council on June 29, 1936, and reading as follows:

"Ordered, That the Budget Commissioner be requested, through his Honor the Mayor, to submit to the City Council a complete list of the positions to be affected by the proposed consolidation of departments and the proposed 'elimination of unnecessary duplication in department work,' giving in each instance (a) the name of the employee, (b) his department, (c) position held, (d) present salary."

I append hereto the information therein requested.

Respectfully,
FRANCIS J. MURRAY,
Budget Commissioner.

LIST OF DEPARTMENTS, NUMBER OF EMPLOYEES, AND THEIR SALARIES, AFFECTED BY THE PROPOSED CONSOLIDATION OF DEPARTMENTS.

DEPARTMENT.	Number of Employees.	Salaries.
Building.....	78	\$201,400 00
Board of Appeal.....	7	13,300 00
Board of Examiners.....	4	5,100 00
Boston Traffic Commission.....	55	110,467 00
Transit.....	65	173,812 00
Fire:		
Wire Division.....	43	96,400 00
Market.....	6	13,881 00
Weights and Measures.....	20	44,700 00
Park.....	682	821,500 00
Cemetery Division.....	73	123,433 00
Public Buildings (including County Buildings).....	225	343,256 00
Street Laying-Out.....	92	214,900 00
Public Works:		
Central Office.....	12	35,400 00
Bridge Service.....	199	359,577 00
Ferry Service.....	115	225,589 00
Tunnel Service.....	78	145,812 00
Paving Service.....	592	1,044,000 00
Lighting Service.....	3	6,200 00
Sanitary Service.....	810	1,382,150 00
Sewer Service.....	321	568,000 00
Water Service.....	362	671,584 00
Water Income Division.....	107	205,700 00
Total.....	3,949	\$6,806,161 00

(Appended was a detailed list of the employees.)
Placed on file.

DEPARTMENT TRANSFERS.

The following was received:

City of Boston,
Office of the Mayor, August 17, 1936.
To the City Council.

Gentlemen,—The attached requests for transfers within departmental appropriations have been examined and investigated by the Budget Commissioner. I accordingly recommend adoption of the accompanying orders by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, 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 Auditing Department:

From the appropriation for A-1, Permanent Employees, Clerks, 4 (3) at \$2,500 a year, \$908.39, to the appropriation for A-1, Permanent Employees, Assistant Chief, Disbursement Section, 1 at \$2,300 (\$2,500) a year, \$72.58; Clerks 3 (4) at \$2,300 a year, \$835.81.

From the appropriation for A-1, Permanent Employees, Clerk, 1 at \$3,000 a year, \$75, to the appropriation for B-1, Printing and Binding, \$15; D-16, Miscellaneous Supplies, \$5; E-10, Electrical, \$5; H, Relief Projects, \$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 Boston Traffic Commission:

From the appropriation for B-8, Light, Heat and Power, \$200, to the appropriation for E-1, Building, \$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 City Council:

From the appropriation for B-39, General Repairs, \$130, to the appropriation for B-4, Transportation of Persons, \$75; B-10, Rent, Taxes and Water, \$25; C-10, Library, \$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 Collecting Department:

From the appropriation for B-35, Fees, Services of Venires, etc., \$70, to the appropriation for C-9, Office, \$50; C-10, Library, \$20.

From the appropriation for B-35, Fees, Services of Venires, etc., \$30, to the appropriation for B-10, Rent, Taxes and Water, \$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 Hospital Department:

From the appropriation for D-2, Food and Ice, \$1,600, to the appropriation for B-28, Expert, \$1,100; D-13, Chemicals and Disinfectants, \$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, Long Island Hospital:

From the appropriation for A-1, Permanent Employees, Nurses, Superintendent of, 1 at \$2,300 a year, \$400, to the appropriation for D-1, Office, \$400.

From the appropriation for B-39, General Repairs, \$2,000; C-16, Wearing Apparel, \$2,000, to the appropriation for E-13, Miscellaneous Materials, \$4,000.

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 Law Department:

From the appropriation for D-1, Office, \$10, to the appropriation for C-13, Tools and Instruments, \$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 Library Department:

From the appropriation for H, Relief Projects, \$1,035, to the appropriation for B-22, Medical, \$35; C-9, Office, \$1,000.

From the appropriation for H, Relief Projects, \$400, to the appropriation for B-5, Express charges, \$200; B-10, Rent, Taxes and Water, \$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 Licensing Board:

From the appropriation for D-1, Office, \$143.75, to the appropriation for B-1, Printing and Binding; \$100; B-37, Photographic and Blueprinting, \$43.75.

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 Park Department, Cemetery Division:

From the appropriation for D-10, Agricultural, \$500, to the appropriation for B-39, General Repairs, \$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 Police Department:

From the appropriation for B-1, Printing and Binding, \$2,200, to the appropriation for B-3, Advertising and Posting, \$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 Public Welfare Department, Central Office:

From the appropriation for B-4, Transportation of Persons, \$1,300, to the appropriation for B-28, Expert, \$100; B-29, Stenographic and Copying \$200; D-8, Laundry, Cleaning, Toilet, \$500; D-16, Miscellaneous, \$500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Welfare Department, Temporary Home:

From the appropriation for D-2, Food and Ice, \$25, to the appropriation for E-10, Electrical, \$25.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Bridge Service:

From the appropriation for E-1, Building, \$150, to the appropriation for C-17, Miscellaneous Equipment, \$50; D-2, Food and Ice, \$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, Ferry Service:

From the appropriation for C-11, Marine, \$150, to the appropriation for C-17, Miscellaneous Equipment, \$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 Public Works Department, Lighting Service:

From the appropriation for B-8, Light, Heat and Power, \$45, to the appropriation for D-11, Gasoline, Oil and Grease, \$45.

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 D-16, Miscellaneous Supplies, \$25, to the appropriation for C-9, 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 Treasury Department:

From the appropriation for D-1, Office, \$15, to the appropriation for C-10, Library, \$15.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Supreme Judicial Court:

From the appropriation for B-35, Fees, Services of Venires, etc., \$50, to the appropriation for C-10, Library, \$50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Municipal Court, City of Boston:

From the appropriation for C-10, Library, \$5, to the appropriation for C-7, Furniture and Furnishings, \$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 Municipal Court, Dorchester District:

From the appropriation for D-1, Office, \$12, to the appropriation for B-12, Bond and Insurance Premiums, \$12.

From the appropriation for D-1, Office, \$24.90, to the appropriation for C-10, Library, \$13.50; C-16, Wearing Apparel, \$11.40.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Boston Juvenile Court:

From the appropriation for B-28, Expert, \$25, to the appropriation for B-35, Fees, Services of Venires, etc., \$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 Medical Examiner Service, Southern Division:

From the appropriation for B-39, General Repairs, \$10; C-12, Medical, Surgical, Laboratory, \$50, to the appropriation for B-14, Motor Vehicles Repair and Care, \$60.

From the appropriation for D-5, Medical, Surgical, Laboratory, \$20, to the appropriation for D-1, Office, \$20.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Penal Institutions Department, Office Expenses:

From the appropriation for D-1, Office, \$15, to the appropriation for C-9, Office, \$15.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Printing Department:

From the appropriation for A-1, Permanent Employees, Proofreaders, 6 at \$42.25 a week, \$1,000, to the appropriation for A-3, Overtime, \$1,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Water Service:

From the appropriation for C-13, Tools and Instruments, \$250, to the appropriation for C-3, Electrical, \$250.

From the appropriation for D-16, Miscellaneous Supplies, \$5, to the appropriation for D-5, Medical, Surgical, Laboratory, \$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 Public Works Department, Traffic Tunnel:

From the appropriation for A-1, Permanent Employees, Clerk-Cashier, 1 at \$2,000 (\$1,800)

a year, \$1, to the appropriation for A-1, Permanent Employees, Cashier, 1 at \$1,900 (\$2,200) a year, \$1.

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 B-35, Fees, Services of Venires, etc., \$300, to the appropriation for B-1, Printing and Binding, \$300.

Referred to the Executive Committee.

PETITION REFERRED.

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

Claims.

Edna M. Carr, for compensation for damage to car caused by an alleged defect in Spring street, Alfred and Jennie Colantuoni, for repair of wall at 136 Leyden street.

Bernard Doherty, for compensation for injuries caused by an alleged defect at Montebello road.

R. Dunkel, for compensation for damage to property at 29-39 Corinth street, caused by rain from street.

Stanley Gibbs, for compensation for loss of clothing at L street Bath House.

Charles Glassman, for compensation for damage to car by truck of Park Department.

Matthew Grenham, for compensation for damage to property at 99 Wachusett street, caused by backing up of sewage.

Mary W. Knight, for compensation for damage to property at 8 Baxter street, caused by leak in water pipe.

Timothy J. Lordon, for compensation for damage to property at 24 Oak street, caused by city truck.

Charlotte Manuel, for compensation for injuries caused by an alleged defect at Bedford street and Harrison avenue.

Frank McCarthy, for compensation for collapse of water boiler at 31 Polk street.

Hugh J. O'Neil, for compensation for damage to car caused by an alleged defect in Nashua street.

Mrs. Albert W. Sprague, for compensation for damage to property at 97 Wachusett street, caused by overflow of sewer.

Moses Williams, for compensation for damage to car by fire engine M22.

Vincent Memorial Hospital, for compensation for damage to property at 125 South Huntington avenue, by city truck.

Nathan Eidleman, for compensation for loss of clothing at L Street Bath House.

Joseph M. Cahill, for compensation for damage to car by car of Public Works Department.

James M. Daly, for compensation for damage to property at 14 and 16 Saunders street, Allston, caused by water being shut off.

Home Insurance Company, for reimbursement of amount of damages paid to Joseph A. Cahill.

Ralph Kurker, for compensation for damage to truck caused by Pump Engine 12 of Fire Department.

Donald Roan, for compensation for damage to taxi by city team.

Florida Singarella, for compensation for injuries caused by being bitten by horse of Public Works Department, Sanitary Division.

Max Wiseman, for compensation for damage to car caused by truck owned by city.

Grace E. Kelley, for compensation for damage to property, 9 School street, Dorchester, by construction of a sidewalk.

Executive.

Gina Galozzi, for children under fifteen years of age to appear at Maverick Garden Hall on August 24, 1936.

CONSTABLES' BONDS APPROVED.

The constables' bonds of Abraham Landfield, John J. Miller and Americo DeSimone, having been duly approved by the City Treasurer, were received and approved.

APPROVAL OF LOANS.

Notices were received from the State Emergency Finance Board of its approval of the loan of \$1,000,000 for public welfare and relief, and its approval of a loan of \$70,000 for City Hospital Buildings.

Placed on file.

CONSOLIDATION OF DEPARTMENTS.

Coun. GALLAGHER, for the Committee on Ordinances, submitted a report on the message of the Mayor and ordinance (referred July 2) for the consolidation of certain departments with the Public Works Department—recommending that the ordinance be rejected, without prejudice.

The question came on the acceptance of the committee's report.

Coun. GALLAGHER—Mr. President, in returning this ordinance for the consolidation of certain departments to the City Council with the recommendation that it ought not to pass, without prejudice, it seems only fair to make a short explanation. Under the provisions of the charter when the Mayor submits an ordinance to the City Council with an explicit recommendation for its adoption it is necessary that the ordinance in the exact form in which it is submitted be approved or rejected within sixty days, otherwise it becomes effective at the end of that period without approval by the City Council. No matter what faults appear it cannot be amended or approved except by the parliamentary procedure of rejecting it and introducing a substitute ordinance. This particular ordinance was first submitted to the Council on December 16, 1935, and in consequence of the technical difficulties involved by the fact that the sixty-day period covered parts of the terms of two different Councils the Council was constrained to reject it. The ordinance was again submitted on May 4, 1936, on the same day that the annual budget reached the Council. The attention of the Council was completely engaged in the consideration of the budget during the month of May, and during June the committee gave some consideration to the ordinance. Several objections to it were raised, not only by the departments concerned but by the members of the committee, and in view of the fact that unless action was taken before July 3 the ordinance, defective or not, would become law, the Council rejected it on June 29, without prejudice. The ordinance was immediately resubmitted on July 2 and unless rejected or withdrawn becomes effective on August 31. For the committee and for myself I am frank to say that the months of July and August are particularly inopportune periods in which to expect serious consideration of such an important matter and no action along that line has been taken by the committee. In order to avoid a repetition of the embarrassment caused by this time limitation on our consideration of this matter, I propose to introduce, if the Mayor's ordinance is rejected, without prejudice, a substitute ordinance in exactly the same form. The Council will thus have an opportunity of considering an ordinance which will be susceptible to amendment, and will have ample time to inquire into its merits or demerits.

Coun. DOWD—The only thing I object to and to which I am going to make an amendment is the words "without prejudice." As a matter of fact, the Council has now acted about three times on this and reported back three times "ought not to pass, without prejudice." I want to vote today, "ought not to pass," so that we might definitely apprise the Mayor that it is the contention of the City Council, after three different occasions of having an opportunity to study it, that we do not see where it is of any real benefit to the City of Boston whatsoever to have this ordinance before us. As we have repeatedly said in this Council on previous occasions, a consolidation of departments will mean only one thing, regardless of what we are told now. It will eventually mean the discharge of hundreds, yes, thousands, perhaps, of city employees, and as long as I am a member of the City Government I do not want to see that happen and I do not want to have a voice or vote in that matter. So I am going to amend that and move that we kill this order for all time, that we say to the Mayor of Boston we do not believe in consolidation, that it is not going to benefit the city financially one way or the other, that the only thing it is going to do is to put the city under a

group of a few engineers that might have the theoretical experience, but not the practical experience. For that reason, if the chairman of Ordinance has no objection, I move you, sir, that the words "without prejudice" be stricken out.

Coun. GALLAGHER—Mr. President, I have no objection.

The report of the committee was accepted, and the question came on the rejection of the ordinance without prejudice, Coun. DOWD moving that the words "without prejudice" be stricken out.

Coun. BRACKMAN—Mr. President, this is a very important matter and I think the committee is trying to give it every consideration that it can. In line with what the chairman of the committee has said, that it has been almost impossible to get the committee to function as well as it might because of the summer recess and because of the time the budget came in here, I don't think we ought to attempt to pass on this now. There may be a lot of merit to this bill if we amend it properly so it will make for some efficiency in the departments. If we dismiss it at this time without prejudice and have an opportunity again to have the committee meet and to iron out any difficulties that may be connected with this order, I think it would be only the right and fair thing to do, so I hope this motion to strike out "without prejudice" will not pass.

The motion to strike out the words "without prejudice" was carried, and the question came on the rejection of the ordinance.

The ordinance submitted by the Mayor was declared rejected.

Coun. ROBERTS doubted the vote and called for a roll call.

The ordinance was rejected, the vote on its passage being yeas 16, nays—Coun. Brackman, Roberts and Shattuck—3.

LOAN FOR POLICE SIGNAL SERVICE.

The President called up, under unfinished business, No. 3 on the calendar, viz.:

3. Ordered, That in accordance with the provisions of chapter 366 of the Acts of 1933, and acts in amendment thereof and in addition thereto, the sum of \$85,000 be, and hereby is, appropriated, to be expended under the direction of the Police Commissioner, for Police Communications System, in addition to the sum of \$350,000 appropriated so to be expended for said purpose by order given its second and final reading and passage on February 28, 1934, 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 of \$85,000, the same to be issued outside the limit of indebtedness.

The order was given a second and final reading, yeas 18, nays—Coun. Shattuck—1.

RECESS TAKEN.

The President declared a recess for the purpose of going into executive session at 2.33 p. m. The members reassembled in the Council Chamber and were called to order by President FITZGERALD at 3.08 p. m.

SOUTH BAY LANDS.

On motion of Coun. SHATTUCK the Council voted to take from the table No. 7 on the calendar, viz.:

7. Whereas, The City of Boston may have title to certain land originally constituting flats and situate in that part of Boston called the South Bay; and

Whereas, It is necessary to determine whether the city has such title and, if it has, promptly to preserve the same by appropriate legislation; now, therefore, it is hereby ordered, that the sum of ten thousand dollars be, and it hereby is, appropriated, to be expended by the Corporation Counsel, for such expert assistance and for the acquisition and making of such maps, plans, surveys and engineering data as he may deem necessary for the purpose of determining and enforcing the rights, if any, of the city in and to the lands and flats abutting on or included in the South Bay, the sum so appropriated to be charged to the Reserve Fund.

Coun. SHATTUCK—Mr. President, this is an order for the appropriation of \$10,000 for investigation of certain rights of the City of Boston in flats in the South Bay which run up from the South Station to Massachusetts avenue. It appears from the report of the Corporation Counsel that the city has ownership or claims ownership to a large part of the flats, but there has been some encroachment on those flats and that some of these encroachments have lasted for a good many years and unless something is done very soon through the statute of limitations any rights the city has will be lost. It therefore seems to me wise to bring up this investigation at this time to authorize the appropriation and to protect the city's rights. I am not ordinarily in favor of special appropriations, but I think this is a good investment that the city should protect its valuable rights in those flats.

Coun. McGRATH—Mr. President, on the \$10,000 for the investigating of the flats, I would like to see the City of Boston go into this situation, but I don't know why we should need \$10,000 appropriated for it. We have probably more assistant corporation counsel now, and it seems to me that \$10,000 is a great deal of money to investigate this matter. I think we might probably cut it down to nearer \$2,000.

The order was passed, yeas 18, nays—Coun. McGrath—1.

LOANS FOR TRAFFIC SIGNALS AND SIDEWALKS.

Coun. DOWD called up Nos. 5 and 6 on the calendar, viz.:

5. Ordered, That the sum of \$50,000 be, and the same hereby is, appropriated, to be expended under the direction of the Boston Traffic Commission, for automatic traffic signals at various intersections and points in 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 August 3, 1936, the foregoing order was read once and passed, yeas 17, nays 0.

6. Ordered, That the sum of fifty thousand dollars be, and the same 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 said expenditure the City Treasurer be authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On August 3, 1936, the foregoing order was read once and passed, yeas 16, nays 0.

The orders were read a second time and again passed, yeas 18, nays—Coun. Shattuck—1.

TRANSFER FOR WELFARE BUILDINGS.

The Chair called up No. 4 on the calendar, viz.:

4. Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Public Welfare Department, New Charities Administration Building, \$3,500, to the appropriation for Public Welfare Department, New District Welfare Buildings, Furnishing and Equipping, \$3,500.

On August 3, 1936, the foregoing order was read once and passed, yeas 16, nays 0.

The order was read a second time and again passed, yeas 19, nays 0.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on the message and orders (referred today) for transfers in various departments—that the order ought to pass.

Report accepted; orders passed, yeas 19, nays 0.

2. Report on the petition of Gina Galozzi (referred today) for children to appear at Maverick Garden Hall—recommending that a permit be granted.

Report accepted; permit granted on the usual conditions.

CHARLESTOWN IMPROVEMENTS.

Coun. MELLEN offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to consider the advisability of installing two wading pools on some of the vacant property now owned by the City of Boston and located at strategic points in Charlestown.

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to consider the advisability of making a Prado out of the unsightly lot in historic Harvard square, Charlestown.

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to provide for the installation of flood lights in City square, Charlestown, so that pedestrians will not be in danger when crossing.

The orders were severally passed under suspension of the rule.

FIRE SIREN, UPHAMS CORNER.

Coun. KERRIGAN offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to replace the fire warning siren at Uphams Corner for the safety and protection of pedestrians, especially children, and also automobile traffic.

Passed under suspension of the rule

BICYCLE RIDING IN PLAYGROUNDS.

Coun. ROSENBERG offered the following:

Ordered, That the Park Commissioner, through his Honor the Mayor, be requested to set aside sections in the parks and playgrounds to permit bicycle riding in playgrounds which is now prohibited at some recreation centers.

Passed under suspension of the rule.

ACCEPTANCE OF BRESNAHAN ACT.

Coun. AGNEW offered the following:

Ordered, That chapter 339 of the Acts of 1936, entitled "An Act making Katherine G. Bresnahan eligible to receive upon retirement certain allowances under the Boston Retirement Act," be, and hereby is, accepted.

Passed under suspension of the rule.

IMPROVEMENTS AT WASHINGTON PARK.

Coun. BRACKMAN offered the following:

Ordered, That the Park Commissioners be requested, through his Honor the Mayor, to make repairs to benches in Washington Park, Roxbury.

PUBLIC WELFARE REGULATIONS.

Coun. DOWD offered the following:

Ordered, That the Public Welfare Committee of the City Council wait upon his Honor the Mayor, and request that the Board of Overseers rescind the two orders recently put into effect by the Board.

Coun. DOWD—Mr. President, some two weeks ago we had the executive secretary of the Board before our Executive Committee, and to a certain extent he agreed with the two orders, namely, that the men on the welfare work one day extra in addition, the man working for \$4 has got to work two days and a man getting \$10 has got to work four days. Two weeks has elapsed and no action has been taken. I realize that no action will be taken until a committee of the City Council waits on his Honor the Mayor with the request that action be taken on those two orders, and if I go down with that committee I will not only request, but I will demand it, or that he remove the two members who are against it.

The order was declared passed.

Coun. AGNEW—May I ask permission to make a statement at this time?

President FITZGERALD—With unanimous consent. Any objection?

Coun. AGNEW—Relative to the order of Councilor Dowd just introduced, whether or not it was his idea to have that order referred to the Committee on Public Welfare and have the Committee of Public Welfare wait on the Mayor, or whether it was to pass without any committee action.

Coun. DOWD—I presume it would be better to refer it to the committee in order that the committee would get it. Otherwise it might not be heard of again.

President FITZGERALD—The order will be referred to the Committee on Welfare.

Coun. AGNEW—I was going to suggest that the committee meet immediately after this meeting is over and go to the Mayor's office relative to that order.

REPORT ON BEANO GAMES.

Coun. WILSON—Reporting for the Committee on License Fees:

An order passed by the City Council as long ago as February of this year first pointed out that Beano in Boston had already grown into a racket far beyond the charitable intent of the 1934 Legislature and at that time it was urged that the control of this particular gambling mania which had been left by statute with the Mayor's office for proper regulation should be tightened up. At that time it was charged that professional promoters were the chief beneficiaries, that continued racketeering in the guise of charity should be stopped, and that the entire situation called for an investigation as to the identity of the most frequent licensees, the amount of actual receipts and expenses, and the supposed charitable purposes for which the proceeds were applied. That was last February.

Convinced that continued failure by the licensing authority since February to tighten up on proper rules and regulations had only encouraged the opening of additional Beano palaces in downtown Boston, a further order was passed by the City Council on August 3 calling for an immediate public hearing and an investigation of the entire situation by the City Council Committee on Licenses. The first public hearing was promptly held by your committee on Friday, August 7, at which time it was plainly disclosed that although this craze had grown to tremendous proportions since the first of the year, the supposed benefits to charity were grossly disproportionate to the income at the various licensed establishments. Figures produced by the Licensing Division of the Mayor's office showed from Beano returns on file over a period of many weeks that actual payments to the charity sponsors were invariably less than 5 per cent of the daily gross receipts.

Apparently the situation has at last been ironed out. Newspaper support of our investigation having focused public attention on this long-continued evil the licensing authority has at last decided to correct the abuses which have grown more and more flagrant since the first of the year. Unless subsequent developments demand otherwise your committee therefore contemplates no further action at this time. The committee has no desire to fight windmills or conduct post mortems. The committee feels that proper enforcement of those regulations now laid down by the Mayor following and resulting from recent action taken by the City Council should from now on keep Beano activities within the charitable field originally contemplated by the Legislative Act of 1934.

Robert Gardiner Wilson, Jr., Chairman.

David M. Brackman.

George W. Roberts.

John J. McGrath.

That report is signed by all the committee with the exception of Councilor Selvitella, who is absent today.

In explanation of that report by the committee, as I assume all of the Council are probably aware, under the terms of the 1934 Statute which permitted Beano in cities and towns in the state, the question of the rules and regulations under which they should be operated was left entirely in the case of cities to the Mayor; and so in the City of Boston the question of the rules and regulations covering the situation and requests for the carrying out of those rules and regulations is entirely a matter within the province of the Mayor's office. The Committee had that in view when it held its hearings, but acted on the supposition that the matter having been first broached and raised as

long ago as February some definite steps should be taken to assure some degree of action by the proper licensing authority.

Coun. MELLEN—Mr. President, may I ask the chairman of the committee how many Beano parlors were shut down because of the investigation?

President FITZGERALD—Is the councilor in position to answer?

Coun. WILSON—If I read the newspapers correctly—and I am a constant reader of the newspapers—my understanding is that there are no professional Beano games in Boston, starting today, and that as a result the games which are operated are those games which are held once a week strictly for the churches and the veteran organizations and those charitable organizations who were the ones who were intended to be benefited when the Legislature passed the act in 1934. I do not understand that there are any professional Beano parlors now operating in Boston.

Coun. MELLEN—May I ask the chairman, through you, that between the months of February and August those Beano parlors did operate, did they not?

President FITZGERALD—Will you put the question again, councilor?

Coun. MELLEN—That between the month of February, in which month the order was first introduced, and the present month of August those Beano parlors did operate and without any restrictions?

Coun. WILSON—I don't know the purpose of the inquiry, but for the purpose of the record I understand that following the introduction of an order as long ago as last February, which was not referred to a committee of which I was chairman, the Beano parlors then in operation professionally in Boston not only continued, but a mushroom growth of Beano sprang up all over the City of Boston, in the downtown district making of Washington street primarily a Beano headquarters instead of business establishments, and that it was not until the passage of the order by the Council on August 1 and referred to the Special Committee on Licenses that any real effort was made either to propound any regulations which would have any teeth in them or to enforce the regulations which were existent.

Coun. ROBERTS—Mr. President, when these hearings were commenced, as I understood it, a representative from the Corporation Counsel's office said there was need of some additional legislation. I think it has become quite apparent since the Mayor's return in the last few days that no new legislation is needed. The statute was quite clear that all the proceeds should go to charity, and it was quite apparent to us in our hearings that at no time were the proceeds of the large games entirely given to charity; in other words, it was open violation of the law and it was up to the licensing authority or the Police Department or both to stop them. I am not entirely certain that the Police Department could not have stopped them even with the license where it must have been apparent from their returns that not even a major proportion of the proceeds was going to the charities where they were intended to go. I am sincerely hoping that the new regulations by the Mayor will remedy this situation, not only for Boston, but for some of the outlying cities. I read in the paper that the mayor of one outside city who had introduced some pretty drastic regulations said that because some of the Beano games in nearby towns were sending buses to his town for patrons, he was going to open up again. I am glad to see as a result of the action taken by the Council that some of the holes have been plugged up.

NEXT MEETING.

President FITZGERALD—Councilor Agnew moves that when we adjourn, we adjourn to meet again on Tuesday, September 1.

Coun. FINLEY—I arise to object to a postponement until, I think, September 14—is that the date?

President FITZGERALD—September 1; that is two weeks from tomorrow.

Coun. FINLEY—Well, that is satisfactory. The motion was carried.

CIVIL SERVICE FOR POLICE SUPERINTENDENTS.

Coun. WILSON offered the following:

Resolved, That the Boston City Council hereby records itself as favoring the adoption of Civil Service rule to be heard on Wednesday, August 19, providing that a superintendent or deputy superintendent of the Boston Police Department upon ceasing to hold such position shall be forthwith reinstated to the same position in classified rank in which he served prior to appointment as superintendent or deputy superintendent.

Coun. WILSON—Very probably, Mr. President, there has been quite a bit of discussion between Civil Service and the office of the Police Commissioner concerning the status of the police superintendent and the deputies, there being some theory that if a deputy or superintendent accepts promotion and in a later administration if he loses the job of deputy superintendent or superintendent strangely enough he does not revert to the captaincy which he had before his promotion. I understand a hearing is scheduled for Wednesday, August 19, at 11.30 for the adoption of the Civil Service rule which will make it possible for a superintendent of the Boston Police and the deputies to take those positions, and in case they later lose the position due to a change in the office of commissioner, for example, they, of course, as logic would suggest, should revert to the rank of captain.

The order was passed under suspension of the rule.

DAMAGES BY RENTED AUTOMOBILES.

Coun. WILSON offered the following:

Ordered, That the Legislative Committee of the City Council draft and introduce such legislation in the Massachusetts Legislature as will make an automobile owner legally responsible in damages in cases where the automobile has been rented by the owner to a person or concern and where a third person although in the exercise of due care suffers property damage due to the negligent operation of such automobile rented to such person or concern.

Coun. WILSON—I may be wrong, Mr. President, on the law, but I am laboring under the impression that with the cars of these various U-Dryvit concerns operating in Boston and other cities, there is no possibility of holding the companies themselves in a case where the rented car, for example, is in a "smashup" and demolishes another car. It seems to me that in a city such as Boston, with the streets full of traffic and with so many of these U-Drive-Yourself concerns, some of them, if not most of them, of doubtful financial standing, that there should be some special legislation put through as will protect the average car operator against the owners of these cars which are rented out promiscuously to anybody who has got the price to hire them for two or three hours.

Coun. P. A. MURRAY—I might say that the City of Boston is one of the worst offenders in that because where a truck is driven by a W. P. A. or an E. R. A. or a welfare worker and they break up a fence or smash up a car, the Law Department comes back and says you can't do anything because it is in the P. W. A. or the E. R. A. and we are not responsible. I think it is about time that we pin it down where, no matter who it is run by, there shall be some responsibility, no matter who is operating it or regardless of who runs the cars.

The order was passed under suspension of the rule.

LIST OF TAX TITLE PROPERTIES.

Coun. WILSON offered the following:

Ordered, That the Superintendent of Public Buildings, in charge of various city properties by virtue of City Ordinance passed October 7, 1935, furnish to the City Council:

1. A complete list of all tax title properties in his custody or control where demolition work has already been done or is now being done and giving in each instance (a) the address of the parcel; (b) the 1935 assessed value on the land and on the buildings; (c) the supposed amount now due on the property for taxes, interest and costs, and (d) the amount expended or planned to be expended for demolition work.

2. A complete list of all tax title properties in his custody or control where repairs or renovation work has been done or is now being done, giving in each instance (a) the address of the parcel; (b) the 1935 assessed value on the land and on the buildings; (c) the supposed amount now due on the property for taxes, interest and costs; (d) the amount expended or planned to be expended for repair or renovation.

3. A complete list of all tax title properties in his custody or control as to which the city is now obtaining revenue in the form of monthly rental or otherwise, giving in each instance (a) the address of the parcel; (b) the 1935 assessed value on the land and buildings; (c) the supposed amount now due on the property for taxes, interest and costs; (d) the area of the parcel where the same is vacant land; (e) the amount of present rental being paid by the week, by the month, or annually; and (f) the name and address of the lessee.

4. A complete list of all tax title properties actually sold by the city since the passing of the above ordinance on October 7, 1935, giving in each instance (a) the address of the parcel; (b) the price obtained, and (c) the supposed amount due on the property for taxes, interest and costs down to the date of such sale.

Coun. WILSON—Mr. President, also very briefly, Councilor Finley raised the point in Executive concerning the respective powers of two committees of the Council. One matter which, of course, would be before his committee would be the progress, if any, being made by the City of Boston which since last October has certainly been in the real estate business, whether they like it or not. Somewhere between seven hundred and a thousand tax title properties are now or should be now under the jurisdiction of Mr. Hall, Superintendent of Public Buildings. We were told last summer that there was considerable rush and it was a matter of an emergency for this body to pass a new ordinance which should leave in Mr. Hall's hands the operation of these various tax title properties, both on the question of demolition for a question of public safety, on the question of renting for revenue of such parcels as we cannot sell, and especially including the vacant parcels, and most especially unloading of the properties to possible purchasers to clean them up and get them back into income-producing, tax-paying parcels. I realize that Mr. Hall has been laboring under great difficulties for one reason or another, and that one of the reasons was that he had con-

templated a W. P. A. project which would give him men and money to help out in his investigation and clearing up of the situation. I therefore ask a report of these detailed matters which I believe should be before Councilor Finley's committee when the information comes through, because if it was an emergency last summer and if it was an emergency when the Council passed a city ordinance on October 7 of last year, offhand I would consider that it is still an emergency with hundreds of additional properties being put through the Land Court by the office of the Corporation Counsel. This information is directed to obtain advices for the Council as a definite proposition as to the cases where properties are now being demolished at the city's expense, where properties have been or are being rented and the basis on which they are being rented, and most especially on the question of sales of property. We had, I understand, a few more come through today. The Committee on Public Lands, I think, has six or seven, but the only progress apparently made on getting the City of Boston out of the real estate business since October 7 is the renting of a few pieces in Boston for an almost nominal rental and the sending through of orders on not more than seven properties aggregating in value perhaps not more than \$2,000 out of upwards of a thousand parcels that have come back into the lap of the city of a probable assessable value of upwards of a million dollars.

Coun. ROBERTS—If the councilor has no objection I would like to introduce an order at this time with reference to the tax title properties so as to clear up the difficulty he has mentioned.

The order was passed under suspension of the rule.

SALE OF TAX TITLE PROPERTY.

Coun. ROBERTS offered the following:

Ordered, That all matters pertaining to the sale of tax title property be referred to the Committee on Public Lands and the Committee on Tax Title Property, sitting jointly, and that the chairman of the Committee on Public Lands be designated chairman of the joint committees.

Passed under suspension of the rule.

Adjourned, on motion of Coun. McGRATH, at 3.40 p. m. to meet on Tuesday, September 1, 1936, at 2 o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, September 1, 1936.

Regular adjourned meeting of the City Council of the City of Boston held in the City Council Chamber at two o'clock p. m., President FITZGERALD in the chair, and all the members present except Coun. Peter J. Fitzgerald, Peter A. Murray and Norton.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,

Office of the Mayor, September 1, 1936.

To the City Council.

Gentlemen,—Subject to confirmation by your Honorable Body I hereby appoint the following named as:

Measurers of Grain: Timothy Crowley, 106 Elm street, Charlestown; John P. O'Neil, 41 Monument street, Charlestown.

Weighers of Coal: R. M. Hall, 41 Evans street, Dorchester; Gertrude Callahan, 1630 Commonwealth avenue, Brighton (mailing address 374-376 Albany street, Boston, Mass.).

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Laid over for one week.

APPROPRIATION FOR SUMNER TUNNEL.

The following was received:

City of Boston,

Office of the Mayor, August 31, 1936.

To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Commissioner of Public Works advising that it will be necessary to transfer the sum of \$550 from the income of the Sumner Traffic Tunnel to meet the requirements in certain budget items for the balance of the year. I submit herewith an order providing for the appropriation of the above mentioned sum and respectfully recommend its adoption by your Honorable Body.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1936, an additional sum of \$550 be, and the same hereby is, appropriated from the income of the Traffic Tunnel for the following purposes:

C-15, Tires, Tubes and Accessories, \$50.
D-1, Office, \$500.

City of Boston,
Public Works Department,
August 28, 1936.

To His Honor the Mayor.

Dear Sir,—For the proper operation and maintenance of the Sumner Tunnel during the remainder of the year it will be necessary to make the following transfers from the income of the Sumner Tunnel, Public Works Department, and I respectfully request that these transfers be made:

C-15, Tire and Tubes, \$50.
D-1, Printing, \$500.

Reasons: C-15, more equipment needed than anticipated; D-1, extra supplies, books, stationery, etc., required.

Respectfully yours,

C. J. CARVER,
Commissioner of Public Works.

Referred to the Executive Committee.

RECONSTRUCTION OF STREETS.

The following was received:

City of Boston,

Office of the Mayor, August 28, 1936.

To the City Council.

Gentlemen,—I am advised by the Commissioner of Public Works that it will be necessary to do resurfacing and repairing with bitulithic materials along various streets outside maintenance guaranty in the different sections of the city within the next three months, both to preserve the road surface and to avoid damage claims.

In order that this work may be performed I recommend adoption by your Honorable Body of the accompanying order.

Respectfully,

FREDERICK W. MANSFIELD, 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 highways, making of, \$100,000, to the appropriation for reconstruction of streets, \$100,000.

Referred to the Executive Committee.

WIDENING OF BAKER STREET, WEST ROXBURY.

The following was received:

City of Boston,

Office of the Mayor, August 27, 1936.

To the City Council.

Gentlemen,—I am submitting herewith a letter from the Corporation Counsel relative to the order adopted by your Honorable Body on March 30 involving proceedings to widen Baker street, West Roxbury, and providing a proper clearance under the New York, New Haven & Hartford Railroad bridge which crosses that street.

If it should be ruled by the Department of Public Utilities that Boston would be required to bear a substantial portion of the cost as suggested in Mr. Foley's opinion, I shall request the Public Works Commissioner to prepare an estimate, and I doubt if there will be enough money available to complete the suggested alterations.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Law Department, June 9, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—Some time ago you submitted to me for consideration and report the following order of the City Council:

"Ordered, That his Honor the Mayor be requested to instruct the Law Department to institute at once the necessary proceedings to provide for the alteration of the crossing by an overhead railroad bridge of the West Roxbury Branch of the New York, New Haven & Hartford Railroad at Baker street, West Roxbury, between Centre and Spring streets, so as to widen said Baker street at said crossing to correspond to its width on either side, and to provide a proper clearance and headroom for vehicles using the street."

Baker street was a public street in the town of West Roxbury at least as early as 1825 and became a public street in the City of Boston in 1874 upon the annexation of said town to the city.

The bridge referred to in said order is a railroad bridge which crosses Baker street. The bridge is within the location granted to the Boston & Providence Railroad Corporation under authority of chapter 273 of the Special Acts of 1848 and was constructed prior to the annexation of West Roxbury to Boston.

After the erection of said bridge upon its location, the Boston & Providence Railroad Corporation leased all its property and franchises to the Old Colony Railroad Company for a term of ninety-nine years from April 1, 1888. The lease expressly permitted the Old Colony Railroad Company to assign the same provided that the assignment included the railroad property and franchises of the

lessee. Some time after the execution and delivery of said lease the Old Colony Railroad Company leased its railroad property and franchises and assigned its leasehold interest in the property of the Boston & Providence Railroad Corporation, including that part of the railroad location and the bridge, which extends over Baker street, to the New York, New Haven & Hartford Railroad Company.

The order which you have submitted contemplates two things, (1) a greater space between the bridge and the highway and (2) the widening of Baker street under the bridge.

I. A Greater Space Between the Bridge and Highway.

The Baker Street Bridge is about nine feet above that portion of the highway, known as Baker street, which passes under it. Vehicles, therefore, of any considerable height cannot pass under the bridge. There are two methods of remedying this condition.

One of the methods which could be used to remedy the situation is to lower the level of Baker street under the bridge. Mr. Christopher Carven, Commissioner of Public Works, has advised me that this could be done only at a substantial cost to the City of Boston.

The other method of remedying the situation is by causing the bridge to be raised. Assuming that the railroad corporation would not voluntarily raise its bridge, recourse must be had to the provisions of the General Laws of the Commonwealth which deal either with the removal of obstructions in the highways caused by the maintenance across the same of railroad bridges or with the alterations of railroad bridges and locations.

A. Said Bridge as an Obstruction.

Section 106 of chapter 160 of the General Laws (Ter. Ed.) provides as follows:

"If, upon application to the county commissioners by the board of aldermen or selectmen, and after notice to the corporation which owns or operates a railroad, and a hearing, it appears that the railroad so crosses a public way as to obstruct it, contrary to section ninety-seven, or to a decree made under section one hundred, or that the corporation refuses or neglects to keep a bridge or other structure required or necessary at such crossing in proper repair, the county commissioners may make a decree prescribing what repairs shall be made by the corporation at the crossing, and the time within which they shall be made, and shall make a decree ordering the corporation to pay the costs of the application. They may further order the corporation to give security, as provided in section one hundred, for the faithful performance of the requirements of the decree and for the indemnity of the city or town upon a failure in such performance."

Section 97 of said chapter 160, referred to in section 106, above quoted, provides, in part, as follows:

"A railroad laid out across a public way shall be so constructed as not to obstruct the same; . . ."

Section 1 of said chapter 160 provides, in part, as follows:

"The following words as used in this chapter, unless the context otherwise requires, shall have the following meanings:

"Board of aldermen" or "selectmen" includes the board or other authority exercising the powers of a board of aldermen or of selectmen; but nothing herein shall be construed as affecting the veto power of a mayor of any city . . ."

Section 2 of said chapter 160 is as follows:

"The duties imposed by this chapter upon county commissioners as a tribunal of original jurisdiction relative to the fixing of routes or to the location, construction, maintenance and operation of railroads shall, in Boston, unless it is otherwise expressly provided, devolve upon the city council of said city. The duties imposed upon the county commissioners by reference or appeal from the board of aldermen shall, in cases arising in Boston, devolve upon the department."

Section 28 of chapter 486 of the Acts of 1909 provides, in part, as follows:

"The jurisdiction now exercised by the board of aldermen concerning . . . the use of the public ways for any permanent or temporary obstruction or projection in, under, or over the same . . . is hereby vested in the board of street commissioners, to be exercised by said board with the approval in writing of the mayor . . ."

It is my opinion that, by virtue of the provisions of section 106 above quoted, if, upon application to the "County Commissioners" by the "Board of Aldermen" and after notice and hearing, it appears that the New Haven Railroad crosses Baker street so as to obstruct travel on said street, the "County Commissioners" may make a decree prescribing the "repairs" which should be made by the railroad corporation and the time within which they should be made. That the bridge may not have constituted an obstruction when first constructed is immaterial. See *N. Y. Cent. & H. R. R.R. v. County Commissioners*, 220 Mass. 569 at 573, where the Court said:

"Even if no sanction or approval of the county commissioners or of the town authorities was required when this crossing was constructed, and its original construction was valid (see St. 1846, chapter 271, section 1), nevertheless, if the crossing later became an obstruction, proceedings could be brought to require the making of changes."

Nor is it material that an obstruction may merely impede or render inconvenient for travel a highway and that it does not wholly block travel. See *Boston & Maine R.R. v. County Commissioners*, 239 Mass. 127, 137, where the Court said:

*"The petitioner further contends that the word 'obstruct,' as used in Rev. Sts., chapter 39, section 66, in St. 1906, c. 463, Part II, s. 115, and in the intermediate antecedent statutes must be taken to mean 'to wholly block up' and not to mean 'to impede, hinder or retard a person or thing in motion.' We have carefully examined and compared the statutes cited in the petitioner's brief and we are not convinced by the argument of the petitioner that the natural and logical meaning of that word is 'to wholly block up.' If such were the true construction there would be no relief by statute for any impediment of the way which did not wholly obstruct the way except upon a petition for an alteration of the way under St. 1906, c. 463, Part I, s. 23. We are of opinion that the law is settled to be otherwise, *Selectmen of Holliston v. New York Central & Hudson River Railroad*, *supra*, and cases cited, and that a petition will lie under s. 115 whenever the way is obstructed, to remedy that condition."*

In that case the Court also said, at pages 136 and 137, with regard to the use of the term "repairs" in the predecessor statute:

"It was agreed that the existing 'bridge or structure was not itself physically out of repair prior to and at the time of the entry of the commissioners' decree and said decree was not based upon any finding that the bridge or structure itself was not in good condition and repair; that the commissioners did not intend and did not in fact find that the structure as it existed need any repairs whatever.' In view of the stipulation and terms of the decree the petitioner contends that the work ordered to be done was not repairs within the meaning of St. 1906, c. 463, Part II, s. 115."

*"If we assume that there was an obstruction to travel which was attributable to the conformation of the bridge which the railroad corporation built as a part of the street over its location, we think the provisions of s. 115, *supra*, may be invoked to compel the railroad corporation to remove the obstruction by an order of the commissioners to change the form of the obstruction to any degree which shall be necessary to overcome its objectionable features or conditions, even if it involves the construction of a new bridge. And we further think that the work done in pursuance of such order is a repair . . ."*

It is also my opinion that, in view of the

provisions of sections 1 and 2 of said chapter 160 and of section 28 of said chapter 486, the terms "county commissioners" and "board of aldermen" as used in said section 106 should be interpreted to mean, in proceedings under said section with reference to crossings in Boston—the Department of Public Utilities of the Commonwealth and the Board of Street Commissioners of the City of Boston—respectively.

Whether or not the Baker Street Bridge constitutes an obstruction is a question of fact. If it is found to be so low as to impede in any substantial manner, ordinary, reasonable travel on Baker street, then it constitutes an obstruction to said highway and the Department of Public Utilities, upon petition of the street commissioners, can require that the obstruction be removed.

B. Alteration of Said Bridge.

If said bridge does not constitute an obstruction which may be ordered removed under section 106, the only other possibility of obtaining an order requiring the railroad to raise said bridge would be by action under section 59 of chapter 159 of the General Laws.

Said section 59 provides, in part, as follows: *"If a public way and a railroad cross each other, and the board of aldermen of the city or the selectmen of the town where the crossing is situated, or the division of highways of the department of public works, if the crossings and its approaches are in direct continuation of a state highway, or the directors of the railroad corporation, or the directors of a railway company having tracks on said way, deem it necessary for the security or convenience of the public that an alteration not involving the abolition of a crossing at grade should be made in the crossing, the approaches thereto, the location of the railroad or way, or in a bridge at the crossing, they shall apply to the county commissioners, or, if the crossing is situated in whole or in part, in Boston, to the department, who shall, after public notice hear all parties interested, and, if they decide that such alteration is necessary, shall prescribe the manner and limits within which it shall be made, and shall forthwith certify their decision to the parties and to said department . . ."*

Section 61 of said chapter 159 provides, in part, as follows:

"A commission of three disinterested persons, appointed as provided in the following section, shall determine which party shall carry such decision into effect and which party shall pay the charges and expenses of making such alteration and the future charges for keeping such bridge or crossing and the approaches thereto in repair, as well as the costs of the application to the county commissioners, or the department, and of the hearing before said commission; and it may apportion all such charges, expenses and costs between the railroad corporation, the railway company having tracks on said way, and the counties, cities or towns where said crossing is situated and other cities and towns which may be herein otherwise provided . . ."

Section 1 of chapter 486 of the Acts of 1909, as most recently amended, provides in part, as follows:

"The mayor and city council elected in accordance with the provisions of this act, and their successors, shall thereafter have all the powers and privileges conferred, and be subject to all the duties and obligations imposed, by law upon the city council or the board of aldermen, acting as such or as county commissioners or in any capacity, except as herein otherwise provided . . ."

Based upon said statutory provisions, it is my opinion that if the City Council of Boston deem it necessary for the convenience of the public, that an alteration should be made in said bridge so that there will be a greater height for passage thereunder on Baker street, they may apply to the Department of Public Utilities, and if the department, after public notice and hearing, decides that such alteration is needed, a commission may be appointed

under section 61 above quoted for the purpose of determining whether the city or the railroad corporation shall make the alteration and by whom and in what proportion should be borne the expenses of making such alteration and the future charges of keeping said bridge, as altered, in repair.

In this way it may be possible to have the bridge raised even though it may be held not to be an obstruction. There is, however, a likelihood of substantial cost to the city involved in this procedure.

II. Widening of Baker Street Under the Bridge.

In 1871, Baker street was widened by action of the County Commissioners of Norfolk County to a width of forty feet, except for that part of said street which runs under the bridge. The latter part was left with only a twenty-foot width. That portion of Baker street under the bridge, therefore, is much narrower than the remainder of the street.

To widen Baker street at the bridge will involve a taking of land of the railroad corporation. The damages involved in such taking are likely to be substantial.

In addition, the provisions of section 104 of chapter 160 of the General Laws must be complied with.

Said section 104 provides as follows: *"A public way may be laid out across a railroad previously constructed, if the county commissioners adjudge that public necessity and convenience so require; and in such case, after notice to the railroad corporation and a hearing of all parties interested, they may thus lay out or authorize a city or town, upon petition of the board of aldermen or selectmen thereof, to lay out a way across a railroad, in such manner as not to injure or obstruct the railroad, and otherwise in conformity with sections ninety-seven and ninety-eight, but they shall not permit it to cross at a level with the railroad unless public necessity so requires, and the department consents thereto in writing, in which case the county commissioners may give special authority for such crossing as provided in section one hundred and two."*

It is my opinion that if the Street Commissioners wish to widen Baker street under the bridge, they should petition the Department of Public Utilities (County Commissioners referred to in section 104 of chapter 160, see section 2 of said chapter 160) for authority so to do. Whereupon if, after notice and hearing, the department adjudges that public necessity and convenience so require, they may authorize the Street Commissioners to widen said street.

In view of the foregoing it is clear that if the space between the Baker Street Bridge and the street is to be increased, unless the city is willing to lower the grade of the street and repave the same at a substantial cost and there is an appropriation available therefor, then the bridge must be raised. If the Department of Public Utilities, upon application by the Street Commissioners, under section 106 of chapter 160 of the General Laws, determines that said bridge constitutes an obstruction to the highway, said department may decree that the bridge be raised. If, however, the Department of Public Utilities should determine that it was not an obstruction, it might, upon application by the City Council, pursuant to the provisions of section 59 of chapter 159 of the General Laws, determine that the public convenience require an alteration in the bridge and prescribe that said bridge be raised. In this latter event, however, the city might be required to bear a substantial portion of the cost of alteration. A widening of the street under the bridge will undoubtedly involve substantial cost to the city and before such widening may be made the Street Commissioners must obtain authority from the Department of Public Utilities under the provisions of section 104 of said chapter 160.

Very truly yours,
 HENRY A. FOLEY,
 Corporation Counsel.

Placed on file.

PROPER ALLOWANCE FOR WELFARE
RECIPIENTS.

The following was received:
City of Boston,
Office of the Mayor, August 31, 1936.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Overseers of the Public Welfare, relative to your order of August 3, 1936, concerning the making of proper allowances in fixing the budget of recipients for food and other incidental expenses where a recipient has a certain income from employed children.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Overseers of the Public Welfare.
August 12, 1936.

Mr. Bernard J. Dunn,
Assistant Secretary, Mayor's Office.
Dear Sir,—This is to acknowledge receipt of your communication of August 10, 1936, inclosing the following order from the City Council dated August 3, 1936:

"Ordered, That the Board of Overseers of the Public Welfare Department be requested, through his Honor the Mayor, to make proper allowances in fixing the budget of recipients for food and other incidental expenses where a recipient has a certain income from employed children."

I wish to report that this matter was discussed by the Board of Overseers at its meeting on August 5 and it was voted to lay the matter on the table but in the interim where undue hardship was caused by the ruling on supplementary relief, individual consideration to relieve the situation was to be given by the Executive Director and the Social Service Division.

Yours truly,
JOHN C. L. DOWLING,
Executive Director.

Placed on file.

REPAVING OF WEST FOURTH STREET
AND C STREET.

The following was received:
City of Boston,
Office of the Mayor, August 27, 1936.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works, relative to your orders of August 3, 1936, concerning the repaving with smooth pavement of the following streets:

1. West Fourth street, between Dorchester street and Dorchester avenue, in Ward 6.
2. C street, between Broadway and Old Colony avenue, South Boston.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department,
August 26, 1936.

Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.
Dear Sir,—I beg leave to acknowledge receipt of your note of August 10 with attached City Council orders dated August 3, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement C street, between Broadway and Old Colony avenue, South Boston."

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement West Fourth street, between Dorchester street and Dorchester avenue, Ward 6,"

and to state that C street, from West Broadway to Old Colony avenue, has a length of 1,394 linear feet, roadway width of 34 feet and a sidewalk width on either side of 8 feet. To construct with smooth pavement on a concrete base, artificial stone sidewalks and

the necessary regulating, will cost \$22,000. While the surface of the roadway is in poor condition, there is no money available for this construction this year.

West Fourth street, from Dorchester avenue to Dorchester street, has a length of 3,643 linear feet, roadway width of 34 feet and a sidewalk width on either side of 8 feet. To construct a smooth pavement on a concrete base with artificial stone sidewalk and the necessary regulating will cost \$53,000, and while the present surface is in poor condition there is no money available this year to permit of this construction.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

SATURDAY MORNINGS OFF FOR HOS-
PITAL EMPLOYEES.

The following was received:
City of Boston,
Office of the Mayor, August 27, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of the Hospital Department, relative to your order of August 3, 1936, concerning Saturday mornings off for all employees of the hospital who can be spared during the summer months.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Hospital Department, August 14, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—At a meeting of the Board of Trustees held today, an order of the Council was presented, whereby the Acting Mayor is requested to instruct the authorities of this hospital to allow all employees of said hospital, who can be spared, Saturday morning off during the summer months, the same privilege which has been extended to all other departments of the city.

The trustees feel that it would not be for the best interest of the hospital and the patients to allow any of the employees to take Saturday mornings off even during the summer months.

Yours sincerely,
JAMES W. MANARY, M. D.,
Superintendent.

Placed on file.

MAKING CHELSEA STREET, CHARLES-
TOWN, A ONE-WAY STREET.

The following was received:
City of Boston,
Office of the Mayor, August 31, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commissioner, relative to your order of May 11, 1936, concerning the advisability of making Chelsea street, Charlestown, a one-way street, from City square to the junction of Adams street and Chelsea street.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, August 17, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—
Re: Letter of August 14, 1936, from Bernard J. Dunn, Assistant Secretary to your Honor, ordering consideration and report on a City Council order "recently introduced in the City Council relative to the re-routing of traffic on Chelsea, Adams, Joiner and Park streets in Charlestown."
The original Council order read as follows:
"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to consider the advisability of making Chelsea street, Charlestown, a one-way street, from

City square to the junction of Adams street and Chelsea street, with traffic moving from City square and routing the traffic coming towards City square along Adams street to Park street and into City square, and establishing a left turn from Chelsea street into Joiner street for traffic heading through Charlestown with stop lights at the junction of Park and Joiner streets."

The suggestions contained in the Council order are, in our opinion, excellent, but we believe that, in order to operate successfully, they would have to be incorporated in a comprehensive scheme affecting the entire area contiguous to City square.

The plan would include the construction of a deformed traffic circle in City square—the success of which would be qualified by the presence of so many Boston Elevated Railway support columns—the widening of Joiner street and probably the widening of portions of Adams street and Common street in connection with making this route one way in the opposite direction to Chelsea street.

Physical changes as outlined would involve extensive surveys, elaborate designs and the expenditure of a great deal of money.

Respectfully yours,

WILLIAM P. HICKEY, Commissioner.

Placed on file.

VETO OF SIDEWALK, LINCOLN STREET,
WARD 2.

The following was received:

City of Boston,

Office of the Mayor, August 19, 1936.

To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on August 3, 1936, for the making of a sidewalk with granite edgestones along Lincoln street in Charlestown.

I am informed by the Commissioner of Public Works that there are no funds available at the present time for this construction. Under the circumstances I am constrained to veto the order.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Placed on file.

SITE FOR POST OFFICE IN EAST
BOSTON.

The following was received:

City of Boston,

Office of the Mayor, August 31, 1936.

To the Honorable City Council.

Gentlemen,—The United States Post Office Department is seeking a site for a new post office in East Boston, and is interested in three parcels numbered 64-66-68 Paris street and three corresponding parcels at 65-67-69 Havre street. These three parcels abut each other in the rear on a passageway, and if they are taken it will provide a lot extending through from Paris street to Havre street. That lot, if taken, would not be large enough for post office purposes. The city owns two lots adjoining those mentioned above, consisting of 3,777 square feet on Paris and Meridian streets and 4,204 square feet on Havre street. This is the lot formerly occupied by Police Station 7, and now used by a Legion Post. It is highly desirable from the city standpoint to dispose of this property, which is assessed for the land fronting on Meridian and Paris streets at \$8,500, and for the vacant lot in the rear abutting on Havre street at \$3,100—a total valuation, including the value of the building, of \$11,600. If this lot should be taken, of course the valuation of the building would be negligible, and suitable quarters would undoubtedly be found for the Legion Post.

I think it is highly desirable that the city turn into cash some of its rapidly increasing land holdings, and it is also important that a suitable site be obtained for a post office in the East Boston district. The site in contem-

plation, as described above, is ideal, and, of course, if the post office is erected there, it would immediately increase the value of surrounding real estate.

Accordingly, I recommend the sale of this land to the United States Government at its assessed value of \$11,600, and earnestly urge the adoption of an order to that effect which is attached hereto.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Whereas, the City of Boston is the present owner of two contiguous parcels of land with the buildings thereon, known as old Police Station No. 7, situate in that part of Boston called East Boston, which parcels were acquired by the said City of Boston by two deeds, one of said deeds dated June 29, 1855, and recorded with Suffolk Deeds, Book 739, page 299, and the other of said deeds dated April 25, 1889, and recorded with Suffolk Deeds, Book 1873, page 407; and

Whereas, The said premises are no longer needed for public purposes; and

Whereas, At the present time the building known as old Police Station No. 7 is leased to the Lieut. Lawrence J. Flaherty Post, No. 30, American Legion, for the term of five years, from the first day of April, 1932; and

Whereas, The said lease contains the following clause:

"And the said lessee further agrees with the said lessor that this lease may be cancelled by the lessor at any time by a written notice of not less than thirty days given by the Mayor or by Superintendent Public Buildings by mail, addressed to the commander of said post or to the said lessee at old Police Station 7, East Boston, or by leaving said notice at the said premises addressed as aforesaid"; and

Whereas, The Superintendent of Public Buildings of the City of Boston is proceeding to make available other quarters to the said Lieut. Lawrence J. Flaherty Post, No. 30, American Legion; and

Whereas, The United States of America is desirous of acquiring the said premises for a post office site; now, therefore, it is hereby

Ordered, That his Honor the Mayor be, and he hereby is, authorized, upon the termination or cancellation of the above mentioned lease, to sell at a minimum price of eleven thousand six hundred dollars (\$11,600) to the United States of America the above mentioned two parcels of land with the building thereon, together with all appurtenances pertaining thereto and to execute and deliver a deed thereof in form satisfactory to the Law Department of the City of Boston. The first of the above mentioned parcels of land is bounded and described as follows:

Easterly by the westerly line of Meridian street, forty-nine and 5-100 (49.05) feet; southeasterly by the northwesterly line of Paris street, eight and 35-100 (8.35) feet; southerly in part by a passageway and in part by other land of the City of Boston, eighty-five and 84-100 (85.84) feet; northwesterly by other land of the City of Boston, fifty and 7-100 (50.07) feet, and northerly by land now or formerly of B. Greenburg *et al.*, sixty and 5-100 (60.05) feet, containing 3,777 square feet of land, more or less, be all said measurements and contents more or less.

The second of said parcels of land is bounded and described as follows:

Northwesterly by the southeasterly line of Havre street, fifty-six (56) feet; northerly by land now or formerly supposed to belong to B. Greenburg *et al.*, seventy-four (74) feet; southeasterly by land of the City of Boston, forty six (46) feet; northerly again by land of the City of Boston, six (6) feet; southeasterly again by a passageway, ten (10) feet, and southerly by land supposed to belong, now or formerly to D. & S. Codinacchia, eighty (80) feet, containing 4,204 square feet of land, more or less, be all said measurements and contents more or less.

Referred to the Committee on Public Lands.

SALE OF PROPERTY, WILMINGTON AVENUE.

The following was received:

City of Boston,
Office of the Mayor, September 1, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated August 3, 1936, relating to an offer to purchase certain property situated on Wilmington avenue, Dorchester (Lot 77), which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$265, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at public auction with a minimum price of \$265 is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
August 3, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provision of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit an offer from Walter H. Cox, Charlestown Five Cents Saving Bank Building, Charlestown, for the vacant land Lot 77, Wilmington avenue, Dorchester, in the sum of two hundred sixty-five dollars (\$265).

The costs to the city up to December 30, 1935, amount to one hundred eighty-one dollars and fifty-seven cents (\$181.57) which includes the nonpayment of taxes since the year 1931, but does not include interest.

If and when the above amount of two hundred sixty-five dollars (\$265) is approved by your Honor and the City Council, the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of two hundred sixty-five dollars (\$265) will be the minimum price for the property that the city is willing to accept and will be announced as the first bid at the public auction sale.

In my opinion it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,
ROSWELL G. HALL,
Superintendent of Public Buildings.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated January 16, 1936, foreclosed a right of redemption under a tax deed recorded with Suffolk Deeds, Book 5367, page 333, to about 4,464 square feet of land situated on the southerly side of Wilmington avenue in that part of Boston called Dorchester, as is more fully described in said tax deed; and

Whereas, An offer to purchase the said premises has been made by Walter H. Cox, in the sum of two hundred and sixty-five dollars (\$265); now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor, of Boston, to sell all the city's right, title and interest in said parcel of land at public auction at a minimum price of two hundred and sixty-five dollars (\$265); and it is hereby further

Ordered, That the said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser of said parcel of land a written instrument satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of said City of Boston in said premises upon the payment to it of the sum bid therefor at said auction.

Referred to the Committees on Public Lands and Tax Title Property.

SALE OF PROPERTY, WALNUT AVENUE.

The following was received:

City of Boston,
Office of the Mayor, September 1, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated August 3, 1936, relating to an offer to purchase certain property situated at Walnut avenue, Roxbury, which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$225, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at public auction with a minimum price of \$225 is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Public Buildings Department, August 3, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit an offer from Ida Lovette and Gino Fineschi, 107 Munroe street, Roxbury, for the vacant land, Lot A2, containing 2,096 square feet of land at Walnut avenue, Roxbury, in the sum of two hundred twenty-five dollars (\$225).

The costs to the city up to December 30, 1935, amount to two hundred six dollars and thirty-one cents (\$206.31), which includes the nonpayment of taxes since the year 1931, but does not include interest.

If and when the above amount of two hundred twenty-five dollars (\$225) is approved by your Honor and the City Council, the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of two hundred twenty-five dollars (\$225) will be the minimum price for the property that the city is willing to accept and will be announced as the first bid at the public auction sale.

In my opinion, it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,
ROSWELL G. HALL,
Superintendent of Public Buildings.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District dated November 21, 1935, foreclosed a right of redemption under a tax deed recorded with Suffolk Deeds, Book 5364, page 392, to about 2,096 square feet of land situated on the southeasterly side of Walnut avenue in that part of Boston called Roxbury; and

Whereas, An offer to purchase the said premises has been made by Ida Lovette and Gino Fineschi in the sum of two hundred and twenty-five dollars (\$225); now, therefore, it is hereby ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcel of land at public auction at a minimum price of two hundred and twenty-five dollars (\$225); and it is hereby further

Ordered, That the said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver in the name and behalf of the City of Boston to the purchaser of said parcel of land a written instrument satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of said City of Boston in said premises upon the payment to it of the sum bid therefor at said auction.

Referred to the Committees on Public Lands and Tax Title Property.

ACCEPTANCE OF ACT, NEW COURT HOUSE.

The following was received:

City of Boston,
Office of the Mayor, August 28, 1936.
To the Honorable the City Council.

Gentlemen,—I have received notification from Andrew H. Peterson, State Director of the Federal Emergency Administration of Public Works, and from Horatio B. Hackett, Assistant Administrator of said administration, that the United States of America has allotted the amount of \$2,151,000 for the construction of additions, alterations and improvements to the County Court House in Suffolk County. Copies of said letters of notification are transmitted herewith.

I have notified the State Director that pursuant to the provisions of section 7 of chapter 474 of the Acts of 1935 I have approved said allotment of \$2,151,000 as sufficient to cover a proper proportion of the cost of providing additional courthouse accommodations and facilities, and of carrying out the provisions of said act. I transmit herewith a copy of my letter of such approval.

I have also received a letter from Mr. Peterson advising me that the Governor has also given such approval. I transmit herewith copy of his letter of such approval.

I also transmit herewith a form of order for acceptance by your Honorable Body of chapter 474 of the Acts of 1935 pursuant to the provisions of section 7 of said chapter, and I recommend passage of said order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Office of the Mayor, August 27, 1936.
Andrew H. Peterson, Esq.,
State Director, P. W. A.
Re: Suffolk County Court House, Docket
Mass. 1142-R.

Dear Mr. Peterson,—I acknowledge receipt of your letter dated August 22, 1936, transmitting therewith letter of Horatio B. Hackett, Assistant Administrator of the Federal Emergency Administration of Public Works, dated August 20, 1936, and notifying the City of Boston of the allotment by the Federal Government of the amount of \$2,151,000 for the construction of additions, alterations and improvements to the County Court House in Suffolk County.

Pursuant to the provisions of section 7 of chapter 474 of the Acts of 1935, I hereby approve said allotment of \$2,151,000 by the Federal Government as sufficient to cover a proper proportion of the cost of providing additional courthouse accommodations and facilities and of carrying out the provisions of said act.

I shall send a message to the City Council at its next meeting, on September 1, asking the acceptance of said act and will include in my message a copy of this letter, showing that formal approval of the allotment has been given by me.

Very truly yours,
FREDERICK W. MANSFIELD, Mayor.

The Commonwealth of Massachusetts,
Executive Department,
State House, Boston,
August 24, 1936.

Mr. Andrew H. Peterson,
State Director, P. W. A.

Dear Mr. Peterson,—I have your letter of August 22, 1936, inclosing a letter dated August 20, 1936, to me from Horatio B. Hackett, Assistant Administrator P. W. A., advising me that an allotment of funds in the amount of \$2,151,000 has been made by the Federal Government for the Suffolk County Court House; being the project entitled: "Docket Mass. 1142-R. Suffolk County Court House." This allotment is evidently made for the purpose of enabling the Commonwealth of Massachusetts and the City of Boston to provide additional courthouse accommodations and facilities for the courts and other officials

in the County of Suffolk, as is more fully and specially set forth in chapter 474 of the Acts of 1935.

In accordance with Section 7 of the last-mentioned chapter, I herein certify that the aforesaid allotment by the Federal Government as approved by me as Governor of the Commonwealth of Massachusetts is sufficient to constitute a proper proportion for providing the said additional courthouse accommodations and facilities, and for the purpose of carrying out the provisions of the aforesaid chapter.

In accordance with the further suggestion contained in your letter relative to the appointment of members of the Suffolk County Court House Commission, I wish to advise you that on account of the phraseology of the seventh section of chapter 474, I deem it advisable to delay the matter of appointment until the acceptance of said chapter 474 by the City Council of Boston, and I shall then immediately confirm and ratify the appointment of Joseph A. Rourke, heretofore made by me, as a member of this commission.

Trusting this is satisfactory to you, I am,
Very respectfully yours,
JAMES M. CURLEY, Governor.

Whereas, Pursuant to the provisions of section 7 of chapter 474 of the Acts of 1935, the amount of \$2,151,000 has been allotted by the United States of America for the construction of additions, alterations and improvements to the County Court House in Suffolk County; and

Whereas, Pursuant to the provisions of said section 7, the Governor of the Commonwealth of Massachusetts and the Mayor of the City of Boston have approved said allotment of \$2,151,000 by the United States of America as sufficient to cover a proper proportion of the cost of providing additional courthouse accommodations and facilities, and of carrying out the provisions of said chapter 474;

Ordered, That chapter 474 of the Acts of 1935, entitled "An Act to Provide Additional Court House Accommodations and Facilities for the Courts and Other Officials in the County of Suffolk by the Use of Federal, State and City of Boston Funds," be, and hereby is, accepted.

Referred to the Executive Committee.

ADDITIONAL FUNDS FOR MUNICIPAL EMPLOYMENT BUREAU.

The following was received:

City of Boston,
Office of the Mayor, September 1, 1936.
To the City Council.

Gentlemen,—I am advised by the Director of the Municipal Employment Bureau that funds available for the operation of the Bureau are practically exhausted, and that an additional appropriation of \$5,000 should be made at this time to permit the carrying on of the activities of the Bureau for the balance of the year. In my opinion the activities of the Bureau should be continued and I therefore submit herewith an order providing for the appropriation of \$5,000, and respectfully recommend its adoption by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Ordered, That the sum of \$5,000 be, and hereby is, appropriated, to be expended by the Municipal Employment Bureau, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

DEPARTMENT TRANSFERS.

The following was received:

City of Boston,
Office of the Mayor, September 1, 1936.
To the City Council.

Gentlemen,—The attached requests for transfers within departmental appropriations have

been examined and investigated by the Budget Commissioner. I accordingly recommend adoption of the accompanying orders by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, 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 Port Authority:

From the appropriation for B-1, Printing and Binding, \$200, to the appropriation for B-3, Advertising and Posting, \$200.

From the appropriation for B-4, Transportation of Persons, \$425, to the appropriation for B-13, Communication, \$300; B-29, Stenographic and Copying, \$50; B-35, Fees, Services of Venires, etc., \$50; D-2, Food and Ice, \$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 City Council:

From the appropriation for A-4, Other Departmental Work, \$60; B-18, Cleaning, \$100, to the appropriation for A-2, Temporary Employees, \$160.

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 D-2, Food and Ice, \$12,000, to the appropriation for A-2, Temporary Employees, \$12,000.

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 Park Department, Cemetery Division:

From the appropriation for A-1, Permanent Employees, Custodian, 1 at \$2,200 a year, \$174.25; Gardener-fireman, 1 at \$36 a week, \$144; Stonemason and Dynamiter, 1 at \$39 a week, \$72.50; Clerk and Stenographer, 1 at \$1,900 a year, \$0.80; Sexton, 1 at \$36 a week, \$0.00, to the appropriation for A-1, Permanent Employees, Superintendent of Parks and Cemeteries, 1 at \$3,600 a year, \$34.72; Custodians and Cemetery Keepers, 2 at \$2,200 a year, \$97.60; Laborers, etc., 46 at \$30 a week, \$103; Engineer, 1 at \$41.50 a week, \$83; Sexton, 1 at \$36 a week (\$2,000 a year), \$0.00; B-15, Motorless Vehicle Repairs, \$73.23.

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 C-17, Miscellaneous, \$2,000, to the appropriation for G-7, Furniture and Furnishings, \$1,600; C-14, Live Stock, \$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 Welfare Department, Temporary Home:

From the appropriation for D-2, Food and Ice, \$315, to the appropriation for B-13, Communication, \$50; C-7, Furniture and Furnishings, \$200; C-16, Wearing Apparel, \$15; E-10, Electrical, \$50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Central Office:

From the appropriation for D-1, Office, \$10, to the appropriation for D-16, Miscellaneous Supplies, \$10.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the fol-

lowing transfer in the appropriations for Public Works Department, Lighting Service:

From the appropriation for B-8, Light, Heat and Power, \$5,000, to the appropriation for B-42, Miscellaneous, \$5,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Sewer Service:

From the appropriation for C-13, Tools and Instruments, \$50, to the appropriation for C-5, Motorless Vehicles, \$50.

From the appropriation for D-16, Miscellaneous Supplies, \$200, to the appropriation for D-11, Gasoline, Oil and Grease, \$200.

From the appropriation for E-5, Sewer and Water, \$200, to the appropriation for E-13, Miscellaneous Materials, \$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 Supply Department:

From the appropriation for A-1, Permanent Employees, Clerks and Stenographers, 7 at \$1,600 a year, \$703.57; Clerk, 1 at \$1,000 a year, \$194.82; Clerk, 1 at \$900 a year, \$194.82; Clerk, 1 at \$900 a year, \$194.81, to the appropriation for A-2, Temporary Employees, \$1,288.02.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Weights and Measures Department:

From the appropriation for A-1, Permanent Employees, Deputy Sealers, 16 at \$1,600 to \$2,300 a year, \$100, to the appropriation for C-4, Motor Vehicles, \$50; D-16, Miscellaneous Supplies, \$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 District Court of Chelsea:

From the appropriation for D-1, Office, \$5, to the appropriation for C-7, Furniture and Furnishings, \$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 Medical Examiner Service, Northern Division:

From the appropriation for B-23, Expert, \$35, to the appropriation for D-8, Laundry, Cleaning, Toilet, \$35.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Park Department:

From the appropriation for A-1, Permanent Employees, Laborers, Mechanics, etc., 345 at \$30 a week, \$1,300, to the appropriation for A-1, Permanent Employees, Superintendent of Baths, 1 at \$3,000 (\$3,100) a year, \$100; Assistant Engineer, 1 at \$2,500 (\$2,600) a year, \$100; Engineering Aide, 1 at \$2,000 (\$2,100) a year, \$100; Engineering Aides, 4 at \$1,900 (\$2,000) a year, \$400; Greenkeeper, Assistant, 1 at \$2,100 (\$2,200) a year, \$100; Head Electrician, 1 at \$2,100 (\$2,200) a year, \$100; Instructors, Boxing, 2 at \$1,700 (\$1,800) and \$2,000 a year, \$100; Physical Instructors, 12 at \$1,900 to \$2,200 a year, \$100; Rodman, 1 at \$1,400 (\$1,500) a year, \$100; Swimming Instructors, 3 at \$1,800 to \$1,900 a year, \$100.

From the appropriation for A-1, Permanent Employees, Laborers, Mechanics, etc., 345 at \$30 a week, \$5,551.50 to the appropriation for A-1, Permanent Employees, Gardeners, Mechanics, etc., 49 at \$36 a week, \$4,933; Gardeners, Mechanics, etc., 63 at \$33 a week, \$618.50.

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 Treasury Department:

From the appropriation for B-28, Expert, \$254.41, to the appropriation for A-1, Permanent employees, Clerk and Assistant Bookkeeper, 1 at \$1,600 (\$2,000) a year, \$145.35; Clerk, Pay Roll, 1 at \$1,700 (\$2,000) a year, \$109.06.

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 A-1, Permanent Employees, Chauffeurs, Teamsters, Laborers, 657 at \$5 to \$5.50 a day, \$3,000, to the appropriation for B-6, Hire of Teams and Auto Trucks, \$3,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Park Department:

From the appropriation for A-1, Permanent Employees, Matrons, Pianists, etc., 129 at \$22 a week, \$2,800, to the appropriation for B-15, Motorless Vehicles Repairs, \$200; C-6, Stable, \$50; C-13, Tools and Instruments, \$800; C-17, Miscellaneous Equipment, \$300; D-8, Laundry, Cleaning, Toilet, \$500; D-9, Educational and Recreational, \$300; D-13, Chemicals and Disinfectants, \$300; D-16, Miscellaneous Supplies, \$350.

Referred to the Executive Committee.

CONSOLIDATION OF CITY DEPARTMENTS.

The following was received:

City of Boston,

Office of the Mayor, August 27, 1936.

To the City Council.

Gentlemen,—I am resubmitting herewith the proposed ordinance for the consolidation of certain city departments and earnestly urge that your recent rejection of this measure be reconsidered and that it be adopted as a city ordinance.

The debate which preceded the action of your Honorable Body indicates that apparently the chief reason for rejection of the order was that some of the councilors thought that ultimately it would result in the discharge of many city employees or reducing their salaries. My purpose in presenting this measure was not to effect the discharge of city employees. The chief purpose was and is to eliminate duplications of work in various departments, to prevent waste, to modernize and simplify cumbersome methods and to promote greater efficiency in conducting the work of the city.

When the proposed ordinance was first presented fear was expressed that many city employees would lose their Civil Service, pension and retirement rights. In order to reassure your Honorable Body and the city employees themselves I caused to be presented to the Legislature proposed legislation to guarantee these rights to the city employee. That legislation was adopted and is now chapter 152 of 1936.

Consolidation of these departments would not result in the wholesale discharge of city employees. If the number of city employees is to be reduced it will be solely as the result of resignations, retirements or deaths.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

(Appended was the ordinance referred to as printed in the City Council Minutes, see pages 157-161.)

Referred to the Executive Committee.

PETITIONS REFERRED.

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

Claims.

Domenic Aiello, for compensation for damage to car caused by city car.

Michael J. Boyle, for compensation for damage to car by fire truck.

O. C. Bryning, for compensation for damage to car by fire truck.

Cafe DeParis, for refund on garbage tickets.

C. I. Clem, for compensation for loss of ash barrels taken by ashmen at 12 Chestnut square.

Timothy Connolly, for compensation for injuries caused by an alleged defect at Dorchester avenue and Howell street.

Continental Baking Company, for compensation for damage to truck by city truck.

Robert T. and Alice E. Fowler, for compensation for damage to property at 25 March street, caused by stoppage of sewer.

Lisetta Gaeta, for compensation for damage to property at 132 Grove street, caused by shutting water off.

Fred F. Hodgkins, for refund on gasoline license.

Patrick E. Holleran, for claim for increment in 1935 Municipal Court.

W. T. Kirley & Sons Lumber Company, for compensation for damage to truck caused by swinging gate, Malden Bridge.

Mayflower Liquor and Wine Company, for refund on ash-removal tickets.

Mary McAuley, administratrix, for compensation for death of John McAuley by truck of Sanitary Department.

Rose McLaughlin, for compensation for damage to property at 40 Corey street, caused by blocking of sewer.

Frank E. Murphy, for compensation for damage to car by city truck.

Ruth Sanford, for compensation for loss of teeth at City Hospital.

J. Philip Smith, for compensation for damage to car by city truck.

Phil Vitale, for loss of articles checked at World War Memorial Park.

Katherine E. Holland, for compensation for damage to property at 35 Ellery street, South Boston, caused by falling in of lot next to property.

Executive.

Mary V. Hunt, to be paid an annuity on account of the death of husband, John L. Hunt, Police Department.

APPROVAL OF LOAN.

Approval of loan for \$85,000 for Police Communications System, approved by the Emergency Finance Board, was received and placed on file.

MUNICIPAL RESEARCH BUREAU REPORT.

A report of the Municipal Research Bureau concerning tax title properties was received and placed on file.

RECESS.

The President declared a recess for the purpose of going into executive session at 2.40 p. m. The members reassembled in the Council Chamber and were called to order by Coun. GALLAGHER at 4.50 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on the message and orders (referred this day) for transfers within various departments—that the various transfers ought to pass with the exception of the transfers of

\$3,000 within the Sanitary Service, Public Works Department, and \$2,800 in the Park Department.

Coun. WILSON—Mr. President, so long as some are being saved out, it occurs to me we are also to gain some information on the items in the Treasury Department and I move that that transfer also be laid on the table.

The motion was carried.

Report accepted; orders passed, with the exceptions as stated, yeas 15, nays 0.

2. Report on communication and order from the Mayor (referred this day) transferring \$3,000 within the departmental appropriation of the Public Works Department, Sanitary Service, from Item A-1, Permanent Employees, to Item B-6—that the order ought not to pass. Report accepted; order rejected.

3. Report on the message and order (referred this day) for transfer of \$550 from the income of the Sumner Traffic Tunnel—that the order ought to pass.

Report accepted.

Question then came on the passage of the order and the clerk called the roll.

Coun. SHATTUCK—May I ask what the question is,—transfer of the \$550?

Coun. GALLAGHER—Transfer of the \$550 from the income.

Coun. SHATTUCK—Has the committee voted to reject it? "Yes" would pass it, or not,—I do not understand. Is the vote "Yes" a vote in favor?

Coun. GALLAGHER—Yes.

Coun. SHATTUCK—Then I vote No.

The order failed of passage, yeas 13, nays —Coun. Shattuck, Wilson—2.

4. Report on the message and order (referred this day) for transfer of \$5,000 from the Reserve Fund to the Municipal Employment Bureau—that the order ought to pass.

Report accepted. The order failed of passage, yeas 13, nays—Coun. Shattuck—1.

On motion of Coun. TOBIN the vote was reconsidered and the order was assigned to the next meeting.

5. Report on the message of the Mayor and ordinance referred this day re consolidation of various departments—report recommending that the ordinance ought not to pass.

Report accepted. The question came on the passage of the order.

Coun. McGRATH—Mr. President, the only real purpose of this consolidation is economy. If the Mayor wants economy, if he wants to practice economy, all he has to do is what he promised before and after his election that he would not fill vacancies that occurred in the city departments, and in a speech to the Council of this year I quote the Mayor: "I have maintained the policy of not filling vacancies and of reducing purchases of equipment, material and supplies to the minimum consistent with the proper rendering of public service." If he refused to fill the vacancies, I think by this time, since he has been elected Mayor, we would probably have saved about \$1,000,000 of the taxpayers' money.

Coun. TOBIN—Mr. Chairman, this order is either substantially the same, or word for word with the previous orders that have been rejected by the Council in the past few weeks. It appears that despite the objections of the Council to the ordinance in its proposed form it has been resubmitted by the Mayor to us in the same form in which it was previously rejected by the Council. I voted against this before and I intend to do so today. It has come to my attention since the rejection that many civic bodies have been pronouncing in favor of this ordinance. In the newspapers and over the radio they have been enlightening the people that the proper vote would be to vote for the consolidation; that despite the fact the Council has voted against consolidation, the Council at no time has offered any remedy or solution for its attitude. I would like to make a few remarks as to why, in my opinion, the proper vote on this order is against the proposed ordinance. On page 30 of City Document 91 of 1935, in the report of the commission appointed at the request

of the Mayor to consider the wisdom of a reorganization or consolidation of the various city departments, appear these very significant words: "The principal advantages of this proposed consolidation lie in the combining of all engineering activities in one executive department." Now, Mr. President, that seems to be a very laudable proposition, and it has been taken at its face value by the various organizations interested in municipal affairs and by the editorial writers of the various newspapers, and even by the Mayor. On that theory, and without any detailed study of the proposed ordinance, it has received considerable support. Had the honorable commission devoted its attention to the engineering functions of the city departments, of which they presumably have some knowledge, and kept away from the administrative and quasi judicial functions, of which they apparently show considerable ignorance, they might easily have produced an ordinance which would have put the engineering services under one head. However, their appointment under the watchword of "consolidation" made it difficult to recommend the perfectly obvious and common sense method of accomplishing this purpose by establishing an engineering department, and they apparently felt obliged to find some method of doing it which would answer the war cry of consolidation. The result is this hodge podge of an ordinance which puts under the control of an engineer, two deputy engineers and twelve division engineers nearly 4,000 employees, less than 100 of whom are rated as engineers, and also puts under these engineers, who may or may not be qualified to deal with the practical problems of municipal service, such functions as the control and supervision of our bathing beaches, parks, playgrounds, cemeteries, gymnasia, markets and public buildings. I hold no brief for any of the heads of the present departments, but any scheme which turns over to three or thirteen engineers as incidental to the consolidation of the engineering service the care and custody of our municipal buildings, the power to refuse or grant licenses for oil farms in South Boston or East Boston or Dorchester, to take lands and award compensation for damages, and to regulate traffic in our streets, is certainly going about the matter in the wrong way. I believe if this commission really intended to bring about a consolidation of engineering departments, they could very easily draw up an ordinance which would place all the engineering functions of the city under one department. They could provide for three things: Control and erection of all engineering work under one head, inspection and measurement of all public works done under his supervision and control and the material to be furnished therefor, and the matter of the refusal of payment of bills without certificate that the work is properly performed and could also provide for planning and estimating of the cost of public improvements in the future. I do not think we would be justified, even if in favor of consolidating the engineering functions under one department, to vote for this ordinance, and I vote against it.

Coun. BRACKMAN—Mr. Chairman, we have hardly had an opportunity in the City Council to judge whether this ordinance is a good or bad one. To my knowledge there have been only two hearings by the Ordinance Committee. Mr. President, you, yourself, requested at one time further time to study the matter, but you were denied that privilege. As I said once before this is an important order. It is extremely important to the efficiency and welfare of the people of Boston in their dealings with City Hall. We are certainly entitled to more hearings than we have had upon it. It was sent in to us originally at the time when we were ready to adjourn the old Council and it was dismissed without prejudice. It was sent in the second time when the annual budget came in and there was no time to consider it because the budget was superior and we had to act on that. We have not had an opportunity to go into this matter sufficiently. We have not had an opportunity to properly prepare amendments if this

ordinance does not strike into the heart of the very thing we are trying to do,—to promote efficiency. So I say this order ought to be referred back to the Committee on Ordinances, and I now move in substitution for the committee's report that the matter be referred to the Committee on Ordinances.

Coun. WILSON—Mr. Chairman, I did not intend to speak on this report at this time, but it will perhaps save time in the end because I have two orders bearing on the subject and accordingly there will be no need of repetition when I introduce them later in the session. As a member of the Committee on Ordinances who attended the hearings before which various able gentlemen appeared, I will frankly admit, although I personally agree with the ideals of economy and efficiency in city government, that the amount and the character of the meager information given to the committee was not of a nature to assure the members of that committee that this ordinance in the form as it was drawn is much more than an instrument for the creation of a splendid job for somebody who apparently wishes to qualify, and I do not know who the favored gentleman is. Apparently the one thing that the proposed ordinance would do would be to intervene between these various departments, many of which have very little to do with engineering,—to intervene between these various departments, another red tape jump between the department employees, the man that the public goes in to see and the boss of the City of Boston under our present charter,—the Mayor. The Mayor has previously assured the members of the Council that no men, no employees of the city would be discharged or lose their jobs as a result of this consolidation. His message that came in today said: "Apparently the chief reason for rejection of the order was that some of the councilors thought that ultimately it would result in the discharge of many city employees or reducing their salaries. My purpose in presenting this measure was not to effect the discharge of city employees. The chief purpose was and is to eliminate duplications of work in various departments, to prevent waste, to modernize and simplify cumbersome methods and to promote greater efficiency in conducting the work of the city." I may be unusually dull in thinking things out, but I certainly cannot follow the argument that the adoption of this proposed ordinance will eliminate duplications of work and eliminate waste, but won't mean the laying off of a single employee of the City of Boston. In no way has it been shown us by any information from the Mayor's office or from these gentlemen who presumably have made a long distance study of the proposition how there would be any elimination of duplication of work. The orders which the Council passed as long ago as June 29 are aimed at getting some more information. I suppose it is more or less sacrilegious to ask for any information on any subject that comes into this rather powerless body. I know that the Mohammedan has his Koran and the Hebrew has the word of Moses and the Christian has the Holy Bible and I assume the city employees have the *City Record* and the Council has messages from the Mayor's office. Those various instruments are supposed not to be questioned even in the least degree, but perhaps being sacrilegious to that extent as long ago as June 29 the Council passed two orders; one with reference to giving us the names of the employees who would be affected by this alleged removal of duplication of work and that information came through last week. There was a further order along the line that Councilor McGrath has touched upon because we have received, or I have received, contrary reports. I hear from some sources that the Mayor of Boston had filled no vacancies since he became Mayor in accordance with his pledge and that meant a reduction in the personnel of the city amounting to six or seven hundred jobs a year, and we have heard from other sources that jobs have been filled fairly rapidly and fairly good promotions made, and accordingly this order

was passed on June 29 asking for more information along this line. As I say, I am in favor of the idea of efficiency and economy, but the gentlemen who came in and testified before the Committee on Ordinances, at least two of them, to my memory, admitted to the committee that they not only had not visited any of the departments in City Hall, but I was amazed to have them admit that they had not read the ordinance, which apparently is the chief trouble of some of the Boston newspaper editorial writers in their recent comments on the attitude of the Council. Why should a department like the Wire Division of the Fire Department and a department run so splendidly as the Sealer of Weights and Measures Department, both of which are in my opinion wholly divorced from any engineering proposition, be included in this ordinance. I will frankly admit, although this proposed consolidation ordinance has been tossed in here to the Council on three successive occasions, we have not got one bit more information than we had when it was sent in here for the first time. Apparently these great minds, and I have every respect for them and do not use that term in derogation to them, but these great minds have made a long-distance study of what a nice arrangement would be for a new set-up, but so far as I have been shown, from any information to the Committee on Ordinances, there has been no concrete examples given us where there is any duplication, where there is any waste, where there is anything to be gained except the intervening of a high-priced executive engineer between these various departments and the Mayor who, after all, is the boss of the City of Boston; and it is for that reason, without apologies, that I vote for the third time against this proposed ordinance and later in the session I will introduce these orders which will I hope, if answered, give us some of the information we are entitled to.

The question came on the motion of Councilor Brackman to refer to the Committee on Ordinances.

The motion was lost.

The question then came on the rejection of the ordinance.

The ordinance was rejected.

BLOCKING RECENT CONTRACTS BY METROPOLITAN WATER SUPPLY COMMISSION.

Coun. SHATTUCK offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability, through legal action or otherwise, of blocking the recent awards by a majority of the Metropolitan Water Supply Commission of contracts to the Two Company and the Cenedella Company, in order that the citizens of Boston, who must reimburse the Commonwealth for the major portion of the water supply expenditures, may be protected against unjust, improper and excessive charges.

Coun. SHATTUCK—Mr. President, this relates to two contracts recently given by the majority of the Water Supply Commission; one to the Two Company and the other to the Cenedella Company for work in the reservoir in the Swift river. It seems that this work was originally awarded to the Foster Company, the lowest bidder, after advertising for bids. It involves the excavation of 150,000 cubic yards of earth and the further excavation of 40,000 cubic yards of rock. For those items the Foster Company bid was \$67,500 for the first item and \$52,000 for the second item,—a total of \$119,500. On some previous occasion the Two Company for this same work bid \$202,500; but only the other day, without advertising and without asking for bids, the Two Company was given the contract for \$397,500, which is \$278,000 more than the same work was provided for in the Foster contract and \$195,000 more than the Two Company had previously said they would do the work for,—just the same work. So far as the Cenedella Company contract is con-

cerned, that applies to a roadway which has not yet been designed and on land which has not yet been acquired, in part, at least, by the State. It also involves some filling or covering of certain excavations. The covering has been given to the Cenedella Company at \$1. when similar work has been done for 25 cents a cubic yard; and the roadway not having been designed, on land not yet acquired, there has been no opportunity of getting a bid of what it would cost. I notice when this situation was called to the attention of the Governor, he is purported to have said "If it gives additional employment, as I assume it does, I am glad they did it." So far as the first item is concerned the Two Company contract which is \$278,000 more than the Foster Company agreed to do the work for, does not involve one bit more work. It involves putting \$278,000 in addition to what another contractor would do the work for into the pocket of this favored contractor. Whether it stays in his pocket, I don't know, but I feel sure it will not go into the pockets of people who are in need of work and wages. It is a gift contract of the worst kind, and I hope this order will be adopted and the Mayor will give prompt attention to it.

Coun. TOBIN moved that the order be referred to the Executive Committee. The motion of Coun. Tobin to have the order referred to the Executive Committee was lost, yeas 8, nays 8; yeas—Coun. Agnew, Gallagher, Kerrigan, Kilroy, McGrath, George A. Murray, Selvitella, Tobin—8; nays—Coun. Brackman, Finley, John I. Fitzgerald, Mellen, Roberts, Rosenberg, Shattuck, Wilson—8.

The rules were suspended and the question came on the passage of the order.

Coun. WILSON—I now move the question in this form, that the order ought not to pass.

A roll call was requested and the Chair put the question on the passage of the order.

The order failed of passage, yeas 8, nays 8; yeas—Coun. Brackman, Finley, John I. Fitzgerald, Mellen, Roberts, Rosenberg, Shattuck, Wilson—8; nays—Coun. Agnew, Gallagher, Kerrigan, Kilroy, McGrath, George A. Murray, Selvitella, Tobin—8.

RESURFACING OF HALLECK STREET.

Coun. ROBERTS offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Halleck street, Ward 4, which is made necessary by the failure of the W. P. A. to complete the project.

Coun. ROBERTS—Mr. Chairman, if one goes down Ruggles street from Huntington avenue to Columbus avenue, there is a small street. It is a dead-end street, with one house on the street. If one looks up from Ruggles street it looks as though they started to construct a swimming pool, but the W. P. A. started to resurface Halleck street. There are two stories in explanation. One story was they started to work on the wrong street and the second story and the official explanation was that they ran out of money. There has been a duplication of work here and the city will now have to come in and resurface the street.

Passed under suspension of the rule.

SLAUGHTER HOUSES AND RENDERING PLANTS.

Coun. ROBERTS offered the following:

Ordered, That the Corporation Counsel and Health Commissioner, through his Honor the Mayor, be requested to file the following information with the Council:

1. What action, if any, was taken with reference to the closing of slaughter houses and rendering plants, now operating in Boston without license from the Mayor and City Council.

2. If no action has been taken, the reason, in detail by each of the city officials, for not

proceeding in accordance with the request of the City Council.

Passed under suspension of the rule.

ESTABLISHMENT OF A \$25 TAX LIMIT ON REAL ESTATE.

Coun. SELVITELLA offered the following:

Resolved, That the City Council of the City of Boston is in favor of relief for the overburdened taxpayers of our city, and, consequently, favors legislation which will provide such relief by the establishment of a \$25 over-all real estate tax limitation; provided, however, that such legislation will not adversely affect the character of service now performed by the city, or the number or status of city employees.

Coun. SELVITELLA—Mr. Chairman, a study of the \$25 over-all real estate tax limitation program of the Massachusetts Real Estate Exchange caused me to believe that it will bring to the taxpayers of Boston positive relief, forestall foreclosures of property, check the increasing delinquency in taxes and generally stabilize the economic structure of our fair city. For these reasons I am of the opinion that a resolution from this Honorable Body, the Boston City Council, would aid materially in enacting into law a relief measure to already overburdened real estate. A \$25 over-all real estate tax limitation would do three things:

1. Stop the tearing down of buildings.

2. Add new taxable revenue from new construction.

3. Stimulate new business and provide work for people who are now on the welfare rolls.

Let us look at the picture. It is an undisputed fact that real estate pays 70 per cent of the cost of government and at the same time employs 70 per cent of our labor. I might add, too, that while real estate values have gone down, real estate taxes have gone up 300 per cent, until it has reached such a point that 43.7 per cent of all estate taxes in the United States are delinquent. These figures are substantiated and, in my opinion, present a situation that calls for quick relief. It was here in this historic city that our forefathers took a decisive stand against unreasonable taxation and proceeded to remove an oppressive burden. The members of this Council can do no less than give their official sanction to a resolution that would undoubtedly be of immeasurable aid in lifting from the people of this city, business men, apartment house owner and rentpayer a burden that is gradually grinding them into the ground. It has been cited that Boston is gradually slipping into polite bankruptcy and we must have a new tax system if you are going to save Boston and Massachusetts, and all the cities and towns; 88 per cent. of the cost of our cities and towns are paid by real estate taxes alone. This is too great a share and real estate must be relieved. Over-taxation has destroyed our houses and our real estate. Excessive taxation is the surest destruction of the world. A building damaged by shells may stand in part, but a building which is over-taxed is torn down and only cellar holes are left. Look at Boston! Parking spaces where tall buildings once stood! If real estate is taxed so it cannot earn, what happens to our cities? They go bankrupt; they disappear; yes, fall into decay. Tax limitation is not new. No, indeed. It has been operated with great beneficial results in such states as Indiana, Michigan, Oklahoma, New Mexico, Washington, West Virginia and in our neighbor state, Rhode Island. Enactment of such legislation would not curtail any city department. A \$25 over-all real estate limit taxation would guarantee, far more than at present, the further continuance of our schools, Fire Department, Police Department, Public Works and all other necessary municipal departments. In other words, it would give positive guarantee to city employees and prevent payless pay days. The greatest argument for a \$25 over-all real estate limit taxation is the fact that our state confiscatory tax system has been

responsible for 50,000 persons losing their homes. One third of real estate being foreclosed or foreclosureable, and over \$3,000,000 worth of property was taken by cities and towns for tax titles. We have the finest skilled labor supply and the finest retail market in the United States. Yet our real estate paid a welfare bill of seventy-five million last year. The people so affected could all have had work if a \$25 over-all real estate tax limitation was in effect. In conclusion, let me say, gentlemen, that a \$25 over-all real estate tax limitation does not mean dismissing any needed municipal employee but, instead, would make their jobs more secure. If real estate cannot earn it cannot pay taxes, then needed governmental functions cannot carry on. Real estate is the goose that lays the golden egg of wages. Why kill the goose? You can't have work if the real estate goose gets cooked. Gentlemen, I earnestly request your consideration of this resolution as it concerns every citizen in our city.

Coun. BRACKMAN—I move that the order be referred to the Executive Committee.

The order was referred to the Executive Committee.

WHITE WAY LIGHTING SYSTEM ON BLUE HILL AVENUE.

Coun. ROSENBERG 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" lighting system on Blue Hill avenue, from Quincy street to Grove Hall, Ward 14.

Passed under suspension of the rule.

GRANOLITHIC SIDEWALK AT FRANKLIN PARK ENTRANCE.

Coun. ROSENBERG offered the following: Ordered, That the Park Commission be requested, through his Honor the Mayor, to construct a granolithic sidewalk at the Columbia road entrance to Franklin Park.

Passed under suspension of the rule.

LEAVE OF ABSENCE FOR JEWISH EMPLOYEES ON JEWISH HOLIDAYS.

Coun. ROSENBERG and Coun. BRACKMAN offered the following:

Ordered, That his Honor the Mayor be requested to permit all Jewish employees of the City of Boston leave of absence on September 17, 18 and 25, the occasion of the Jewish high holidays, without loss of pay.

Passed under suspension of the rule.

TRAFFIC SIGNS IN WARD 14.

Coun. ROSENBERG offered the following: Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to place a warning sign, reading "School Zone—Drive Carefully," at the junction of Blue Hill avenue and Angell street, Ward 14, for the safety and protection of children going to and returning from the Robert Treat Paine School.

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to place warning signs, reading "Drive Slowly," at the junction of Blue Hill avenue and American Legion Highway, Ward 14, for the safety and protection of pedestrians crossing those streets.

Severally passed under suspension of the rule.

TRANSATLANTIC AIR SERVICE AT EAST BOSTON AIRPORT.

Coun. ROSENBERG offered the following: Ordered, That the Mayor be requested to consider the calling of a conference between the Boston Port Authority, the Boston Park Commission, the City Planning Board and other city officials affected, for the purpose of inducing foreign governments or concerns to establish at the East Boston Airport a terminal for transatlantic service.

Coun. ROSENBERG—I am only going to say a few words with reference to transatlantic air service. Boston has for years tried to establish itself as a commercial center. We have been trying to get the parity of rates on transportation, on shipping and industry. Boston should be progressive with other cities in trying to get the airway system to establish Boston as an airport in bringing passengers from the different countries. Some of the British companies and other European companies and also the American Air Railways are trying to establish a transatlantic service which will be regularly operated. Boston has been asleep on the matter of establishing Boston as an airport for transatlantic service and I trust, with the Mayor calling these various officials together, we may be able to induce the transatlantic companies to establish Boston as a port and thereby bring more service to Boston.

Coun. McGRATH—On that matter I think that the Port Authority and former Mayor John F. Fitzgerald has shown more progress in the last few years than in the past twenty years. In the papers of a few days ago it gave the statistics of the increase in both incoming and outgoing, import and export in both passenger and commodities, and I think they are very well taken care of, and I think if we lay this on the table and have the former Mayor come before the Executive Committee and explain it, we will be very much enlightened.

Order passed under suspension of the rule.

Coun. JOHN I. FITZGERALD—I rise on a point of information. I have been in the Mayor's office for conference, and I would like to know what has happened to the Court House.

Coun. GALLAGHER—in executive session it was laid on the table for the purpose of obtaining certain information.

INVESTIGATION OF ALLEGED IRREGULARITIES IN REGISTRATION OF VOTERS.

Coun. SHATTUCK offered the following: Ordered, That his Honor the Mayor be requested to cause an investigation and report to be made concerning alleged irregularities in the registration of voters in the City of Boston.

Coun. McGRATH—I think increased registration is the active work of members of the Council and some of the other Democrats and that they have put on a substantial increase in the vote. I do not see that this body has anything to do with it.

Coun. AGNEW—Mr. Chairman, I don't know what the councilor from Ward 5 had in mind in introducing this order, but if it is from what he has read in the newspapers in the last few days, or a few days ago, I have a great deal to say on it. Probably there is not enough time here now to say all I might have in mind, if what he had in mind in introducing that order is what I think the purpose of it was. Evidently the councilor from Ward 5 has lost sight of the trend of times in the City of Boston. Evidently he has lost sight of the fact that the City of Boston is fast becoming Democratic and the Republicans of the City of Boston are fading away, and, as one of our outstanding Democrats of Boston has said, the reason for it is that in certain districts of Boston there are plenty of kids growing up and becoming of age, or voting age, while in the Republican sections of Boston they have lost sight of the fact that it is the younger generation who upon reaching the age of twenty-one are

the voters and the ones that hold the balance of power. If in this order, as I said, he has in mind what has been in the newspapers, as a Democrat of Boston and as an individual engaged in the registration of voters for a number of years, I will inform him that in that particular district which was mentioned in the newspaper every year there is a tremendous amount of registration, and it calls for no investigation by the Mayor of Boston or anybody else. There are plenty yet to be registered in the entire City of Boston, plenty to be put on the voting list, the majority of them Democrats, and between now and election day we are going to carry on and increase the Democratic registration in Boston to greater numbers than we did at the primary.

Coun. SHATTUCK—This order merely calls for the Mayor to look into alleged irregularities. It may be that there have not been any. If there have been none, I am sure the people would like to know it. If there have been any, I am sure the people would like to know it. The purity of the election machinery is one of the most important things in government. It stands as the very foundation of government. Allegations have been made and published in the newspapers indicating that there may have been some irregularities. Let us find out whether there were or were not irregularities.

Coun. AGNEW—Who has made any mention of irregularities; who is the individual? Let us have the name of any one who has made any mention of irregularities. You do not believe in all the signs you see nor everything you hear and read, I hope. Then let us have it. Who has made these accusations? Why is it called for in such an order as this? Let us have it out in the open. Who created the suspicion?

Coun. SHATTUCK—I think the gentleman must have been on a vacation and has not read the papers.

Coun. AGNEW—I have read the papers and have read the order and I see through that order. As I said before, registration work will go on in the City of Boston and as yet no one has come forward and mentioned any irregularities, and why should any member of the City Council on any assumption come in here and say there are irregularities? Our Election Commission functions fully and capably and can handle the matter.

Coun. SHATTUCK—If there have been no irregularities, I should think the first thing the gentleman would want would be a report to the Mayor to that effect.

The question came on the suspension of the rules, and the motion was declared carried.

Coun. AGNEW—I doubt the vote and ask for a roll call.

Coun. GALLAGHER—The question is on suspension of the rule, requiring two thirds vote, and the clerk will call the roll.

The motion to suspend the rules was lost, yeas 8, nays 8:

Yeas—Coun. Brackman, Finley, Mellen, George A. Murray, Roberts, Rosenberg, Shattuck, Wilson—8.

Nays—Coun. Agnew, John I. Fitzgerald, Gallagher, Kerrigan, Kilroy, McGrath, Selvittella, Tobin—8.

The order was referred to the Executive Committee.

ADDITIONAL CLERKS EMPLOYED AT POLLS.

Coun. BRACKMAN and Coun. WILSON offered the following:

Ordered, That the Board of Election Commissioners be requested, through his Honor the Mayor, to employ additional men and women as clerks to assist in the counting of votes on election day.

Coun. BRACKMAN—Mr. Chairman, just a word regarding this matter. It has been the practice in the past for the precinct workers, the inspectors and clerks, to work from eight

in the morning to eight at night and then to proceed to count the ballots, and in most cases in a State election to be there all night counting ballots. Now, this order is to employ additional people to put on after the polls are closed so we can have some one counting those votes who is not half asleep. This is important, because in this election particularly, with the great number of independent candidates, there is apt to be many mistakes, and we should have the additional help.

Passed under suspension of the rule.

PROPOSED LEGISLATION TO ENABLE RACING COMMISSION TO HAVE TESTS MADE IN MASSACHUSETTS.

Coun. McGRATH offered the following:
Ordered, That the Committee on Legislative Matters be requested to confer with the Corporation Counsel for the purpose of drafting legislation, to be submitted to the incoming Legislature, providing that the State Racing Commission have so-called saliva tests made in Massachusetts instead of in New York as is now the custom.

Coun. McGRATH—Strange as it may seem, in order to inform the racing public as to whether or not a horse has been doped or played with, it is necessary for the Racing Commission doctor to take a sample of the saliva, seal it and send it to New York, and when they get around to it they submit a record as to whether or not the horse has been doped or otherwise. Now, I do not think it is necessary with the institutions we have here to send it to New York, and I would like to have this passed so we can be notified almost immediately.

Passed under suspension of the rule.

JITNEY LICENSE.

On the petition of the Brush Hill Transportation Company for a license to operate motor vehicles in Mattapan square, from the Milton line to the station, the Committee on jitney Licenses submitted a report recommending that a license be granted.

The report was accepted and the question came on granting the license.

Coun. WILSON—Mr. Chairman, that is the license that was referred to by Councilor Murray at the last meeting. I noted the proposed license is a blanket one and in no way restricts the number of busses. I am informed the company in question only had two or three busses. I am in favor of the order, but against the principle of allowing any blanket license which may at some later date increase to perhaps more important dimensions, and I therefore move that the number of busses be limited to four so they may have a license to run four busses, which I understand is more than they are now running.

Coun. SELVITELLA—I have no objection to that.

The motion was carried and the license was granted.

INFORMATION FROM BUDGET COMMISSIONER.

Coun. WILSON offered the two following orders:

Ordered, That the Budget Commissioner be requested, through his Honor the Mayor, to advise the City Council in accordance with the following two orders passed by the City Council under date of June 29, 1936:

“Ordered, That the Budget Commissioner be requested, through his Honor the Mayor, to submit to the City Council a complete list of the positions to be affected by the proposed consolidation of departments and the proposed “elimination of unnecessary duplication in department work,” giving in each

instance (a) the name of the employee, (b) his department, (c) position held, (d) present salary."

"Ordered, That the Budget Commissioner be requested, through his Honor the Mayor, to submit to the City Council a complete list of all city employees who have died, or been retired, or promoted, during (a) 1934, (b) 1935, and (c) 1936,—giving in each case the name of the employee, position held, amount of annual pay, whether the position has been filled, and at what present salary."

Passed under suspension of the rules.

Ordered, That the Budget Commissioner be requested, through his Honor the Mayor, to advise the City Council promptly with reference to the list of 9,349 city employees which it has been stated will be affected by the proposed consolidation of departments, the names of those employees—

1. Who will be discharged as a result of such consolidation.
2. Whose pay will be reduced as a result of such consolidation.
3. Whose duties will be in any way changed incident to or as a result of the proposed consolidation.
4. Exactly what changes in duties there will be in each individual case.

Passed under suspension of the rules.

CODIFICATION OF STATUTES.

Coun. WILSON offered the following:

Ordered, That the Corporation Council be requested, through his Honor the Mayor, to promptly advise the City Council in response to the following order passed by the Council as long ago as July 2, 1936:

"Ordered, That the Corporation Council be requested, through his Honor the Mayor, to inform the City Council as to what progress, if any, has been made during the past ten years on the proposed codification of statutes relating to the City of Boston, authorized at a cost not to exceed \$20,000 as long ago as June, 1926; and also how much time has been spent by how many employees of the Law Department on such work, and how much further time and money, if any, will be required to complete the work."

Coun. WILSON—On that order, Mr. President, which I introduced with all seriousness as long ago as July 2, at that time I had in mind what seemed to me as a fairly important matter, the proposed codification of the statutes relating to Boston, which was initiated as long ago as 1926 and over double the sum of money it has ever cost before was appropriated or assigned for that purpose at that time. Having in mind some ten years have gone by and assuming that perhaps it would be somewhere near completed and made available for attorneys and city officials and those who, of course, require it, I introduced orders on July 2, one of which was to request the dates and amount of payments made comprising this \$20,000. Last meeting, on August 17, I was furnished the names of the three gentlemen who had each obtained \$6,600-odd. I did not ask for the names, but it seems that all of the money, the whole \$20,000 since 1926 for this very splendid purpose has been collected and taken, and it therefore becomes important to get the information which I asked in the second order, which has not yet been answered, namely, as to the present status of this work that has supposedly been collected for and done and if it was not completed by the three gentlemen who were paid the \$20,000, what work has been done by the Law Department and just where we stand in the matter. I don't know why the second order should have been evaded.

Passed under suspension of the rule.

REAL ESTATE OFFICE OPEN FOR BUSINESS ON SUNDAYS.

Coun. WILSON offered the following:

Ordered, That the Corporation Council be requested, through his Honor the Mayor, to advise the City Council whether under existing law and City Ordinances it is permissible for real estate offices to be open in Boston and doing business on Sunday.

Coun. WILSON—Mr. Chairman, I would explain that I have received inquiries from various sources and with that in mind I am asking for an opinion of the Law Department, there being some doubt on the question. I seek this information in order that I may answer the various inquiries made of me.

Passed under suspension of the rule.

STATEMENT BY COUNCILOR MELLEN.

Coun. MELLEN—Mr. Chairman, I ask unanimous consent to make a statement.

Coun. GALLAGHER—The Chair hears no objection.

Coun. MELLEN—At this session the councilor from Ward 5 introduced an order relative to the contract figures awarded by the Metropolitan Water Supply Commission and the order was lost, and it seems to me it is a sad commentary, not only on the way affairs are conducted in the state, but more particularly in our own interest and the way the city affairs are conducted, because there is a difference of \$278,000 in the contract awarded by the Metropolitan District Commission relative to the Quabbin Reservoir and the City of Boston enters the picture in that it has to pay 63-odd per cent, plus interest for thirty years. Now the way the Governor of this State conducts the state is strictly his business and we have nothing to do with it, but we enter the picture when our own city is affected, and in this particular instance it is, and I think we should think very seriously of reconsidering the vote we took on that order, in view of the fact that by our vote we acceded to the additional cost to the city of about \$130,000 to \$140,000, which are being spent needlessly, and in some instances dishonestly; and because of that I urge that we reconsider our vote in this instance, and I hope the councilor from Ward 5 will reintroduce the order at our next meeting.

NEXT MEETING.

Coun. AGNEW—I move that when we adjourn we adjourn to meet on September 21.

Coun. McGRATH—I think this courthouse project is coming up and it is very important, and with the understanding that we call a special meeting next week of the committee—

Coun. GALLAGHER—The chairman can call a special meeting any time he sees fit, or as soon as the committee is ready to report.

Coun. FINLEY—I really feel at this particular time that the Council should resume its regular meetings as much as possible. The summer vacation is over and I think there is considerable business to be transacted and I think we ought to carry on at least once a week in the interest of the public and this particular matter of the courthouse was laid over one week just for an opportunity to give the committee a chance to see the powers that be to see if they could get some more favorable break for the citizens of Boston regarding work on the project. I think instead of depending on the call for a special meeting we ought to meet again next Monday.

Coun. GALLAGHER—Next Monday is Labor Day. The following Monday will be the Monday before the state primaries and the President of the Council is free to call a special meeting of the Council at any time he appoints. The question is on the motion to meet again September 21.

Coun. JOHN I. FITZGERALD—I move we meet on September 10.

Coun. GALLAGHER—The question is on September 21.

Coun. KERRIGAN—I think we should abide by the wishes of our President and call it the 10th.

Coun. GALLAGHER—All in favor of meeting September 21 will raise their hands.

Coun. WILSON—I ask for a roll call on whether we are going to abdicate for three weeks or not.

Coun. GALLAGHER—The Chair has put the question and asked for a showing of hands.

Coun. AGNEW—I withdraw the motion.

Coun. GALLAGHER—Councilor Agnew withdraws the motion and Councilor Fitzgerald moves we meet again on September 10.

The motion was carried.

Adjourned at 6.15 p. m., on motion of Coun. FINLEY, to meet on Thursday, September 10, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

SPECIAL MEETING.

Friday, September 4, 1936.

Special meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair and all members present except Coun. P. J. Fitzgerald.

The meeting was held pursuant to the following call:

City of Boston,

City Council Chamber, September 2, 1936.

The members of the Boston City Council are hereby requested to assemble in special meeting on Friday, September 4, 1936, at 2 p. m., for the purpose of taking action on the Court House P. W. A. Project and such other business that may come before the body.

Respectfully,

JOHN I. FITZGERALD, President.

Placed on file.

VETO OF LOAN ORDER FOR SIDEWALK CONSTRUCTION.

The following was received:

City of Boston,

Office of the Mayor, September 3, 1936.
To the City Council.

Gentlemen,—I return herewith without my signature and with my disapproval a form of loan order read and passed by your Honorable Body on August 3, 1936, and on August 17, 1936, in the sum of \$50,000, for the construction of granolithic sidewalks, said sum to be expended under the direction of the Commissioner of Public Works.

I have been advised by the Corporation Counsel, in an opinion dated September 1, 1936, that because of the provisions of chapter 224 of the Acts of 1936 the city may not properly authorize borrowing for sidewalk construction unless a sum equal to ten cents on each \$1,000 of the assessed valuation of the city for the preceding year has been appropriated from available revenue funds or voted to be raised by taxation for such purpose in the year when the loan is authorized.

Inasmuch as such sum has not been appropriated during the year 1936 from available revenue funds or voted to be raised by taxation for sidewalk construction the city may not properly authorize borrowing for such purpose. It is therefore apparent that the order returned herewith is invalid.

I am transmitting herewith a copy of the opinion of the Corporation Counsel hereinbefore referred to.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Law Department, September 1, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from your office dated August 27, 1936, in which you have requested my opinion with reference to the following order of the City Council:

"Ordered, That the sum of fifty thousand dollars be, and the same 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 said expenditure the City Treasurer be authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount."

Said order was given its second and final reading and passage on August 17, 1936.

Section 7 of chapter 44 of the General Laws, as amended by section 5 of chapter 224 of the Acts of 1936, authorizes municipalities to borrow for the construction of sidewalks and provides in part as follows:

"Cities and towns may incur debt, within the limit of indebtedness prescribed in section ten, for the following purposes, and payable within the periods hereinafter specified, but, except for the purposes set forth in the eleventh clause, no loan shall be authorized in any year under any one of the following clauses unless a sum equal to twenty-five cents, or in the case of Boston ten cents, on each one thousand dollars of the assessed valuation of the city or town for the preceding year has been appropriated from available revenue funds or voted to be raised by taxation for the purposes set forth in such clause in the year when the loan is authorized:

. . . (5) For the original construction of public ways or the extension or widening thereof, including land damages and the cost of pavement and sidewalks laid at the time of said construction, or for the construction of stone, block, brick or other permanent pavement of similar lasting character under specifications approved by the department of public works, ten years (6) For macadam pavement or other road material under specifications approved by the department of public works, or for the construction of sidewalks of brick, stone or concrete, five years."

It is my understanding that the sidewalks proposed to be constructed with the proceeds of the loan authorized by said order are not to be constructed at the time of, or as part of the original construction of any public ways. Clause 5 above quoted is, therefore, not applicable.

If the above-quoted loan order is not authorized by the provisions of section 7 above quoted, said loan order is invalid. The City Auditor has informed me that no sum has been appropriated from available revenue funds, or voted to be raised by taxation for the purposes set forth in clause 6 of said section 7 during the year 1936.

Based upon this advice from the City Auditor and in view of the italicized provisions of section 7 above quoted, it is my opinion that said loan order is invalid.

There is a subsidiary question which it is not necessary to consider in connection with said loan order and that is, whether the words "brick, stone or concrete" in clause 6 above quoted include granolithic material. It is my opinion that granolithic material comes within the meaning of the words "stone or concrete."

Very truly yours,

HENRY E. FOLEY, Corporation Counsel.

Placed on file.

VETO OF LOAN ORDER FOR TRAFFIC SIGNALS.

The following was received:

City of Boston,

Office of the Mayor, September 3, 1936.
To the City Council.

Gentlemen,—I am returning herewith without my signature and with my disapproval a form of loan order read and passed by your Honorable Body on August 3, 1936, and on August 17, 1936, in the sum of \$50,000, for automatic traffic signals at various intersections and points in Boston, said sum to be expended under the direction of the Boston Traffic Commission.

In a communication to your Honorable Body dated July 1, 1936, I disapproved a similar order. For the reasons stated in that communication I am again constrained to veto the order.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Placed on file.

APPROPRIATION FOR SURVEY OF HEATING SYSTEMS IN CITY BUILDINGS.

The following was received:

City of Boston,
Office of the Mayor, September 4, 1936.
To the City Council.

Gentlemen,—I am satisfied from reliable representations that have been made to me that very substantial sums of money can be saved for the city if the heating arrangements in many public buildings were modernized and an efficient system of heat control installed, such as has already been successfully demonstrated in buildings under the control of the Fire Department. Before making changes or installing any new system I think it would be wise to have a general survey made of all city buildings and to that end I am submitting herewith an order appropriating \$7,500 to defray the expenses of such a survey.

I earnestly urge the adoption of this order in order that a report may be returned quickly, and changes, if any are to be made, be effected before severely cold weather sets in.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Ordered, That the sum of seventy-five hundred dollars be, and the same is hereby, appropriated to be expended under the direction of the Mayor for engineering and other expenses incidental to a survey of the heating facilities of public buildings of the City of Boston, said sum to be charged to Reserve Fund.

Referred to the Executive Committee.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, September 4, 1936.
To the City Council.

Gentlemen,—The attached requests for transfers within departmental appropriations have been examined and investigated by the Budget Commissioner. I accordingly recommend adoption of the accompanying orders by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, 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 Auditing Department, Miscellaneous Expenses, A-1, Permanent Employees, Clerks, 11 (12) (11) at \$1,000 to \$1,300 a year, \$267.87; Clerk, 1 (0) at \$300 a year, \$160.61, to the appropriation for Auditing Department, A-1, Permanent Employees, Clerks, Stenographers, etc., 9 (10) at \$1,000 to \$1,600 a year, \$428.48.

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 A-1, Permanent Employees, Chauffeurs, Teamsters, Laborers, 657 at \$5 to \$5.50 a day, \$7,500, to the appropriation for A-2, Temporary Employees, \$7,500.

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 A-1, Permanent Employees, Chauffeurs, Teamsters, Laborers, 657 at \$5 to \$5.50 a day, \$3,000, to the appropriation for B-6, Hire of Teams and Auto Trucks, \$3,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following

transfer in the appropriations for Public Works Department, Sewer Service:
From the appropriation for B-42, Miscellaneous, \$29, to the appropriation for B-10, Rent, Taxes and Water, \$29.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Superior Court, Civil Session, Clerk's Office:

From the appropriation for A-2, Temporary Employees, \$800, to the Appropriation for A-1, Permanent Employees, Clerks, 42 (50) at \$1,100 (\$1,000) to \$1,800 a year, \$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 Municipal Court, City of Boston:

From the appropriation for A-3, Overtime, \$190, to the appropriation for B-29, Stenographic and Copying, \$190.

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 Juvenile Court:

From the appropriation for B-4, Transportation of Persons, \$50, to the appropriation for B-22, Medical, \$50.

Referred to the Executive Committee.

SALE OF TAX TITLE PROPERTY, FAIRMOUNT STREET.

The following was received:

City of Boston,
Office of the Mayor, September 2, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated August 18, 1936, relating to an offer to purchase certain property situated in the rear of 11-27, on the northerly side of Fairmount street, Dorchester, Ward 17, Block 151-E2, which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$180, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at public auction with a minimum price of \$180 is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department, August 18, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, ordinances of 1935, concerning tax title property, I respectfully submit an offer from William A. Merrill, 2 Lyford street, Dorchester, for the vacant lot of land, in the rear of 11-27, on the northerly side of Fairmount street, Dorchester, Ward 17, Block 151-E2, containing 8,000 square feet of land, in the sum of one hundred eighty dollars (\$180).

The costs to the city up to December 30, 1935, amount to one hundred seventy-one dollars and thirty cents (\$171.30), which includes the payment of taxes and costs since the year 1931, but does not include interest.

If and when the above amount of one hundred eighty dollars (\$180) is approved by your Honor and the City Council, the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of one hundred eighty dollars (\$180) will be the minimum price for the property that the city is willing to accept and will be announced as the first bid at the public auction sale.

In my opinion, it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,
 ROSWELL G. HALL,
 Superintendent of Public Buildings.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated October 21, 1935, foreclosed a right of redemption under a tax deed recorded with Suffolk Deeds, Book 5364, page 218, to about 8,000 square feet of land situate in the rear of certain lots situated on the northerly side of Fairmount street, Dorchester, the said parcel of land being more fully described in said tax deed;

Whereas, An offer to purchase the said premises has been made by William A. Merrill in the sum of one hundred and eighty dollars (\$180); now therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcel of land at public auction at a minimum price of one hundred and eighty dollars (\$180); and it is hereby further

Ordered, That the said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchase of said parcel of land, a written instrument satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of said City of Boston in said premises upon the payment to it of the sum bid therefor at said auction.

Referred to the Committee on Public Lands and Tax Title Property.

NEW SUFFOLK COUNTY COURT HOUSE.

The following was received:

City of Boston,
 Office of the Mayor, September 4, 1936.
 To the City Council.

Gentlemen,—I am informed by Andrew H. Peterson, State Director P. W. A., that work on the Suffolk County Court House must actually begin not later than October 1 if the project is to retain its approval by the Federal Government.

The next necessary step, of course, is the acceptance of chapter 474 of 1935, which authorizes the construction of a new courthouse and the appointment of a commission to carry it on. It is important that this matter be acted upon today in order to advertise for bids which, according to the terms of the act, must be published in the *City Record* once a week for at least two consecutive weeks, the last publication to be at least one week before the time specified for the opening of the proposals. (See Section 3.) Then after that some time must be allowed for preparing the contracts.

Apparently there is doubt in the minds of some of the members of your Honorable Body as to whether or not persons employed on the Court House Project will be Suffolk County residents. I find nothing in the act controlling this matter, but Mr. Peterson informs me that Federal regulations require that 50 per cent of the persons employed must come off the Boston relief rolls and the other 50 per cent must be members of Boston labor unions. This seems to dispose of any objection that may have been based on the assumption that persons employed might not be residents of Boston.

If the order is not adopted today it is very likely that it may be abandoned altogether by the Federal Government, which would be a very unfortunate result.

I earnestly urge the acceptance of the act at this special session called for today.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

Coun. DOWD—Mr. President, I do not believe that that notice from the Mayor should

be left unanswered because of the fact that he perhaps assumes that all men are employed from Suffolk County. Those of us who sat in at the hearing with Mr. Peterson and the Commission and the Union representatives realize what the City of Boston is up against. In so far as his statement is concerned that work must commence on October first, I beg to state that at one o'clock I talked with Colonel Haggerty in Washington and he said if we desired an extension to November first it would be forthcoming. In other words, he is placing \$2,100,000 in the lap of the City Council and saying, "Gentlemen, you must vote on this immediately." I bring that to the attention of the Council that that statement in toto is not correct.

The communication was placed on file.

PETITIONS RECEIVED.

The following petitions were received and referred to the Committee on Claims:

Martha W. Brown, for compensation for injuries caused by an alleged defect at Congress and State streets.

Canine Catering Company of Massachusetts, to be reimbursed interest and costs on 1934 excise tax.

Nellie S. Coleman, for compensation for injuries caused by an alleged defect at Tremont street, Broadway and Shawmut avenue.

Dyer & Co., Inc., for compensation for damage to property at 112 Queensberry street, caused by Sanitary Department truck.

William C. Fennelly, for compensation for damage to car caused by an alleged defect at 13 Loring street.

Anne Forsyth, for compensation for damage to car by city truck.

Mary Mahan, for compensation for injuries caused by an alleged defect at Frost avenue and Westglow street.

John P. McGowan, for compensation for injuries caused by an alleged defect at 3 Dexter row.

Violet M. Mitchell, for compensation for injuries caused by an alleged defect in Bartlett street.

Jennie Mogavero, for compensation for injuries caused by an alleged defect at 82 Walworth street.

Bernice Roman, for compensation for injuries and damage to car by city car.

Louis J. Speyer, for compensation for damage to car caused by an alleged defect in Kneeland street.

Myrtle B. Waite, for compensation for damage to property caused by negligent maintenance of sewer on Walker street.

CONFIRMATION OF APPOINTMENTS.

Coun. AGNEW—Before recess, could we take up a couple of these matters on the calendar? The Committee on Constables moves that No. 1 on the calendar be indefinitely postponed and the committee wishes also to take No. 2 and No. 3 from the calendar.

On motion of Coun. AGNEW No. 1 on the calendar was taken up, viz.:

1. Action on appointments submitted by the Mayor April 13, 1936, of constables authorized to serve civil process upon filing bond, viz.:

Ashod Donabedian, Edmund C. Grady, St. Clair E. Hale, Thomas J. Hayes, George Katz, Emil Ober, Emil H. Ober, Kenneth Pouty, David I. Rattet, Edward J. Rockett, Maurice Rosenberg, Isreal Spector, John Sualich.

Action on the appointments was indefinitely postponed, on motion of Coun. AGNEW.

Coun. AGNEW called up, under unfinished business, No. 2 and No. 3 on the calendar, viz.:

2. Action on appointment submitted by the Mayor August 17, 1936, of Samuel C. Baker, to be a Constable, authorized to serve civil process upon filing bond.

3. Action on appointment submitted by the Mayor August 17, 1936, of Patrick J. O'Rourke

and George A. Legrow, to be Weighers of Goods; and Ida B. Lavien and George F. Hartnett, to be Weighers of Coal.

The question came on confirmation. Committee, Coun. Gallagher and Selvitella. Whole number of ballots 19; yeas 17, nays 2, and the appointments were confirmed.

TRANSFER IN TREASURY DEPARTMENT.

Coun. DOWD called up, under unfinished business, No. 6 on the calendar, viz.:

6. 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 Treasury Department:

From the appropriation for B-28, Expert, \$254.41, to the appropriation for A-1, Permanent Employees, Clerk and Assistant Bookkeeper, 1 at \$1,600 (\$2,000) a year, \$145.35; Clerk, Pay Roll, 1 at \$1,700 (\$2,000) a year, \$109.06.

The order was passed, yeas 18, nays 0.

APPROPRIATION FOR EMPLOYMENT BUREAU.

Coun. ROSENBERG called up, under unfinished business, No. 5 on the calendar, viz.:

5. Ordered, That the sum of \$5,000 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 order was passed, yeas 16, nays—Coun. Shattuck—1.

TRANSFER IN PARK DEPARTMENT.

Coun. DOHERTY called up, under unfinished business, No. 7 on the calendar, 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 Park Department:

From the appropriation for A-1, Permanent Employees, Matrons, Pianists, etc., 129 at \$22 a week, \$2,800, to the appropriation for B-15, Motorless Vehicles, Repairs, \$200; C-6, Stable, \$50; C-13, Tools and Instruments, \$800; C-17, Miscellaneous Equipment, \$300; D-8, Laundry, Cleaning, Toilet, \$500; D-9, Educational and Recreational, \$300; D-13, Chemicals and Disinfectants, \$300; D-16, Miscellaneous Supplies, \$350.

Coun. SHATTUCK—Mr. President, I would like to ask what this item of \$2,800 for B-15, Motorless Vehicles, is for, and whether the motorless vehicles under this item will be hired in the same way I am informed the motor vehicles have to be hired by the City of Boston for the W. P. A. I am told that no one can put a motor vehicle on unless they get the O.K. of Mr. David B. Shaw, and I would like to know whether the O.K. of Mr. Shaw is necessary on these motorless vehicles as well.

President FITZGERALD—I think that that item refers to repairs, and includes not only motor vehicles but horse-drawn and other machinery along that line.

Coun. WILSON—Mr. President, we have had a large number of requested transfers and I realize that later on in the year we make the transfers whether we like it or not. A large number of requested transfers were sent in to the Executive Committee the other day and we had the Budget Commissioner there to explain the various items so far as he could, satisfactorily or not depending, I suppose, on how easily satisfied one is, and after spending a large amount of time on it last Monday these items, for want of further information or because they were unnecessary, or for one reason or another, were excepted from the transfers we passed last Monday. I,

for one, do not care to be put in the ridiculous situation four days later of voting "Yes" on a subject as to which I do not know a single thing more today than I did when we turned them down or delayed them last Monday and if any member of the Council has any more information today on these items than we had last Monday, I think it would not be a bad idea to enlighten the Council so we can vote intelligently on them.

Coun. ROSENBERG—I move that this matter be referred to the Executive Committee and that the Budget Commissioner be sent for. Question came on the motion to refer matter to the Executive Committee. The motion was carried and the matter referred to the Executive Committee.

RECESS.

The Council voted at 3.15 p. m., upon 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 Coun. GALLAGHER at 4 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. On the message and order (referred to-day) for within departmental transfers that the various orders with the exception of the order transferring \$3,000 in the Sanitary Division of the Public Works Department—recommending that same ought to pass.

Report accepted; said orders passed, yeas 17, nays 0.

2. On the message and order (referred September 1, 1936), acceptance of chapter 474, Acts of 1935, for the construction of a new Suffolk Court House—recommending order ought to pass.

Report accepted; order passed.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. KERRIGAN, for the Committee on Public Lands, submitted the following:

1. Report on message and order (referred November 12, 1935) for transfer of \$25,000 from Sales of City Property account for the purchase of Land, Fiske Wharf—recommending the order ought to pass.

Report accepted. Question then came on the passage of the order.

Coun. DOWD—Mr. President, anything that any corporation tries to give to the city I am always suspicious of, especially when this parcel of land is assessed for \$200,000 and the New Haven Road wants to sell it to the city for \$25,000. At the present time the city is getting out of that piece of land from the New Haven on taxes \$6,000 a year and I don't know why the city wants to go into the real estate business; why they want to acquire any more land. We have perhaps now a thousand or twelve hundred pieces of land that we are trying to get rid of and here because it is the New Haven Railroad we want to hand them over \$25,000 for land which has depreciated largely in the last few years the same as other sections of Boston has depreciated. I cannot understand why the city wants to acquire more land and I presume if we do within the space of the next year or two we will be asked for half a million dollars to improve that land. But I am naturally very suspicious when the New Haven Railroad wants to sell the city and I do not think they ought to be given any greater privilege than the citizens of Boston. It is a bad business investment. The city is receiving \$6,000 a year from the New Haven and if we buy that land, that is money we will not receive.

Coun. MURRAY—May I ask if we need it for the park or playground.

Coun. FINLEY—Mr. President, in spite of the objection mentioned by Councilor Dowd, I

believe that letter speaks for itself and I think in this particular case it is a meritorious order. The Committee on Public Lands has had that matter before them and has brought out a report that the order ought to pass and I think we should give it careful consideration and pass it. I believe it is one opportunity where the city is really making a very substantial investment.

Coun. WILSON—Mr. President, ordinarily I would also be against voting in favor of the expenditure of \$25,000 by the city to acquire more land to supplement the real estate we have already repossessed on tax sales, but I am more than impressed with the fact that the Boston Port Authority are so strongly in favor of it. I am impressed not so much by the fact that the assessment on the property has been \$200,000, because all Boston real estate is grossly over-assessed, but I am more impressed by the information that at one time this particular property was mortgaged for \$222,000. It comprises some 271,000 square feet, being waterfront property, immediately adjacent to an existing playground, and with the strong recommendation of the Boston Port Authority, I would vary from my usual attitude on these matters and feel that this property at this particular market would be obtained at a fair bargain.

Coun. SHATTUCK—Mr. President, so far as the price of the property is concerned, it seems a very reasonable price, but I am not convinced that we want the property. Of course, the City of Boston is not in the business of investing in real estate. We do not want it at any price unless we have some public purpose in view. It has been suggested that we might have a recreation pier there, but there is already one there at the adjacent playground. It has also been suggested that it might be used for commercial steamship purposes. I therefore move, sir, that the matter be postponed until the next meeting in order that we may have further opportunity to find out what the property would be used for if acquired, and what it would cost to develop it for that use.

The motion of Coun. Shattuck to postpone the matter until the next meeting was carried.

SIDEWALK ON NEWLAND STREET.

Coun. GLEASON offered the following: Ordered, That the Commissioner of Public Works make a sidewalk along Newland street, Ward 9, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

APPOINTMENT OF COMMITTEE.

Coun. GALLAGHER—The Chair, for the President will announce the appointment of Councillors Wilson and Tobin on the Special Committee to preambulate the boundary lines.

NEXT MEETING.

Coun. BRACKMAN—I move when we adjourn today we adjourn to meet again on September 21.

Motion carried.

STATEMENT ON COURT HOUSE.

Coun. MELLEN—I ask unanimous consent to make a statement.

Coun. GALLAGHER—If there is no objection, you may proceed.

Coun. MELLEN—We have just passed the Court House order and for the purpose of the record I would like to call attention to the

fact under which labor will be hired. 50 per cent of the 1,500 estimated employees on that project will be W. P. A. men and the other 50 per cent will be hired by the contractor on the job in the usual and customary manner. All will be union men. We will be hard pressed by our constituents for jobs on that project and I would like to point out the difficulty in which we are going to be placed so far as securing jobs is concerned. 50 per cent will be from the W. P. A. and that is a good thing because they need the work, but of those 50 per cent there is no provision which says they shall not be aliens and a large proportion will be aliens. Of the other 50 per cent there are two schools of thought. The Union representative told us that he would consider the community as including twenty municipalities outside of the City of Boston. That is, twenty cities and towns outside of Boston will have the right to send men to Boston to secure jobs. Also the Court House Commission told us they couldn't put a single man to work in spite of the gentleman's agreement that we of Boston would be considered in the putting of men to work. The Union representative also told us 50 per cent outside of the W. P. A. would be put on by the contractor in the usual manner. The contractors bring a large proportion of their working force with them from job to job and in the final analysis we will be lucky if we influence 5 per cent of the men going on that job.

METROPOLITAN DISTRICT WATER SUPPLY COMMISSION.

Coun. SHATTUCK offered the following:

Ordered, That his Honor the Mayor be requested to continue his efforts to protect the interests of the City of Boston and of the water users therein, who ultimately must repay, with interest added, over 62 per cent of all the expenditures made by the Metropolitan District Water Supply Commission, and his efforts to obtain the cooperation of other cities and towns in the water district.

The order was declared referred to the Executive Committee.

Coun. SHATTUCK—Mr. President, it appears from the papers this morning that a preliminary victory may have been won; nevertheless, we cannot be certain. Furthermore, the contracts under discussion at the last meeting were only two contracts. There are many more to come. The people of Boston who use water, practically all of them, help to pay the bills of the water district because the number of people who are affected is very much broader than the number of persons who pay taxes. Many tenants who own no property and pay no real estate tax do pay a water bill and all these expenses come out of the water users in Boston and the other cities and towns in the district. There are a number of millions of dollars involved by proper savings,—very likely ten to fifteen million dollars. The total authorization of bonds is \$65,000,000. Only about \$37,000,000 has been spent to date. I understand that a large part of the unexpended portion may be saved by the continuation of the care that characterized the commission up to a certain date. Therefore, it is very much to the interest of the water users to protect their rights and protect themselves against excessive and unnecessary water charges. There are not only other contracts to come, but there are many questions of extras and extras have always been a way in which money is wasted in large quantities on construction jobs, if there is no watchful care in those matters. There are, furthermore, a number of unsettled water claims for diversion of the water and a number of unsettled claims for the acquiring of the land. To see that reasonable settlements are made of those claims is another very important matter. We must remember that we had an experience in the East Boston Tunnel and not repeat it and we must lock the door before the horse has been stolen. We would ordinarily rely upon the Water Commission for our protection,

but it is clear we cannot place much reliance on that commission as reconstituted; nor place much reliance for protection on the Governor's Council. The cities and towns of the water district must rely on themselves. There should be a standing committee to protect their interest during the progress of this work and from now on every step taken by the Water Commission should be watched. I therefore hope, sir, that this body will suspend the rules and will approve the action of the Mayor in seeking to protect the interests of the water users of Boston and seeking to obtain cooperation of the other cities and towns in the water district.

The question then came on the suspension of the rules.

Coun. BRACKMAN—May I hear the order read again?

(Coun. Shattuck's order read by the clerk.)

Coun. DOWD—In view of the fact that the Governor has already called a conference, I am going to move that the matter be laid on the table for one week.

Coun. Dowd's motion to lay on the table was defeated; yeas—Coun. Dowd, McGrath, George A. Murray, Peter A. Murray—4; nays—14.

The rules were suspended, and the question came on the passage of the order.

Coun. DOWD—Mr. President, I reiterate that it is absolutely unfair to criticize the Governor, when in the statement in this morning's paper,—which I do not know is true, but presume it is,—he has stated that he will call in the commission and ask them to abrogate the contracts. Now if that story is correct, I cannot see any reason why this Council should act hastily on the matter. I do not see why any member of the Council should now criticize the Governor, and after all that is just about what the intent of this order is, and for that reason I am going to move again that it be sent to the Executive Committee.

Coun. MURRAY—Mr. President, I have the greatest faith in the chairman of the commission, who is a great Republican, and I believe Mr. Shattuck is also, but I think he should wait until he makes a decision and have a rehearing on it and I know Mr. Hallman will take care of it very nicely.

Coun. GALLAGHER—The question is on Councilor Dowd's motion to refer to the Executive Committee.

Coun. ROBERTS—Mr. President, is the question to refer to the Executive Committee at this time in order having in mind it has already been voted on?

Coun. GALLAGHER—That was before suspension of the rule was voted on. Councilor Dowd's motion is to refer to the Executive Committee.

Coun. BRACKMAN—Mr. President, on the motion, there is no reason why this order should be referred to the Executive Committee. There is no reason why we should not act on it now. This order does not criticize anyone. It calls for the Mayor of Boston to be diligent in protecting the rights of the people of Boston who have had foisted upon them 66 per cent of the expenses of the Metropolitan District Commission in any improvements. We have a right to expect protection from the Mayor and I think this order is perfectly in order at this time and one that every member of this Council should vote for.

Coun. MELLEEN—Mr. President, I am heartily in agreement with the previous speaker and if by voting, as I intend to do, it can be construed as a criticism of the Governor, I freely criticize the Governor.

Coun. McGRATH—Mr. President, I agree with Councilor Dowd that this order is merely to criticize the Governor and I think that within a couple of months we had an order in here to investigate another department of the city and I think at that time it was well ruled that if we cleaned house in the Council we would do very well. Now I think the Governor's Council is elected as we are and they passed on this measure and I think it would be well to let them stand the brunt of this responsibility and let us clean house

here before we criticize another branch of elective office.

Coun. SHATTUCK—Mr. President, there are only two contracts involved in the news item of this morning. Furthermore, we have had no confirmation from the Governor as to what his attitude is. It may be that those newspaper reports did not properly represent his attitude. But there are other contracts to come. We have already had an experience which indicates we must be watchful and rely upon ourselves; that unless we take the burden upon ourselves nobody will help us. Therefore, the Mayor has done well to take steps to protect the interests of the water users and to ask the cooperation of the other cities and towns.

Coun. DOWD—Mr. President, it is rather peculiar that the councilor from the Back Bay rises to criticize two months before a state election. As a matter of fact, thirty million dollars have been spent in the past and no criticism has been made in this Council up until now, two months before election, and I now charge, Mr. President, that it is not a question entirely of contracts, it is a political question wholly.

Coun. SHATTUCK—Mr. President, there has been no occasion for any criticism until within a week or two. The matter which is the subject of criticism has only just come up and this meeting and the last meeting is the first occasion when it could have been brought before the Council.

Coun. GALLAGHER—The question is on Councilor Dowd's motion to refer to the Executive Committee. The motion was lost and the question then came on the passage of the order. By a showing of hands the order was passed.

SOLDIERS' RELIEF.

Coun. KERRIGAN, 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 September.

Report accepted; order passed.

COVERING OF GARBAGE TRUCKS.

Coun. ROSENBERG offered the following: Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to instruct the Sanitary Division to have all trucks collecting garbage in Dorchester district, particularly Ward 14, covered so as to prevent the spread of disease and the unhealthful odor.

Coun. ROSENBERG—Mr. President, it has been called to my attention that the Sanitary Division, whether it is through trucks of the Sanitary Division or trucks being hired by contractors, are failing to cover up their trucks in the Dorchester district, especially in Ward 14. I believe that the presentation and the passage of this order will call the attention of the Public Works Department to this failure and they, in turn, will make the contractors live up to their contract to cover up their trucks in order to prevent the spread of disease and the unhealthy odor. They are being paid for their work and ought to render the services paid for by the city.

Passed under suspension of the rule.

SPECIAL SURVEY COMMITTEE ON PLAYGROUNDS.

Coun. WILSON offered the following: Ordered, That his Honor the Mayor be requested to appoint a Special Committee on Playgrounds, to consist of three or more citizens of Boston and to include the Park Commissioner and Public Buildings Commissioner, which committee shall make a general survey of the city with reference to appropriate locations for playgrounds of limited area for the younger children, having in mind present

traffic dangers, the present depressed values of real estate, and especially the possible availability of city-owned tax title property as well as possible government aid in construction.

Coun. WILSON—Mr. President, I have in mind that a so-called playground survey was made during the administration of Mayor Nichols; but I have in mind not so much the larger playgrounds, most of which are perhaps primarily used as twilight ball parks rather than actually playgrounds for the younger children. I have in mind playgrounds more of the so-called mothers' rest type in the congested sections of the city. I have in mind that real estate is probably at the lowest valuations that it will reach in your generation or mine; also that the city now, unfortunately, because of gross over-valuation of the properties and nonpayment of taxes, has somewhere near 1,500 parcels on its hands with plenty more parcels to come, including, for example, the tract out in your own ward,—probably four or five hundred thousand square feet,—for which I understand there is some movement seeking the area for a playground. So I ask in these depression times, with land going for a song, with a great number of parcels of vacant land actually with title in the city, such a survey be made by a committee to be appointed by the Mayor, of course, including the Park Commissioner and probably including the Public Buildings Commissioner, who should know all about the tax title properties which are now in his possession and having in mind the laying aside of small areas for playground purposes in the various sections of the city for the younger children to keep them off our automobile laden streets. I might state the present Mayor of New York City proceeding along this basis has already selected some fifty to seventy-five such locations.

Passed under suspension of the rule.

INFORMATION REGARDING CITY-OWNED TAX TITLE PROPERTY.

Coun. WILSON offered the following:

Ordered, That the Public Buildings Commissioner be requested, through his Honor the Mayor, to furnish the following detailed information incident to any further requests for leave to sell any parcels of city-owned tax title property viz.: (1) the assessed value of the parcel for the year of original tax sale; (2) the most recent assessed value; (3) the area of the parcel; (4) whether same is vacant land and, over the signature of the City Collector, (5) the total amount due the city and unpaid, each year to date, including A, taxes; B, assessments or betterments, C, interest; D, costs; E, water liens; F, Land Court costs; and, also, G, the amount of money spent on such property since title was taken by the city, whether for repairs, alterations, or demolition and including both city and Federal expenditures.

Coun. WILSON—Mr. President, I offer that order at this time primarily for the benefit of the joint Committee on Public Lands and Tax Title Property. I personally believe and I assume every member of the Council agrees with me, that the question of this tax title property is a serious proposition for, as I have stated, we already hold some twelve or fifteen hundred parcels and the parcels which have been sold for taxes and which are being put through the Land Court and are coming through monthly numbering hundreds more involving

taxable property which before the close of the year will be upwards of some two million dollars of assessable property. Now, my understanding of the ordinance which was passed by the Council a year ago next month for the maintenance and especially for the prompt disposition of this real estate that has been tossed back into the lap of the city, calls for sales of the various parcels as rapidly as may be so that they will be turned back into producible property with taxes again being paid the city. I regret to state that since October 7, when we passed that ordinance and down to the present time, the Committee on Public Lands has had a grand total of thirteen out of twelve or fifteen hundred-odd parcels before it to report back as to sale or other disposition. Almost invariably all the information that the committee receives is the location of the property, perhaps the area, the fact that a certain amount is owed the city for taxes only and without interest, and it is very apparent to members of the committee, certainly from what I have heard, that the Law Department figures do not agree with Mr. Hall, the Building Commissioner's figures, and the Building Commissioner's figures seldom, if ever, are within fifty or one hundred dollars and never agree with the official figures in the City Collector's office. This committee to properly pass on these orders for the sale of land, to guide it, should have before it further information such as the assessed value of the property and the real amount now due the city, not including just the bare item of taxes, but accrued interest to date, liens if any, Land Court costs, and so forth. Now, that is an item I would assume under any proper management should be readily available, and I am asking on any further orders that come through to this Council a schedule showing in each case that information that should be before the committee, should be handed over to the committee and I raise that point at this time, because those members of the Council who are not on that committee may not realize it, but starting fairly soon, if Mr. Hall's department is on the job, that particular committee will be bringing these parcels out for disposition six to twelve every Monday that we meet.

Passed under suspension of the rule.

TRAFFIC LIGHTS IN FRONT OF SCHOOLS.

Coun. McGRATH offered the following:

Ordered, That the Mayor be requested to place traffic lights in front of all schools in Boston and to set them up as a W. P. A. project.

Coun. McGRATH—That is a pretty good order, Mr. President. We cannot get any money from the Mayor except when he wants to take it from his Reserve Fund regardless of how instructive the order may be from the Council. I have in mind in this order parochial schools, for instance. They educate a great many children of the City of Boston, relieving the taxpayers of quite a huge sum of money in the course of a year. I have quite a lot of parochial schools in my ward and I think it would be a good idea if they put a few lights in front of the parochial schools that do so much good to relieve the taxpayers.

Passed under suspension of the rule.

Adjourned at 4.45 p. m., on motion of Coun. WILSON, to meet on Monday, September 21, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

SPECIAL MEETING.

Thursday, September 10, 1936.

Special meeting of the City Council, held in the City Council Chamber, City Hall, at one o'clock p. m., President FITZGERALD in the chair, and a quorum present.

JURORS DRAWN.

Jurors were drawn, the Mayor absent, by Coun. ROBERTS, as follows:

Sixty-five traverse jurors, Superior Criminal Court, to appear October 5, 1936:

George E. Carpenter, Ward 1; Robert Fareoli, Ward 1; James Indingaro, Ward 1; William J. Kavin, Ward 1; James H. Boyd, Ward 2; William R. Carver, Ward 2; Thomas J. Higgins, Ward 2; John F. Rock, Ward 2; Joseph J. Morrissey, Ward 3; Joseph T. Sullivan, Ward 3; Kendall C. Crossfield, Ward 4; John Hayes, Ward 4; John Moore, Ward 4; Louis B. Peck, Ward 4; James A. McDonald, Ward 5; William A. Sullivan, Ward 6; Frank J. Palmer, Ward 7; Thomas F. Riley, Ward 7; John McGuire, Ward 9; John L. Day, Ward 10; Thomas J. Flanagan, Ward 10; Benjamin G. Bates, Ward 11; James Butler, Ward 11; John S. Foster, Ward 11; Earl W. Mace, Ward 12; Frank L. Bamford, Ward 13; Charles C. Buckley, Ward 13; Harold R. Caro, Ward 14; Harold Frank, Ward 14; John B. Gibbons, Ward 14; Robert Hootstein, Ward 14; Mandell B. Locke, Ward 14; James F. Allen, Ward 15; John Davis, Ward 15; Lester P. Hattenburg, Ward 15; Arthur B. Raymond, Ward 15; George H. Donovan, Ward 17; John H. Griffin, Jr., Ward 17; William A. Schall, Ward 17; John C. Stockman, Ward 17; Elmer H. Davenport, Ward 18; Ralph R. Green, Ward 18; Frank A. Kierman, Ward 18; William J. Lane, Ward 18; Albert Morse, Ward 18; Charles D. Osborne, Ward 18; Vincent G. Rose, Ward 18; Nathaniel H. Trafton, Ward 18; John J. Butler, Ward 19; Frank Panarello, Ward 19; Peter T. Campbell, Ward 20; Charles E. Cummings, Ward 20; George J. Flight, Ward 20; Albert H. Nelson, Ward 20; William A. Sullivan, Ward 20; Richard J. Chambers, Ward 21; Charles B. Cane, Ward 21; Joseph Lipson, Ward 21; Franklin H. Lord, Ward 21; Samuel A. Swartz, Ward 21; Thomas J. Begley, Ward 22; Charles Cardona, Ward 22; Kenneth J. Hanly, Ward 22; Everett L. McLeod, Ward 22; Thomas J. Tully, Ward 22.

Ninety-six traverse jurors, Superior Civil Court, October Sitting, to appear October 5, 1936:

Ernest P. Caggiano, Ward 1; Wilbur F. Harris, Ward 1; Percy H. Mortimer, Ward 1; John Peter O'Regan, Ward 1; Edward J. Shafer, Ward 1; Garfield B. Smith, Ward 1; John F. Brady, Ward 2; John E. Coughlin, Ward 2; John G. Dolber, Ward 2; Daniel McCabe, Ward 2; Daniel P. Mitchell, Ward 2; Harry Roche, Ward 2; Albert E. Wilde, Ward 2; Richard Maccini, Ward 3; Walter J. Merrill, Ward 3; Frank A. Thompson, Ward 3; Edward C. Chase, Ward 4; John P. Dineen, Ward 4; Michael J. Driscoll, Ward 4; William H. Howard, Ward 4; Albert A. Hussey, Ward 4; George R. MacPhail, Ward 4; Mathew Lipman, Ward 5; Max Miller, Ward 5; William Davis Taylor, Ward 5; Charles Carroll, Ward 6; Francis J. Fahey, Ward 6; Daniel J. MacDonald, Ward 6; John F. Pender, Ward 6; John Pierce, Ward 6; Nicholas J. Connolly, Ward 7; George E. Devereaux, Ward 7; James P. Hoar, Ward 7; Frank Medeiros, Ward 7; William C. O'Connell, Ward 7; James F. Biggin, Ward 8; John J. Mahoney, Ward 8; Edward J. Ronan, Ward 8; William J. Scollard, Ward 8; Herbert P. Barton, Ward 9; George R. MacDonald, Ward 9; Joseph Roache, Ward 9; Thomas Smith, Ward 9; Arthur F. Ward, Ward 9; Benedict S. Edmonds, Ward 10; Henry A. Green, Ward 10; Joseph D. McCarthy, Ward 10; Arthur J. Petchey, Ward 10; Peter F. Walsh, Ward 10; Horace T. Day, Ward 11; John J. Keane, Ward 11; Leo Lohrer, Jr., Ward 11; Harry P. Chase, Ward 12; Arthur J. Daniels, Ward 12; Maurice C. Chessler, Ward 13; Paul R. Daniels, Ward 13; William H. Durant, Ward 13; Charles F. Johnson, Ward 13; Howard R. Logan, Ward 13; Louis Black, Ward 14; Harry H. Brown, Ward 14; Ferdinand L. Kral, Ward 14; Michael Sochin, Ward 14; Charles A. Davidson, Ward 15; Frank A. Johnson, Ward 15; Edward T. Morris, Ward 15; Frank K. Rablin, Ward 15; Frank R. Sylvester, Ward 15; Charles F. Anderson, Ward 16; Reginald Irving Bateman, Ward 16; Alexander A. Campbell, Ward 16; Raymond B. Avery, Ward 17; James H. Brady, Ward 17; Lester J. Cummings, Ward 17; Harold C. Dicker, Ward 17; Frank W. Chase, Ward 17; George H. Drummond, Ward 17; George C. Boultenhouse, Ward 18; Thomas J. Martin, Ward 18; George W. Wall, Ward 19; Thomas J. Kelly, Ward 19; Thomas F. Morgan, Ward 19; Charles H. Watson, Ward 19; Joseph D. Andrews, Ward 20; John J. McGowan, Ward 20; Frederick Schortmann, Ward 20; William D. Eldridge, Ward 21; Harry A. Haynes, Ward 21; Isaac Lazarus, Ward 21; Richard G. Mahoney, Ward 21; Stanley C. Penton, Ward 21; Horace P. Sprague, Ward 21; Joseph M. Hanlon, Ward 22; Louis Sunderland, Ward 22; William J. Walsh, Ward 22; Irving H. Moran, Ward 22.

Adjourned at 1.45 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, September 21, 1936.

Regular meeting of the City Council of the City of Boston, held in the City Council Chamber at two o'clock p. m., President FITZGERALD in the chair, and all the members present.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, September 21, 1936.
To the City Council.
Gentlemen,—Subject to confirmation by your Honorable Body I hereby appoint the following named as weighers of goods:

Weighers of Goods: John Kazanjian, 25 Blakely road, Medford Mass; Charles Kieser, 7 Bentham road, Dorchester, Mass.; Samuel Bagdasarian, 117 Dexter avenue, Watertown, Mass.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Laid over for one week under the law.

VETO OF SIDEWALK, NEWLAND STREET.

The following was received:

City of Boston,
Office of the Mayor, September 16, 1936.
To the City Council.
Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on September 4, 1936, for the making of a sidewalk, with granite edgestones, along Newland street, in Ward 9.

I am informed by the Commissioner of Public Works that there are no funds available at the present time for this construction. Under the circumstances I am constrained to veto the order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

CONTRACTS AWARDED BY THE METROPOLITAN WATER SUPPLY COMMISSION.

The following was received:

September 16, 1936.
To the City Council.
Gentlemen,—I have the order passed by your Honorable Body on September 4, requesting me to continue my efforts to protect the interests of the City of Boston in the matter of certain contracts awarded by the Metropolitan District Water Supply Commission.

Since the passage of this order I called a conference at my office of representatives of all the cities and towns included in the district, the result of which was the formation of a standing committee, consisting of the mayors of each of the cities and the chairmen of the Boards of Selectmen of each of the towns, to cooperate with Boston, not only in the matter of the Quabbin Dam contracts, but in all the proposed expenditures of the commission which might affect those cities and towns.

I also appeared at a hearing being conducted by the Attorney General, and there rectified the facts and gave my views as to the Quabbin Dam contracts, which I have urged the Attorney General to cancel and to declare null and void.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

BLINKERS AT SULLIVAN AND MAIN STREETS.

The following was received:

City of Boston,
Office of the Mayor, September 21, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Traffic Commissioner relative to your order of August 3, 1935, concerning the advisability of placing blinker lights at the corner of Sullivan and Main streets, in Ward 2.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, September 15, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of memorandum dated August 10, 1936, from Assistant Secretary Bernard J. Dunn, with attached order submitted by Councilor Mellen, dated August 3, 1936, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to consider the advisability of placing blinker lights at the corner of Sullivan and Main streets, Ward 2, to prevent further accidents at this point."

There is no money available for the erection of traffic signals at the present time.

The accident frequency at Main and Sullivan streets is low in relation to many other intersections throughout Boston.

At this time I would not recommend the installation of traffic control signals at Main and Sullivan streets.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Placed on file.

SIDEWALK, FRANKLIN PARK ENTRANCE.

The following was received:

City of Boston,
Office of the Mayor, September 16, 1936.
To the City Council.
Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of September 1, 1936, concerning the constructing of a granolithic sidewalk at the Columbia road entrance to Franklin Park.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, September 9, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of September 4, with inclosure, order from the City Council that the Park Commission be requested to construct a granolithic sidewalk at the Columbia road entrance to Franklin Park.

I am pleased to inform you this department has a W. P. A. project to that effect, and which, if accepted by the Federal authorities, will comply with the request of the City Council.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

RENDERING PLANT LICENSES.

The following was received:

City of Boston,
Office of the Mayor, September 16, 1936.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Health Commissioner, with inclosures, relative to your order of September 1, 1936, concerning the closing of slaughter houses and rendering plants now operating without license from Mayor and Council.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Health Department, September 9, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—Receipt is hereby acknowledged of the communication from your Honor transmitting

a copy of the order of the City Council of September 1, calling for information from "each of the City Officials" as to the reason why he has not closed "slaughter houses and rendering plants, now operating in Boston without license from the Mayor and Council."

In reply I would state that in this matter the Health Commissioner has been governed by the opinions of the Corporation Counsel expressed by him in his communication to your Honor, dated November 30, 1935, a copy of which is herewith inclosed.

It is to be observed that in the concluding paragraphs of page 4 of the Corporation Counsel's letter he states specifically that no duty to take action in this matter is imposed by law on the Health Commissioner.

I would also call attention to the inclosed copy of a report on this subject addressed by the Health Commissioner to Mr. John F. Gilmore, assistant secretary, under date of October 1, 1935.

Respectfully,
WILLIAM B. KEELER, M. D.,
Health Commissioner.

City of Boston,
Health Department, October 21, 1935.
John F. Gilmore,

Assistant Secretary, Mayor's Office.

Dear Sir,—Receipt is acknowledged of your communication of October 7 transmitting the order of the City Council, dated October 7, 1935, and reading as follows:

"That the Health Commissioner be requested, through his Honor the Mayor, to inform the City Council as to why slaughter houses, rendering establishments, etc., are permitted to operate without a license as required under the General Laws, chapter 111, section 151."

No slaughter houses, except chicken killing places, are operated in Boston elsewhere than in Brighton at the location where the right to operate is recognized by specific statutes.

A rendering plant is being operated at Spectacle Island pursuant to the conditions of a contract of the city with Coleman Brothers.

The right to operate a rendering plant duly obtained in accordance with section 151 of chapter 111 and perhaps also acquired prior to 1871 is vested in the owners of Ward's Island, adjacent to the Spectacle Island plant. This right is not at present being exercised.

There are a few, less than a dozen, rendering plants operating in the city under permits granted pursuant to section 151 of chapter 111 and correlated statutes, or by virtue of rights antedating these statutes.

There are probably to be found operating in the city modern industrial processes, in numbers running up into the hundreds, to which the dictionary definition of "rendering" might be applied and even more to which the terms "noisome or offensive trades" might be applied, which terms are to be found coupled with "rendering" in the law.

Over 10,000 complaints a year alleging the existence of nuisances, more than thirty every working day, are received by the Sanitary Division of the Boston Health Department. Among them are always complaints that specified local industrial enterprises are a "nuisance and a menace to health." Always conspicuous among alleged nuisances are food processing establishments, restaurants, bakeries, candy factories, coffee-roasting establishments, etc. The Dehydrating Process Company's plant in South Boston, which was the subject of a previous report to the City Council, is such a food-processing factory. Its manufacturing processes cannot be construed as "rendering" by any conceivable stretching of the dictionary definition of "rendering." Complaints, describing its odors as nauseating, are identical in their phraseology with complaints which come to us from office buildings because of odors from any restaurant kitchen. Moreover, no more complaints have been made regarding this South Boston factory than in the cases of some restaurants before conditions were remedied or the restaurant driven out of business.

Probably next in numbers to complaints about "nauseating odors" from restaurants (restaurant kitchens) and other food-processing establishments come complaints about "noisome" odors from other factories of various kinds, paint shops, etc. In the great majority of the industrial processes, however, to which the terms "rendering" or

"noisome" trades are applicable, the odors are so controlled that neighbors do not know of their existence nor does the Health Department.

In cases where justifiable cause for complaint is found by the Health Department, experience has shown that by exercising its authority to "abate a nuisance" the Health Department may expect to be successful in forcing the adoption of remedial devices or in driving the industry out of business.

The permit contemplated in section 151 of chapter 111, and in correlated statutes, actually grants to somebody the privilege of maintaining a nuisance. The law dates back to the time when the creation of a nuisance was regarded as unavoidable in the operation of, for examples, a slaughter house, a soap factory or a glue factory. This is no longer so. Modern devices exist for successfully controlling all such nuisances. In order to avoid having to deal with licensees holding a permit, express or implied, to maintain a nuisance it has been my policy to refuse, so far as found possible, to grant any permits either under sections 151 or 154 of the chapter 111 or any other provisions of law, or pursuant to any departmental regulations which have been promulgated with the approval of the Corporation Councils in the past.

Occasionally, for some special reason, a permit has been granted by me under the authority of section 151 of chapter 111.

It is to be observed in this connection that I recently approved an application for the location for the carrying on of the rendering of "bones, meat, scraps and tallow" at Spectacle Island, no objection having been made by the adjacent property owners. It is to be noted that this application was approved for the location only on property where the right to operate a rendering plant already exists and probably existed prior to the enactment of present laws.

The policy of avoiding the issuance of permits under the authority of the laws above mentioned in order to be better able to deal with objectionable conditions as nuisances did not originate with me as Health Commissioner. This policy, to my personal knowledge, antedates the present organization of the Boston Health Department. I, as Health Commissioner, have merely continued a policy which I found in operation and which, to the best of my knowledge and belief, has secured the approval of various Corporation Councils although with the time which I have had available since receiving your communication, I have been unable to locate in old records in the basement vaults any written opinions of the Corporation Councils with respect to this policy.

In conclusion I may predict that the State Commission appointed by the Governor to revise the Health Laws of the state will recommend to the next Legislature radical changes in the methods of controlling potential nuisances in modern industries.

Very truly yours,
F. X. MAHONEY, M. D.,
Health Commissioner.

November 30, 1935.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from your office dated November 1, 1935, with which was submitted a letter addressed to you by Dr. Francis X. Mahoney, Health Commissioner, requesting my opinion with reference to various matters concerning the Dehydrating Process Company.

In his letter to you Doctor Mahoney requests my opinion as to the answer to each of seven questions specifically stated. I shall give that opinion in the order in which the questions are put.

1.

"Is the Dehydrating Process Company's factory on Mt. Washington avenue a 'rendering plant' within the meaning of section 151 of chapter 111 of the General Laws?"

Section 151 of chapter 111 of the General Laws provides as follows:

"No person shall occupy or use a building for carrying on the business of slaughtering cattle, sheep or other animals, or for a melting or rendering establishment, or for other noxious or offensive trade and occupation, or permit or allow said trade or occupation to be carried on upon premises owned or occupied by him, without first obtaining the written consent and permission of the mayor and city council, or of the selectmen, or, in any town having a population of more than five thousand, of

the board of health, if any, of the town where the building or premises are situated. This section shall not apply to any building or premises occupied or used for said trade or occupation on May eighth, eighteen hundred and seventy-one; but no person who used or occupied any building or premises on said date for said trades or occupations shall enlarge or extend the same without first obtaining the written consent and permission of the mayor and city council or the selectmen, or, in any town having a population of more than five thousand, of the board of health, if any."

Said section prohibits, among other things, the occupation or use of buildings in Boston, with certain exceptions, for a melting or rendering establishment without first obtaining the written consent of the Mayor and City Council.

The problem presented by the Health Commissioner is whether or not the Dehydrating Process Company's plant on Mt. Washington avenue is a "rendering establishment" within the meaning of that term in section 151.

Doctor Mahoney states, with reference to the nature of the activities carried on at said plant, the following:

"A factory of a company known as the Dehydrating Process Company is located on Mt. Washington avenue, South Boston. It is a food-processing factory. It receives the fresh residue after filets are cut from haddock, cod, and some other fish, grinds and boils this material and then dries or 'dehydrates' it. The finished product is so-called 'fish meal,' a mealy material with an odor resembling that of a fresh oyster stew. The product is used as an animal food and, to some extent, also for human consumption. There are no by-products to the process. Reports to this effect are erroneous. There is no extracting of fish oil or other substances nor are there any wastes except rarely by reason of accidental spoilage of material before it is cooked. The product is practically boiled and dried fresh fish."

No definition of a "rendering establishment" is given by legislation. Webster's Dictionary defines the verb "render" as follows:

"to melt down, to extract or clarify by melting; as to render lard, oil, etc."

and the Century Dictionary gives the following definition of the verb "render":

"to reduce; try out; clarify by boiling or steaming; said of fats; as kettle-rendered lard."

The activities carried on at the plant of the Dehydrating Process Company, as described by Doctor Mahoney, consist primarily of cooking fish and then drying out the water.

Based on the foregoing it is my opinion that this process is not the process of rendering and that the plant is not a "rendering establishment" within the meaning of that term as used in said section 151.

2.

"If it is a 'rendering plant,' what procedure, if any, is the Health Commissioner called on by law to undertake because of such a violation of law? The Dehydrating Process Company has no permit or other official sanction to operate a 'rendering plant.'"

In view of my opinion as to the answer to the first question, the second question would not seem to require an answer.

In order, however, that you may have my views with regard to the Health Commissioner's duties in the event of a violation of section 151, I wish to call your attention to the following:

Section 152 of said chapter 111 provides that:

"If any buildings or premises are so occupied or used, the department shall, upon application, appoint a time and place for hearing the parties, and, after due notice thereof to the party against whom the application is made and a hearing, may, in its judgment the public health, comfort or convenience so require, order any person to desist from further carrying on said trade or occupation in such buildings or premises, and no person shall thereafter continue so to occupy or use such buildings or premises. Whoever occupies or uses any building or premises in violation of this or the preceding section shall forfeit not more than two hundred dollars for every month of such occupancy or use and in like proportion for a shorter time."

Section 153 of said chapter 111 provides that:

"The superior court may restrain the unauthorized occupancy, use or extension of any building or premises occupied or used for the trades or occupations aforesaid, and enforce the orders of the department issued under the preceding section;

but this and the two preceding sections shall not impair any other remedies against nuisances."

If a building in Boston is used or occupied in violation of section 151, it is my opinion that a bill in equity may be brought in the name of the city under section 153 to restrain the unauthorized use or occupancy. (See *Watertown v. Mayo*, 109 Mass. 315.) No duty, however, to institute such a proceeding is imposed by law on the Health Commissioner.

Furthermore, the use or occupancy of a building for purposes which may be licensed under section 151 may be forbidden by the State Department of Public Health, upon application to it, where in its judgment the public health, comfort or convenience so require, regardless of whether or not the use or occupancy has been licensed under section 151. I find no duty imposed upon the Health Commissioner to institute proceedings before the State Department.

3.

"If the Dehydrating Process Company is not operating a 'rendering plant,' is its business a 'noisome or offensive trade,' within the meaning of section 151 of chapter 111?"

Section 151 of chapter 111 of the General Laws also prohibits the occupation or use of buildings in Boston (with certain exceptions) "for other noxious or offensive" trades and occupations.

The problem presented by the above question is whether or not the trade or occupation conducted in the Dehydrating Process Company's plant is "noxious or offensive" within the meaning of those words in section 151.

Doctor Mahoney states, with regard to the activities at said plant, that:

"The vapors given off in the boiling and drying of the fish with the degree of heat used in the manufacture of fish meal have an odor which is offensive to many people. This odor is not due to any lack of 'freshness' of the fish nor to the heating of decomposing animal matter or to fatty acids-rancid grease.

"Like the causes of many other objectionable odors arising in connection with modern industrial processes the vapors and their objectionable constituents are soluble in water and may be destroyed by passing them through a water curtain into which chlorine gas is at the same time being injected.

"Offensive odors from any such process may be, and are constantly being controlled, in Boston and elsewhere, by confining potentially offensive vapors to tight ducts and subjecting them to the water and chlorine as above described. There is no mechanical difficulty today in thus controlling odors of this character and apparatus for doing so has practically become standardized."

"The Dehydrating Process Company's factory has been operating practically continuously all this year. The company claims that with recent improvements and new equipment the factory can be and, with the exceptions noted below, is being operated without justifiable cause for complaint in the neighborhood; that justifiable causes of complaint this year have been due to unfortunate accidents, some of which can never occur again, or to disobedience on the part of employees with respect to which more effective precautions are now being taken.

"Official records of the Health Department, based on a close official surveillance of the factory for more than two years, tends to corroborate the company's claim. On a few occasions objectionable odors have been observed practically continuously for several days. On other and more frequent occasions objectionable odors have been noted for less than two hours. For intervals of a month at a time and longer the factory has been operated without reason for complaint."

"If the Dehydrating Process Company be conducting 'a noisome or offensive trade' in violation of law because without a permit, then there are many other local industries which come in the same category. We have no more frequent causes of complaint than of 'offensive odors' from food processing establishments, from candy factories, coffee roasting places, bakeries, restaurant kitchens, etc. As in complaints against the Dehydrating Process Company's factory complaints from in-town office buildings regarding restaurant kitchens likewise state that the 'nauseating odors' from such kitchens have made clerks so sick that they had to go home. Factories from which chemical fumes or odors may emanate are a cause of complaint. We have now under consideration four

such factories which presumably will need a permit to conduct a 'noisome or offensive trade' if the Dehydrating Process Company does."

It is my opinion that a trade or occupation is not noxious or offensive merely because its conduct is at times attended by offensive odors and that, if there is employed generally in the trade or occupation methods of control which normally eliminate such odors that the emission of such odors do not make the trade or occupation noxious or offensive.

On the facts stated in Doctor Mahoney's letter it is my opinion that the trade or occupation conducted by the Dehydrating Process Company is not "noxious or offensive" as that term is used in said section 151.

4.

"By whom and how is it to be determined if a business is 'a noisome or offensive trade' within the meaning of section 151 of chapter 111?"

The question of whether or not a trade or occupation is one which is "noisome or offensive" within the meaning of those words in section 151 is partly one of fact and partly one of law. The words "noisome or offensive" have not been defined by legislation and should be interpreted in the sense in which they are normally used. As heretofore stated, it is my opinion that the mere fact that a trade or occupation is sometimes attended by offensive odors does not, without more, prove that the trade or occupation is offensive.

The ultimate determination of whether a trade or occupation is "noisome or offensive" rests, of course, with the courts. If the facts applicable to any particular trade or occupation are presented to me, I shall be pleased to advise as to whether, in my opinion, the trade or occupation is "noisome or offensive."

5.

"If the Dehydrating Process Company is not operating in violation of the law requiring it to have a permit, what procedure should the Health Commissioner follow with view to 'abating the nuisance' for which the factory is responsible, provided that an occasional and comparatively brief creation of objectionable odors from an industrial establishment may constitute a 'nuisance'?"

Sections 122, 123 and 124 of chapter 111 provides, with reference to nuisances, as follows:

"SECTION 122. The board of health shall examine into all nuisances, sources of filth and causes of sickness within its town, or on board of vessels within the harbor of such town, which may, in its opinion, be injurious to the public health, shall destroy, remove or prevent the same as the case may require, and shall make regulations for the public health and safety relative thereto and to articles capable of containing or conveying infection or contagion or of creating sickness brought into or conveyed from the town or into or from any vessel. Whoever violates any such regulation shall forfeit not more than one hundred dollars."

"SECTION 123. Said board shall order the owner or occupant of any private premises, at his own expense, to remove any nuisance, source of filth or cause of sickness found thereon within twenty-four hours, or within such other time as it considers reasonable, after notice, and an owner or occupant shall forfeit not more than twenty dollars for every day during which he knowingly violates such order."

"SECTION 124. Such order shall be in writing, and may be served personally on the owner, occupant or his authorized agent by any person authorized to serve civil process; or a copy of the order may be left at the last and usual place of abode of the owner, occupant or agent, if he is known and within the commonwealth. If the premises are unoccupied and the residence of the owner or agent is unknown or is without the commonwealth, the board may order the notice to be served by posting it on the premises and by advertising it in one or more newspapers."

It is my opinion that these sections apply only to such nuisances as, in the opinion of the board of health (in Boston, the Health Commissioner), may be injurious to the public health.

In his letter to you Dr. Mahoney states:

"Public health is in no way involved, in fact, nobody's health is being affected by the matter which has given rise to this request for legal advice."

Assuming this to be true, it is my opinion that, even if the activities of the Dehydrating Process

Company constituted a nuisance, no duty is imposed upon the Health Commissioner under sections 122, 123 or 124 of said chapter 111 with reference thereto.

Section 143 of said chapter 111 provides as follows:

"Boards of health may from time to time assign certain places for the exercise of any trade or employment which is a nuisance or hurtful to the inhabitants, injurious to their estates, dangerous to the public health, or is attended by noisome and injurious odors, and may prohibit the exercise thereof within the limits of the town or in places not so assigned. Such assignments shall be entered in the records of the town, and may be revoked when the board shall think proper."

Said section authorizes the Health Commissioner of Boston to prohibit the exercise of a trade or occupation in Boston such as that conducted by the Dehydrating Process Company, if it is, among other things "hurtful to the inhabitants, injurious to their estates" or is attended by noisome and injurious odors." (See in this connection *Belmont v. New England Brick Co.* 190 Mass. 442, and *Taunton v. Taylor*, 116 Mass. 254.)

The method of enforcing such order and the right of a company prohibited by such order to a jury determination is governed by the provisions of sections 144 to 150, inclusive of said chapter.

Whether or not the public interest requires action under section 143, if the Health Commissioner determines that the statutory conditions exist which justify a prohibition, is a matter for the Health Commissioner to decide.

The facts are not sufficiently stated to enable me to advise as to whether or not the activities of the Dehydrating Process Company constitutes a common law public nuisance.

In *Cumberland Corporation v. Metropoulos*, 241 Mass. 491, at page 501, the Court (Braley, J.) stated:

"What amount of annoyance or inconvenience caused by others in the lawful use of their property will constitute a nuisance, is largely a question of degree depending on varying circumstances and is incapable of exact definition. . . . The injury or annoyance must be of a real and substantial nature, and the pertinent inquiry ordinarily is whether the acts or conduct proved are such as materially to interfere with the ordinary comfort, physically of human existence, or are materially detrimental to the reasonable use, or value of the property."

"The plaintiff is under no obligation to submit to the constant annoyance and discomfort of odors of naphtha and rubber which can be either eliminated or greatly mitigated by the installation of some other means of ventilation."

Indications from the Health Commissioner's letter are that the annoyance or inconvenience caused by the activities of the Dehydrating Process Company is not sufficient to constitute a public nuisance.

A nuisance need not, in my opinion, be shown to exist to justify an order of prohibition under section 143 if one of the other statutory conditions therein referred to can be established.

6.

"Is the Health Commissioner called on by law to take any measures to 'abate a nuisance' other than those specified in sections 122, 123 and 124 of chapter 111 of the General Laws?"

It is my opinion that the Health Commissioner is not under a duty to cause to be abated nuisances which are not injurious to the public health, i. e., nuisances which the Board of Health (in Boston the Health Commissioner) is directed to cause to be abated by sections 122 and 126 (re privy vaults) of chapter 111.

7.

"If complainants be injured by the Dehydrating Process Company in the manner and to the extent which they allege, is not the appropriate remedy to be found in recourse to the courts by the complainants themselves?"

If the activities of the Dehydrating Process Company constitute a private nuisance, persons injured thereby may protect themselves by an equitable proceeding to enjoin the same.

A public nuisance is not indicated on the facts stated.

Very truly yours,
HENRY A. FOLEY,
Corporation Counsel.

Placed on file.

SALE OF TAX TITLE PROPERTY ON WILMINGTON AVENUE.

The following was received:

City of Boston,
Office of the Mayor, September 16, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated August 24, 1936, relating to an offer to purchase certain property situate at lot 92, Wilmington avenue in Ward 17, which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$215, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at public auction with a minimum price of \$215 is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
August 24, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit an offer from Walter H. Cox, Thompson square, Charlestown, for the vacant land, lot 92, Wilmington avenue, Ward 17, Dorchester, in the sum of two hundred and fifteen dollars (\$215).

The costs to the city up to December 30, 1935, amount to one hundred thirty-eight dollars (\$138) which includes the nonpayment of taxes since the year 1931, but does not include interest.

If and when the above amount of two hundred and fifteen dollars (\$215) is approved by your Honor and the City Council the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of two hundred and fifteen dollars (\$215) will be the minimum price for the property that the city is willing to accept and will be announced as the first bid at the public auction sale.

In my opinion, it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,
ROSWELL G. HALL,
Superintendent of Public Buildings.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated January 16, 1936, foreclosed the right of redemption under a tax deed recorded with Suffolk Deeds, Book 5366, page 297, to about 4,449 square feet of land situate on the northerly side of Wilmington avenue, Dorchester, Mass., as is more fully described in said tax deed; and

Whereas, An offer to purchase the said premises has been made by Walter H. Cox, in the sum of two hundred and fifteen dollars (\$215); now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcel of land at public auction at a minimum price of two hundred and fifteen dollars (\$215); and it is hereby further

Ordered, That the said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver in the name and behalf of the City of Boston to the purchaser of said parcel of land a written instrument, satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of said City of Boston in said premises upon the payment to it of the sum paid therefor at said auction.

Referred to the Committee on Public Lands and Tax Title Property.

SALE OF PIGS, DEER ISLAND.

The following was received:

City of Boston,
Office of the Mayor, September 21, 1936.
To the City Council.

Gentlemen,—I am in receipt of the inclosed communication from the Penal Institutions Commissioner requesting permission to sell 200 pigs now located at the House of Correction, Deer

Island. These pigs weigh approximately 45,000 pounds and in the opinion of the commissioner it would be for the best interests of the city to dispose of them at this time. As the pigs are no longer required at Deer Island the commissioner's request has my approval and I respectfully recommend adoption of the accompanying order by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Penal Institutions Department,
September 17, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—The annual production of the piggery at the House of Correction, Deer Island, is now ready to market.

This consists of 200 pigs, average weight of about 225 pounds (total weight approximately 45,000 pounds).

Anticipating market quotations for live pork the sale of these pigs should net approximately \$4,500.

In my opinion the sale of the pigs at the present time would be for the best interests of the city.

The sale of pigs requires your Honor's approval, and the authorization of the City Council, under the City Ordinances.

Yours respectfully,
JOHN J. DOUGLASS, Commissioner.

Ordered, That the Penal Institutions Commissioner be authorized to sell at public or private sale to the highest bidder the surplus stock of pigs at the House of Correction, Deer Island, amounting approximately to 45,000 pounds.

Referred to the Executive Committee.

TAX TITLE LOAN.

The following was received:

City of Boston,
Office of the Mayor, September 17, 1936.
To the City Council.

Gentlemen,—I submit herewith an order authorizing the City Treasurer to secure the approval of the Emergency Finance Board for the borrowing of \$1,000,000 against the tax titles now in the possession of the city. The borrowing of this sum was contemplated when the tax program for the current year was being planned, in order to keep the tax rate within reasonable limits.

It is my intention to submit at a subsequent meeting of the City Council an appropriation order definitely allocating the amount involved to specific maintenance requirements.

I respectfully recommend adoption of the accompanying order by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Ordered, That under the provisions of section 1, chapter 281, of the Acts of 1936, amending section 2, chapter 49, of the Acts of 1933, the City Treasurer be authorized to secure the approval of the Emergency Finance Board to the issuance of notes of the city in the amount of \$1,000,000, said notes to be sold at their face value to the Commonwealth and the proceeds to be used for ordinary maintenance purposes.

Referred to the Executive Committee.

SEWERAGE WORKS, OLD HARBOR VILLAGE.

The following was received:

City of Boston,
Office of the Mayor, September 21, 1936.
To the Honorable the City Council.

Gentlemen,—The construction by the Federal Government of Old Harbor Village in South Boston, as a low-cost housing project, will require the construction of sewerage works to which may be connected the sewers, drains and catch-basins of the buildings in said Old Harbor Village.

I have been advised by the Director of Housing for the Federal Emergency Administration of Public Works that the Federal Government will pay to the city a sum equal to the city's standard sanitary sewer assessment of \$2 per linear foot

frontage on each side of the street in which sanitary sewers are constructed within the area covered by the project.

In view of the likelihood of obtaining a Federal grant of 45 per cent of the cost of constructing such sewerage works, I transmit a form of order authorizing such project at an estimated cost of \$260,000 and a form of loan order therefor. I recommend prompt passage of such orders, so that the city may act promptly in applying for such grant.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

Ordered, That in accordance with the provisions of section 2 of part 1 of chapter 366 of the Acts of 1933, and acts in amendment thereof or in addition thereto, the City of Boston shall engage in the public works project of sewerage works for Old Harbor Village, South Boston, at an estimated cost of two hundred and sixty thousand dollars (\$260,000).

Ordered, That under the provisions of chapter 366 of the Acts of 1933, and acts in amendment thereof or in addition thereto, the sum of two hundred and sixty thousand dollars (\$260,000) be, and hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works for Sewerage Works for Old Harbor Village, South Boston, 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 Executive Committee.

RESCINDING OF EXCESS P. W. A.
 LOANS.

The following was received:
 City of Boston,
 Office of the Mayor, September 21, 1936.
 To the City Council.

Gentlemen,—Two additional projects in the first P. W. A. program of the city are now officially closed, in that all work originally contemplated under these projects has been completed and the final grant payment from the Federal Government on each project has been received. Largely because of these grant payments it has not been necessary to utilize the total borrowing power originally authorized by the City Council for each project. Since the projects have been completed the excess amount of loans authorized but not issued are no longer required, and therefore, in my opinion, should be rescinded. The following table indicates the amounts in question:

PROJECT.	AMOUNT TO BE RESCINDED.
New Intermediate School, South Boston.....	\$1,400,000
Reconstruction of streets.....	250,000
	\$1,650,000

I am inclosing two orders providing for the rescission of the above amounts, and respectfully recommend the adoption of these orders by your Honorable Body.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

Ordered, That the right to borrow money for School Committee, one New High School and one New Intermediate School, under authority of chapter 366, Acts of 1933, as amended by chapter 21, Acts of 1934, approved by the Mayor on February 27, 1934, be limited to \$600,000, and that the authorization to borrow in excess of said amount for said purpose, be, and the same hereby is, rescinded.

Ordered, That the right to borrow money for Reconstruction of Streets, under authority of chapter 366, Acts of 1933, as amended by chapter 21, Acts of 1934, approved by the Mayor on February 27, 1934, be limited to \$750,000, and that the authorization to borrow in excess of said amount for said purpose, be, and the same hereby is, rescinded.

Referred to the Executive Committee.

TRANSFERS WITHIN DEPARTMENTAL
 APPROPRIATIONS.

The following was received:

City of Boston,
 Office of the Mayor, September 18, 1936.
 To the City Council.

Gentlemen,—The attached requests for transfers within departmental appropriations have been examined and investigated by the Budget Commissioner. I accordingly recommend adoption of the accompanying orders by your Honorable Body.

Respectfully,
 FREDERICK W. MANSFIELD, 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 Port Authority:

From the appropriation for B-1, Printing and Binding, \$205, to the appropriation for C-13, Tools and Instruments, \$5; D-1, Office, \$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 Building Department:

From the appropriation for C-13, Tools and Instruments, \$35, to the appropriation for C-9, Office, \$35.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Collecting Department:

From the appropriation for A-1, Permanent Employees, Clerk, 1 at \$1,300-\$1,400 a year, \$963.85, to the appropriation for A-2, Temporary Employees, \$963.85.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Institutions Department, Long Island Hospital:

From the appropriation for B-39, General Repairs, \$5,000; D-2, Food and Ice, \$5,000, to the appropriation for D-3, Fuel, \$10,000.

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 Market Department:

From the appropriation for E-10, Electrical, \$15, to the appropriation for E-13, Miscellaneous, \$15.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is, authorized to make the following transfer in the appropriations for public Buildings Department:

From the appropriation for H, Relief Projects \$120, to the appropriation for B-10, Rent, Taxes and Water, \$120.

From the appropriation for H, Relief Projects, \$300, to the appropriation for B-1, Printing and Binding, \$150; B-5, Express Charges, \$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 Public Welfare Department, Central Office:

From the appropriation for B-8, Light, Heat and Power, \$1,400, to the appropriation for B-5, Express Charges, \$1,000; B-28, Expert, \$100; B-29, Stenographic and Copying, \$300.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Bridge Service:

From the appropriation for A-1, Permanent Employees, Mechanics, 15 (14) at \$6 a day, \$500; E-1, Building, \$1,000, to the appropriation for A-2, Temporary Employees, \$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 Superior Court, Civil Session, General Expenses:

From the appropriation for B-34, Jurors, \$15,000, to the appropriation for B-35, Fees, Services of Venires, etc., \$15,000.

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 Probate Court:

From the appropriation for B-35, Fees, Services of Venires, etc., \$312, to the appropriation for B-42, Miscellaneous, \$40; C-9, Office, \$200; C-16, Wearing Apparel, \$62; D-16, Miscellaneous, \$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 Registry of Deeds:

From the appropriation for A-1, Permanent Employees, Copyists, 16, piece work, \$400, to the appropriation for B-1, Printing and Binding, \$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, Traffic Tunnel:

From the appropriation for B-39, General Repairs, \$500, to the appropriation for D-1, Office, \$500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for City Council:

From the appropriation for A-4, Other Departmental Work, \$50, to the appropriation for A-2, Temporary Employees, \$80.

Referred to the Executive Committee.

PETITIONS REFERRED.

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

Jitney Licenses.

Petition of David Herman to operate motor vehicles from Park square over Charles street to the Cambridge line.

Executive.

Petition of Sarah Richmond for children to appear at Jordan Hall, October 29, 1936.

Claims.

Louise Anderson, for compensation for injuries caused by an alleged defect at Huntington avenue and West Newton street.

Wilbur G. Ashcroft, for compensation for collapse of water boiler at 10 Bearse avenue, Dorchester, caused by water being shut off.

Boston Safe Deposit & Trust Company, for compensation for damage to property at 655 Beacon street, caused by city truck.

Anna R. Burnham, for compensation for injuries caused by an alleged defect at 195 Atlantic avenue.

Michael S. Caggiano, for compensation for damage to property at 971 Saratoga street, caused by breaking of water pipe.

Mary T. Cayting, for compensation for injuries caused by an alleged defect in South street, Roslindale.

Mary Cornetta, for compensation for collapse of water boiler at 527 Bennington street, caused by water being shut off.

Herbert Covitz, for compensation for damage to car by sanitary team.

Mary E. Dwyer, for compensation for damage to property at 17A Gordon street, caused by water being shut off.

Luigi Enoho, for compensation for damage to property at 218 Chelsea street, caused by defective sewer system.

Lula M. MacKenzie, for compensation for damage to car caused by an alleged defect in Foundry street, South Boston.

Maybelle B. Martin, for compensation for injuries caused by an alleged defect at 102 Causeway street.

Mary E. McCarthy, for compensation for injuries caused by an alleged defect at 126 Tremont street.

Charles A. McManus, for compensation for damage to property at 17 Stillman street, caused by men from Welfare Department.

Charles G. Morris, for compensation for damage to car caused by an alleged defect at Capen and Fuller streets.

Wilbert Muttart, for compensation for damage to property at 97 Wachusett street, caused by faulty sewerage.

Vincent Panico, for compensation for damage to property at 115 Adams street, caused by fireworks from Ronan Park.

Peter Pusinski, for compensation for damage to car by city truck.

Railway Express Agency, for compensation for damage to truck by city cart.

George R. Rosemond, for compensation for damage to car by police cruiser.

Jacob Spector, for compensation for damage to boiler at 90 Lawrence avenue, caused by negligence in turning water on.

Mary Traster, for compensation for damage to property at 26 Brenton street, caused by stoppage of sewer.

Helen Verstandig, for compensation for damage to property at 220 Chelsea street, caused by flooding of premises.

Margaret A. Maher, for compensation for damage to property at 7 Glenvale terrace, caused by defective sewer work in 1928.

AMOUNT TO BE PAID TO WELFARE RECIPIENTS.

A communication relative to the amount to be paid to recipients by the Public Welfare Department was received.

Placed on file.

APPROVAL OF CONSTABLE'S BOND.

The Constable's bond of Samuel C. Baker having been duly approved by the City Treasurer, was received and approved.

RECESS.

The Council voted 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 Coun. GALLAGHER at 3.20 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.:

Sarah Richmond, Jordan Hall, October 29, 1936.

Report accepted; leave granted on usual conditions.

2. Report on message and order (referred today) for sale of pigs at House of Correction—that same ought to pass.

Report accepted; said order passed.

3. Report on message and order (referred this day) for loan of one million dollars from the Commonwealth against tax titles held by the city—that same ought to pass.

Report accepted; order passed, yeas 20, nays—Coun. Shattuck—1.

4. Report on message and order (referred this day) for rescission of school loans, P. W. A. loans, one in excess of \$600,000 and one in excess of \$750,000—that rescission orders ought to pass.

Report accepted; order passed, yeas 19, nays 0.

5. Report on message and order (referred today) for transfers within various budget appropriations—that same ought to pass.

Report accepted; order passed, yeas 19, nays 0.

6. Report on message and order (referred September 4, 1936) for transfer from Reserve Fund of \$7,500 for heating survey incidental to heating facilities of public buildings of the City of Boston—that same ought to pass.

Report accepted. Question then came on the passage of the order.

Coun. SHATTUCK—Mr. President, this message of the Mayor is exceedingly brief. It does not tell us how he proposes to spend the money. It does not tell us what he expects he will be able to save if the money was spent. I asked Mr. Fox about that matter this afternoon and he said he could give us no information. We have had no information on the subject from any one. The

letter is simply a bare recommendation that the thing be done. I therefore move that the matter be postponed until the next meeting and in that time we ask to have whatever person can give us the information come before the Executive Committee.

Coun. DOWD—I don't see why the Council should postpone action on this matter. As a matter of fact, we all realize that the heating facilities during the last ten years have deteriorated considerably, not only in Boston but everywhere else. I cannot understand why we should postpone it, because if we are going to get any better heating facilities during the next year, now is the time to do it. As to the matter of saving money, nobody can tell whether it will save money or not, but there isn't any question about it, that it might give some better heating facilities in some of the old buildings in Boston. As I understand the order, it is a survey to give the municipal buildings owned by the city better heating facilities and for that reason I am going to vote against postponing it.

The motion of Coun. Shattuck to postpone action on the order to the next meeting was lost.

The order was passed, yeas 19, nays—Coun. Norton, Shattuck—2.

7. Report on message and orders (referred today) for loan of \$260,000 for sewerage work in Old Harbor Village—that same be referred to Committee on Finance.

Report accepted; orders referred to Committee on Finance.

IMPROVEMENTS AT SULLIVAN SQUARE PLAYGROUND.

Coun. MELLEN offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to replace the wire netting covering the handball court at the Sullivan Square Playground.

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to consider the advisability of the construction of two additional handball courts at the Sullivan Square Playground.

Severally passed under suspension of the rule.

REGISTRATION OF PERSONS CONVICTED OF FELONY.

Coun. MELLEN offered the following:

Be it Ordained, That the Police Department shall require registration with them of all persons convicted of felony during the last ten years and failure to comply with this ordinance shall be punishable by fine not to exceed five hundred dollars and by imprisonment not to exceed six months, or both. Every day, during which a person under the terms of this ordinance fails to register with the Police Department, shall be considered a separate offence.

Referred to Committee on Ordinances.

PETITION FOR CHANGE IN PRESENT ELECTION LAWS.

Coun. MELLEN offered the following:

Ordered, That the Committee on Legislative Matters be requested to petition the Legislature for changes in the present election laws, as follows:

1. That each citizen be required to appear before a regular commission clerk, which clerk shall record the citizen's age, address, and his place of residence at the previous election, on two index cards.

2. Each citizen shall sign both of these index cards, one card to be filed with the commission and the other to be placed in a precinct file.

3. At future elections each citizen shall be required to go to his home precinct and sign an application for ballot. The signature will be compared with the one on the index card to guard against fraudulent voting.

Coun. MELLEN—I was moved to introduce that order because of the very unsavory rumors incident to the last period of registration in the City of Boston. I think the order if passed will do a lot to do away with such rumors.

Referred to Legislative Committee.

NON-PURCHASE OF GOODS MADE IN JAPAN.

Coun. McGRATH offered the following:

Ordered, That the Superintendent of Supplies be requested, through his Honor the Mayor, not to purchase any merchandise for the City of Boston which is made in Japan.

Coun. McGRATH—Due to the unfair competition and tariff regulations I think that is a good order and I would like to see it passed.

Passed under suspension of the rule.

1937 BUDGET.

Coun. McGRATH offered the following:

Ordered, That his Honor the Mayor be requested to submit the annual budget for 1937 as near the first of January as possible.

Coun. McGRATH—Due to the transfers in the budget and the amount of money involved and the last minute of rushing in the budget, as was the custom last year, if we had the opportunity of scrutinizing the budget as it should be, I think we would be able to save the taxpayers of Boston a great amount of money; so I ask the Mayor to send it in as near the first of January as possible.

Passed under suspension of the rule.

RETENTION OF GLENWAY STREET WELFARE UNIT.

Coun. BRACKMAN offered the following:

That his Honor the Mayor be requested to instruct the Board of Overseers of Public Welfare not to transfer the welfare unit on Glenway street to Hancock street, Dorchester.

Coun. BRACKMAN—I have received word that the present welfare unit that covers my district in Roxbury now located on Glenway street, Dorchester, is proposed to be transferred to Hancock street unit, which is between Uphams Corner and Fields Corner. This is unfair to the people of my district who would be required to go to the lower end of Roxbury. I believe it would be nearer for them to come in town if the unit was to be done away with entirely which I would dislike to see very much and I hope this order prevails.

Passed under suspension of the rule.

RESURFACING KINGSDALE AND MIDDLETON STREETS, DORCHESTER.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works be requested to resurface with smooth pavement Kingsdale street and Middleton street, Dorchester, Ward 14.

Passed under suspension of the rule.

FIVE-CENT FARE BETWEEN SOUTH BOSTON AND BOSTON CITY HOSPITAL.

Coun. KERRIGAN offered the following:

Ordered, That his Honor the Mayor be requested to confer with the Board of Trustees, Boston Elevated Railway Company, with a view to the establishment of a five-cent bus fare between South Boston and the Boston City Hospital.

Coun. KERRIGAN—Mr. President, the establishment of a five-cent bus fare from South Boston to the City Hospital is desirable and necessary. I don't know of a valid reason why such a rate could not be made to the hospital. Its a very short run, and many other sections of the city are favored with a reduced rate for runs that are longer than this. It would be of great aid to the people of South Boston, many of whom take several children to the hospital during the week. As we all know, persons on welfare and W. P. A. have very little money to spend for the necessities of life. Sickness is bad enough in itself, but sickness and lack of money are a pretty serious combination. I hope his Honor the Mayor will interest himself in this matter and I know the people of South Boston will appreciate his efforts.

Passed under suspension of the rule.

CONFIRMATION OF APPOINTMENTS.

The Chair called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor September 1, 1936, of Timothy Crowley and John P. O'Neil, to be Measurers of Grain; and R. M. Hall and Gertrude Callahan, to be Weighers of Coal.

The question came on the confirmation of the above appointments. Committee, Finley and Selvitella. Whole number of ballots 13, yeas 8, nays 5, and the appointments were confirmed.

RE-EMPLOYMENT OF FORMER CITY EMPLOYEES.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of giving preference in re-employment to those old city employees, with good records, let go during the first part of his administration.

Passed under suspension of the rule.

FIXING OF NON-MAJOR STREETS WITH FEDERAL AID.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the matter of fixing every non-major street in Boston with Federal Government aid.

Coun. NORTON—This is the last time I am going to introduce this order, it being about the fiftieth time. I maintain during the height of the federal aid in Boston that there was an opportunity here in Boston to fix the non-major streets,—a city with only 670 miles of streets and with one of the smallest areas of any great city, 44 square miles. It was possible to take the men doing jobs which were not important and fix the non-major streets in this city. It is too late now. This is the last time I shall put this order in.

Passed under suspension of the rule.

PROPOSED PLAY AREAS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of turning as many as possible of the 157 parcels of vacant land taken by the city for unpaid taxes in Ward 18, into play areas. And that a study of the other 479 vacant pieces of land taken by the city be made with a view to this end.

Coun. NORTON—Mr. President, I think there is an opportunity for the city in some instances where they have taken property through foreclosure proceedings to allocate that particular piece of vacant land for playground purposes. On a piece of ground no larger than this floor area it is possible to put a little sand box to keep the children within a safe area. All over New York City you will find these small playgrounds installed since this Federal aid business came in. In my ward there are 157 pieces of vacant property taken by the city for unpaid taxes, comprising over 20 per cent of the total number of parcels taken by the city. Here is an opportunity, Mr. President, for the City of Boston at very little expense to place in each area of Boston one of these small playgrounds. We lose twenty-five or thirty children under the age of sixteen each year in Boston through automobile accidents and have 2,000 injured. One of the best ways to keep the accident record down is through the dissemination of such playground areas and here is our opportunity.

Passed under suspension of the rule.

PROPOSED SURVEY OF IMPROPERLY CLOTHED SCHOOL CHILDREN.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of requesting the School Committee to consider the matter of definitely ascertaining the number of school children with improper shoes or clothing for the winter months with a view to remedying this condition, if it exists.

Passed under suspension of the rule.

PURCHASE OF FISKE WHARF.

Coun. NORTON—Mr. President, I would like to ask a question regarding the Fiske Wharf proposition which was put on the calendar to be considered as to whether or not it has come up.

Coun. GALLAGHER—The Chair will state the order is on the calendar.

Coun. NORTON—Then I request, Mr. President, that an order be voted on at the present time.

Coun. GALLAGHER—Councilor Norton calls up No. 3 on the calendar.

Coun. NORTON called up, under unfinished business, No. 3 on the calendar, viz.:

3. Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Sales of City Property, \$25,000, to the appropriation for Fiske Wharf Property, Purchase of, \$25,000.

The question then came on the passage of the order.

The order was rejected, the vote on its passage being yeas—Coun. Brackman, Doherty, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Kerrigan, Kilroy, Mellen, Peter A. Murray, Norton, Rosenberg, Selvitella, 13; nays—Coun. Dowd, Roberts, Shattuck—3.

Coun. SELVITELLA moved reconsideration and assignment to the next meeting. The vote was reconsidered, and the question came on assigning the order to the next meeting.

Coun. ROBERTS—Mr. President, speaking on that, I recall at the last meeting we had this matter under discussion the question was raised by the councilor from Ward 5 as to what use the wharf was going to be put by the city and so far as I know nobody has furnished the Council any information, it being understood by the Council at the time that considerable amount was owed in back taxes and it was a question whether or not the owner would abandon the property in any event. No such information is given at the present time. I have no objection to its reconsideration, but I think we ought to have that information before us.

Coun. NORTON—Mr. President, I think that is a fair request. My interest in the matter is wholly through a request from Secretary Parkhurst of the Boston Port Authority, who seems to know an awful lot about this and would be glad to come up and explain what he knows about it to the Council. He feels that it is a good buy for the city.

Coun. McGRATH—Speaking on the matter,—it may be a good buy for the city for that amount, but I think before I vote on it I would want to investigate or have the President appoint a committee to investigate. We may buy this wharf for \$25,000 and next year it may be necessary to tear it down due to the fact it is unsafe. I do not think there is any investment in buying an old car for \$50 and spending \$350 to repair it when you could buy one better than that for \$200.

The order was assigned to the next meeting.

TRANSFER OF WELFARE CASES FROM SOUTH BOSTON TO HANCOCK STREET UNIT.

Coun. KERRIGAN offered the following:

Ordered, That the Overseers of Public Welfare be requested, through his Honor the Mayor, not to transfer any welfare cases from the South Boston Unit to the Hancock Street Unit.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. MURRAY, for the Committee on jitney Licenses, submitted the following:

Report on petition of Middlesex & Boston Street Railway (referred March 17, 1936), for license to operate motor vehicles from the Newton line to Cleveland Circle—recommending that license be granted.

Coun. McGRATH—Mr. President, I would like to hear from the committee about this matter.

Coun. PETER A. MURRAY—The councilor from the Back Bay is familiar with it.

Coun. SHATTUCK—Mr. President, this is a license to operate from Newton to Cleveland Circle which is the old reservoir station at the end of the Elevated line on Beacon street. Mr. Foley, Corporation Counsel, spoke to me about the matter the other day and I asked him whether the Elevated objected to it and he said they did not, and I do not see any reason why they should because it seems to me it is a feeder to the Elevated rather than a competitor with it. I believe it ought to pass.

Report accepted; license granted.

PLANTING OF SHRUBS AT ISLAND AT WOODARD ROAD AND STRATFORD STREET.

Coun. FINLEY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to plant

grass seed and shrubs on the small island at the junction of Woodard road and Stratford street, Ward 20.

Passed under suspension of the rule.

REGISTRATION OF CANNED GOODS SOLD IN MASSACHUSETTS.

Coun. McGRATH offered the following:

Ordered, That the Committee on Legislative Matters be requested to draft an amendment to the General Laws providing that all canned goods sold in Massachusetts have the date of packing stamped on same.

Coun. McGRATH—On that particular order I think that we have a concern now which stamps the date on some products and if someone was going to buy some articles and they were packed five years ago, they would hesitate to buy them and I think this is a good order and ought to pass.

Referred to Committee on Legislative Matters.

Adjourned at 3.45, on motion of Coun. MELLEEN, to meet on Monday, September 28, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, September 28, 1936.

Regular meeting of the City Council of the City of Boston, held in the City Council Chamber at two o'clock p. m., Coun. GALLAGHER in the chair and all the members present, except Coun. Dowd and Selvitella.

SEWERAGE WORK, OLD HARBOR VILLAGE.

The following was received:

City of Boston,
Office of the Mayor, September 28, 1936.
To the City Council.

Gentlemen,—I hereby withdraw from consideration by your Honorable Body an order which I submitted on September 21, calling for an appropriation of \$260,000 to defray the expense of constructing sewers, drains and catch-basins in the Old Harbor Village Housing Project in South Boston, the Works Progress Administration having indicated its willingness to defray the expense of the entire cost of construction, less 20 per cent, which will be charged against the city for materials and supplies. Under such an arrangement the cost to the city will be about \$52,000, instead of \$260,000 as contemplated by the order which is now withdrawn.

Yours truly,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

CODIFICATION OF CITY OF BOSTON STATUTES.

The following was received:

City of Boston,
Office of the Mayor, September 25, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Corporation Counsel, relative to your orders of July 2, 1935, and September 1, 1936, concerning the codification of statutes relating to the City of Boston, authorized at a cost not to exceed \$20,000, in June, 1926.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Law Department, September 21, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—Some time ago you submitted to me the following order of the City Council:

"Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to inform the City Council as to what progress, if any, has been made during the past ten years on the proposed codification of statutes relating to the City of Boston, authorized at a cost not to exceed \$20,000, as long ago as June, 1926; and also how much time has been spent by how many employees of the Law Department on such work, and how much further time and money, if any, will be required to complete the work."

You have requested that I furnish the information sought in said order.

On June 14, 1926, an order was passed by the City Council which authorized the expenditure by the Corporation Counsel, under the direction of the Mayor, of a sum not exceeding \$20,000 for the purpose of preparing a codification or revision of all special acts relating to the City of Boston. This order of June 14, 1926, is that referred to in the recent order above quoted.

On July 6, 1926, the then Corporation Counsel, Frank S. Deland, subject to the approval of the Mayor, appointed three individuals, as special counsel, for the purpose of preparing a codification or revision as authorized by said order of June 14, 1926.

The records of this office indicate that a report was not submitted by special counsel until on or

about May 2, 1930, approximately four years after the passage of the original order.

It appears from the records in this office and in the auditor's office that of the \$20,000 appropriated in 1926 \$30.08 was unexpended. \$19,866.67 of this sum represents amounts paid to said special counsel. No part of the sum appropriated has been expended since January 1, 1934.

I have not been able to find this report and it is quite possible that due to revisions in the work contained therein, that said report is no longer in existence. No statutes prior to 1908 were, I believe, incorporated in the report. It appears that Mr. Silverman, Corporation Counsel when the report was submitted, was dissatisfied with the result of the work done by the special counsel and assigned an assistant in this department some time in 1931 to revise the work. A codification of statutes relating to city departments was finally prepared, which apparently represents the efforts of special counsel and said assistant. It follows somewhat the form of the Consolidation of Statutes Relating to the City of Boston, 1908 edition, codified by Thomas M. Babson, Corporation Counsel.

I have never been satisfied that this codification is sufficiently complete to justify publication or to be entirely reliable. This implies no criticism, however, of the assistant who did the work.

Some time after my appointment as Corporation Counsel I caused to be examined and compiled all special statutes relating to the City of Boston, classified according to each department and also chronologically classified. We did not limit this examination and compilation to special statutes enacted subsequent to 1908 but dealt with all special statutes from the time of the incorporation of the city in 1822.

This work has been carried on under the immediate direction of a lawyer whose services were made available to us originally by the Federal Emergency Relief Administration and more recently by the Works Project Administration, and he has been assisted by E. R. A. and W. P. A. typists. The work has been supervised by an assistant in this office and by me.

Substantial progress has been made with this work and it is now near completion. At the end of a few months more, I believe that there will be available for publication an accurate collection of all special statutes relating to the city which are now in force. There will, in addition, be available, for reference, a collection of all special statutes relating to the city, classified as far as possible according to city departments, with proper notations as to amendments and repeals. This latter collection will enable a facile determination of the changes which have occurred in the law and will be of assistance in interpreting present statutes.

This work of compilation which has been done during the present administration has cost the city only relatively small sums for incidental office expenses. Except for such relatively small incidental office expenses, no further expense is likely to be involved in completing the compilation other than the cost of printing if publication should be determined upon and the cost of indexing, if it should appear necessary to employ an expert for this purpose and such expert were employed.

Very truly yours,
HENRY E. FOLEY,
Corporation Counsel.

Placed on file.

DEPARTMENTAL TRANSFERS.

The following was received:

City of Boston,
Office of the Mayor, September 28, 1936.
To the City Council.

Gentlemen,—The attached requests for transfers within departmental appropriations have been examined and investigated by the Budget Commissioner. I accordingly recommend adoption of the accompanying orders by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, 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 Hospital Department, Sanatorium Division.

From the appropriation for A-1, Permanent Employees, Chief of Staff, 1 at \$2,500 a year, \$750, to the appropriation for A-2, Temporary Employees, \$750.

From the appropriation for D-3, Fuel, \$1,500; D-5, Medical, Surgical, Laboratory, \$2,500; D-16, Miscellaneous, \$200, to the appropriation for B-39, General Repairs, \$2,500; C-7, Furniture and Furnishings, \$1,500; C-9, Office, \$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 B-28, Expert, \$25, to the appropriation for B-16, Care of Animals, \$25.

From the appropriation for A-1, Permanent Employees, Superintendent of Nurses, 1 at \$2,300 a year, \$300, to the appropriation for D-1, Office, \$300.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Mayor, Office Expenses:

From the appropriation for B-1, Printing and Binding, \$450; B-13, Communication, \$150; B-14, Motor Vehicle Repairs and Care, \$150; B-29, Stenographic and Copying, \$100; B-39, General Repairs, \$50; D-11, Gasoline, Oil and Grease, \$500, to the appropriation for B-4, Transportation of Persons, \$350; C-9, Office, \$60; C-15, Tires, Tubes and Accessories, \$17; D-1, Office, \$450; D-8, Laundry, Cleaning, Toilet, \$3.50; D-16, Miscellaneous, \$33.04; G, Incidentals, \$486.46.

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 A-1, Permanent Employees, Stenographers, 0 (3) at \$1,000 a year, \$1,262.90, to the appropriation for A-1, Permanent Employees, Statisticians, 0 (2) at \$2,180 a year, \$1,262.90.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Ferry Service:

From the appropriation for D-16, Miscellaneous, \$500, to the appropriation for D-11, Gasoline, Oil and Grease, \$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-16, Care of Animals, \$500; B-20, Disposal of Waste, \$500; B-39, General Repairs, \$2,000; C-2, Machinery, \$300; C-5, Motorless Vehicles, \$200; C-13, Tools and Instruments, \$1,000; C-15, Tires, Tubes and Accessories, \$3,500; D-4, Forage and Animal, \$2,500; D-16, Miscellaneous, \$500, to the appropriation for D-3, Fuel, \$500; E-2, Highway, \$4,600; E-9, Machinery, \$50; E-13, Miscellaneous, \$5,850.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Jail:

From the appropriation for B-42, Miscellaneous, \$50, to the appropriation for B-14, Motor Vehicle Repairs and Care, \$50.

From the appropriation for D-15, Tobacco, \$150, to the appropriation for D-8, Laundry, Cleaning, Toilet, \$150.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Municipal Court, Charlestown District:

From the appropriation for D-1, Office, \$1, to the appropriation for D-16, Miscellaneous, \$1.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Municipal Court, South Boston District:

From the appropriation for A-1, Permanent Employees, Probation Officer, 1 at \$1,700 a year, \$300, to the appropriation for A-2, Temporary Employees, \$300.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Municipal Court, Dorchester District:

From the appropriation for D-1, Office, \$24, to the appropriation for C-10, Library, \$24.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Municipal Court, Brighton District:

From the appropriation for D-1, Office, \$107, to the appropriation for B-39, General Repairs, \$7; C-10, Library, \$100.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Penal Institutions Department, House of Correction:

From the appropriation for B-39, General Repairs, \$6,250; C-4, Motor Vehicles, \$1,000, to the appropriation for C-2, Machinery, \$1,000; D-3, Fuel, \$5,000; D-8, Laundry, Cleaning, Toilet, \$500; E-13, Miscellaneous, \$750.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Penal Institutions Department, steamer "Michael J. Perkins":

From the appropriation for B-39, General Repairs, \$1,145, to the appropriation for B-4, Transportation of Persons, \$40; C-13, Tools and Instruments, \$250; C-17, Miscellaneous, \$300; D-1, Office, \$20; D-8, Laundry, Cleaning, Toilet, \$25; D-13, Chemicals and Disinfectants, \$35; D-16, Miscellaneous, \$25; E-1, Building, \$200; E-10, Electrical, \$50; E-13, Miscellaneous, \$200. Referred to the Executive Committee.

SALE OF PROPERTY, OLD COLONY AVENUE.

The following was received:

City of Boston,
Office of the Mayor, September 28, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated September 8, 1936, relating to an offer to purchase certain property situated at lots Nos. 1 and 2, northeasterly side of Old Colony avenue, Ward 7, which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$500, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at public auction with a minimum price of \$500 is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
September 8, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit an offer from Joseph A. Slattery, 156 E street, South Boston, for the land and shed, lots Nos. 1 and 2, northeasterly side of Old Colony avenue, Ward 7, South Boston, containing 5,485 square feet of land, in the sum of five hundred (500) dollars.

The costs to the city up to December 30, 1935, amount to five hundred sixteen dollars and twenty-five cents (\$516.25), which includes the nonpayment of taxes since the year 1930, but does not include interest.

If and when the above amount of five hundred (500) dollars is approved by your Honor and the

City Council, the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of five hundred (500) dollars will be the minimum price for the property that the city is willing to accept and will be announced as the first bid at the public auction sale.

In my opinion it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,
 ROSWELL G. HALL,
 Superintendent of Public Buildings.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated November 21, 1935, foreclosed a right of redemption under a tax deed filed in the Land Court, Suffolk Registry District, with certificate of title No. 2449, to about 5,485 square feet of land with the building thereon, situate on the northeasterly side of Old Colony avenue, South Boston, as is more fully described in said tax deed, the said tax deed being Document No. 107526; and

Whereas, An offer to purchase the said premises has been made by Joseph A. Slattery in the sum of \$500; now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcel of land, with the buildings thereon, at public auction, at a minimum price of \$500; and it is hereby further

Ordered, That said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser of said parcel of land with the building thereon, a written instrument satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of said City of Boston in said premises upon the payment to it of the sum bid therefor at said auction.

Referred to Committee on Public Land and Tax Title Property.

SALE OF PROPERTY, EAST SEVENTH STREET.

The following was received:

City of Boston,
 Office of the Mayor, September 28, 1936.
 To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated September 11, 1936, relating to an offer to purchase certain property situated at 654 East Seventh street, South Boston, which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$625, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at public auction with a minimum price of \$625 is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Public Buildings Department,
 September 11, 1936.

Hon. Frederick W. Mansfield,
 Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit an offer from John P. Tuinila, 509 East Sixth street, South Boston, for the land and four single garages located at 654 East Seventh street, South Boston, in the sum of six hundred and twenty-five (625) dollars.

The costs to the city up to December 30, 1934, amount to four hundred seventy-three dollars and fifteen cents (\$473.15), which includes the nonpayment of taxes since the year 1930, but does not include interest.

If and when the above amount of six hundred and twenty-five (625) dollars is approved by your Honor and the City Council, the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of six hundred and twenty-five (625) dollars will be the minimum price for the property that

the city is willing to accept and will be announced as the first bid at the public auction sale.

In my opinion, it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,
 ROSWELL G. HALL,
 Superintendent of Public Buildings.

Whereas, The City of Boston, by a decree of the Land Court, Suffolk Registry District, dated February 7, 1936, foreclosed a right of redemption under a tax deed recorded with Suffolk Deeds, Book 5291, page 637, to about 4,125 square feet of land with the buildings thereon, situate on the northerly side of East Seventh street, South Boston, as is more fully described in said tax deed; and

Whereas, An offer to purchase the said premises has been made by Mr. John P. Tuinila in the sum of \$625; now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcel of land with the buildings thereon at public auction at a minimum price of \$626; and it is hereby further

Ordered, That the said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser of said land with the buildings thereon, a written instrument satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of said City of Boston in the said premises upon the payment to it of the sum bid therefor at said auction.

Referred to Committee on Public Lands and Tax Title Property.

PETITIONS REFERRED.

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

Claims.

Caesar L. Donnaruma, for compensation for damage to car caused by an alleged defect at 36 Staniford street.

Frank J. Fitzwilliam, for compensation for injuries caused by an alleged defect in Wellsmere road, Roslindale.

Globe Discount and Finance Corporation, for payment of \$100 held by city on car sold for storage.

Dr. J. Goldman, for compensation for damage to car by city truck.

Catherine A. Healy, for compensation for injuries caused by an alleged defect at 25 Binney street, Roxbury.

Margaret Janvrin, for compensation for injuries caused by an alleged defect in Corning street.

Anna Karolak, for compensation for damage to coat caused by an alleged defect in City Hall Annex.

Mary A. Keenan, for compensation for injuries caused by an alleged defect at 150 Stoughton street.

Grace E. Kelley, for compensation for damage to property at 9 School street, caused by sidewalk construction.

John Lachowicz, for compensation for damage to car caused by an alleged defect at 156 Homes avenue.

Marie Lavender, for compensation for damage to property at 310 Princeton street, caused by laborers repairing street.

Martin O'Brien, for compensation for damage to property at 26 Oak View terrace, caused by blasting for sewer.

Ellen Scollans, for compensation for injuries caused by an alleged defect at Adams square and North street.

INVITATION TO ATTEND MAYORS' CONFERENCE.

An invitation to the Council to attend the annual conference of the United States Conference of Mayors at Washington, D. C., November 16-18, was received and placed on file.

COURT HOUSE COMMISSION.

Notices were received of the appointment by the Mayor of A. Emmet Logue, and by the Governor of Joseph A. Rourke to be members of the commission designated to supervise the construction of the Suffolk County Court House, for term ending September 5, 1941.
Placed on file.

APPOINTMENT OF FOOD INSPECTOR.

Notice was received of the appointment of Francis Bergen, 10 Hancock street, Dorchester, to be a food inspector in the Health Department.
Placed on file.

MINORS' LICENSES.

Petitions of thirty-one newsboys and six boot-blacks for licenses were received and granted on usual conditions.

PAYMENT OF AID TO SOLDIERS AND SAILORS.

Coun. KERRIGAN offered an order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of September.
Order passed.

SNOW REMOVAL.

Coun. PETER A. FITZGERALD offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Public Works Commissioner to include in the snow-removal contract the provisions that: The contractors use hand labor instead of snow loaders and that these men must be American citizens and hired through the Municipal Employment Bureau. These citizens must be residents of Boston.

Coun. FITZGERALD—I will admit that it seems a bit remote to think of snow removal now, but there is nothing like being prepared. A survey of last year's snow-removal record when private contractors were working mostly with machinery shows that the cost to the city was as much and in some cases more than when hand labor was used and you know the contractors hire whoever they will during the snowstorm. I want the citizens of Boston to get a fair break. After all, it is the City of Boston's money. I can remember an executive session when a councilor brought in two men who thought they did not receive enough for their trucks and we found they lived in Norfolk County. The Boston men and truck owners do not get the fair break that they are entitled to. I think this year the contractors in hiring this help should eliminate the machinery and hire the help through the Municipal Employment Bureau and all application for snow workers should be handled through that bureau. So far as the machinery and contractors of Boston are concerned, this order in no way affects them because we have the regular city force for that work.

Coun. MELLE—May I ask the sponsor of that order if it is his intention that this temporary help that it is customary to put on in the past be handled by the same bureau? Whether these men put on in an emergency, if it is the intent of the order to put them on by the local bureau?

Coun. FITZGERALD—By the local Municipal Bureau at Church street.

Coun. MELLE—Regardless of where these men are put on the various councilors are going to be besieged by men, deserving of work and wanting to get work on the snow, and it will end up with another run around by these various individuals trying to get work on the snow. I think that we should take the buttons and give them to those we think most deserving and take the disapproval of those who fail to get on and for that reason I am against the order.

Coun. McGRATH—I agree with the councilor from Charlestown in so far as we have snow buttons to take care of the men who are looking for work, but when you have one hundred buttons and one thousand men to put to work, regardless of how hard you try to pick out the needy and worthy cases, you are bound to make ninety per cent enemies. I think last year we passed an order here to employ the men in the snow removal

through the employment department and also the contractor who hires them, which would give them a great deal more of an opportunity than the councilors themselves. I would suggest this order go to the Executive Committee.

Coun. PETER A. MURRAY—I think in regard to the hand shovelers in the outlying districts, I would like to know whether he means stopping plowing in the outlying districts. I believe we should have tractors in the outlying district where the hills are so high it would take weeks and months before the people could get out. I believe we should have plows the same as always. In regard to the hiring of help I think it should be done in each city yard the same as before. The city yard can take first come first served.

Order referred to the Executive Committee.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That his Honor the Mayor be requested to issue instructions to all departments that the head of the department refrain from assigning regularly employed city clerks to snow duty and snow dumps during the winter months and that immediate provisions be made for the re-employment of inspectors and unemployed men experienced in this snow work.

Coun. MURRAY—Mr. President, it has been brought to my attention that the practice of the city has been, or was last year, that regularly employed city clerks were sent out to do snow-removal work. That meant that men who were ordinarily employed in a heated office were doing snow-removal work in the emergency period. Naturally enough, they were not equipped to do this type of work and this order calls on the head of the Public Works Department in the future to employ men in the Sanitary Department or any other department, outsiders who are unemployed, to go out and do that work rather than the clerk whose job is in the office.

Passed under suspension of the rule.

SHUTTING OFF WATER IN HOME OR TENEMENT.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of shutting off no water where a family lives in the home or tenement.

Coun. NORTON—Mr. President, other cities in America and the world, instead of turning off water where there are children and old people involved, go into court and get a writ and in that way make collection of water bills. The easiest method is the wrench method, where they go out and shut off the water. Often sick people are involved and I am requesting the Mayor to consider the advisability of going in on what is known as a lien attachment and to eliminate wherever possible the so-called wrench method.

Passed under suspension of the rule.

PROPOSED PLAY AREAS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of having the City Planning Board, in cooperation with city departments, survey city-owned real estate with a view to retaining any of it that may be of potential use to these departments.

Coun. NORTON—Mr. President, the city now has hundreds of pieces of vacant land, taken because of nonpayment of taxes. A survey should be made. Perhaps many of them can be used as small play areas for children. A box of sand and a swing. Boston loses twenty-five children a year because of auto accidents; 2,500 more are injured. We might cut these numbers down by keeping children in small play areas and off the streets.

Passed under suspension of the rule.

IMPROPERLY FED AND CLOTHED SCHOOL CHILDREN.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of having a

survey and study made relative to the matter of feeding and clothing the 3,000-odd children in the Boston public school system who are and will be improperly fed and clothed for the winter.

Coun. NORTON—Mr. President, three thousand children in the Boston school system, in the 36,000-odd, since the registration has fallen off since last year,—at least three thousand are improperly fed and improperly clothed for winter, and I ask the Mayor to consider the advisability of having a survey and study made of this problem. One of the School Committee has suggested a nutritional class. We also must take into consideration the matter of clothing.

Passed under suspension of the rule.

UPSET PRICES FOR REAL ESTATE SOLD BY CITY FOR UNPAID TAXES.

Coun. NORTON offered the following:
Ordered, That the Mayor of Boston be requested to consider the advisability of establishing an unpaid board to set upset prices for real estate to be sold by the city for unpaid taxes.

Coun. NORTON—The Mayor should appoint an unpaid commission of experts to set an upset price on realty to be sold by the city for unpaid taxes. This will protect city officials from the cry of favoritism.

Passed under suspension of the rule.

Coun. NORTON—I would like to ask where the matter now stands on this city property that the Mayor and Superintendent of Buildings has given to the Council asking our approval to sell the same.

Coun. GALLAGHER—It has been referred to the Joint Committee on Public Lands and Tax Titles.

STATEMENT BY COUNCILOR NORTON.

Coun. NORTON—I ask unanimous consent to make a statement.

Coun. GALLAGHER—Councilor Norton asks unanimous consent to make a statement. There being no objection you may make the statement, Councilor Norton.

Coun. NORTON—Mr. President, I have often disagreed with the Mayor of Boston. By its very nature, politics is essentially a modified form of war. But here is an opportunity to praise the Mayor, and, I assure you, I welcome it. I believe that Mayor Frederick W. Mansfield is entitled to the heartfelt gratitude of every citizen of Boston for his courageous action in the so-called "Quabbin" matter. At a time when others wavered, he stepped forward gallantly to protect the rights of the people of Boston. He allowed no red tape to interfere with his activity. Opinions from the Law Department were not awaited. He vigorously and wholeheartedly led the vigorous battle that eventually brought victory.

Mayor Mansfield's unselfish action was one of the finest pieces of work ever performed by a chief executive of this city in the interests of the rank and file of our people. I am most pleased to pay my humble homage and to symbolically lay a wreath of thanks at the feet of our Mayor for a noble act, gallantly performed.

Coun. BRACKMAN—Mr. President, I am glad to see that credit is given where credit is due, but I think also in this case real credit should be given to the member of the City Council from the Back Bay and also to the members of this Council who passed the order making the investigation possible.

NEW WAITING ROOM AT FOREST HILLS STATION.

Coun. FINLEY and Coun. PETER A. MURRAY offered the following:

Ordered, That the trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, to erect a new waiting room with proper sanitary conveniences on the outbound side, lower level, of the Forest Hills Elevated structure, and to inclose that portion of the structure which is now partially closed in.

Passed under suspension of the rule.

NON-PURCHASE OF FOREIGN-MADE GOODS.

Coun. McGRATH offered the following:
Ordered, That the Superintendent of Supplies be requested, through his Honor the Mayor, not to purchase any foreign-made goods or materials for any city department.

Coun. McGRATH—On that particular order, for the first time the Mayor answered me on an order of that type saying the City of Boston had not purchased any Japanese made goods, but I had a little information to the effect that possibly there may be and this week in the newspaper there was talk about some Japanese money buying one of the largest mills in New England. Therefore, I introduce this order asking the Mayor not to purchase any supplies made in any foreign country.

Passed under suspension of the rule.

TRAFFIC LIGHTS ON DORCHESTER AND NEPONSET AVENUES.

Coun. McGRATH offered the following:
Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals on Dorchester avenue, in front of St. Mark's Church, Ward 16.

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals on Neponset avenue, in front of St. Ann's Church, Ward 16.

Coun. McGRATH—I have introduced these orders several times. I introduced an order for \$50,000 and the Mayor said, on opinion of Corporation Counsel, that he at that time could not spend \$50,000, or we had to borrow \$100,000 in order to do it. I introduce these two orders to be paid for out of his Reserve Fund, which I think is unlimited. Any time he is interested in an order, he takes it from his Reserve Fund. There have been two more serious accidents to children in this particular section of Dorchester and the last time I spoke to him and asked him to put the lights here, he said there were not sufficiently serious accidents. I would like to ask how many more deaths are necessary before he will put these lights in this particular spot.

Passed under suspension of the rule.

REDUCTION IN MEMBERSHIP OF COUNCIL.

Coun. McGRATH offered the following:
Ordered, That the Committee on Legislative Matters be requested to draft legislation for presentation to the incoming Legislature providing for a reduction in the membership of the City Council to nine.

Coun. McGRATH—Mr. President, there seems to be a great deal of comment on the radio regarding the consolidation of departments. I think if we are going to have economy and preach economy, it would be well for us to start in the City Council and I therefore introduce this order asking that the Council be reduced to nine. In the event I am not successful and some of the others are not successful in coming back, there will probably be just as good a body as there is now and it will save the city some money and I think it would be well if I could ask the President of the Council to secure some time from the stations who are taking a rap, if you will, at the councilors who voted against the consolidation of departments. I don't know what our limitations are and I don't know what theirs are, but I think it is very unfair to have one side of the story, so I would like to ask the President to secure time, perhaps ten minutes, and have each councilor who voted against consolidation be heard over that radio and present their side of the situation.

Referred to the Legislative Committee.

IMPROVEMENTS IN WARD 21.

Coun. AGNEW offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Radcliffe road, Ward 21, as a public highway.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Mechanic street, Ward 21, as a public highway.

Coun. AGNEW—In regard to something which that order is affected by, sometime ago Councilor Norton introduced on at least two occasions to my knowledge a request that the Mayor of Boston foster a project whereby an unlimited number of streets in Boston would be accepted and laid out. I was wondering whether or not there has ever been any steps or initiative taken in regard to Councilor Norton's order in that respect and I see nothing in the minutes of any of the records that are here that anything has been done regarding it.

Coun. GALLAGHER—I will say that Councilor Norton has put that same order in eight or nine times.

Passed under suspension of the rule.

Coun. NORTON—I ask unanimous consent to make a statement.

Coun. GALLAGHER—The Chair hears no objection.

Coun. NORTON—It may be too late now on the matter of fixing the streets. Winter is here and we are not going to have the men on the W. P. A. We had a glorious opportunity to put on a little bituminous product and roll it down.

Coun. GALLAGHER—The Chair will now call up No. 3 on the calendar, which is the order for the purchase of Fiske Wharf.

Coun. McGRATH—Mr. President, on this particular thing I don't know why we are interested in pushing this through. I think we are seeking more information on this and I don't know as it is forthcoming. I would like to lay this on the table until such time as we secure the necessary information.

The order was further assigned to the next meeting.

Coun. AGNEW—I ask unanimous consent to make a statement.

Coun. GALLAGHER—The Chair hears no objection.

Coun. AGNEW—In regard to this order of Councilor Norton's introduced on various occasions, I am going to request the Chair for an order to appoint a committee of the Council to call upon the Mayor in regard to this particular order regarding streets.

Coun. GALLAGHER—The matter will be discussed in executive session.

RECESS.

The Council voted at 2.55 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. GALLAGHER at 4.30 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on orders and message (referred today) for transfers within various departmental appropriations—recommending various orders ought to pass, with the exception of the order transferring \$11,000 in the Sanitary Division, Public Works Department.

Coun. MELLEN—I move we pass the \$11,000 transfer item.

The order was recalled from the committee.

Question then came on the passage of all the transfers.

Report accepted; said orders passed, yeas 16, nays 0.

2. On the message and order (referred September 4) for transfer of \$2,800 in the Park Department—recommending transfer order ought to pass.

Report accepted; said order passed, yeas 17, nays 0.

3. On the order referred this day, introduced by Coun. Peter J. Fitzgerald, that the Mayor be requested to instruct the Public Works Commissioner to include in the snow-removal contract the provisions that the contractors use hand labor instead of snow loaders and that these men be American citizens and hired through the Municipal

Employment Bureau, and residents of Boston,—recommending order ought to pass.

Report accepted; said order passed.

4. On the petition (referred September 1, 1936) by the National League Base Ball Club of Boston, Inc., for license to play Sunday sports from October 11, 1936, to March 15, 1937, at the National League Field—recommending that same be granted.

Report accepted; said license granted.

W. P. A. PROJECT ON STREET CLEANING.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to take the necessary action to secure the approval of a W. P. A. project for the cleaning of all the streets of Boston.

Coun. ROSENBERG—Mr. President, in conferring with the Public Works Commissioner, Mr. Carven, he told me that under the present set-up of the city, with the non-filling of vacancies by the Mayor, that it is impossible to keep the streets of Boston cleaned properly. The matter has been taken up with reference to having the welfare men clean the streets, but they have been unsuccessful. He also believes rather than having the men working in the park picking up leaves, that it would be far better to be able to secure a project, which he hopes we might be able to do,—a W. P. A. project where a certain number of men would be allotted to cleaning the streets of Boston. The Mayor has in a recent statement said the streets of Boston are the dirtiest of any city in the country and I believe that if the Mayor will be able, through the cooperation of the Federal authorities, to secure a project approved for the cleaning of the streets, we will have done something for the protection of the health and safety of the people of Boston; and I believe the passing of this order will bring it to the attention of the Federal authorities and also the wishes of the city that we want the streets of Boston cleaned.

Passed under suspension of the rule.

CONFIRMATION OF APPOINTMENTS.

The Chair called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor September 21, 1936, of John Kazajian, Charles Kieser and Samuel Bagdasarian, to be Weighers of Goods.

The question came on the confirmation of the above appointments. Committee—Finley and Mellen. Whole number of ballots 13, yeas 8, nays 5, and the appointments were confirmed.

IMPROVEMENTS IN WARD 10.

Coun. DOHERTY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving, St. Albans road, Ward 10.

Order passed under suspension of the rule.

NEW GYMNASIUM IN SOUTH BOSTON.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That his Honor the Mayor be requested to advise the City Council what action has been taken relative to the erection of a Municipal Building, housing a gymnasium, in the Ward 6 section of South Boston.

Coun. MURRAY—I am just bringing this order to refresh the recollection of the Mayor that sometime ago he told various people from South Boston that he had planned to build a gymnasium over there. The period that has elapsed since that time is more than six months and I feel if this "Gym" is to be built it should be built in the near future so the councilors could apprise the people of South Boston that they are on the job with reference to this matter.

Passed under suspension of the rule.

SNOW REMOVAL BUTTONS.

Coun. MELLEN offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to issue snow work buttons to councilors desiring them, which buttons shall completely include all the men paid by the City of Boston for snow removal work.

Coun. MELLEN—In a few short months we will have the snowstorms with us again, and when they come every councilor here is going to be flooded,—his home is going to be flooded with people wanting to work on snow removal. There is only one way of handling it and that is to put the burden upon us. Everybody knows the councilor has the final say as to who shall and who shall not go to work and no subterfuge we will be able to concoct will completely cover the fact we are the ones who are putting the men on and I think it is the best thing to do and the frankest way to do, to take the buttons and give them to those we feel most deserving and we are the best judges of those who may be deserving of the work. We should know our district better than anybody in the city yard or in the Municipal Employment Bureau.

Coun. PETER A. MURRAY—I believe if a man will get up at six o'clock and go to the city yard he is entitled to get the button. When you send a card, you are going to give it to somebody who needs it.

Coun. MELLEN—As a practical matter I think the gentleman will admit everybody who wants that work knows he has to go to the councilor to get it and regardless of how the buttons are given out, of the men put to work the councilor will have the final say, directly or indirectly, and I repeat the best way is the frank way to do it and take the burden or the praise that may fall depending on the ability to choose the men to go to work.

Coun. WILSON—I agree with the gentleman from Charlestown and of course nobody has put more men to work in his day than the gentleman from Ward 19 on snow removal work. I have been through this year after year. I think that the easy thing is for the councilor to back out and pass the buck to somebody else, but the net result in the Gibson and Hancock street yards at any rate would be this: I have gone down there in heavy snow periods and five times as many men down there as could go on. As high as 50 per cent are not even citizens or on the voting list. As high as 20 to 30 per cent are men who do not live in Dorchester—with all due respect to them—men who should be in other paying yards looking for work,—and when the Roxbury yard has reached its quota, or the South Boston yard, then they will jump over to Dorchester in the hope of filling in there, and I find the yard foreman does what any human being would do if it is left entirely to him without any regard whether it is a married man who really needs the work badly or whether it is a local man in that section or even a citizen of the United States, to make it easy for himself, and I do not blame him, the foreman takes the first man nearest the door; the strongest ones who can climb all over the other fellows and break the most windows get the first buttons. I am a firm believer that the average man in the average ward knows the men who really want work and not just the privilege of getting \$5 and plastered the first night they do work. Men I know who are looking for work day after day and the foreman doesn't know him from a cord of wood, and if the councilor really knows his business and knows his district, it is not a question of building up a political machine, but it is a question of protecting the fathers of families and the men who really need the work. I do not think it is building up a machine. I think it is protecting the citizens and voters in your home ward whom you know need work.

Coun. MURRAY—I think each councilor can take up their police list or voting list and take a little time and find out who they are, and when there are one hundred cards given out that stops. That is what I do. I find out if they live in my district before they go to work.

Coun. PETER A. FITZGERALD—I filed an order here, or spoke of the intention of filing an order, that all men who were to be put to work on snow removal register at the Municipal Employment Bureau. I don't care how you term it, or how you know those in your district that need work. We all know the men who need work, but they are not limited to a hundred, nor fifty.

They are listed in the thousands. To place upon the councilor the authority to put these men to work and have him take one hundred men out of, say, 1,000 applicants and to tell me any councilor is going to be nonbiased and take two men in front of him, one with him and the other was opposed, it is only natural that he takes the man who was with him. I do not believe there should be any political tinge to the placing of men on snow removal. I don't think the councilor should have the authority to put one hundred men to work on snow removal. In the first place, it is the taxpayers' money and the Municipal Employment Bureau is run at a cost of over \$30,000 to the taxpayers. Why should we, and absolutely for political reasons, want those one hundred men to go on? Especially in election year they are going on with the thought of votes and I believe we ought to back up this Municipal Employment Bureau which costs us so much to run and let these men register and state the number of their dependents. The clerks there haven't very much to do at the present time. If it is the taxpayers' money, then let it come out of a nonbiased office maintained by the taxpayers and they will supply sufficient men who are worthy and if they are registered in the proper form, in the proper way, and then assign these men to the districts in which they live, I think one hundred jobs will be given out fairly and the taxpayers will get a break and the fellow who goes to work can go to work without looking over his shoulder and wondering if the councilor found out he was not with him.

Coun. GALLAGHER—The matter is referred to the Executive Committee.

Coun. MELLEN—I ask suspension of the rule. The motion to suspend the rule was lost; on a showing of hands, 5 in favor and 8 opposed.

The order was referred to the Executive Committee.

Coun. MELLEN—The order reads if the councilor so desires, or words to that effect. That leaves it up to the local option of each ward and the councilor assumes the responsibility of placing the men to work. We should be practical about the whole thing and let us admit, regardless of by what means men go to work, there will be political bias. Political bias enters into everything we do. Our actions are colored by our political bias and that is not a valid argument.

Coun. GALLAGHER—The order has been referred to the Executive Committee.

Coun. AGNEW—I believe there was a vote on the showing of hands?

Coun. GALLAGHER—There was.

Coun. AGNEW—I doubt the vote and ask for a roll call on it.

Coun. GALLAGHER—State your motion, Councilor Agnew.

Coun. AGNEW—The vote that was on the suspension of the rule as I understand it?

Coun. GALLAGHER—That is correct.

Coun. AGNEW—And I am now asking for a roll call on the suspension of the rule and passage of that order.

Coun. GALLAGHER—The clerk will call the roll on the suspension of the rule.

The motion was lost, and the order was referred to the Executive Committee.

INVESTIGATION OF FOOD AT LONG ISLAND HOSPITAL.

Coun. MELLEN offered the following:

Ordered, That his Honor the Mayor be requested to investigate the quality and quantity of the food now being served the inmates of the Long Island Hospital with the view to determining whether or not it is of correct dietary balance.

Coun. MELLEN—It has come to my attention that at Long Island the inmates are fed fish four or five days a week, two or three times a day. I don't know the truth or whether there is any possibility of truth to it, but I think the rumors I have heard are enough to warrant the order and I hope it will be passed.

Passed under suspension of the rule.

IMPROVEMENTS IN WARD 14.

Coun. ROSENBERG offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Middleton street, Ward 14.

—
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Kingsdale street, Ward 14.

Severally passed under suspension of the rule.

ARC LIGHT ON EAST FOURTH STREET.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light at the rear of 546 East Fourth street, Ward 6.

Passed under suspension of the rule.

Adjourned at 4.50 p. m., on motion of Coun. KERRIGAN, to meet on Monday, October 5, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 5, 1936.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at 2 p. m., Coun. GALLAGHER presiding. Absent, Coun. Selvitella.

JURORS DRAWN.

Jurors were drawn for the Superior Civil Court, Coun. PETER J. FITZGERALD presiding at the box in the absence of the Mayor, viz.:

Sixty-four traverse jurors, Superior Criminal Court, to appear November 2, 1936:

Joseph M. Cashman, Ward 1; Nicholas De Dominicis, Ward 1; Edward Hall, Ward 1; Auranus F. Miles, Ward 1; Eugene F. O'Donnell, Ward 1; John J. Doherty, Ward 2; James J. McGrann, Ward 2; Frederick C. Wells, Ward 3; Charles E. Byrons, Ward 4; William M. Macauley, Ward 4; John Moran, Ward 4; Robert A. Arnold, Ward 5; Carlton S. Gifford, Ward 5; Charles T. Russell, Jr., Ward 5; Percival D. Shepherd, Ward 5; Charles N. Kaup, Ward 6; John J. Lee, Ward 7; Edward A. Stolp, Ward 7; Peter V. Lynsky, Ward 8; John T. Ladd, Ward 9; Arthur J. Tremblay, Ward 9; John H. Kersey, Ward 10; Joseph A. McCourt, Ward 10; John F. Scannell, Ward 10; William A. Kenney, Ward 11; Horace J. Wilson, Ward 11; William E. Collins, Ward 12; Joseph P. Rosenberg, Ward 12; Harry W. Appleton, Ward 13; John V. Carey, Ward 13; Louis Mullen, Ward 13; William A. Remick, Ward 14; Thomas J. Fitzgerald, Ward 15; Patrick Peter Gately, Ward 15; Jeremiah J. Harrington, Ward 15; Edward J. Powers, Ward 15; Joseph W. Collins, Ward 16; Edward Brown, Ward 17; Daniel Cooper, Ward 17; Robert A. Fraser, Ward 17; Prescott L. Friend, Ward 17; Louis Swartz, Ward 17; Thomas F. Downey, Ward 18; Edward F. Hanley, Ward 18; Maurice Leonard, Ward 18; Wesley Powers, Ward 18; Harold F. Reardon, Ward 18; John J. Skane, Ward 18; John J. Sweeney, Ward 18; Howard A. Burke, Ward 19; D. Everett Dorion, Ward 19; John J. Doyle, Ward 19; Hans C. Nielsen, Ward 19; Joseph S. Vogel, Ward 19; William O. Birke, Ward 20; Walter F. Dennis, Ward 20; Henry G. Kohl, Ward 20; Abraham Grossman, Ward 21; Hubert A. Heath, Ward 21; Albert E. Key, Ward 21; David T. Nathan, Ward 21; Joseph F. Ford, Ward 22; Henry J. McGuinness, Ward 22; Frederick V. McVey, Ward 22.

Ninety-seven traverse jurors, Superior Civil Court, October Sitting, to appear November 2, 1936:

Edward F. Booth, Ward 1; James R. Cleary, Ward 1; William J. Costello, Ward 1; Charles C. Giggi, Ward 1; John H. Healy, Ward 1; John A. Parisi, Ward 1; Albert Penta, Ward 1; Daniel P. Bradley, Ward 2; James W. Sharp, Ward 2; James H. Sullivan, Ward 2; Samuel Coleman, Ward 3; Henry A. Helfrich, Ward 3; Charles Mager, Ward 3; John Frank O'Rourke, Ward 3; Peter E. Riemer, Ward 3; Joseph B. Sacco, Ward 3; Samuel Sholk, Ward 3; John M. DeWar, Ward 4; William A. Howe, Ward 4; Thomas H. Palmer, Ward 4; Otis H. Swift, Ward 4; Arthur G. Brooks, Ward 5; John J. Campbell, Ward 5; George D. Henderson, Ward 5; Robert K. Johnson, Ward 5; Frank M. Noonan, Ward 5; Frank O'Brien, Ward 5; Frank F. Savage, Ward 5; John H. Dolan, Ward 7; Frank J. Leonard, Ward 7; James P. Morris, Ward 8; Thomas J. Murphy, Ward 8; Frank Fox, Ward 9; John J. Marshall, Ward 9; Joseph P. Shelton, Ward 9; Robert H. Twombly, Ward 9; John J. Dowd, Ward 10; John Moffitt, Ward 10; Harry K. Thompson, Ward 10; William Goode, Ward 11; Joseph L. Trainer, Ward 11; Milton Quint, Ward 12; Walter W. Breen, Ward 13; James A. Kellaher, Ward 13; Albert C. Wiltshire, Ward 13; Joseph J. Barry, Ward 14; George W. Carey, Ward 14; Edward Freeman, Ward 14; Antonio Pepe, Ward 14; Harry Silverstein, Ward 14; James J. Crowley, Ward 15;

Allen F. Goodwin, Ward 15; Robert A. Sullivan, Ward 15; James M. Russell, Ward 16; John M. Fisher, Ward 17; Harland W. Hawes, Ward 17; George Moore, Ward 17; Fred W. Gilliam, Ward 18; Joseph Hener, Ward 18; Leonard F. Hill, Ward 18; Frederic H. Hitchings, Ward 18; Melton A. Nielsen, Ward 18; Bartholomew J. O'Brien, Ward 18; Harold M. Shea, Ward 18; Herman G. Swan, Ward 18; William W. Wadsworth, Ward 18; Ralph H. Blanchard, Ward 19; William E. Cassidy, Ward 19; John L. Conree, Ward 19; Robert H. Dawson, Ward 19; John A. Garland, Ward 19; Jacob Helt, Ward 19; Robert C. Hill, Ward 19; James W. Jordan, Ward 19; John Markgren, Ward 19; Edward Everett Rice, Ward 19; John S. Blagdon, Ward 20; John J. Collins, Ward 20; Walter H. Gordon, Ward 20; Thomas S. Hurley, Ward 20; Henry W. Peters, Ward 20; Ernest M. Robinson, Ward 20; James Thompson, Ward 20; John H. Bowen, Ward 21; George D. Elder, Ward 21; Michael D. Gallant, Ward 21; William J. Kelley, Ward 21; Timothy Murphy, Ward 21; James J. Regan, Ward 21; John E. Thomas, Ward 21; George L. Boudreau, Ward 22; Michael J. Darcy, Ward 22; John F. Hefner, Ward 22; William A. Mansell, Ward 22; Raymond L. McPhail, Ward 22; John Reil, Ward 22; George L. Stalker, Ward 22.

APPOINTMENT BY THE MAYOR.

City of Boston.

Office of the Mayor, October 5, 1936.

To the City Council.

Gentlemen,—Subject to confirmation by your Honorable Body I hereby appoint the following named person as a weigher of coal:

Weigher of Coal: Carlton J. Moore, 39 Delmont street, Dorchester, Mass.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

The appointment was laid over for a week under the law.

SALE OF SURPLUS LIVE STOCK.

The following was received:

City of Boston,

Office of the Mayor, October 2, 1936.

To the City Council.

Gentlemen,—I am in receipt of the inclosed communication from the Penal Institutions Commissioner requesting permission to sell the surplus live stock now located at the House of Correction, Deer Island. In the opinion of the commissioner it would be for the best interests of the city to dispose of it at this time. As this live stock is no longer required at Deer Island the commissioner's request has my approval and I respectfully recommend adoption of the accompanying order by your Honorable Body.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Penal Institutions Department,
September 29, 1936.Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—We have on hand at the House of Correction, Deer Island, at the present time the following live stock for which we would like to find a market:

4 ram lambs.
2 boar pigs.
5 heifer calves (grassers).
6 bull calves (grassers).
7 registered yearling bulls.
2 grade yearling bulls.
1 stag boar.

The estimated return from the sale of this live stock would net approximately four hundred dollars (\$400).

Permission is respectfully requested to sell the above live stock at public or private sale to the highest bidder.

Respectfully,

JOHN J. DOUGLASS, Commissioner.

Ordered, That the Penal Institutions Commissioner be authorized to sell at public or private sale to the highest bidder the surplus live stock at the House of Correction, Deer Island.

Referred to the Executive Committee.

SUNDAY REAL ESTATE BUSINESS.

The following was received:

City of Boston,
Office of the Mayor, October 5, 1936.
To the City Council.
Gentlemen,—I transmit herewith a communication from the Corporation Counsel relative to your order of September 1, 1936, concerning the doing of real estate business on Sunday.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Law Department, October 3, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from your office, dated September 3, 1936, with which was submitted a copy of the following order of the City Council:

"Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to advise the City Council whether under existing law and city ordinances it is permissible for real estate offices to be open in Boston and doing business on Sunday."

You have requested me to furnish the City Council with the advice sought by said order.

There are no pertinent city ordinances. Section 5 of chapter 136 of the General Laws provides, however, as follows:

"Whoever on the Lord's day keeps open his shop, warehouse or workhouse, or does any manner of labor, business or work, except works of necessity and charity, shall be punished by a fine of not more than fifty dollars."

There is considerable doubt that a real estate office comes within the meaning of the term "shop" in said section 5. (See Webster's Dictionary, but compare Boston Loan Co. v. Boston, 137 Mass. 332, 337.) Whether or not, however, a real estate office is a "shop" within the meaning of that term in said section, the carrying on of real estate business in such an office on Sunday constitutes, in my opinion, a violation of said section 5, unless the business carried on was a work of charity or necessity. Such business would not ordinarily, at least, constitute a work of necessity or charity. (See Commonwealth v. De Voe, 159 Mass. 101, and see Commonwealth v. Sampson, 97 Mass. 407, 409, 410, wherein is discussed the meaning of this exception.) Negotiating for the sale or renting of real estate on Sunday, even though the consummation of the transaction is postponed to a week day, constitutes in my opinion the doing of real estate business on Sunday. (Commonwealth v. De Voe, supra.)

While other sections of said chapter 136 provide certain exceptions to the prohibitions of section 5, none exempts from said prohibitions the conduct of a real estate business.

Very truly yours,
HENRY E. FOLEY,
Corporation Counsel.

Placed on file.

NEW WAITING ROOM, FOREST HILLS.

The following was received:

City of Boston,
Office of the Mayor, October 5, 1936.
To the City Council.
Gentlemen,—I transmit herewith a communication from the Trustees of the Boston Elevated Railway relative to your order of September 28, concerning the erection of a new waiting room on the outbound side, lower level, of the Forest Hills elevated structure.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Boston Elevated Railway, Public Trustees,
October 2, 1936.

Mr. John F. Gilmore, Jr.,
Assistant Secretary.
Dear Sir,—In reply to your letter of October 1, I would say that the trustees have already authorized removal of the present small waiting room at Forest Hills Station, lower level, outbound side, and the construction of a new and larger one in place of it. It is expected that the new waiting room will be completed before cold weather.

Very truly yours,
EDWARD DANA,
Executive Vice President and General Manager.
Placed on file.

FIVE-CENT BUS FARE, SOUTH BOSTON TO CITY HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, October 2, 1936.
To the City Council.
Gentlemen,—I transmit herewith a communication from the Trustees of the Boston Elevated Railway relative to your order of September 21, 1936, concerning the establishment of a five-cent bus fare between South Boston and the Boston City Hospital.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Boston Elevated Railway,
September 29, 1936.

Mr. John F. Gilmore, Jr.,
Assistant Secretary.

Dear Sir,—Replying to your letter of September 24, the trustees have previously considered request of the City Council for establishment of a bus line from South Boston to the Boston City Hospital with a 5-cent fare in each direction but do not feel that they can consistently grant the request.

Such a bus line would parallel existing service and would mean the substitution of a 5-cent fare for the present 10-cent fare. The present car line from City Point to Dudley street passes the hospital buildings and by means of transfer at Dorchester and Eighth streets all of South Boston is readily served.

The establishment of special reduced rate service to the City Hospital would mean additional expense with decreased revenue, and for these reasons the trustees do not feel that it can be justified under present conditions.

Very truly yours,
EDWARD DANA,
Executive Vice President and General Manager.
Placed on file.

RESURFACING, MIDDLETON STREET.

The following was received.

City of Boston,
Office of the Mayor, October 5, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works, relative to your order of September 21, 1936, concerning the resurfacing of Kingsdale and Middleton streets in Ward 14, with smooth pavement.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department, October 5, 1936.
Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of September 24, with attached City Council order, dated September 21, 1936, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested to resurface with smooth pavement Kingsdale street and Middleton street, Dorchester, Ward 14," and to state that Middleton street from Norfolk street to Wildwood street has a length of 598 feet; roadway width of 26 feet and sidewalk 7 feet in width.

To construct smooth pavement on 6-inch concrete base, artificial stone sidewalks and the necessary edgestone regulating will cost \$5,700. To date, the loan for Reconstruction of Streets before the City Council has not been approved.

Respectfully yours,
C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

WARNING SIGN, WARD 14.

The following was received:

City of Boston,
Office of the Mayor, October 2, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commissioner, relative to your order of September 1, 1936, concerning the placing of a warning sign at the junction of Blue Hill avenue and Angell street, Ward 14.

Respectfully,
FREDERICK M. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, September 29, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—*Re* Letter of September 4, 1936, from John F. Gilmore, Jr., assistant secretary to your Honor, ordering consideration and report on a City Council order submitted by Councilor Rosenberg, dated September 1, 1936, requesting the Traffic Commissioner to place a warning sign reading "School Zone, Drive Carefully," at the junction of Blue Hill avenue and Angell street, Ward 14.

The original Council order read as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to place a warning sign reading "School Zone, Drive Carefully," at the junction of Blue Hill avenue and Angell street, Ward 14, for the safety and protection of children going to and returning from the Robert Treat Paine School."

Investigator McDonald reports that there are already eleven warning signs in this area, and that this area is better signed than any other in Boston.

In Angell street there are two "Slow" signs, one "School Zone" sign, and one "Stop" sign. In Blue Hill avenue and Angell street there is a "Slow" sign; in Blue Hill avenue and Harvard street there is a "School Zone" sign; in Harvard street at the west corner of Blue Hill avenue there are two signs, one "Stop" sign and one "School Zone" sign.

In Talbot avenue and Blue Hill avenue there are two signs, one "Stop" sign and one "Look Out for Children" sign; in Harvard street at the east corner of Blue Hill avenue there is a "Stop" sign.

We feel that this area has a sufficiency of signs for the present.

Respectfully yours,

WILLIAM P. HICKEY, Commissioner.

Placed on file.

PLANTING OF SHRUBS, WARD 20.

The following was received:

City of Boston,
Office of the Mayor, September 29, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Chairman of the Park Department, relative to your order of September 21, 1936, concerning the planting of grass seed and shrubs on the small island at the junction of Woodard road and Stratford street, Ward 20.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, September 28, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of September 24, with enclosure, order from the City Council that the Park Commission be requested to plant grass seed and shrubs on the small island at the junction of Woodard road and Stratford street, Ward 20.

I regret exceedingly to inform you the department has no funds available for this purpose.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

SALES OF CITY-OWNED TAX-TITLE PROPERTY.

The following was received:

City of Boston,
Office of the Mayor, September 29, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, relative to your order of September 4, 1936, concerning detailed information to be contained on all future requests to have leave to sell any parcels of city-owned tax-title property.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Office of Public Buildings Department,
September 29, 1936.

John F. Gilmore, Jr.,
Assistant Secretary to the Mayor.

Dear Sir,—Referring to the attached order of the City Council "concerning the furnishing of the Council with listed detailed information incident to any further requests for leave to sell any parcels of city-owned tax-title property," I have to inform you that I have issued orders to members of my department to include these details on all future orders prepared for submission to his Honor the Mayor.

Respectfully yours,
ROSWEEL G. HALL,
Superintendent of Public Buildings.
Placed on file.

SULLIVAN SQUARE PLAYGROUND IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, September 29, 1936.
To the City Council.

Gentlemen,—I transmit herewith two letters from the Chairman of the Park Department, relative to your two orders of September 21, 1936, concerning improvements at the Sullivan Square Playground.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, September 28, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of September 24, with enclosure, order from the City Council that the Park Commissioner be requested to replace the wire netting covering the hand ball court at the Sullivan Square Playground.

Please be assured, the department will endeavor to comply with this request at the earliest possible moment.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

City of Boston,
Park Department, September 28, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of September 24, with enclosure, order from the City Council that the Park Commissioner be requested to consider the advisability of the construction of two additional hand ball courts at the Sullivan Square Playground.

I regret exceedingly to inform you the department has no funds available for this purpose.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

PRESERVATION OF HISTORIC PAPERS.

The following was received:

City of Boston,
Office of the Mayor, October 2, 1936.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the City Clerk, which is self-explanatory. I accordingly recommend adoption of the accompanying order by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
City Clerk's Office, September 29, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—For a number of years there has been a gradual deterioration of the ancient records and historic papers which are under my care as City Clerk. Some of the conditions responsible for this deterioration cannot be remedied until a Hall of Records or other suitable building is provided, but it is imperative that immediate corrective measures be taken in some instances. In addition there is a great deal of rebanding and other repair work required and I feel that these matters cannot be longer delayed without risk of serious injury to records and papers that are priceless.

Accordingly I respectfully request that a special appropriation of \$1,000 be established, to be expended by the City Clerk from time to time for the Care and Preservation of Old Records and Historic Papers.

Respectfully,
W. J. DOYLE, City Clerk.

Ordered, That the sum of one thousand (1,000) dollars be, and the same is hereby, appropriated, to be expended by the City Clerk for the Care and Preservation of Old Records and Historic Papers, 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.

Margaret R. Conway, for compensation for injuries caused by an alleged defect at 144 South street, Jamaica Plain.

Amelia J. Ganong, for compensation for injuries caused by an alleged defect at 677 Dudley street.

John Gulinello, for compensation for damage to property at 162 O street, during repaving of street.

Hayes-Bickford, Inc., for refund on illuminated sign permits.

Ruth Jacoby, for compensation for injuries caused by an alleged defect at 3 Dove street.

Charles M. Kelley, for compensation for damage to car caused by an alleged defect in Summer Street Bridge.

John J. Lowney, for compensation for injuries caused by an alleged defect at 233 Freeport street, Dorchester.

John Malberg, for compensation for injuries caused by an alleged defect in Williams street and Shawmut avenue.

John J. McSweeney, for compensation for injuries caused by an alleged defect in Causeway and Leverett streets.

Bernice Roman, for compensation for damage to car by city car.

Ethel Rosenberg, for refund on dog license.

Agrippina Saia, for compensation for damage to property at 160 O street, during repaving of street.

Louis Schwartz, for compensation for damage to car caused by an alleged defect in Maple street.

Mrs. Aaron G. Starbard, for compensation for injuries caused by alleged defect in bridge in Fenway.

Jane Walsh, for compensation for injuries caused by an alleged defect in Washington street.

Mrs. B. Wasilewski, for compensation for damage to clothing caused by spark from tar truck.

Executive.

Petition of Mary F. Hartigan to be paid annuity on account of death of her husband, Edward J. Hartigan, late member of Fire Department.

Petition of Mary A. Barron, to be paid an annuity on account of death of her husband, Chester D. Barron, late member of Police Department.

POLE LOCATIONS.

Notice was received from the Metropolitan District Commission of granting to Edison Electric Illuminating Company and New England Telephone & Telegraph Company pole locations in Veterans of Foreign Wars Parkway.

Placed on file.

APPOINTMENT OF WILFRED J. DOYLE.

Notice was received from the Mayor of re-appointment of Wilfred J. Doyle as member of Boston Retirement Board for term ending September 1, 1940.

Placed on file.

ORGANIZATION OF COURTHOUSE COMMISSION.

Notice was received from the Suffolk County Courthouse Commission of organization of commission as follows: Election of A. Emmet Logue as chairman; Rutledge Kelheur as executive secretary.

Placed on file.

ASSIGNMENT OF JUDGES.

Notice was received from the Chief Justice of the Supreme Judicial Court of assignment of judges of district courts to act as judges of appellate divisions and designation of members of the administrative committee of district courts, to fill vacancies existing on October 1, 1936.

Placed on file.

HUNTINGTON AVENUE SUBWAY.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor consider the advisability of petitioning the W. P. A. authorities of the United States Government with the view of requesting of them the sum of eight million five hundred thousand dollars (\$8,500,000) for a subway on Huntington avenue as originally planned by the Transit Department.

Coun. DOWD—Mr. Chairman, some time ago we had that before us in another form as a W. P. A. grant whereby the city would have to pay 55 per cent. That order went through the Council and was finally rejected by the Board of Directors on the ground that even 55 per cent would be too much for the City of Boston, metropolitan Boston, to take care of. I am of the opinion now that the Federal government would be in a receptive mood. I have talked to those in charge and have talked to the Governor of the Commonwealth, who thinks that if the Mayor of Boston will initiate action the full grant—not a partial grant,—but a full grant of \$8,500,000 will be given to us for a Huntington avenue subway. I would assume that subway would be built under the supervision of the Transit Commission. That would take at least 3,500 men off the civil service list. It would not be a contract job, and the men would be paid the prevailing rate of wages, of course. Every able-bodied man who is on soldiers' relief would be taken off. I feel it is a proper time for the Mayor of Boston to initiate action whereby the City of Boston might receive a Federal grant of 100 per cent, and I have been advised by the Transit Commission they are ready to go ahead within thirty days, as the plans have all been drawn. I dare say Boston is one of the few cities that has not received a large 100 per cent grant for public buildings or public affairs of this kind. I suggest that his Honor the Mayor, in view of the fact that 3,500 men would be placed to work, initiate action immediately for a grant of 100 per cent.

Coun. PETER A. MURRAY—I would like to ask the councilor from Ward 8 if it is possible on a W. P. A. project to take men off the civil service?

Coun. DOWD—If built under the supervision of the Transit Commission, which I requested, they would be taken off civil service.

The order was passed under suspension of the rule.

ADDITIONAL PERSONS IN PRECINCT BOOTHS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor request the Election Department to provide two more persons in each precinct booth on election day on account of the long hours made necessary by the large ballot that will be placed before the people on that date.

Coun. DOWD—I want to state on that order I think it is unfair to those individuals who are working in the polling places in Boston in the presidential election to expect that they can do the work. Four years ago and eight years ago at presidential elections, two additional persons were sent to the respective voting booths at six o'clock and worked throughout the night, and unless that is done the ballots won't be counted until seven or eight o'clock in the morning. I suggest in view of the fact that we have four hundred precincts, it would give employment to eight hundred people and give the people of Massachusetts an opportunity to get the election returns as soon as possible.

Coun. BRACKMAN—In conjunction with Coun. Wilson, about three weeks ago I introduced a similar order. It appeared at that time we were going to have tremendous confusion with all the types of candidates there are. In an ordinary election year they have been counting well into the morning, and we ought to have additional help this year to prevent recounts in the future.

The order was passed under suspension of the rule.

FORTY-FOUR HOUR WEEK FOR FERRY EMPLOYEES.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor request the Public Works Commissioner to make arrangements to have all oilers, machinists, and engineers now working on the ferry placed on a forty-four hour week instead of a forty-eight-hour to meet the same conditions which exist in all other city departments.

Passed under suspension of the rule.

CALL FOR STATE ELECTION.

Coun. GLEASON offered the following:

Ordered, That meetings of the citizens of this city, qualified to vote for state officers, be held at the several polling places designated for the purpose by the Board of Election Commissioners, on Tuesday, the third day of November, 1936, for the election of Presidential Electors, Governor, Lieutenant-Governor, State Secretary, State Treasurer, State Auditor, Attorney-General, Senator in Congress, Representatives in Congress, Councillors, Senators in the General Court, Representatives in the General Court, Register of Probate and Insolvency, and Clerk of the Superior Court for Civil Business; also to give in their votes "Yes" or "No" on the following questions:

1. Shall licenses be granted in this city for the sale therein of all alcoholic beverages (whiskey, rum, gin, malt beverages, wines and all other alcoholic beverages)?

2. Shall licenses be granted in this city for the sale therein of wines and malt beverages (wines and beer, ale and all other malt beverages)?

3. Shall licenses be granted in this city for the sale therein of all alcoholic beverages in packages, so called, not to be drunk on the premises?

and in the second, third, fourth, fifth, ninth, tenth, eleventh, thirteenth, fourteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first and twenty-second Suffolk representative districts on the following question:

Shall the representatives in the General Court from this district be instructed to vote in favor of amending the State Constitution for the purpose of limiting the amount of taxes, for all purposes, which may be legally levied against any real estate within the Commonwealth to a sum not exceeding \$25 for each one thousand dollars of assessed valuation?

The polls at said meetings shall be opened at eight o'clock a. m. and closed at eight o'clock p. m.

Ordered, That the City Clerk be hereby directed to give notice of said meetings according to law.

Referred to Executive Committee.

OVERPASS AT FOREST HILLS.

Coun. PETER A. MURRAY offered the following:

Ordered, That his Honor the Mayor request the W. P. A. authorities to consider the advisability and feasibility of the construction of an overpass or underpass at Forset Hills as a W. P. A. project.

Coun. PETER A. MURRAY—This has been up before the Council for the last five or six years, and the survey of dangerous spots in Boston has shown that Forest Hills was second only to Governor square. Now Governor square has been eliminated as a danger spot, and I believe it is time they took care of the situation at Forest Hills because it is the worst situation in Boston. An underpass or overpass would eliminate plenty of the traffic congestion in the square.

The order was passed under suspens on of the rule.

AID FOR OLD-AGE APPLICANTS.

Coun. PETER A. MURRAY offered the following:

Ordered, That the Overseers of the Public Welfare Department be requested, through his Honor the Mayor, to advise applicants for old-age assistance when they will receive their aid.

Coun. PETER A. MURRAY—I have people in my district who went down and made applica-

tion early in July and they have not received any information yet, and it is a case of going in every other week. They are told it is going to be next week, and the next week, and I believe they should save those old people the trouble and the spending of car fare in going into the city where the traffic conditions are such that some of them have met with accidents. I hope the Welfare Department can give them some date when they will receive the old-age assistance.

The order was passed under suspension of the rule.

ACCEPTANCE OF HAWTHORNE STREET.

Coun. PETER A. 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, Ward 19, as a public highway, under the W. P. A. type of construction.

Coun. PETER A. MURRAY—This is regarding the school on Cummins Highway. All the streets with the exception of Cummins Highway are a mire, and children will be up to their waists in snow and mud. I hope before the cold weather comes they will get some work done so the children can go across the street without a rowboat.

The order was passed under suspension of the rule.

INFORMATION AS TO STREET CONSTRUCTION.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through His Honor the Mayor, to advise the City Council concerning street construction and reconstruction, whether with C. W. A., E. R. A., or W. P. A. assistance, in the City of Boston during the years 1933 to 1936 inclusive, giving

1. As to streets newly constructed:
 - a. The names and locations of the streets.
 - b. The amount expended.
2. As to streets reconstructed:
 - a. The names and locations of said streets.
 - b. The amount expended.

Coun. WILSON—With reference to that order, there has been a lot of speculation with reference to the amount of C. W. A., E. R. A. and W. P. A. or P. W. A. money expended in Massachusetts, much of the money having been expended for questionable purposes, but we are unable to find out from the officials of the Public Works Department how many, if any, streets, new streets, have actually been laid out with the aid of this Federal money. I frankly admit from an ordinary taxpayer's viewpoint I am unable to follow the logic whereby four-lane traffic roads are laid out in the back woods of the state and streets in my ward which have been fully built up for anywhere from forty to fifty years are not yet accepted. For the purpose of the record, I wish to ascertain—and I am sure others of the Council will be glad to learn—what, if any, W. P. A. or E. R. A. money has been allocated to spend for the building of any new streets whatever in the City of Boston during the past three years.

The order was passed under suspension of the rule.

1937 POLICE LISTING.

Coun. WILSON offered the following:

Ordered, That the Boston Police Commissioner, through his Honor the Mayor, be requested to instruct all police officers on the taking of the 1937 Police Listing in January next, to obtain from each person listed, a listing card signed by each person and witnessed in writing by the officer in each case.

Coun. WILSON—I am strongly in support of the excellent order introduced by the councilor from Charlestown on the 21st of September, pointing out a few facts with reference to the irregular registrations in the course of the years that have gone by in the City of Boston and perhaps outside of the City of Boston. It is perfectly obvious to any person of average intelligence, over 21 years of age, and anyone who has been in politics for over-night. We all know

that the registration in this city and the voting in this city has been crooked for years. We realize that in other great cities of the country, I believe in New York city, there is an annual registration of voters. We all know the story of mattress voting in Boston. We all know the job done annually on the listing of voters, and we all know that if the democratic form of government is going to amount to anything, one of the first things that must be purged is the voting list and the purging of the phoney names that absolutely exist on the voting list this year as in past years in the City of Boston. I don't know whether the proper procedure is an annual reregistration, but I am very sure that the suggestion made by the councilor from Charlestown, with the additional suggestion outlined in this present order, will perhaps do something to cleanse this list. I won't say, for example, that there are mattress voters or imaginary voters in the parcels of our city-owned real estate except that I do know that taking a list of 35 city-owned properties, I find 100 adult persons listed in those 35 city properties, and 50 of the 100 are registered voters. Seven of the 50 are on the supplementary list. Now it may be that there are 100 adults living in these 35 parcels of city-owned property, and it may be that there are 50 voters among the 100, although I have my doubts. That particular line of inquiry perhaps will come up in another order which I have presented to the Clerk, because if all those persons are living in those few city-owned properties, it is surprising the lack of progress that has been made in the matter of rent collections since Major Hall and his department received full charge of all city-owned property as long ago as a year next Wednesday. But I urge that something definite should be done in the City of Boston to purge the present voting lists and to preserve for those persons who have a right to vote the right to make their vote count against the votes of other persons who have a right to vote and who vote, and not against the men who vote six and a dozen times at every election held in the City of Boston.

The order was passed, under suspension of the rule.

INFORMATION IN RE ILLEGAL COLLECTION OF RENTALS.

Coun. WILSON offered the following:

Ordered, That the Law Department, through his Honor the Mayor, advise the City Council in detail what steps, if any, have been taken in prosecution for, and reimbursement of, rentals illegally collected by individuals from city-owned property, and specifying in each case the street and street number of the parcel involved.

Ordered, That the Public Buildings Commissioner at once advise the City Council with reference to each of the following parcels of city-owned property:

A. The number of families living at each address.

B. The amount of monthly rent now being collected.

C. The month for which the city first collected rental.

D. The total amount already collected in rent by the city.

91 Marginal street and 336 Border street, Ward 1.

28 Corey street and 8 North Short Street place, Ward 2.

2 Lovett place, 47 Barton street and 61 Dover street, Ward 3.

3-8-16 Dartmouth place and 240 West Canton street, Ward 4.

88-90-92-94 Bolton street; 112 B street; 42-44-46 A street; 27 Silver street; 28 West Fifth street; 124 West Sixth street; 134 West Eighth street; 410 West Second street; 767 East Fourth street; 819 East Sixth street, in Ward 6.

9-11 Fairweather street in Ward 8.

18 Parnell street; 37 Sterling street; 6-8 Linden avenue and 135 Warwick street, in Ward 9.

35-37 Ellingwood street in Ward 10.

4 Alpine terrace in Ward 12.

96 Loring street in Ward 18.

6-8-10 Emsella terrace in Ward 19.

Coun. WILSON—Mr. President, I personally believe, when we consider the gross over-assessment of the average dwelling house and building in the City of Boston, and when we consider the difficulty which the city is experiencing collecting taxes on our present high tax rate and the necessity

which apparently has occurred to the Mayor to make a drive for uncollected water bills, I believe the present situation of this city on its tax property is a serious proposition. I believe it justifies the urgent, almost tearful message of the Mayor a year ago last July when he called upon the Council urgently to pass a proposed new ordinance to place the handling of all city-owned tax-title properties in the hands of the Public Buildings Department. Now that city ordinance was passed, if I remember correctly, on October 7, 1935, or a year the day after tomorrow, and we naturally have been waiting for some progress to be made by Mr. Hall, who I understand has been doing some work on the proposition, with the aid of a staff of from forty to fifty W. P. A. workers as a special project. We have received perhaps only twelve or fifteen orders for the sale of this city-owned property. The Council was kind enough to unanimously pass an order which I introduced as long ago as August 17, almost two months ago, or a month and a half ago, requesting the Public Buildings Commissioner to tell the City Council and especially this Committee on Public Lands and city-owned property, the complete list of all tax-title properties in his custody or control where demolition work has already been done or is now being done, and a list of all the properties on which repair work or renovation work has been done or is now being done, and a list of all the properties with the locations and amounts which rent is being or has been collected from, and a list of all those parcels, if any, and there are some, which have been sold by the city since we passed that city ordinance as long ago as the 7th of October of last year. Now I don't know what the primary reason is for holding back that information, but I am beginning to wonder, especially as to the item with reference to these rent collections and the item with respect to repair and renovation on these broken-down buildings, because we were informed by Mr. Hall that the city, even though it was in the real estate business, did not want to go into the real estate business, and he said it would be the policy of his department wherever possible to tear down buildings which would not justify their being fixed up or rented. Now there have been many hundreds of thousands of dollars collected in rentals, or which should have been collected in rentals, since these various properties had the title to them taken by the City of Boston through Land Court procedure. I could name a place in South Boston where a man collected \$40 a month for eleven months,—I mean eleven months after the city took title. I think we are entitled to an accounting of what happened to that \$40 times eleven months. There are other instances of the same kind. I would like to have that information, and I think the Council is entitled to it, before anybody covers their traces, because rents are being collected whether by city agents or former owners of the property. I would like to know why there has been no explanation of rent collections at 3 Wall street in Charlestown. I would like to know why there has been no explanation of rent collection on Ellingwood street, Roxbury, and I think it is high time that we received a businesslike report from the Public Buildings Commissioner and his army of help. There are, I assume, records in the Land Court for anybody to look at, and they are easy for anybody to find, whether lawyer or layman. Each case has a number. They are indexed, so anybody can look at them. I understand there are somewhere between 1,500 and 2,000 parcels of property which were sold for taxes, and the necessary two years passed by, and then two years more passed by after the tax sale, and they have been put through the Land Court, and the former owner after four or five years of disinterest has been outlawed. Mr. Hall says many of those are vacant parcels of land. I know that. I know many of those parcels of land, some of which I referred to months ago, are being used as parking spaces. I know some of them are being used as sites for Donnelly bill posters. I assume some return is paid or should be paid for posting on those vacant pieces of land, one of which I believe has had a substantial amount of money spent on it to fix it up. There are a substantially large number of properties on which there are buildings. Now those buildings, according to the talk that Mr. Hall gave the committee, in most instances he felt should be demolished and, of course, if fixing them up would cost too much money, the city having already lost the taxes, the building should be

demolished. They should not be doing what they are doing now on that house at 6-8-10 Emsella terrace, Ward 19, wasting the taxpayers, money. I don't care whether spending city money or Federal money that has been remitted from Massachusetts and other states to Washington and then tossed back here for some boondoggling project. I took the trouble to take a ride this morning out to Emsella terrace in Ward 19,—a dead-end street on the Roxbury line,—flush against the railroad tracks, with a stone wall at the end of the street of a height equal to the second-story windows of a house. At the end of that dead-end street on one of the poorer streets of that particular section is this old worn-out frame dwelling 6-8-10 Emsella terrace. It is about two stories and an attic high. Once perhaps nine families lived in it as there are three entrances. There are not even furnaces in the cellars, coal, steam heating, or water or anything else. The heating has been done upstairs, with kitchen stoves, presumably. The house is an old-fashioned house and to show you how old-fashioned it is they have one of those fancy service openings between the kitchen closet and the dining-room,—an old broken-down building. I went down there and took a look. Incidentally, the city took title, Land Court title, after which all rights were outlawed, to this broken-down piece of real estate on December 14, 1935, at a time when the city presumably has owed \$2,591 in back taxes. Three families at least were listed there on January 1, 1935, and the first of January this year there were two families listed there. Somebody apparently has been living there, because there are water bills outstanding against two of the houses, not only for 1934 and 1935, but right down in modern history in 1936. Somebody has been paying or should have been paying water bills at Nos. 6 and 8. Nobody has been paying any water bills in No. 10 because that place has been vacant since February 6, 1931, when the water was shut off for good and all. What I am getting at is this: Here is this old broken-down property, in one of the poorer sections of the city, a dead-end street, a street flush against the railroad tracks, without any heating apparatus whatever in the cellar, unoccupied—one of the buildings—since February, 1931, but with some families in there, and I assume paying rent to the city since December of last year. This morning by actual count I found twenty-five men out there in overalls working on that house. Some I think were in the basement down cellar waiting for help, a piece of lumber or something. There was a group of six or eight outside unloading lumber from a truck and commenting on the World Series, which has not gone too good from some of our points of view. There were men up in the bathroom; all of the plumbing was torn out. There were three new doors for each of the three entrances. Apparently the walls of each room in each building have been more or less dismantled and either repapered or replastered. I assume, all the rooms of the house. Painting it up and fixing it up. There are twenty-five men working there today, if I may use that phrase, and I understand from inquiries that they have been working on it or work has been active, if I can use that word, on that building for upwards of two months. Now I don't know who is paying the bill, but I know this building has \$2,500 in back taxes against it. I therefore assume that they would have torn it down. It would be interesting to see whether the city has received any offers on the property in the months since October 7, 1935, and if they had any offer, why they didn't unload it. If they haven't got any offer, it would be interesting to know whether any rents have been collected in the past year and nine months, and if not, why not, and if they have not had any offers, and if nobody has been collecting rents, although two families were living there this morning, it would be interesting to know whose money is being used to renovate and repair that building in that particular spot against a railroad track. I am not a builder. The gentleman on my left is in the real estate business. I am not a builder, but as a guess, if they have been working there for two months, with such a staff of men as was there this morning, with the state or the Federal government paying wages and presumably for the materials, they have come pretty near spending \$5,000 there already, or I miss my guess. That is twice what the city has been already stuck in back taxes when they

first drove a truck out there loaded with workmen. So I believe we are entitled to some information on these various properties, so far as the rent collections are concerned. I believe we are entitled, and the public is entitled, to detailed information if money is being thrown away on other buildings as I say it is on that Emsella terrace place. I don't know what the purpose of the work is. It may be on some phoney claim that the men ought to be getting work. If so, there are better places to put them to work; or it may be that some day an order is coming into this Council for the sale of that particular piece, giving us in a sketchy outline the \$2,500 the city, is stuck already for taxes and not telling the committee about the \$4,000 or \$5,000 put in there to improve the place. Now it has reached the stage on this city-owned property where, to put it mildly, I am starting to get suspicious. I think the sooner we get the information on the rent collections and the detailed information on these repairs, alterations and demolitions, the better it is. For that reason I ask the passage of these orders at the present time.

Coun. PETER MURRAY—That being in my district, and most of the people down there on welfare, if there are twenty-five men working there, I would like to know who they are working for.

Coun. WILSON—That is what we want to find out.

Coun. MURRAY—If these men are thrown out of there, will he or his party who are now fighting the spending of money to keep them going, at least give them tents?

The order was passed under suspension of the rule.

SALARY OF EAST BOSTON TUNNEL GUARDS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor request the Public Works Commissioner to place in the budget for the coming year a sufficient sum of money to provide for an annual salary of \$2,100 for a six-day week and in addition a fifteen-day sick leave per year for all guards working in the East Boston Tunnel.

Passed, under suspension of the rule.

HAVELOCK STREET, WARD 14.

Coun. ROSENBERG offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to make Havelock street a one-way street from Blue Hill avenue to Harvard street, Ward 14.

Passed under suspension of the rule.

LONG ISLAND INVESTIGATION.

Coun. MELLEN offered the following:

Ordered, That his Honor the Mayor advise the City Council what progress, if any, has been made in the investigation of the quality and the quantity of the food being served to the inmates of Long Island, which investigation was ordered at the last regular meeting of the City Council.

Passed under suspension of the rule.

INVESTIGATION OF OLD AGE APPLICANTS.

Coun. MELLEN offered the following:

Ordered, That the Overseers of the Public Welfare, through his Honor the Mayor, appoint additional investigators to facilitate and speed up the investigation of old-age applicants.

Passed under suspension of the rule.

REPAIR OF NONMAJOR STREETS.

Couns. ROSENBERG, AGNEW and NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of fixing every nonmajor street in Boston.

Coun. ROSENBERG—Mr. President, I am greatly interested in the adoption of the present

order. We have noted that recently the W. P. A. Administrator for Massachusetts has stated that there will be an abandonment of all state highway projects and that only those that are now under actual construction will be completed. This should, therefore, be a great opportunity on behalf of the cities and towns and, more especially, for the City of Boston, to secure W. P. A. approval for the resurfacing of nonmajor streets which are in a most deplorable condition. We have received information from our Commissioner of Public Works that, since 1934, only four new streets have been constructed and that since 1935 no new street construction has gone forward. For the benefit of the city, it is important that these nonmajor streets be resurfaced and put in condition as the great bulk of the taxes that are paid to the city come from home owners in the various sections of Boston. A large number of streets in Ward 14, Dorchester, the district that I represent in the Council, are not only in an unsafe condition, but are so bad as to cause, if they have not already done so, a large number of claims against the city for damages. If we are able to convince the W. P. A. authorities of the urgent necessity of having the nonmajor streets resurfaced, I believe we will be doing something in the right direction in bringing about a great improvement in the condition of the streets in general which will prove beneficial to the city. The opportunity should be welcomed and I believe that the adoption of this order will tend to bring about the necessary and much-needed repairs.

The order was passed under a suspension of the rule.

PROGRAM FOR BOSTON'S AGED PEOPLE.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of conferring with Federal and local school officials relative to planning a program for Boston's aged people.

Coun. NORTON—There are thousands of old people in Boston and no one seems to want to give them much to do. They are sixty-five years of age, and nobody wants to give them work. Now we have school buildings in Boston which are idle most of the day, three hundred schools in forty-four square miles. It seems best to do what is done in some of the other large cities towards working out some sort of a program for old people. Those out of college twenty years need to go back again. We are living in a new world.

The order was passed under suspension of the rule.

BIDS FOR CITY ELECTRIC LIGHT BULBS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of advising the Council as to why bids were closed on July 8 last for supplying the city for one year with electric light bulbs and nothing has been done as yet.

Coun. NORTON—The bulbs are rather a political football in Boston, but on July 8 bids were opened up for bulbs, and nothing has been done. I would like to know why it is that on July 8 these bids were closed and as yet nothing has been done.

The order was passed under suspension of the rule.

RECESS.

The Council voted at 3.10 p. m. to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber, and were called to order by Coun. GALLAGHER at 4 p. m.

EXECUTIVE REPORTS.

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

1. Report on order (referred today) relative to election to be held on November 3—that same ought to pass.

Report accepted, order passed.

2. Report on message of Mayor and order (referred today) *in re* sale of surplus swine at House of Correction, Deer Island—recommending that order pass.

Report accepted, order passed under suspension of the rule.

3. Report on message of Mayor and order (referred today) for transfer of \$1,000 from reserve fund to City Clerk's Department for preservation of historic records—that same ought to pass.

Report accepted, said order passed, yeas 18, nays 0.

4. Report on message of Mayor and order (referred September 21) for transfer of \$100,000 for highway construction of streets—that same ought not to pass.

The report was accepted and the question came on the passage of the order.

Coun. WILSON—This matter came up before executive. For the purposes of the record, as I understand it, it is a requested transfer of available loan order money which was appropriated to be used for the construction of the newly accepted streets in the City of Boston, and it asks to be transferred \$25,000 for certain wages in the paving department, and \$75,000 for the annual patch-paving contract. The average street being repaired in the City of Boston at the present time, whether in my ward or in the other wards, is, of course, being done with Federal money and city material. This money of course is usually wholly for patch paving on thoroughfares and it is being taken from money formerly voted for the acceptance and laying out of new streets. If I understand Mr. Carven correctly, in spite of the money spent by Boston, only four newly accepted streets have been constructed anywhere in Boston since 1934. Having that in mind I with other members of the Council requested that this loan order be reported back "Ought to pass" for the \$25,000 involving salaries, but we were outvoted, the attitude of the Council apparently being they wanted the whole \$100,000 or none. I find it impossible to take \$75,000 from money properly belonging to newly accepted streets going for the benefit of any patch-paving contractor.

Coun. McGRATH—If it is in order, I would like to amend it to read that \$75,000 go for traffic lights. I think at this time it would be in order because after every request that is made of the Mayor, the answer seems to be, formal or informal as you will, that there is no money available, so if this could be amended, \$75,000 for traffic lights, I think the Council would pass it.

Coun. DOWD—I am going to vote against the report of the committee, and vote for the order. I am in perfect accord with it, and I made the motion to cut it to \$75,000. I think the councilor from Dorchester is in error when he says all streets are being taken care of by the W. P. A., as Mr. Carven stated that the W. P. A. will not allow any money for patch paving in Boston. I am not going to vote against anything that is going to discontinue the service of some city employees. I am not going to vote against anything which benefits my ward, composed mostly of old streets that really need resurfacing. It is all right for the gentlemen from the outlying sections where they have hundreds of new streets to vote against it, and I might think the same way if I lived there, but I live in a poor section where the streets are in tough condition, and I am going to vote for the order as it is.

Coun. AGNEW—We have read in the newspapers during the past few days that the Federal project pertaining to the making of new streets must be hurried; that they only have approximately a month to work on them because snow or frost will set in, which will make it impossible for these men to be engaged in that particular project. This order is asked for us to pass it so they may patch the various streets in Boston. This is the first reading of it. It requires two readings, and by that time, or shortly after, and before it would be set in operation, we would have snow and frost, and it would be impossible for any patch work to be done; whereas in the spring, after we have had the snow, and the snow has left the ground, the streets are always full of holes that need patching, and that is the time that it should be done and not at this time coming into the winter.

The question came on the passage of the order. The order was rejected, the vote on its passage being:

Yeas—Coun. Dowd, Finley, John I. Fitzgerald, Gallagher, Gleason, Peter A. Murray, Tobin—7.

Nays—Coun. Agnew, Doherty, P. J. Fitzgerald, Kilroy, McGrath, Mellen, Roberts, Rosenberg, Shattuck, Wilson—10.

Coun. PETER A. MURRAY—I now amend the motion to make it \$25,000.

Chairman GALLAGHER—The motion is declared out of order.

Coun. MURRAY—On what grounds?

Chairman GALLAGHER—Because the order has been defeated, and it cannot be amended after it is defeated.

Coun. MURRAY—Well, I move to refer it to the next meeting.

Coun. JOHN I. FITZGERALD—I move reconsideration and assignment to the next meeting. The motion was lost.

UNFINISHED BUSINESS.

The Chair called up No. 1 on the calendar, viz.:

1. Ordered, That under the provisions of section 1, chapter 281, of the Acts of 1936, amending section 2, chapter 49, of the Acts of 1933, the City Treasurer be authorized to secure the approval of the Emergency Finance Board to the issuance of notes of the city in the amount of \$1,000,000, said notes to be sold at their face value to the Commonwealth and the proceeds to be used for ordinary maintenance purposes.

On September 21, 1936, the foregoing order was read once and passed, yeas 10, nays 1.

The question came on the second reading and passage of the order.

Coun. MELLEN—This involves a million dollars and I think more specific information should be available to the Council before voting on an order of that amount.

Coun. GALLAGHER—The Council has already given it one reading and passage and this is for the second reading and passage.

Coun. DOWD—Part of this is to take care of the welfare?

Coun. GALLAGHER—That is right.

The roll was called, and the order was given its second reading and passage, yeas 16, nays 1:

Yeas—Coun. Agnew, Doherty, Dowd, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Gleason, Kerrigan, Kilroy, McGrath, George A. Murray, Peter A. Murray, Roberts, Rosenberg, Tobin, 16.

Nays—Coun. Shattuck, 1.

The Chair called up Nos. 2 and 3 on the calendar, viz.:

2. Ordered, That the right to borrow money for School Committee, one new high school and one new intermediate school, under authority of chapter 366, Acts of 1933, as amended by chapter 21, Acts of 1934, approved by the Mayor on February 27, 1934, be limited to \$600,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

On September 21, 1936, the foregoing order was read once and passed, yeas 19, nays 0.

3. Ordered, That the right to borrow money for reconstruction of streets, under authority of chapter 366, Acts of 1933, as amended by chapter 21, Acts of 1934, approved by the Mayor on February 27, 1934, be limited to \$750,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

On September 21, 1936, the foregoing order was read once and passed, yeas 19, nays 0.

The orders were given their second reading and passage, yeas 16, nays 0.

FISKE WHARF PROPERTY.

Coun. PETER J. MURRAY asked to take No. 5 from the calendar, viz.:

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Sales of City Property, \$25,000, to the appropriation for Fiske Wharf Property, Purchase of, \$25,000.

Coun. McGRATH—I would like to ask if the information which Coun. Shattuck or Coun. Roberts asked for in this order has been forthcoming from the Mayor.

Coun. GALLAGHER—No information.

Coun. McGRATH—Then I move we lay it over until such time as the information comes from the Mayor.

The order was assigned to the next meeting.

SOLDIERS' RELIEF.

Coun. KERRIGAN, for the Committee on Soldiers and Sailors' 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.

Report accepted; and order passed under suspension of the rule.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. PETER MURRAY, for the Committee on jitney Licenses, submitted the following:

1. Report on petition of Boston Elevated Railway (referred May 11) for license to operate motor vehicles between junction of Belgrade avenue and Robert street and junction of Weld and Maple streets—that leave be granted.

Report accepted; permit granted under usual conditions.

PARKING OF AUTOMOBILES IN PRIVATE WAYS.

The following was received:

City of Boston,

Law Department, October 5, 1936.

To the Honorable the City Council.

Gentlemen,—There has been transmitted to me the following order passed by your Honorable Body:

"Ordered, That the Corporation Counsel be requested to furnish the City Council with his opinion as to whether or not it is within the powers of the City Council or of the Traffic Commission, under the provisions of chapter 319 of the Acts of 1928 or any other provision of law, to prohibit or restrict the parking of automobiles in private ways or alleys or in public alleys."

I.

Prohibition or Regulation of Parking of Automobiles in Private Ways or Alleys.

Section 21 of chapter 40 of the General Laws (Ter. Ed.), however, provides, in part, as follows:

"Towns may, for the purposes hereinafter named, make such orders and by-laws, not repugnant to law, as they may judge most conducive to their welfare, which shall be binding upon all inhabitants thereof and all persons within their limits. They may, except as herein provided, affix penalties for breaches thereof, not exceeding twenty dollars for each offence, which may be recovered by indictment or on complaint before a district court or trial justice, and shall enure to the town or to such uses as it may direct:

(14) Prohibiting, etc., Leaving of Vehicles in Certain Private Ways.—For prohibiting or regulating 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 and forty-five."

Said 14th clause was inserted by chapter 319 of the Acts of 1928 referred to in the order of your Honorable Body hereinbefore quoted.

It is my opinion that, by virtue of the provisions of said section 21, the City Council may by ordinance prohibit or regulate the leaving of automobiles unattended within the limits of private ways or alleys which furnish 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 and forty-five of the General Laws. Section 2 of said chapter 145 contains the following provision:

"Tenement house," any house or building, or part thereof, which is rented, leased, let or hired out to be occupied, or is occupied or is intended, arranged or designed to be occupied as the home or residence of more than two families (a family may consist of one or more persons) living independently of each other and having a common right in the halls, stairways, yard, cellar, sinks, water closets or privies, or any of them, and includes lodging and boarding houses, apartment houses, and flat houses. Dwelling houses built in continuous rows of more than two houses occupied or intended, arranged or designed to be occupied as the home or residence of one family or more having a common right in or using in common the halls, stairways, yards, cellars, sinks, water closets

or privies, or any of them, shall be deemed to be tenement houses, and shall be subject to all the provisions of this chapter."

I find no authority in the Boston Traffic Commission or in any department of the city or in the City Council, other than that given to the City Council by section 21, to prohibit or regulate the parking of automobiles in private ways or alleys.

II.

Prohibition or Regulation of Parking of Automobiles in Public Alleys.

Section 2 of chapter 263 of the Acts of 1929 provides in part, as follows:

"The commission (Boston Traffic Commission) shall have exclusive authority, except as otherwise herein provided, to adopt, amend, alter and repeal rules and regulations, not inconsistent with general law as modified by this act, relative to vehicular street traffic in the city, and to the movement, stopping or standing of vehicles on, and their exclusion from, all or any streets, ways, highways, roads and parkways, under the control of the city, including rules and regulations designating any way or part thereof under said control as a through way under and subject to the provisions of section nine of chapter eighty-nine of the General Laws, as amended, and may prescribe penalties not exceeding fifty dollars for the violation of any rule or regulation adopted hereunder.

It is my opinion that a public alley is included within the classification of "streets, ways, highways, roads and parkways, under the control of the city" as those words are used in said section 2; and that, therefore, the Boston Traffic Commission has the exclusive power, under and subject to the limitations of said chapter 263, to prohibit or regulate the parking of automobiles in public alleys. (Cf. chapter 298 of the Acts of 1898.)

Very truly yours,

HENRY E. FOLEY, Corporation Counsel.

Placed on file.

TRANSFER OF HIGHWAY LOAN.

The following was received:

City of Boston,
Law Department, October 5, 1936.

John E. Baldwin, Esq.,

Clerk of Committees, City Council.

Dear Sir,—I have received your letter dated September 25, 1936, in which you requested my opinion as to whether or not the City Council may properly pass an order, recommended by the Mayor in a written message to the City Council dated August 28, 1936, transferring the sum of \$100,000 from the appropriation for "Highways, Making of," to the appropriation for "Reconstruction of Streets." I have been advised by Charles J. Fox, City Auditor, that the appropriation for "Highways, Making of," to which you have reference, was made by loan order in the sum of \$500,000, which became effective on March 11, 1933 (under the provisions of section 2 of chapter 486 of the Acts of 1909,—see City Council Minutes of 1933, page 86), that the debt authorized by said order was issued on November 1, 1934, and that of said sum of \$500,000 there is now a balance of \$151,000 cash in possession. Mr. Fox has also advised me that the appropriation for "Reconstruction of Streets" to which you have reference was made by loan order in the sum of \$250,000 given its second and final reading by the City Council on February 26, 1934, and approved by the Mayor on February 27, 1934, that the debt authorized by said order was issued on May 1, 1934, and that of said sum of \$250,000 there is now a balance of \$30,000 unexpended.

Section 1 of chapter 261 of the Acts of 1893 provides as follows:

"After an appropriation of money has been duly made by the city government of Boston for any specific purpose, or for the needs and expenditures of any department, no transfer of any part of the money thus appropriated shall be made except within the department, or in accordance with and after the written recommendations of the mayor to the city council, approved by the yeas and nays vote of two thirds of the members of each branch thereof."

It is my opinion, that based upon said section 1 the City Council may properly pass said order transferring said sum of \$100,000 from the said appropriation for "Highways, Making of," to said

appropriation for "Reconstruction of Streets" by a two-thirds vote of its members. It is also my opinion that chapter 224 of the Acts of 1936 has no application to debt issued prior to the effective date thereof (see section 11 of said chapter 224 making the provisions of sections 4 to 10 thereof inapplicable to debt of the city authorized prior to the effective date thereof whether or not issued) and that the transfer of unexpended balances of proceeds of the sale of bonds or notes of the city is not limited by the provisions of section 20 of chapter 44 of the General Laws (Ter. Ed.).

If the said transfer order is passed by the City Council, it will be necessary for the Mayor to certify in writing upon said order, under the provisions of section 2 of chapter 206 of the Acts of 1891, that said transfer is not, in his opinion, to meet a current expense, or that said transfer is to meet a current expense, but that public necessity requires said transfer to be made.

Very truly yours,

HENRY E. FOLEY, Corporation Counsel.

Placed on file.

REMOVAL OF CHARLESTOWN STATE PRISON.

Coun. MELLETT offered the following:

Ordered, That the Committee on Legislative Matters be requested to petition for legislation asking for the removal of the State Prison in Charlestown to some non-populous district in the state.

Passed under suspension of the rule.

CONTRACTS OF METROPOLITAN WATER DISTRICT.

Coun. SHATTUCK offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of taking steps to see that the cities and towns comprising the metropolitan water district are given due notice and an opportunity to be heard before any important contract is let or any important water or land damage claim is settled by the Metropolitan District Water Supply Commission.

Coun. SHATTUCK—Mr. President, this asks the Mayor to consider the advisability of taking such steps as can be taken to see that the cities and towns comprising the metropolitan water district are notified of any important contract or damage claim which is about to be let or settled, and be given an opportunity to be heard before action is finally taken. I want to read a short extract from the recent opinion of the Attorney General. I will read the two paragraphs from his conclusions. The first one is relative to the Two Companies' contract. He says:

"The inclusion of sixty per cent of the total earth excavation and thirty-five per cent rock excavation already awarded to one contractor to another contractor warrants explanation, but when it also appears that the price for doing a portion of this work, *i. e.*, the rock excavation, will involve an expenditure of more than \$248,000 in excess of the price fixed by the existing award; that the work is to be given at the rate of \$7.50 a cubic yard to one who had already submitted a bid of \$3 a cubic yard, constitutes a series of events demanding severe condemnation. Any contract so effected is contrary to public policy, inconsistent with the public interest, subversive of public welfare, and must be stricken down. The plain dictates of common justice have been outraged. Nothing has and nothing can be said to mitigate or mollify such official conduct upon the part of those involved. At least, it constitutes a serious breach of public trust. There must be no temporizing with such inexcusable extravagance in the disbursement of public funds. My plain duty is to advise you that the action of the majority of this commission in attempting on August 21, 1936, to award the performance of one hundred and fifty thousand cubic yards of earth excavation and approximately forty thousand cubic yards of rock excavation is a mere nullity."

With reference to the Cenedella contract he announces this conclusion:

"The action of the commission, if permitted to be carried out, will constitute an unwarranted and

unnecessary expenditure of public funds of over \$400,000 in excess of the amount for which the work could be done even assuming that it was desirable to have the work done. The action of the commission on August 21, 1936, is illegal and void, and none of the votes taken at that time bind the commission."

Now, those two associate commissioners, the majority of the commission referred to in that opinion, are still on the job. Various requests have been made that they be removed. Those requests have been denied. There is still danger that other contracts of this sort may be attempted. The water takers in the district comprise practically all the people in the district. There is a wider spread in the charge for water than in ordinary taxes because many people who rent property pay

water bills. Some opportunity to the cities and towns which represent these water takers in the metropolitan water district, some opportunity for them to know what is going on and to be heard on the subject, is a mere matter of justice to the water takers of the district. I move the suspension of the rule.

The order was passed under suspension of the rule.

Coun. PETER MURRAY—I want to congratulate the Republican member from the Back Bay for commenting on the opinion of our Attorney General. It is wonderful for him to say what he has about the opinion of Mr. Dever.

Adjourned, on motion of Coun. KERRIGAN, to meet on Monday, October 19, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 19, 1936.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., Coun. GALLAGHER presiding. Absent, Coun. Dowd, John I. Fitzgerald.

TRANSFER OF WELFARE CASES.

The following were received:

City of Boston,

Office of the Mayor, October 5, 1936.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Overseers of the Public Welfare relative to your order of September 21, 1936, requesting that welfare cases be not transferred from the Unit on Glenway street to the Unit on Hancock street, Dorchester.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Overseers of the Public Welfare,

October 1, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—This is to acknowledge receipt of your communication of September 24, 1936, inclosing the following order from the City Council dated September 21, 1936:

"Ordered, That his Honor the Mayor be requested to instruct the Board of Overseers of Public Welfare not to transfer the welfare unit on Glenway street to Hancock street, Dorchester."

I wish to report that the Hancock street building is a large three-story building designed to serve the Dorchester district and inasmuch as each district unit has about 3,000 cases, it was necessary to transfer the 1,478 cases from the Glenway Street Unit to make up that quota.

The Glenway street building will probably be occupied by a branch of the Old Age Assistance Division to take care of the Dorchester, Roxbury, and West Roxbury sections of the city.

Yours truly,

JOHN C. L. DOWLING,
Executive Director.

City of Boston,

Office of the Mayor, October 5, 1936.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Overseers of the Public Welfare, relative to your order of September 21, 1936, requesting that welfare cases be not transferred from the South Boston Unit to the Hancock Street Unit.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Overseers of the Public Welfare,

October 1, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—This is to acknowledge receipt of your communication of September 24, 1936, inclosing the following order from the City Council dated September 21, 1936:

"Ordered, That the Overseers of Public Welfare be requested, through his Honor the Mayor, not to transfer any welfare cases from the South Boston Unit to the Hancock Street Unit."

The Hancock street building was erected to take care of approximately 3,000 cases in the Dorchester district of the city. In order to

do this, it was necessary to assign 530 cases residing in the district to the south of Dorchester avenue and Boston street formerly served by the South Boston district office.

The distance for these people to travel to the Hancock Street Unit is approximately one mile. If these 530 cases were not transferred to the Hancock Street Unit, that unit would have a less number of cases than the other units of the city. We have tried to establish a 3,000 case limit for each district supervisor to administer.

Yours truly,

JOHN C. L. DOWLING,
Executive Director.

Severally placed on file.

REPLACING OF UPHAMS CORNER FIRE-WARNING SIREN.

The following was received:

City of Boston,

Office of the Mayor, October 7, 1936.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Fire Commissioner relative to your order of August 17, 1936, concerning the replacing of the fire-warning siren at Uphams Corner.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Fire Department, October 5, 1936.

Hon. Frederick W. Mansfield,

Mayor of Boston.

My dear Mayor,—I am returning herewith to your Honor an order of the City Council, requesting that the warning bell at Uphams Corner be replaced by a siren horn for the protection of pedestrians and automobile traffic.

For several years there has been a bell on Fire Alarm Box 3147 at Uphams Corner which was operated from Engine 21 when the company responded in that direction. The bell, with the sirens on the apparatus, has been more or less effective in clearing traffic, although the traffic officer stationed there stated that at times he could not hear the bell because of the noise made by traffic.

In order to install a horn at Uphams Corner and connect it to Engine 21 it will be necessary to haul about 1,800 feet of cable through underground ducts at a cost of about \$100. Because of the traffic congestion in Uphams Corner at times it might be well to install a siren horn there. Of course this signal does not give any warning for apparatus responding from other directions.

Yours very truly,

EDWARD F. McLAUGHLIN,
Fire Commissioner.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Helen Broderick, for compensation for injuries caused by an alleged defect in City Hall Annex.

Catherine Fergus, trustee, for compensation for damage to property at 65 Marine road, by tree.

M. Goldberg & Sons, for compensation for damage to property at Green and Leverett streets, caused by city truck.

Archibald J. Hubley, for compensation for damage to car by city truck.

Leon Klickstein, for compensation for damage to property at 15 Maywood street, Roxbury, caused by city truck.

Mary W. Knight, for compensation for damage to property at 8 Baxter street, caused by defective water pipe.

John Lachowicz, for compensation for damage to car caused by an alleged defect at 156 Homes avenue.

Edward F. Macomber, for reimbursement for judgment issued against him on account of his acts as operator of fire truck.

Mrs. Alice McLaughlin, for daughter, for compensation for injuries caused by an alleged defect at 14 Bunker Hill street.

Edward J. McNeil, for compensation for damage to car caused by city truck.

Julia Murphy, for compensation for injuries caused by an alleged defect at 46 and 58 Newman street.

Carl Repucci, for compensation for damage to car by city truck.

Lillian H. Schwartz, for compensation for damage to property at 31 Gaston street, Roxbury, caused by water being shut off.

Ellen Scollans, for compensation for injuries caused by an alleged defect in Adams square and North street.

H. R. Sutherland, for refund of building license fee.

Jane Walsh, for compensation for injuries caused by an alleged defect in Washington street.

Superior Provision Company, for compensation for damage to truck by city truck.

Executive.

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

Gino Gallozzi, Dorchester High School for Girls, October 14.

Mildred Sacco, Peabody Playhouse, October 23.

NOTICE OF INTEREST IN CONTRACT.

A communication was received from Joseph P. Manning of interest in contracts awarded by city to Joseph P. Manning Company.

Placed on file.

SUPPLY OF COAL.

The following was received:

City of Boston,

Finance Commission, October 15, 1936.

Hon. John I. Fitzgerald,

Acting Mayor of Boston.

Honorable Sir,—The Finance Commission has noted that the Superintendent of Supplies has advertised for the city's intention to award a contract for the supply of chestnut coal to be delivered to the welfare recipients during the coming winter. The time of closing for the receipt of bids has been fixed at October 22.

The Finance Commission considers it unfortunate that the city authorities should have waited to make this decision until the price of coal is at the winter level and until welfare recipients have immediate need for fuel. The commission also considers it unfortunate that the city is determined to try again the method which resulted in the coal scandal of last spring.

Ordinarily contracts for coal by large users are made in the early part of the summer. At that time of year coal is offered at the lowest price because operators are anxious to move the spring and summer production. Dealers with storage facilities take advantage of this situation, depending upon their contracts. Municipalities benefit therefrom.

Until recently the local coal dealers have not been able to find out by what method the city would obtain its supply for next winter. Therefore, few if any dealers have stocked up at the low summer price in anticipation of participation in the city contract.

The recent difficulties of City Councilors to obtain for welfare recipients small advances of coal during the cold spell were due principally to the fact that the city had made no arrangements to obtain a coal supply. The welfare officials did not know to whom to have the coal orders sent, and therefore could not issue any.

The Finance Commission has recommended the adoption of the plan of the Anthracite

Institute, an organization which represents the coal operators and dealers. This plan was developed under government auspices in order to protect the anthracite industry and the governmental organizations which supply fuel to welfare recipients from the very practices which caused welfare recipients in Boston to suffer from cold last winter.

Until the advertisement for bids appeared in the *City Record* during the past week, the general belief among city officials interested in the matter was that it would be best if the Welfare Department issued coal tickets to recipients which might be offered to any of a number of dealers on an approved list. This would be substantially in accordance with the Anthracite Institute plan.

Instead of this new method, the latest decision means going back to the same method which caused thousands to suffer in the bitterness of last winter. Bids are called for three months late. This means, first of all, that the city cannot obtain the usual low price; then, if the city is to act in good faith, the lowest bidder complying with the requirements of a bond must get the contract. The lowest bidder might turn out in February of 1937 to be no more reliable than were the lowest bidders of February, 1936.

It was shown last spring at the coal hearings of the Finance Commission and at the subsequent City Hall hearings that the inspection provided last year, for which the city paid \$5,000, was farcical. Yet it is the same method by the same chemist that is now provided for the coming winter.

The Finance Commission complained last year that the city employees in all the departments that participated in any way in furnishing coal to welfare recipients denied responsibility. The commission held the welfare officials responsible for gross inefficiency and neglect, but the responsibility was disputed. Each department involved is now unwilling to assume responsibility, and the specifications of the new contract in this respect are no different from last year's.

The new contract form is written in such a way as to discourage dealers of small financial backing from the bidding. The city's good faith in advertising for bids is challenged by the size of the bond required, 100 per cent of the contract price. The usual custom is 45 per cent or less. It was not the size of the financial backing of the successful bidder last year that was at fault. It was the character and standards of the contractor. The worst offender last year could have put up a \$1,000,000 bond as readily as \$10,000. The contract this year abolishes premiums and penalties. The principal reason for penalties in 1935-36—dirt and dust delivered where chestnut size was specified—was ignored by chemists, Welfare Department and Supply Department alike, even when specifically called to public attention by the City Council. The changes that have been made in the specifications accomplish, therefore, little or nothing.

Therefore, in the interest of a guarantee to the taxpayers that the money spent for coal for welfare recipients this winter will buy coal that will give heat, the Finance Commission recommends that you rescind the advertisement for bids; and that you order that arrangements be made to provide the coal by the economical and scientific method known as the Anthracite Institute plan. This was worked out originally by the Federal Government in cooperation with the anthracite producers and dealers, and now has the approval of all the states in the East which use anthracite coal. It is in use in hundreds of municipalities in this and other states. The plan will guarantee at reduced price and a high quality of coal.

Respectfully submitted,
E. MARK SULLIVAN, Chairman,
PHILIP A. CHAPMAN,
ROBERT ROBINSON,
JAMES E. MAGUIRE,
JOSEPH A. SCOLPONEI,
THE FINANCE COMMISSION.

Placed on file.

STREET ASSESSMENTS.

A communication was received from the Commissioner of Public Works with order assessing half of cost of constructing artificial stone sidewalks on estates bordering thereon, viz.:

Vermont street, Ward 20, half cost, \$332.38.

The order was passed under suspension of the rule.

SALARIES OF COURTHOUSE COMMISSIONERS.

Notice was received from the Mayor of appointment of A. Emmet Logue on Court-house Commission at salary of \$7,500 a year, and of fixing of salary of two associate commissioners at \$6,000 a year each.

Placed on file.

BOSTON BUDGET.

A communication was received from the Boston Municipal Research Bureau inclosing study on improving Boston's budgeting.

Placed on file.

MAYOR'S ABSENCE FROM CITY.

Communications were received from the Mayor of his absence from city from October 1 to October 3 and October 7 to October 13.

Severally placed on file.

ANNUAL REPORT OF BOSTON FIREMEN'S RELIEF FUND.

The annual report of the treasurer of Boston Firemen's Relief Fund from September 1, 1935, to August 31, 1936, inclusive, was received and placed on file.

PERAMBULATION OF BOUNDARY LINES.

Coun. WILSON, for the Special Committee on Perambulation of Boundary Lines, submitted the following:

The special committee appointed to examine the lines and bound marks between the City of Boston and the cities of Revere, Everett, Somerville and Newton, and the towns of Brookline, Dedham and Milton, respectfully report that they have attended to the duty with which they were charged and have examined and verified with the committees appointed by the said cities and towns the several boundaries and bound marks in the existing boundary lines.

The committee found that three of the bound marks have disappeared, one in the Somerville line at Main street, and two in the Newton line, at Corey street and at Baker street, West Roxbury, and arrangements have been made to have them replaced. We submit herewith descriptions of the boundary lines and marks for record.

ROBERT GARDINER WILSON, JR.,
MARTIN H. TOBIN,

Councilors.

JOHN B. HYNES,
Assistant City Clerk.

WILLIAM J. SULLIVAN,
Chief Engineer.

(The report of the committee and descriptions are contained in City Document 77.)

Report accepted, and ordered printed.

APPROACHES TO VOTING BOOTHS.

Coun. PETER J. FITZGERALD offered the following:

Ordered, That his Honor the Mayor request the Election Commissioners to ask of the Police Department that they make extra effort to keep all approaches to the voting booths clear.

Coun. PETER FITZGERALD—My purpose in filing this order is that year after year at elections persons proceeding to the voting booths and attempting to enter are approached by people with all sorts of cards. It has always been my contention in the election it is hardly necessary to have precinct workers. When people go to the polls on election day I am satisfied from practical experience that they are going there with their minds made up. This constant approach has occurred in my ward as well as every ward in the city. Many of the approaches to the voting booths at night are very poorly lighted. There are obstructions of various kinds to the approach, and a number of campaign workers clutter up the entrance to the booth and cause people to stumble, and by the time they reach the voting booth they are exhausted. It does seem possible that the Police Department can keep these approaches freer so that elderly men and women can go into a precinct without being subjected to jostling and with a handful of cards thrust upon them. I hope in this election, which will undoubtedly be the heaviest we have had in Boston in many years, the people can safely and comfortably approach the voting booths without any jostling by hundreds of workers gathered throughout the city in numbers from ten to fifteen at each voting booth.

The order was referred to the Executive Committee.

LIGHTING FACILITIES ON LORNE STREET.

Coun. ROSENBERG offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to arrange for the installation of better lighting facilities on Lorne street, Ward 14.

Coun. ROSENBERG—Lorne street is in the immediate vicinity of the Hecht Community House on the American Legion Highway to which some 10,000 or 15,000 people come during the week. In the evening it is very dangerous coming to and from the building there, and I believe if this order is called to the attention of the Public Works Commissioner, some steps will be taken to have better lighting on Lorne street.

The order was passed under suspension of the rule.

IMPROVEMENT OF FRANKLIN FIELD TENNIS COURTS.

Coun. ROSENBERG offered the following:
Ordered, That the Park Commissioner, through his Honor the Mayor, be requested to use every effort possible to secure the approval as a W. P. A. project of the resurfacing of the tennis courts on Franklin Field and also to have the tennis courts inclosed with wire fence.

Passed under suspension of the rule.

ADDITIONAL POLICE OFFICERS.

Coun. ROSENBERG offered the following:
Ordered, That his Honor the Mayor be requested to consider the advisability of including in the budget for 1937 a sum sufficient for the employment of 300 new police officers.

Coun. ROSENBERG—Mr. Chairman, at the outset, let me state that I believe Police Commissioner Eugene M. McSweeney and Superintendent of Police Edward W. Fallon have been doing a marvelous job in their respective rolls as heads of the Police Department of the City of Boston. The modern methods that have been installed through their efforts have been for the best interests of the citizens of Boston, the last progressive step being the installation of the two-way radio system for the apprehension of law violators. We find, however, that the present police force is under-

manned by over three hundred. One of the greatest and most important steps that is necessary for the protection of the citizenry of any community is that of having ample police protection. Money spent for the safety of the inhabitants is money spent in the right direction. To curb crime is something that every honest and law-abiding citizen should be interested in. The present police force are doing the best they can under the circumstances to protect our community, but we should not let our Police Department be undermanned to such an extent that it will in any way affect our safety and well-being. I desire at this time to commend Captain Murphy of Station 9 and Captain Connolly of Station 19, whose men supervise the conditions in the district which I represent. Both have been doing a fine job in connection with the protection and safety of the residents of these communities with the men allotted to them. In view of the conditions existing, where law violators are attempting to carry out their activities, I believe that the passage of this order and the earnest consideration of the Mayor to include in the budget for 1937 a sum sufficient to hire these extra policemen will tend to promote better conditions. We all know now that the Police Department and its men are being overtaxed in the work that is being thrown upon their shoulders and every step that is taken for better conditions should meet with the unanimous approval of the citizenry of our city.

The order was passed under suspension of the rule.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. KERRIGAN, for the Committee on Public Lands, submitted the following:

1. Report on message of Mayor and order (referred May 4) for lease of additional land for airport from Commonwealth—that same ought to pass.

Report accepted; said order passed, yeas 17, nays 0.

2. Report on order (referred March 9) on petition of Sarah A. B. West for release of restriction on property at 164 West Springfield street—recommending passage of accompanying order, viz.:

Whereas, The City of Boston on May 20, 1860, conveyed by two deeds to one Henry Smith, two parcels of land located on West Springfield street, Boston, being described and recorded respectively as follows: ("Lot No. 96 on a plan recorded with 'Plan of City Lands Sold' book 2 leaf 17 in the office of the Superintendent of Public Lands, said deed being recorded in Suffolk Deeds book 780, page 85." and "Lot No. 95 on 'Plan of City lands to be sold October 30, 1850, recorded with Suffolk Deeds at the end of book 615, said deed being recorded in Suffolk Deeds book 780, page 87."):

Whereas, The said two deeds contain the following conditions:

1. All taxes and assessments laid previous to this deed of conveyance are to be paid by the grantee.

2. The front line of the building which may be erected on the said lot shall be placed parallel with said Springfield street.

3. The building which may be erected on said lot shall be of a width equal to the width of the front of said lot.

4. No dwelling house or other building except the necessary out-buildings shall be erected or placed on the rear of said lot.

5. No building which may be erected on the said lot shall be less than three stories in height exclusive of 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 during the term of 20 years from October 1, 1859.

6. So long as said lot remains unoccupied by a building to be used as a dwelling house as aforesaid, the said Smith and his heirs and

assigns shall permit, free of charge the proprietor of each adjoining lot who may build, to erect one half the thickness of his division wall on said lot No. 96, and the said Smith, his heirs and assigns shall pay to the said proprietors so erecting said wall a proportionate part of the costs thereof. The buildings now standing on the lot above described also on lots Nos. 95 and 97 adjoining have been erected in conformity with the requirements of the foregoing conditions. It being understood that the conditions aforesaid shall apply severally to lots Nos. 6, 7, 8, 9, as shown on plan of A. Wadsworth recorded with Suffolk Deeds May 9, 1860, being a sub-division of said lots Nos. 95, 96 and 97 on said plan at the end of Book 615. So that a breach of any of the said conditions by the owner or proprietor of any of said lots in said sub-division shall only render his single estate forfeitable for the act of any single violation of said conditions.

Whereas, One Sarah A. B. West and her son Earl A. West own in common as a homestead the estate at 164 West Springfield street, Boston, which is lot No. 7 mentioned in condition number six set forth above and desire to obtain a mortgage on said premises from the Home Owners Loan Corporation of Washington, D. C., but that the Home Owners Loan Corporation will not approve the title to the West estate because of the existence of the said conditions and the provision therein for forfeiture.

Now therefore it is hereby ordered, That his Honor the Mayor be and is hereby authorized in the name and behalf of the City of Boston to execute a written instrument satisfactory to the Law Department of the City of Boston, and in consideration of One (\$1.00) Dollar and other consideration, agreeing that the said conditions contained in the deeds of the City of Boston to said Smith were intended as and be considered as restrictions, and that the clause of forfeiture contained in said conditions set forth in said deeds be waived.

Report accepted; order passed, yeas 17, nays 0.

PARKING IN PRIVATE WAYS.

Coun. AGNEW offered the following:

An Ordinance Concerning Parking in Certain Private Ways.

Be it ordained by the City Council of Boston, as follows:

Chapter thirty-nine of the Revised Ordinances of 1925 is hereby amended by inserting after section sixty-four the following:

Section 64-A. No person shall at any time leave any vehicle unattended for more than twenty minutes within the limits of any private way or alley less than thirty feet in width which furnishes means of access for fire apparatus to any part of a tenement house or apartment house as defined in section two of chapter 145 of the General Laws.

Referred to the Committee on Ordinances.

RECESS.

On motion of Coun. GLEASON the Council voted at 2.30 p. m. to take a recess subject to the call of the Chairman. The members reassembled in the Council Chamber and were called to order by Chairman GALLAGHER at 3.05 p. m.

SOLDIERS' AID.

Coun. KERRIGAN, 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.

Report accepted; said order passed.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petitions (referred today) for permits for children under fifteen years of age to appear at places of public amusement, viz.:

Gino Gallozzi, Dorchester High School for Girls, October 14; Mildred Sacco, Peabody Playhouse, October 23—recommending that leave be granted under usual conditions.

Report accepted; leave granted under usual conditions.

2. Report on order (referred today) to ask Police Department to keep approaches to voting booths clear on Election Day—recommending passage of order in accompanying new draft, viz.:

Ordered, That his Honor the Mayor request the Election Commissioners to ask the Police Department to enforce compliance with the existing statutory regulation which provides for unimpeded access to all polling places.

Report accepted; said order passed under suspension of the rule.

MISSING BOUNDARY MARKERS.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to at once take steps to replace missing boundary markers Nos. 101, 102 and 103 between Boston and Newton.

Passed under suspension of the rule.

TRAINING WITH NATIONAL GUARD.

Coun. WILSON offered the following:

Ordered, That the Committee on Legislative Matters be requested to file with the incoming Legislature a bill including Suffolk County employees within the terms of the present statute allowing civil service workers extra time off incident to military training with the National Guard.

Passed under suspension of the rule.

FUEL FOR WELFARE RECIPIENTS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to rescind the city advertisement for bids on fuel deliveries for Public Welfare Department cases and that arrangements be made for the issuing of fuel orders for welfare recipients which may be offered to an approved list of reputable and responsible fuel oil and coal dealers in Boston at an agreed price, having in mind the highly unsatisfactory instances of delivery delays and the dumping of fire-proof coal during the past winter season.

Coun. WILSON—Mr. President, that order requires no explanation except perhaps to again state that no particular reason exists why the custom followed in grocery orders and other items cannot be followed so far as fuel is concerned. I hoped last year's experience would suggest an improved method, and it was not until I read the report of the Finance Commission of October 15 that I learned with some amazement and surprise that apparently the executive part of the city government has learned nothing from last year's unfortunate occurrence with regard to fuel deliveries.

The order was passed under suspension of the rule.

1937 POLICE-LISTING.

Coun. WILSON offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to consider taking such steps as will provide, in the annual police budget for 1937, for

adequate overtime pay for members of the Police Department engaged in the 1937 police-listing.

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, incident to the 1937 police-listing, to consider the advisability of using only day men on police-listing work, utilizing the services of officers in the Traffic Division, and such divisions as Division 2, for work in other sections, and to issue an order to the captains in the various divisions that no report on police-listing be made sooner than twenty days from January first.

Coun. WILSON—I personally believe that the first place to make a real effort to insure a proper voting list is, of course, at the time of the annual police-listing. I have a great deal of sympathy with the Police Department job that was placed on them years ago on April 1 and more recently starting New Year's Day of each year. Apparently, though, as we all know, the annual police-listing by the various police divisions of the city has developed into more or less of a race between the various division captains to see how fast the particular division can complete its job, with the result, of course, that there is, through no fault of the officers grossly inaccurate police-listing. For example, in Division 9, with upwards of 60,000 adults to be police-listed, the job on more than one occasion has been completed by less than one hundred officers in less than four days, which, of course, is a physical impossibility. It is perfectly obvious that the only way a division can make a real showing in this race to make its return as fast as some other captain's division is for the officers to take a great deal for granted from last year's book and do a good deal of guesswork and to take the word of some janitor or somebody coming out of the building as to who lives there. Under the terms of the statute,

I understand the Police Department has twenty days within which to make this listing and if, in the opinion of the Police Commissioner, additional time is required, there is an additional period of ten days. So I urge, first of all, with all due respect to the commissioner who has been commissioner only within recent years, that perhaps one initial step to take for a real police-listing January 1 will be to instruct the captains of the various divisions that this coming police-listing shall not be a race between the various police divisions of the city and that no report from any division is expected within the twenty-day period allowed as the time for doing the work. I also have in mind another suggestion that was made to the Police Commissioner with reference to the use of night men on this particular job. I have in mind the case of a night officer who is assigned to police-listing work from 7.30 in the morning until 7 at night, and after that twelve-hour job of door-to-door police-listing, the night man then goes on his regular night police shift from perhaps a quarter of one to 7.45 in the morning. He then has until 5.15 in the afternoon for rest and then goes on night duty again until 12.45 a. m.; off until 7.30 a. m., and goes on another twelve hours of day duty, police-listing. I do not believe any human being, if the police-listing is done as it should be done, can stand that as a physical proposition. It is for that reason I urge the night men should not be assigned to the day work of police-listing because the work properly is, of course, done from seven or eight in the morning until seven o'clock at night. I urge further that steps be taken for the reassignment of the police officers. I do not understand that the members of the Traffic Division, two hundred or more men, do any police-listing work whatever, and I personally believe that in some of the divisions where they have a large number of men and very little police-listing, there should be a reassignment of officers during that twenty-day period in the month of January. As a matter of comparison, for example, take in

1936, where Division 9, roughly with 58,000 adults, was listed by 103 police officers. Division 11 with 60,000 listed by 98 men. Division 14, with 60,000 listed by 87 men, and Division 19 with 60,000 listed by only 68 men as distinguished from Division 2 with 146 men, who have only some 15,000 resident adults to police-list during the period assigned. So I urge as a step toward getting a clean police list—and through that a clean voting list—that some definite steps be taken to insure a thorough police-listing at the time it is taken next January. I think that reassignment should be taken care of because we realize and it was brought up earlier in the meeting, that the Boston Police Department is now over three hundred men short, and in addition with the 45 police cars—two men to a car—there are 90 men on two different shifts, or 180 men properly on a 48-hour basis, who also are not available for police-listing. I urge the passage of this order, and trust the Police Commissioner will give it his fair consideration just as he did the order I introduced which was passed a year ago suggesting that on the police-listing of January 1, 1936, a designation be made of the police-listing, showing aliens as distinguished from citizens,—which suggestion I was pleased to see he so readily followed. I am inclined to believe he will give this suggestion his earnest consideration. I urge it for two main reasons,—first, because it gives us an additional probability of having an honest voting list, and secondly, as a dollar and cents proposition, I understand that some 30,000 names were dropped from the voting list this past year because they were not police-listed,—30,000 names of adults who came in and have been re-registered, whose names were not on the police-listing and had been dropped. With a poll tax of \$2 a head that involves \$60,000, which is considerable money even for Boston. Now those were people who were voters and citizens and who because they were dropped from the police-listing and then came in and wanted to be put back on the voting list were caught by that, but we can all imagine the thousands of aliens and adult residents twenty years and over, who are not voters and have not interest enough in this city, state or nation to be voters, who won't be checked on an average police-listing. I venture to say it will run higher than 30,000 because the average alien or the average man who is not a voter does not put himself out any to answer the doorbell when a uniformed officer comes in January to take his name, so he will be mailed a poll tax for \$2. Therefore, from a dollar and cents view and the creation of an honest, straight voting list, these steps may be of some assistance.

Coun. NORTON—Mr. Chairman, I am much interested in what the previous speaker has been discovering to date in the matter of purifying the voting list of Boston, but I am inclined to think he places too much emphasis on what a policeman can do. If we had ten times the number they would not have the time to find out whether John Sullivan lived in this house on January 1 or not. We are getting at it from the wrong angle. I disagree with how many straw voters we have in Boston. I doubt if we have one thousand voting in Boston who come from Revere, Winthrop, Canton or Stoughton. What we do have is someone who, all their life, has voted in South Boston or Hyde Park and who now lives in another part of Boston, but who goes back and votes in his home precinct on election day. Who will object to that? I think the greatest crime committed in Boston on election day is this crime—and it is up to the Election Commissioners to devise ways and means to stop it—they are not going to stop it through the police going to the houses because we haven't enough police and it is beyond the commissioner's realm. We will be putting our fingers on the hot spot if we find a way of doing away with this guerrilla gang who appear in the different precincts from eight o'clock in the morning and God knows how many times they vote. That is our problem here in Boston. I would like to know how

many people last election day came to vote on their name and found someone was in ahead of them. At eight o'clock in the morning they are lined up; in they bounce to a precinct and out they bounce.

Coun. WILSON—I omitted to make reference to one item that appears in the order, and that is the additional suggestion of overtime for the police officers on this work. I may be misinformed, but I understand in such places as Cambridge and Brookline, certainly in many instances, such overtime is permitted. I do not agree with Councilor Norton on the impossibility of police-listing because if that was so the statute should be changed. If we are going to have an honest voting list the initial step we must start off with is the police list taken in January of each year. If it is a physical impossibility to get that within the limited time we had better change the statute. I agree it is a physical impossibility for police officers, and especially night men, to go into this annual race between the divisions and do any such job in three days, and it is for that reason I urge that the full period of the statute, namely, twenty days, with a possible ten days additional if needed, be taken, because I understand from members of the Police Department that if there were not this annual race probably seven, eight or ten men in a division, not night men, but men on that particular duty, could complete a division inside of twenty to thirty days.

The order was passed under suspension of the rule.

INFORMATION FROM WELFARE DEPARTMENT.

Coun. ROBERTS offered the following:

Ordered, That the Overseers of the Public Welfare Department be requested, through his Honor the Mayor, to furnish the City Council with the following information:

1. How many applications are now pending for old age assistance on which no action has officially been taken by the Board.

2. The number of visitors now assigned, temporarily or permanently, to the investigation of such cases.

3. The average time required by the department for the completion of the investigation and official action on those applications already acted on.

Coun. ROBERTS—Mr. Chairman, regarding that order I would like to say that the supervisor of this division of the Public Welfare is a competent young lady, Miss Catherine Noonan. She is doing the best she can, but I am given to understand there are thousands of applications for old age assistance which have not been acted upon, and some of the cases are desperate. I know the councilor who has just spoken from Hyde Park several times has called attention to the number of cases whereby because of the fact that they did not have a sufficient number of investigators there is a tremendous hardship. In one particular case I called to the attention of the Council that a man died when he might have been saved if he had got assistance. Now the situation is worse because there have been thousands of new applications under the new law. I hope we can get the information by the next meeting as to how many cases are actually pending, to give us an idea how long it takes for the average application to go through. In some of these instances there is no reason why an investigation in a short period should not qualify the person under the law.

Coun. ROSENBERG—Mr. Chairman, hundreds of applications that have been filed for old age assistance at 43 Hawkins street have been under consideration and in the course of investigation for a long period of time. Some have been there for weeks and others over a period of months. I appreciate that those in charge of the work are doing the best they can to cope with the situation, but it appears that something should be done in securing an additional number of employees, either permanent or temporary, to carry out

a most difficult task that has been thrown upon the Public Welfare Department since the Old Age Assistance Act went into operation, especially with the lowering of the age limit to sixty-five years. Hundreds of people have unquestionably confronted the councilors from the various districts in connection with having their applications speeded along, but, due to the tremendous number of applications, the members of the Public Welfare Department, and I also want to commend Miss Catherine Noonan and her staff, for the fine work that they are doing, it would seem should take some steps to help speed up the investigation of these cases. I believe probably there might be some steps taken to have a group of persons assigned from the W. P. A. to carry on this work in order to relieve these really needy and urgent cases that are pending for assistance. I trust that this measure will be adopted by the Council and receive prompt and immediate attention from the authorities in charge.

The order was passed under suspension of the rule.

SEWERAGE PIPES, ST. GERMAIN STREET.

Coun. ROBERTS offered the following: Ordered, That the Commissioner of Public Works and the Law Department investigate the obligations of the city to install sewerage pipes connecting certain houses on St. Germain street, which now have no provisions for adequate sewerage.

Passed under suspension of the rule.

HALF-HOLIDAY, OCTOBER 21.

Coun. JOHN J. DOHERTY, PETER A. MURRAY, JOHN J. McGRATH, GEORGE A. MURRAY and JAMES F. FINLEY offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of declaring a half-holiday for all city employees next Wednesday, October 21, on account of the arrival of the President of the United States in Boston.

Passed under suspension of the rule.

TENANTS IN OLD HARBOR VILLAGE.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That his Honor the Mayor be requested to petition the Federal Housing Authorities that present and former South Boston residents be given preference as tenants in the new housing project known as "Old Harbor Village."

Coun. GEORGE A. MURRAY—Mr. Chairman, the purpose of this order is to request the Federal Housing Board to give preference to people from South Boston who are either living there at the present time or who have moved away. In the report of the Assessing Department it is said that of all the houses throughout the city, South Boston is probably in a worse condition at the present time than any other place in our city. This is an opportunity for the people of South Boston to have suitable quarters, a suitable place to live and rear their children. I think that people from South Boston daily are moving away, and if given an opportunity they would gladly come back. This order is introduced for that purpose,—to give them this opportunity to come back again to South Boston.

The order was passed under suspension of the rule.

DEMOLITION OF CONDEMNED HOUSES.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That his Honor the Mayor request the Works Progress Administration to issue instructions to workmen demolishing con-

demned houses that the cellar and the unsightly condition left after the removal of the house be filled in and levelled; also, suitable protection be placed around the limits of the property.

Coun. GEORGE A. MURRAY—Mr. Chairman, this order more or less goes along with the other one. There are many houses in South Boston in process of demolition. I feel that these places attract children. I have noticed that children when playing go to these places and are liable to be hurt. It is very unsanitary and it has a tendency to tear down the property values in the immediate vicinity. I would suggest to the W. P. A. that when they demolish a building they place thereon a suitable fence, something that is more or less attractive, and not parts of the material they take from the building.

The order was passed under suspension of the rule.

PAROCHIAL SCHOOL CHILDREN TICKETS.

Coun. McGRATH offered the following:

Ordered, That his Honor the Mayor be requested to prevail upon the School Committee to issue car tickets to parochial school children.

Coun. McGRATH—This order is for the benefit of some of the children in my district. We have a parochial high school, known as St. Gregory's High School, about three or four miles from the particular section I am speaking about. This particular high school, as well as other parochial high schools, saves the taxpayers of Boston a great deal of money every year and I do not think it is asking too much to ask the Mayor to supply them with school tickets so they might ride free on the same plan as the public school children.

The order was passed under suspension of the rule.

PARKING ON GALLIVAN BOULEVARD.

Coun. McGRATH offered the following:

Ordered, That the Traffic Commissioner be requested to pass such regulations as will assure no parking of motor vehicles on Gallivan Boulevard, between Adams street and St. Brendan's Church.

Coun. McGRATH—On this particular order there was a hearing, and they allowed parking on one side of the street. In this particular section of Dorchester it appears there is a very large market. I don't know what the reason is, and I would like to find out, but it seems as if this market disregards whatever the protests of the taxpayers happen to be. In the first place, under the zoning law a few years back, they did just about what they wanted although previous to that there had been half a dozen who tried to build stores in this section and have the zoning law changed. At a hearing before the Traffic Commission they allowed them to park on one side of the street. I received protests from the taxpayers and residents of the side they allowed them to park on, asking me to introduce this order. I took the matter up with the chairman of the Street Commission and he told me to reintroduce this order and they would have another hearing on it.

The order was passed under suspension of the rule.

LIGHTS ON ADAMS STREET, DORCHESTER.

Coun. McGRATH offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install lights on Adams street, Dorchester, in what is known as the Cedar Grove section.

Coun. McGRATH—Mr. Chairman, I cannot seem to get any traffic lights in Dorchester, and this is just another notification to the Mayor that there has been another serious

accident. I think the last report he gave me was that there were not enough serious accidents to warrant traffic lights. I think I have notified him since that time that there have been six serious accidents,—four deaths,—and I am asking him to kindly consider this without any increase in the tax rate.

The order was passed under suspension of the rule.

FILLING IN OLD HARRIS SCHOOL LOCATION.

Coun. McGRATH offered the following: Ordered, That the Board of Commissioners of School Buildings be requested, through his Honor the Mayor, to make suitable arrangements under W. P. A. for filling in the location of the Old Harris School at Victory road, Adams street and Train street.

Passed under suspension of the rule.

INFORMATION ON FISKE WHARF PROPERTY.

Coun. NORTON—I would like to ask in reference to the Fiske Wharf matter if the Council has received any information on the matter as yet.

Chairman GALLAGHER—No further information.

Coun. NORTON—Also, on the matter of pieces of property which the Superintendent of Buildings has a right to sell?

Chairman GALLAGHER—It has been referred to the Committee on Public Lands.

Coun. WILSON—As a member of that committee, I might state we had a meeting last Friday and that was the first date that the committee had any detailed information with reference to any of the fifteen parcels that have come through to be sold out of a total of some 900-odd. We have been asking for detailed information and the first information we received was as recently as last Friday.

HYDE PARK PLAYGROUNDS.

Coun. NORTON—Mr. President, the Council passed an order for \$10,000 having to do with new playgrounds for Hyde Park and at that time there was a question whether the government would spend the money. I would like to say that I was over there this morning and saw 800 men now working on the project in that suburban area.

FIVE-DAY WEEK FOR WELFARE RECIPIENTS.

Coun. MELLEEN offered the following:

Ordered, That his Honor the Mayor be requested to decide what action, if any, is to be taken relative to the five-day work week for welfare recipients.

Passed under suspension of the rule.

CHARLESTOWN POOR FUND.

Coun. MELLEEN offered the following:

Ordered, That his Honor the Mayor request the Corporation Counsel to take the proper legal steps to so amend the provisions of law under which the Charlestown Poor Fund operate, that the custody, management and disbursement will be placed in the hands of the City Treasurer, and the practice of engaging a hired secretary-treasurer to the fund be abolished.

Resolved, That the Boston City Council believes that all members of the Board of Trustees of the Charlestown Poor Fund have acted in all matters in relation to the custody, management and disbursement of the fund in good faith, to the best of their ability, and

have given their best efforts to it, and the unauthorized actions of its secretary-treasurer is not construed as any reflection, directly or indirectly, on their honesty, sincerity and ability.

The order was passed under suspension of the rule and the question came on the passage of the resolve.

Coun. MELLEEN—Mr. President, some decades ago several of the well-to-do residents in their wills left to the poor of Charlestown a fund, the income of which was to be used to alleviate their suffering. When Charlestown became a part of Boston all these various bequests were put together under one heading, "The Charlestown Poor Fund." At that time the trustees of the fund were designated as the senior deacons of all the Protestant churches together with whoever happened to be the Charlestown representative in the city government. I didn't know I was on it until I asked concerning the audit. At that time the audit was in process of being prepared. A few weeks ago it was completed. The trustees of this fund have had the practice of hiring a man at a salary starting with \$100, which was later raised to \$300 or \$400 a year. He has had complete charge of all investments and changes in investments, disbursements and general management of that fund. The audit showed he had overdrawn his salary by some hundreds of dollars, that he could not account for some disbursements, no vouchers; double charges. That is, one year he paid for something and the next year it would be charged against the fund. On his own initiative he bought a \$1,000 bond when in a few years its market value was down to \$10. The Board of Trustees authorized him to act after it was bought,—not before. He had some mortgaged property which the bank was going to foreclose and he sold the \$5,600 mortgage to the fund. That was an unauthorized act and was misappropriation under our laws. At a meeting a week ago Saturday night—by the provisions of the by-laws there should have been one last March and I should have been notified—at this meeting I asked this gentleman whose name is Gardner Bates to account for the various discrepancies existing. He denied they existed. He denied he had overdrawn his salary; denied he had made an injudicious move when he sold the mortgage to the Poor Fund. He denied there was a \$1,500 cash shortage. He impressed me as a man incapable and possibly dishonest. My own opinion of the mortgage transaction was that he was dishonest. The purpose of these orders is to take the management of the money from his custody—he is at least an incapable man—and put it in the custody of the City Treasurer. Now, I do not intend this to be any reflection on the elderly gentlemen who are trustees. We had to go down and pull a man eighty-six years old out of bed to come to the meeting. Those men are not financial experts, and today with the various factors influencing the financial market, \$70,000 could be wiped out in two weeks. These men are hard-working average men. I think it would be a wise move and would react to the city's best interests if this amount was taken away from the possession of the secretary-treasurer which he has handled so badly and the fund put into the custody of the City Treasurer. In my opinion, I think the Board of Trustees have acted honestly but they have allowed this man to take over their duties, and he has misappropriated the money. I hope no criminal action will be taken against the board, but some steps should be taken against this man to reimburse the Poor Fund at least to the extent of the \$1,500 shortage and the \$5,600 mortgage.

The resolution was referred to the Executive Committee.

PETITION OF MRS. FRANK H. LASKEY.

Coun. SELVITELLA offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to reconsider and review the facts with reference

to the petition of Mrs. Frank H. Laskey to be paid an annuity on account of the death of her husband, Frank H. Laskey, late member of the Fire Department.

Passed under suspension of the rule.

CONSTRUCTION OF PRIVATE WAYS.

Coun. FINLEY offered the following:

Ordered, That his Honor the Mayor and Board of Street Commissioners be requested to immediately communicate with the Federal W. P. A. authorities advising them of the urgent necessity for modifying their order with reference to the use of Government money for the construction of private ways in the City of Boston and starting an immediate program of extensive street construction work.

Coun. FINLEY—Mr. Chairman, my purpose in introducing this order is to see if something cannot be done in the very near future towards correcting a very bad situation that exists in the suburban sections of our city, especially pertaining to the streets in West Roxbury, Hyde Park and other suburban areas. For the past three years there has not been one penny spent from the city budget for the construction of new streets in Boston. Previous to that time there were between one and two million dollars spent annually for that purpose. In the suburban section that I have the privilege to represent there are at the present time over 250 so-called private ways. Those private ways are substantial streets. That is, they are substantially built on, many valuable one and two family homes. The condition in which the people find themselves at the present time is beyond description, and unless something is done soon the people will be practically marooned during the coming winter. Now, the situation as presented to us by Commissioner Carven is that the Federal Government in the new allotment of funds which became operative July 1 has refused to give the City of Boston any money for the purpose of constructing new streets, saying that they were averse to spending money for the development of private ways. We find, however, the unusual spectacle of millions of dollars being allocated to the State of Massachusetts for the building of public highways throughout the Commonwealth. We also find the situation existing today whereby citizens of Boston who are unemployed are unable to obtain work even though there are millions allotted for the building of highways in this Commonwealth, because from the best of authority I learned that that work must be done in the county in which the highway is to be laid out. Unfortunately, there are very few state highways contemplated in Suffolk County. Most of them have already been built, and in spite of the millions of dollars allocated to Massachusetts, men unemployed in Boston have very little chance of getting any work. Now, I am introducing this order so we may find out definitely why the City of Boston should be discriminated against. I believe it is a technicality, and when the Federal authorities find out the private ways they referred to, so far as the City of Boston is concerned, are streets that are bringing thousands of dollars of taxation into the City of Boston, they will consider them non-accepted streets and entitled to be reconstructed. I hope the Mayor and the Street Commissioners will give this their earliest consideration, because if we cannot get the Federal money it is imperative that we raise money by taxation and in our budget for the ensuing year provide for an extensive plan of street construction, because the entire future development of the suburban sections of Boston depends on what is done now in the development of those areas. The residents of West Roxbury and those who intend to build there are not going to stay there because of the condition of the streets they are forced to live on. Many people have moved to Brookline, for instance. I hope this order will be given the greatest consideration and that every influence will be brought to bear to allow us to use the Federal money

available to start an extensive program of accepting those streets at once, and putting thousands of men to work on them.

Coun. SHATTUCK—Mr. Chairman, I believe very much might be done in the way of improving the allocation of this money. One of the ways in which they are spending it now is on farm-to-market roads. I happened to be in New Hampshire ten days ago and saw some of this farm-to-market road work, and it was on streets that practically had been abandoned. They were grown up to woods. There were a few cellar holes of farms that had been abandoned fifty years ago, and there they were spending money on such farm-to-market roads. I was in Medfield, Massachusetts, this Sunday and saw a road that goes nowhere except to communicate with some land on which only one person lives. There is a big W. P. A. sign on it, and they were cutting trees along the side, and I am told they are going to widen the road, and nobody wants it done. It would seem, as the councilor just said, that it is more desirable to spend money on roads where people live and not on these farm-to-market roads where nobody lives,—resuscitating abandoned roads where nobody lives.

Coun. NORTON—I am glad to see the suburban roads in Boston under consideration. For years I have been asking the Mayor to fix the non-major streets. If the councilor from Roslindale will stand for an amendment to the order, I move that a committee be appointed to wait on the Mayor. It is a program which should be taken into consideration at once.

The order was passed under suspension of the rule.

NUMBER OF CASES FOR WELFARE INVESTIGATORS.

Coun. NORTON offered the following:

Ordered, That the Board of Public Welfare, through his Honor the Mayor, consider having no welfare investigator with over seventy-five cases.

Coun. NORTON—Until the Welfare Department says we have enough investigators, we have a waste of money and unjust treatment of the poor unfortunate people in such cases as have been referred to,—elderly people who requested aid and have not received it. We had a tragic case which happened in Copley square, where a man asked for relief and he was dead before it came. A case-load of over seventy-five is too large. Until we get enough investigators, we are going to have trouble. We have elderly people waiting for months for some relief and nothing being done, and the cause of it is too high a case-load. Investigators are given over two hundred cases each. It is impossible for them to handle it. Here we have hundreds of fine educated people in Boston working on the W. P. A. who would love to do that work, and many of them are fitted for it. What is the matter downstairs that they do not appreciate that? What is the trouble on the Welfare Committee with thousands of finely-equipped individuals on the W. P. A. who would love to step in and help us, which would reduce the case-load to what it ought to be—seventy-five families per investigator.

The order was passed under suspension of the rule.

DELAY IN GOVERNOR'S ISLAND PROJECT.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of informing the Council as to what the cause of the delay is in going ahead with the so-called Governor's Island project.

Coun. NORTON—This is the largest project in Boston, and some months ago the Federal Government allocated money for the level-

ing off of Governor's Island. In the meantime we have heard nothing about it, and I am asking the Mayor what the difficulty is with the one job that can put more men to work than any other project.

The order was passed under suspension of the rule.

SURVEY OF TAX-FORECLOSED LAND.

Coun. NORTON offered the following:

Ordered, That the Mayor consider having a survey made on all tax-foreclosed land with a view to retaining some of it for playground and other city purposes.

Passed under suspension of the rule.

NON-MAJOR STREETS.

Coun. McGRATH, ROSENBERG, AGNEW and NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of fixing every non-major street in Boston.

Passed under suspension of the rule.

LOW-COST MILK.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of informing the Council as to what, if anything, has been done relative to the matter of low-cost milk in Boston.

Coun. NORTON—I wish those who are friendly with the Mayor would be kind enough to draw to his attention the matter of milk. Here is an opportunity to ask why he does not do something on this low-cost milk. Here is an official communication from a group of workers attached to the Department of Agriculture in Boston. They have asked 216 cities what they are doing on low-cost milk. Anyone who is interested in the reply can read this answer. Here is milk in Bridgeport, Connecticut, being delivered at four cents a quart under the retail price. Evanston, Indiana, distributes milk at a price ranging from one to one and one-half cents less than the retail price delivered. Springfield, Massachusetts, one to two cents a quart under the retail price. Santa Barbara, California, furnishes milk at a saving of two cents a quart under the regular delivered price. Springfield, Massachusetts, one to two cents a quart. Worcester, Massachusetts, two cents a quart below the regular retail price. It runs all over the country. The people who interested me first in this matter were experts in the Department of Agriculture who were interested in selling more milk,—getting the big surplus supply which was going to waste into the hands of people who could use it. Twenty per cent of the children in our schools are suffering from malnutrition. The head doctors in the schools say so. If other cities can do it, why can't we do the same thing? Why isn't it possible to have one of the milk wagons drive up to one of the centers and each morning when a certain card is presented have them sell this milk for eight cents or seven cents instead of the usual twelve or thirteen cents? Now why do we have to wait years before anything is done on a question of this nature? I do not want the credit for it. The whole Council can have credit for it, or the Mayor of Boston. It is all so easy and so simple, but nothing is done about it,—the most important food item in the budget of the poor. There is the latest statement from the Department of Agriculture. They were good enough to give me this information so the City of Boston will do something about getting this milk into the poor families of the city at a low cost. I have fought for a year and it looks as though it would be another year.

(The letter referred to was as follows:

United States Department of Agriculture,
Agricultural Adjustment Administration,
Washington, D. C.,

October 9, 1936.

Hon. Clement A. Norton, Boston City Council,
City Hall, Boston, Mass.

Dear Mr. Norton,—Letters have been written by this office to the Directors of Welfare in 216 cities with requests for information as to whether there is within these cities any plan operative to distribute milk to welfare or relief families, or to any welfare or relief agencies, at a price which is less than the retail delivered price of milk per quart in these cities.

At this date forty-four replies have been received, fourteen of which outline various forms of milk distribution at rates less than the retail delivered price. All of these plans are not specifically in point, of course, with your design, but may be of some assistance to you in supplying some general information.

I am sending you a short preliminary statement of the various types of plans used and the names of the cities and officials involved, whom you may probably wish to address personally.

Mrs. Irma Collmer, Executive Secretary of the St. Joseph Anti-Tuberculosis League of South Bend, Indiana, reports the sale of milk tickets to families of low budget, at three cents per quart less than the retail price. 89,545 quarts of milk were so distributed last year. This organization also furnishes milk to undernourished children at a cost of two cents a half-pint to the League and at a cost of three cents a half-pint to children whose parents are able to pay. This is accomplished with the South Bend, Indiana, milk council.

Mr. H. C. Brown, City Health Officer of San Jose, California, reports that the city school department furnishes to school children one half pint bottles of milk, with 70 per cent of the children paying and 30 per cent nonpaying. The County Welfare Department supplies approximately 500 quarts of milk per day to relief families. The Home of Benevolence supplies seventy-five children with milk daily. The total savings per year of these supplies amounts to approximately \$2,900 through arrangements with the milk distributors.

The City of Springfield, Massachusetts, pays distributors from one to two cents under the retail price per quart for delivering milk to relief families. This advice is from John F. Madden, Agent, Board of Public Welfare.

Santa Barbara, California, guarantees the milk bills of relief clients at a saving of two cents a quart under the regular delivered price and Santa Maria, California, does the same at a three and one-half cents a quart saving. This report is from H. J. Rudolph, Director, County Welfare Department. In Long Beach, California, Mr. Bert James, Secretary of Long Beach United Relief, informs me that the self-helped cooperatives of Los Angeles County purchased in 1933 surplus milk at ten cents a gallon and skimmed milk free from the Producers Arbitration Committee Surplus Milk Plant. This supply was later withdrawn, but it is understood that some of these cooperatives now purchase direct from independent dairymen at a reduced price.

Mr. Victor S. Woodware, Administrator of the Genesee County Welfare Relief Commission of Flint, Michigan, reports a price concession from producers and distributors at one and one-half cents below the retail price for each quart of milk delivered to welfare clients. The Director of the Board of Public Welfare of Worcester, Massachusetts, Gerhard Becker, purchases 55,000 quarts monthly at present from local milk dealers, at two cents per quart below the regular retail price. Mr. J. A. Kruzen, Accounting Supervisor, Decatur Township Relief, has an arrangement with local dealers whereby they deliver milk to relief clients at two cents per quart under the regular retail price. Charles Poirier, Secretary of the Board of Public Welfare, New Bedford, Massachusetts, reports a similar arrangement

with 48,116 quarts so delivered during the first eight months of this year. John J. Galla, Superintendent of Public Welfare of Bridgeport, Connecticut, informs us that the Welfare Department maintains milk stations to which the local dealers deliver Grade B milk at four cents under the retail price and three cents under for milk delivered to welfare homes. The deliveries average 288 quarts daily to homes, and 1,035 to the milk stations. The Kiwanis Club of Fort Dodge, Iowa, distributes skimmed milk free to families on relief rolls. Private and public relief giving agencies in Evansville, Indiana, distribute milk at a price ranging from one to one and one-half cents less than the retail price delivered. This information is from Walter P. Wood, Director, Department of Public Welfare, Evansville, Indiana. In Tampa, Florida, Community Chest agencies receive wholesale rates. Thomas W. O'Connor of the Hartford, Connecticut, Department of Public Welfare reports that the city purchases milk for purposes of relief delivery on the basis of contract bids.

Will you let me know what progress you are making in Boston? I shall forward you my complete information at a later date and if you have any particular questions with respect to the information previously furnished, please let me know.

Yours very truly,
D. E. MONTGOMERY,
Consumers' Counsel.)

The order was passed under suspension of the rule.

ELECTRIC BULBS BIDS.

Coun. NORTON offered the following:

Ordered, That the Purchasing Agent of the city, through his Honor the Mayor, advise the Council as to why he advertised for competitive bids for electric bulbs for a year and then withdrew the bids, cancelled them.

Coun. NORTON—Mr. Chairman, the Purchasing Department asked the electrical supply dealers to bid on supplying the city with electric bulbs for the coming year. I understand the bids were held up for two months,

and then I brought the attention of the Purchasing Department to it at the previous meeting, and the next day all the bids were thrown out and the checks sent back to the bidders. I am asking the Mayor, and was going to ask the Superintendent of Supplies, to come before the Executive Committee and explain why it was this procedure was followed. Some one has suggested we have already had an executive meeting and the thing to do is to have it at the next meeting. If there is no objection I would like to ask the Superintendent of Supplies to visit the Council at its next meeting and explain why this procedure was followed.

The order was referred to the Executive Committee.

CONFIRMATION OF APPOINTMENT.

Chairman GALLAGHER called up No. 1 on the calendar, viz.:

Action on appointment submitted by the Mayor October 5, 1936, of Carlton J. Moore, to be a Weigher of Coal.

Committee, Coun. Mellen and Finley. Whole number of votes cast 12; yeas 12, nays 0, and the appointment was confirmed.

CHECKING OF UNPAID POLL TAXES.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of a periodic checking of the City Collector's record of unpaid poll taxes with the Election Department's list of registered voters, whether by a suitable W. P. A. project or otherwise, as one possible method of minimizing the number of fraudulent names on the voting lists of the City of Boston.

Passed under suspension of the rule.

On motion of Coun. SHATTUCK the Council voted to adjourn at 4 p. m., to meet on Monday, October 26, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 26, 1936.

Regular meeting of City Council, held in the Council Chamber, City Hall, at 2 p. m., Coun. GALLAGHER presiding. Absent, Coun. Brackman and Dowd.

TRANSFER FROM PARKMAN FUND.

The following was received:

City of Boston,

Office of the Mayor, October 16, 1936.

To the City Council,

Gentlemen,—I am in receipt of the attached communication from the Board of Park Commissioners requesting the transfer of the sum of \$25,000 from the income of the George F. Parkman Fund to the Maintenance and Improvement of the Common and Parks in Existence on January 12, 1887.

I submit herewith an appropriation order and respectfully recommend its immediate passage by your Honorable Body.

Respectfully,

JOHN I. FITZGERALD, Acting Mayor.

City of Boston,

Park Department, October 8, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to request the City Council to transfer from the income of the George F. Parkman Fund the sum of \$25,000, which is now available, to be expended under the direction of the Board of Park Commissioners, as follows:

Common and Parks in Existence on January 12, 1887, Maintenance and Improvement of.....	\$25,000
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When making up the budget estimates for the year 1936, a sum equal to the total yearly income of the George F. Parkman Fund was deducted from Item A-1, Permanent Employees, with the understanding that this deduction was to be replaced by the total yearly income of said Parkman Fund for 1936, to be transferred as it accrued from time to time during the year to the regular maintenance appropriation of the Park Department.

Respectfully yours,

WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$25,000 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:

Common and Parks in Existence on January 12, 1887, Maintenance and Improvement of.....	\$25,000
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Referred to the Executive Committee.

PUBLIC WELFARE APPROPRIATION.

The following was received:

City of Boston,

Office of the Mayor, October 23, 1936.

To the City Council,

Gentlemen,—I submit herewith an appropriation order allocating the sum of \$1,000,000 to specific items in the Public Welfare Department. The borrowing of this sum, which is to be charged against tax titles now in the possession of the city, was contemplated when the tax program for the current year was planned and has already been authorized by your Honorable Body.

I therefore respectfully recommend adoption of the accompanying order by your Honorable Body.

Respectfully,

JOHN I. FITZGERALD, Acting Mayor.

Ordered, That the sums hereinafter specified be, and the same hereby are, appropriated for the Public Welfare Department and for the objects and purposes hereinafter stated; that the same be met from the proceeds of a loan of \$1,000,000 to be made under the provisions of section 1, chapter 281, of the Acts of 1936, amending section 2, chapter 49, of the Acts of 1933, in accordance with a recommendation submitted by the Mayor to the City Council on September 21, 1936.

Public Welfare Department.

Central Office.

F-9, Care of Dependents.....	\$625,000
F-10, Mothers' Aid.....	175,000
F-14, Old Age Assistance.....	200,000

Referred to Executive Committee.

TRANSFER TO PUBLIC WORKS DEPARTMENT.

The following was received:

City of Boston,

Office of the Mayor, October 24, 1936.

To the City Council.

Gentlemen,—I am advised by the Commissioner of Public Works that during the past four weeks the personnel of the P. W. A. in the Paving Service has been increased by over 800 men, bringing the total number now employed in the reconstruction of streets under W. P. A. projects to over 2,800. The amounts originally and subsequently appropriated for materials and equipment to carry on this work have been practically exhausted, and an additional appropriation of \$40,000 is necessary in the H. Relief Projects, item of the Paving Service budget. This sum can be secured by transfer from the H. Relief Projects, item of the Hospital Department, due to the fact that after final disposition was made of the pending W. P. A. projects it developed that more than enough was appropriated for this purpose in the Hospital Department. I therefore submit herewith an order for the transfer of this sum and respectfully recommend its adoption by your Honorable Body.

Respectfully,

JOHN I. FITZGERALD, Acting 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 Hospital Department, H. Relief Projects, \$40,000, to the appropriation for Public Works Department, Paving Service, H. Relief Projects, \$40,000.

Referred to Executive Committee.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,

Office of the Mayor, October 26, 1936.

To the City Council,

Gentlemen,—The attached requests for transfers within departmental appropriations have been examined and investigated by the Budget Commissioner. I accordingly recommend adoption of the accompanying orders by your Honorable Body.

Respectfully,

JOHN I. FITZGERALD, Acting 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 Art Department:

From the appropriation for B-1, Printing and Binding, \$13.75, to the appropriation for B-39, General Repairs, \$13.75.

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 Assessing Department:

From the appropriation for D-1, Office, \$400, to the appropriation for H, Relief Projects, \$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 Auditing Department:

From the appropriation for A, Personal Service, A-1, Permanent Employees, Messenger, 1 at \$800 a year, \$160.50, to the appropriation for C-16, Wearing Apparel, \$10.50; D-1, Office, \$150.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Budget Department:

From the appropriation for B-1, Printing and Binding, \$10; B-39, General Repairs, \$10; D-1, Office, \$22.51, to the appropriation for H, Relief Projects, \$42.51.

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 B-39, General Repairs, \$750, to the appropriation for D-8, Laundry, Cleaning, Toilet, \$150; E-13, Miscellaneous, \$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 Collecting Department:

From the appropriation for B-3, Advertising and Posting, \$2,200, to the appropriation for B-1, Printing and Binding, \$200; D-1, Office, \$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 City Council:

From the appropriation for A, Personal Service, A-4, Other Departmental Work, \$288; B-3, Advertising and Posting, \$20.05; B-29, Stenographic and Copying, \$292.90; B-39, General Repairs, \$204.45; C-9, Office, \$75, to the appropriation for A, Personal Service, A-2, Temporary Employees, \$84; B-42, Miscellaneous, \$796.40.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Hospital Department:

From the appropriation for D-2, Food and Ice, \$325, to the appropriation for C-4, Motor Vehicles, \$325.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Hospital Department, Sanatorium Division:

From the appropriation for D-3, Fuel, \$2,000, to the appropriation for C-7, Furniture and Furnishings, \$1,100; C-10, Library, \$50; C-13, Tools and Instruments, \$100; D-1, Office, \$200; D-13, Chemicals and Disinfectants, \$150; E-1, Building, \$200; F-13, Industries, \$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, Child Welfare Division:

From the appropriation for A, Personal Service, A-2, Temporary Employees, \$100, to the appropriation for D-8, Laundry, Cleaning, 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 Institutions Department, Long Island Hospital:

From the appropriation for C-5, Motorless Vehicles, \$200, to the appropriation for B-15, Motorless Vehicles Repairs, \$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, Steamers "Hibbard" and "O'Meara":

From the appropriation for A, Personal Service, A-2, Temporary Employees, \$175, A-3, Overtime, \$125, to the appropriation for B-8, Light, Heat and Power, \$125, E-1, Building, \$175.

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-29, Stenographic and Copying, \$337, to the appropriation for B-12, Bond and Insurance Premiums, \$12; C-13, Tools and Instruments, \$100; D-8, Laundry, Cleaning, Toilet, \$225.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Park Department:

From the appropriation for A, Personal Service, A-1, Permanent Employees, Custodians, 9 at \$2,000 a year, \$400, to the appropriation for C-6, Stable, \$50; C-4, Motor Vehicles, \$350.

From the appropriation for B-6, Hire of Teams and Auto Trucks, \$3,000, B-14, Motor Vehicles, Repair and Care, \$2,285, to the appropriation for C-13, Tools and Instruments, \$5,285.

From the appropriation for E-2, Highway, \$500, to the appropriation for D-16, Miscellaneous, \$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 Park Department, Cemetery Division:

From the appropriation for E-2, Highway, \$600, to the appropriation for B-39, General Repairs, \$500, C-17, Miscellaneous, \$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 Police Department:

From the appropriation for C-4, Motor Vehicles, \$12,000, to the appropriation for C-16, Wearing Apparel, \$12,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Public Buildings Department, Real Estate Division, Repairs, etc., \$5,000, to the appropriation for Public Buildings Department, B-39, General Repairs, \$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 Welfare Department, Central Office:

From the appropriation for B-4, Transportation of Persons, \$780, to the appropriation for B-1, Printing and Binding, \$65; B-18, Cleaning, \$15; B-37, Photographic and Blueprinting, \$15; C-7, Furniture and Furnishings, \$75; C-10, Library, \$75; C-13, Tools and Instruments, \$150; C-17, Miscellaneous, \$25; D-8, Laundry, Cleaning, Toilet, \$200; D-13, Chemicals and Disinfectants, \$50; D-16, Miscellaneous, \$100; E-13, Miscellaneous, \$10.

From the appropriation for A, Personal Service, A-1, Permanent Employees, Visitors, 13 (14) (13) at \$1,600-\$1,700 a year, \$436.56, to the appropriation for A, Personal Service, A-1, Permanent Employees, Assistant Supervisor, 1 at \$1,700 a year, \$436.56.

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 D-2, Food and Ice, \$230, to the appropriation for B-13, Communication, \$100; C-13, Tools and Instruments, \$15; D-8, Laundry, Cleaning, Toilet, \$50; D-9, Educational and Recreational, \$15; E-1, Building, \$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 Works Department, Central Office:

From the appropriation for D-1, Office, \$10, to the appropriation for C-9, Office, \$10.

Ordered, That under authority of chapter 261 of the Acts of 1933 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriation for Public Works Department, Bridge Service:

From the appropriation for F-7, Pensions and Annuities, \$300, to the appropriation for C-13, Tools and Instruments, \$300.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriation for Public Works Department, Paving Service:

From the appropriation for A, Personal Service as per Schedule A, A-1, Permanent Employees, Laborers, Mechanics' Assistants, Feeders, etc., 286 at \$5 a day, \$15,100, to the appropriation for A, Personal Service as per Schedule A, A-1, Permanent Employees, Mechanics, etc., 102 at \$5 to \$6 a day, \$5,000; Chauffeurs, Teamsters, Laborers, 67 at \$5 to \$5.50 a day, \$5,000; A-2, Temporary Employees, \$5,000; F-11, Workmen'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 Public Works Department, Sewer Service:

From the appropriation for A, Personal Service, A-1, Permanent Employees, Constable, 1 at \$1,600 a year, \$102.09, to the appropriation for A, Personal Service, A-1, Permanent Employees, Veterinarian, 1 at \$2,500 a year, \$75; Clerk, 1 at \$1,900 a year, \$27.09.

From the appropriation for Catch-basin, Cleaning Machine Operators, 5 at \$6 a day, \$2,000, to the appropriation for Foremen, 6 at \$2,200 to \$2,500 a year, \$2,000.

From the appropriation for A-3 Overtime, \$500; B-6, Hire of Teams and Auto Trucks, \$139.20; B-20, Disposal of Waste, \$100; B-39, General Repairs, \$1,000; B-42, Miscellaneous, \$3,200; C-4, Motor Vehicles, \$400; E-5, Sewer, \$2,000, to the appropriation for D-3, Fuel, \$1,000; D-11, Gasoline, Oil and Grease, \$500; B-14, Motor Vehicles Repair and Care, \$439.20; E-13, Miscellaneous, \$400; B-18, Cleaning, \$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 Supply Department:

From the appropriation for A, Personal Service, A-1, Permanent Employees, Clerk, 1 at \$1,000 a year, \$150.34; Clerk, 1 at \$900 a year, \$150.32; Clerk, 1 at \$900 a year, \$150.32, to the appropriation for A, Personal Service, A-2, Temporary Employees, \$450.98.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Suffolk County Court House Custodian:

From the appropriation for H, Relief Projects, \$3,000, to the appropriation for B-39, General Repairs, \$3,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Superior Court, Civil Session, Clerk's Office:

From the appropriation for B-1, Printing and Binding, \$1,050, to the appropriation for B-39, General Repairs, \$50; D-1, Office, \$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 Municipal Court, City of Boston:

From the appropriation for A, Personal Service, A-1, Permanent Employees, Assistant Messenger and Stenographer, 1 at \$2,700 a year, \$273.89, to the appropriation for A-2, Temporary Employees, \$273.89.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Municipal Court, South Boston District:

From the appropriation for A, Personal Service, A-1, Permanent Employees, Probation Officer, 1 at \$1,700 a year, \$148.59; Probation Officers, 2 at \$2,000 a year, \$22.22; B-4, Transportation of Persons, \$150, to the appropriation for A, Personal Service, A-2, Temporary Employees, \$320.81.

From the appropriation for C-10, Library, \$36.50, to the appropriation for B-17, Care of Persons, \$36.50.

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 Municipal Court, Dorchester District:

From the appropriation for D-1, Office, \$17.50, to the appropriation for B-18, Cleaning, \$10; C-10, Library, \$7.50.

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 Municipal Court, Roxbury District:

From the appropriation for D-8, Laundry, Cleaning, Toilet, \$40, to the appropriation for B-18, Cleaning, \$40.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Municipal Court, West Roxbury District:

From the appropriation for B-4, Transportation of Persons, \$1.58, to the appropriation for B-12, Bond and Insurance Premiums, \$1.58.

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., \$35.50, to the appropriation for B-39, General Repairs, \$5; C-7, Furniture and Furnishings, 20; C-10, Library, \$10.50.

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 Medical Examiner Service, Northern Division:

From the appropriation for D-5, Medical, Surgical, Laboratory, \$47, to the appropriation for B-37, Photographic and Blueprinting, \$25; D-13, Chemicals and Disinfectants, \$12; E-10, Electrical, \$10.

From the appropriation for B-4, Transportation of Persons, \$40; C-4, Motor Vehicles, \$25, to the appropriation for D-1, Office, \$65.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Medical Examiner Service, Southern Division:

From the appropriation for B-39, General Repairs, \$4, D-5, Medical, Surgical, Laboratory, \$43.04, D-8, Laundry, Cleaning, Toilet, \$2, to the appropriation for C-15, Tires, Tubes and Accessories, \$37.04; D-1, Office, \$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 Collecting Department, Water Division:

From the appropriation for B-3, Advertising and Posting, \$100, to the appropriation for B-1, Printing and Binding, \$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, Traffic Tunnel:

From the appropriation for B-39, General Repairs, \$200, to the appropriation for D-13, Chemicals and Disinfectants, \$200.

Referred to the Executive Committee.

PETITIONS REFERRED.

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

Claims.

Margaret C. Dilworth, for compensation for damage to car by city cart.

Thomas Fraher, for compensation for injuries caused by an alleged defect at 863 Washington street.

Kenneth W. Kempton, for compensation for injuries caused by an alleged defect in Municipal Building, South Boston.

John McDonald, for compensation for injuries caused by an alleged defect at 76 Peterborough street.

John F. McGovern, for compensation for damage to car caused by an alleged defect in Washington street, Forest Hills.

Edward V. Murphy, to be reimbursed for judgment issued against him on account of his acts as operator of police motorcycle.

Neil M. Murphy, to be reimbursed for judgment issued against him on account of his acts as operator of Sanitary truck.

Nellie T. Nelson, for compensation for injuries caused by an alleged defect in Charles River Parkway.

Anna A. Schultz, for compensation for injuries caused by an alleged defect in 3 Winter street.

Mary Blanche Young, for compensation for damage to property at 20 Oakview terrace, caused by blasting for sewer.

Mrs. Robert Young, for compensation for injuries caused by an alleged defect in Brooks and Bennington streets.

Gertrude L. Hydeman, for refund on refuse tickets.

Executive.

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

Barnett Cohen, Jeremiah E. Burke School, November 18.

Petition of Alice M. Ralph to be paid an annuity on account of death of her husband, John G. Ralph, former member of Police Department.

MINORS' LICENSES.

Applications for minors' licenses were received from eighteen newsboys and four bootblacks. Licenses granted on usual conditions.

TAX TITLE RENEWAL.

Notice was received from the Emergency Finance Board of vote passed October 20 approving the renewal by City of Boston of so much of \$1,000,000 tax title loan originally approved by Board September 24, 1935 as is outstanding on October 1, 1936, rate of interest on renewal notes to be at one per cent payable at maturity.

Placed on file.

TAX TITLE PROPERTY.

Coun. McGRATH offered the following:

Ordered, That his Honor the Mayor request the Corporation Counsel to refrain from instituting foreclosure proceedings against homes for which the city holds tax titles, for a period of at least seven years after the tax title is taken by the city.

Coun. McGRATH—Mr. Chairman, there seems to be a great deal of talk regarding property that the city has taken for tax titles and in the regular procedure has gained title by putting it through the Land Court. Every evening on the radio the Yankee Minuteman has seen fit to criticize the Council. In my opinion it is very easy to destroy and criticize, but I would like to have the opinion of this man who sees fit to criticize the

Council. If I had authority or if we as members of the Council had authority we could summon this man in here, and see what he has to say about this property. First of all, there is an old saying that I guess we are all familiar with, "Be it ever so humble there is no place like home." Now, I cannot think of a name to call him, but this man on the radio says, "Take these tax titles and sell this property." A man may have paid, or a person or a home owner may have paid taxes, for ten, fifteen or twenty years, and through no fault of their own, the last few years may have been unable to pay their taxes. The procedure of the city is, "We will sell their home for taxes," only put it through the Land Court, and the city owns that man's home, who may have paid taxes for ten, fifteen or twenty years. Mr. Chairman, doesn't that seem heartless? Well, I want to go on record as being against it, and I think every member of the Council is opposed to selling a man's home for tax title. Now, do not misunderstand me. I do not mean tax titles. I mean putting it through the Land Court and the City of Boston owns that home. Take a case in point of a small home that may be worth \$10,000. There may be a mortgage on this home of \$4,000. A man may not have paid his taxes for two, three or four years, and if our assessing department is right, the home is probably assessed for \$5,000, \$6,000 or \$7,000, or whatever it may be. The taxes may run approximately \$200 a year, and if it was for five years, Mr. Chairman, that would amount to approximately \$1,000,—and what happens? The city has title through the Land Court of that home. Now, mind you, the mortgage on that home is wiped out when the city takes title to it and this man, the Yankee Minuteman on the radio, says, "That is fine." I say, you are crazy. I say it is wrong, Mr. Chairman, to take that procedure. There is a house for which the man probably paid \$10,000, and the city owns it for \$1,000. I think we had a case in here a few months ago of where a man wanted to buy back his home after losing it. So I am going to ask the Committee on Tax Titles and the Committee on Public Lands when any reference is made to property pertaining to a home owner that it be revised or that there be an ordinance of the city to the effect that a home owner cannot lose his home for at least seven years.

The order was passed under suspension of the rule.

CLEANING OF CATCH-BASINS.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to make every possible effort to secure the approval of a W. P. A. project for the cleaning of all catch-basins in the city.

Coun. ROSENBERG—Mr. Chairman, we have been receiving complaints with reference to the lack of cleaning facilities for the catch-basins throughout the City of Boston. Complaints have been coming in due to the lack of funds, as I understand it, in the Public Works Department, so they are unable to carry out the work of cleaning the catch-basins. Funds have been limited through curtailment of the budget expense. I appreciate that the Public Works Department is doing all it can to keep up with the work of the city in its department, but they are curtailed to such an extent that often the catch-basins throughout the city are clogged. We find the basins clogged up, and the condition they are in is causing the spread of disease, and something should be done to eliminate that condition. I believe if we have not the funds available in our city department to carry on the work, we may be able to impress upon the Federal authorities the need of such a project, so we will be able to keep the basins open and the streets clean.

The order was passed under suspension of the rule.

ELECTRIC LIGHT, WARD 11.

Coun. KILROY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an electric light at the Glen road entrance to Franklin Park, Ward 11.

Passed under suspension of the rule.

INFORMATION RE TAX TITLE
PROPERTIES.

Coun. WILSON offered the following:
Ordered, That his Honor the Mayor be requested to advise the City Council as to what allocation, if any, is to be made to the Water Division of the Public Works Department in cases where sales of tax-title properties are made.

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to advise the City Council the name and address of the last owner of record of the premises at 767 East Fourth street, 42-48 A street, and 27 Silver street, South Boston, prior to the City of Boston obtaining Land Court title following proceedings for nonpayment of taxes and to perfect city tax title.

Severally passed under suspension of the rule.

MAINTENANCE OF AMERICAN LEGION
HIGHWAY.

Coun. MELLEN, for Coun. Brackman, offered the following:

Ordered, That his Honor the Mayor request the Park Department to take over the maintenance of the American Legion Highway, recently dedicated.
Passed under suspension of the rule.

RECESS.

On motion of Coun. KERRIGAN the Council voted to take a recess at 2.35 p. m. The members reassembled in the Council Chamber and were called to order by Chairman GALLAGHER at 4.15 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.:

Barnett Cohen, Jeremiah E. Burke School, November 18,—recommending that leave be granted under usual conditions.

2. Report on resolution (referred October 19) indorsing Trustees of Charlestown Poor Fund—that same ought to pass.

Report accepted; resolution passed.

3. Report on message of Mayor and order (referred today) for appropriation of \$1,000,000 for Public Welfare Department—that same ought to pass.

Report accepted; order passed, yeas 18, nays 0.

4. Report on message of Mayor and order (referred today) transferring \$25,000 from income of Parkman Fund—that same ought to pass.

Report accepted; order passed, yeas 18, nays 0.

5. Report on message of Mayor and order (referred today) transferring \$40,000 from Hospital Department to Public Works Department, Paying Service—that same ought to pass.

Report accepted; order passed, yeas 18, nays 0.

6. Report on message of Mayor and orders (referred today) for transfers within departmental appropriations—that same ought to pass.

Report accepted; orders passed, yeas 17, nays—Coun. Shattuck—1.

REPORT OF COMMITTEE ON PUBLIC
LANDS AND TAX TITLE PROPERTY.

Coun. KERRIGAN, for Joint Committee on Public Lands and Tax Title Property, submitted the following report:

Over a year ago, on October 7, 1935, the City Council passed the Mayor's requested ordinance placing the Superintendent of Public Buildings in charge of leasing, selling, or maintaining tax title properties.

As long ago as February 24, 1936, supplementing even earlier requests, the Council passed an order requesting certain information concerning the list of tax title properties to which the city had perfected a Land Court title through action by the Law Department.

On March 23, 1936, the Council received from Mr. Hall such a report on exactly 58 parcels of "Improved Foreclosed Property," but it has not received the desired information covering the balance of the improved properties, nor the list covering the vacant land parcels which we have been told comprise 90 per cent of the total.

On August 17, 1936, the City Council passed an order requesting (1) a complete list of all tax title properties in the custody or control of the Superintendent of Public Buildings where demolition work had been done or was to be done, giving (a) the address, (b) the 1935 assessed value, (c) the supposed amount due the city for taxes, interest and costs, and (d) the amount expended or to be spent for demolition work; also (2) similar detailed information concerning properties where repairs or alterations were contemplated or had been done; (3) information as to rental revenues from the various parcels; and, finally, (4) a list of all tax title properties since the passing of the ordinance of October 7, 1935, in order to supplement the complete list requested in February, 1936, and only partially furnished as to 58 parcels on March 23.

It has consistently been the attitude of your committee that, for a proper consideration of any offer received for the purchase of a tax title property, there should at least be made promptly available for the committee, in addition to the address of the parcel and the price offered for it; (1) the assessed value of the property as recently as 1935, (2) the true amount due the city on such property, including unpaid taxes, accrued interest, unpaid water bills, and costs, (3) the rental return, if any, and, finally, (4) what amounts, if any, have been spent to repair, alter, or improve the property during the past year, whether by the city, or through W. P. A. assistance. The committee feels that the average business man would insist on that maximum of information in order to intelligently pass upon any offer.

Your committee, at its meeting on October 16, 1936 was advised by Mr. Hall that 672 parcels had been turned over to his department up to June 30, 1936, and a total of 872 to October 16, on about 10 per cent of which there are buildings. Superintendent Hall further stated that, starting about the middle of May of this year, as a W. P. A. project, there have been 32 persons employed on a general survey, and about 120 men employed on remodeling or repairs. With that staff available in Mr. Hall's department for a matter of months, for the purpose of making a business-like survey of less than 900 properties, it would appear that any criticism of the City Council for alleged delays might well be directed where it more properly belongs.

Out of 872 possible parcels in the control of the Superintendent of Public Buildings, only 15 suggestions for sale, totalling but \$5,250.76, have as yet been sent through to the City Council for action.

At its meeting on October 16, your committee, for the first time, received the information requested concerning 12 of the parcels before it for consideration; as to the remaining 3 parcels the complete information has not yet been furnished.

Your committee reports today on 12 of the 15 orders before it. The sentiment of the committee is in favor of a general policy of private sale as to those tax title properties where the offer made is substantially equal to the actual amount due the city for unpaid taxes, interest, cost and water rates, and where the amount involved is not substantial enough fairly to warrant the expense of a public auction, including newspaper advertising, which, to be of any real effect, should be in local and Boston papers as well as the "City Record." But in every instance, the committee feels that it is entitled to all of the facts and figures available.

In those cases where the offer is substantially less than the total due the city, your committee, as a general policy, recommends sale at public auction with an upset price.

The 12 parcels reported today include the following,—giving in each instance (1) the address, (2) whether vacant land, (3) the 1935 assessed value, (4) the amount of unpaid taxes, (5) the total amount due the city not only for unpaid taxes but also costs, unpaid water rates, and interest to the date of Land Court decree, (6) the reported offer to the city, and (7) the price recommended by the committee.

1.	2.	3.	4.	5.	6.	7.
15 and 16 Camden place	2,340 feet vacant land	\$2,200 00	\$1,146 60	\$1,560 23	\$675 00	\$1,000 00
20 Washington Heights avenue	5,132 feet vacant land	200 00	74 76	82 99	100 00	100 00
28 Lenox street	545 feet vacant land	500 00	144 19	154 38	150 00	150 00
Washburn avenue	7,665 feet vacant land	1,100 00	225 86	254 13	222 36	222 36
22 Bellamy street	5,725 feet vacant land	300 00	95 37	108 41	100 00	100 00
1 near Washington street, Dorchester	507 feet vacant land	200 00	75 61	84 08	80 00	85 00
1 Kemble street	1,536 feet vacant land	800 00	358 41	396 54	251 30	350 00
500 Walnut avenue	2,096 feet vacant land	1,000 00	208 40	237 59	225 00	250 00
77 Wilmington avenue	4,464 feet vacant land	600 00	176 32	215 65	185 00	265 00
1 near Fairmount street	8,000 feet vacant land	800 00	173 22	Not given	260 00	200 00
62 Wilmington avenue	4,440 feet vacant land	700 00	137 67	Not given	215 00	215 00
624 East Seventh street	4,125 feet vacant land and 4 garages	1,500 00	595 00	Not given	625 00	650 00

Members of the committee seriously question the advisability of the City of Boston, through the Superintendent of Public Buildings, actively engaging in the real estate business, at least in cases where there is a reasonable opportunity for the city to dispose of property for substantially the amount due the city, and thereby return such real estate to the status of taxable property. This is especially so where the condition of the building is such as to invite either fire loss or possible liability for accident.

For example, the committee considered the property at 6-8 Linden avenue, Roxbury,—owned

by the city ever since 1934, assessed for only \$1,800, the amount due the city being \$960.04, and for which offers to the city have been made, by at least four different prospective buyers up to last July, ranging from \$200 up to \$1,100. This property is, nevertheless, now being repaired and improved as a W. P. A. project, with the work "just started." Likewise, the property at 6-8-10 Emsella terrace, comprising an old nine-family frame apartment house, on a dead-end street, immediately adjacent to steam railroad tracks, assessed in 1935 for \$9,000, with a present rental income of only \$20 a month, the amount due the city being \$2,376, and for the purchase of which offers have been made ranging from \$765 to \$1,500 last August. This property also, however, is now being renovated and repaired, as a W. P. A. project, with some 35 men on the job "off and on since the first of July," and a total of \$3,692.69 already expended on the building. Also, 35-37 Ellingwood street, an old frame three-apartment dwelling, assessed in 1935 for only \$1,800, with a present monthly rental income of \$30, and for the purchase of which at least three offers have been made to the city, including an offer of \$875 made last August, which would have more than paid the entire amount due the city. Yet, repairs on the building, rather than its sale, are contemplated. Since 1931 the unpaid water bills alone, at this property, have mounted to \$230.55, including only the first quarter of the present year.

The committee urges favorable consideration of Councilor Wilson's order passed by the Council on September 4, 1936, requesting the appointment of a special committee by the Mayor to make a general survey of the city with reference to appropriate playground locations of limited area, for the younger children, in view of the ready availability of so many vacant land tax title properties.

Your committee would report, in closing, that out of the 872 parcels of tax title property reported to be already in the hands of Mr. Hall for disposition, only 15 items have been forwarded to the Council for possible action since the ordinance was passed last October down to the present time. These 15 suggested sales only aggregate slightly over \$5,000, and three of the 15 involve \$100 or less. Finally, the information requested concerning these properties weeks ago,—including, for example, the figure which each property stands the city, was not forwarded to your committee until the 16th of this month, and even then complete information was still not available on three of the properties.

With a staff of over 30 W. P. A. clerks, engaged since last summer on a general survey and classification of the 800-odd tax title properties already in the hands of his department, it would appear to your committee that some businesslike report on the part of the Superintendent of Public Buildings should by now be readily available.

Your committee reports "Ought not to Pass," with reference to all 12 of the accompanying orders, with a recommendation that the orders be returned to the Council providing in each case for private sale to the prospective buyers named in the original orders, but in the amounts already listed above. In six of the cases listed, the committee feels the suggested upset price to have been a fair and adequate one, being substantially the total amount that was due the city, as to the remaining six cases the committee recommends the higher figure as more nearly commensurate with the amount that was due the city.

The orders referred to were for the sale of parcels of land as follows:

Land on 15 and 16 Camden place (referred July 2).

Land on northeasterly side of Washington Heights avenue, West Roxbury (referred July 2).

Land on southwesterly side of Lenox street, Boston (referred July 2).

Land on northwesterly side of Washburn avenue, East Boston (referred August 17).

Land on northerly side of Bellamy street, Brighton (referred August 17).

Land on westerly side of Washington street, Dorchester (referred August 17).

Land on southerly side of Kemble street (referred August 17).

Land on southeasterly side of Walnut avenue, Roxbury (referred September 1).

Land on southerly side of Wilmington avenue, Dorchester (referred September 1).

Land on northerly side of Fairmount street, Dorchester (referred September 4).

Land on northerly side of Wilmington avenue, Dorchester (referred September 21).

Land on northerly side of East Seventh street, South Boston (referred September 28).

The report was accepted and the question came on the rejection of the twelve orders.

Coun. McGRATH—Mr. Chairman, I don't understand what we are voting on.

Chairman GALLAGHER—The question is on the rejection of the twelve orders. The report is accepted and the question is on the rejection of the orders.

Coun. TOBIN—I move that consideration of the actual disposition of these orders be tabled until the next meeting.

The orders were assigned to the next meeting.

WARD 2 IMPROVEMENTS.

Coun. MELLEN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install a street light in front of 138 Chelsea street, Ward 2.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to make arrangements for the installation of a hand rail at the top of Auburn street, Ward 2.

Severally passed under suspension of the rule.

ADDITIONAL INVESTIGATORS FOR OLD AGE ASSISTANCE.

Coun. MELLEN offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of putting on additional investigators to be assigned to the investigation of applications for Old Age Assistance.

Passed under suspension of the rule.

INFORMATION IN RE CHARLESTOWN POOR'S FUND.

Coun. MELLEN offered the following:

Ordered, That the Corporation Counsel immediately advise the City Council as to what steps have been taken, if any, in regard to the necessary legal procedure for placing the Charlestown Poor's Fund in the direct custody of the City Treasurer.

Coun. MELLEN—Mr. Chairman, speaking on the last motion, this Charlestown Poor's Fund is not an academic problem. There is a call for immediate action on it. As I stand here I am looking at the by-laws of the trustees. The first article calls for an annual meeting the first Monday of March. There was no notification of this meeting given to me and, so far as I am able to determine, there was no meeting. The most glaring instance of this paid secretary-treasurer's inefficiency is the transfer of a mortgage held by the bank on property in his name to the trust fund. On that point the City audit says, "Examination of the minutes of the trustees' meeting fails to disclose any authorization for such purpose." According to advice received from Mr. Gardner Bates this authorization was given to him orally, but at the one meeting I attended, Mr. Bates admitted he received no authorization for this transfer, and the trustees bore him out in that. At present he is entirely free to go ahead and make such investments, so far as dealing with brokerage houses is concerned, as he sees fit. There is nothing to prevent him from depleting those funds down to a few thousand dollars. I feel this order ought to pass and immediate action be taken on it.

The order was passed under suspension of the rule.

FISKE WHARF PROPERTY.

On motion of Coun. FINLEY the Council took up No. 2 on the calendar, viz.:

2. Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Sales of City Property, \$25,000, to the appropriation for Fiske Wharf Property, Purchase of, \$25,000.

The question came on the passage of the order.

Coun. SHATTUCK—Mr. Chairman, having a very high regard for Mr. Parkhurst of the Port Authority, I feel it is not a pleasant duty to oppose this order. Before we act on a matter of this kind, I still think that we should have more information. When Mr. Parkhurst was before us this afternoon he referred to the desirability of public control of the Atlantic avenue waterfront and of the city purchasing parcels whenever they could be purchased at a reasonable price, in order to prevent candy factories or other enterprises not having to do with shipping coming in on the waterfront. I asked him whether that could not be taken care of by a zoning law which would not involve the city in the real estate business. He said that some such suggestion had been made but that it had not been followed through. In other words, there are possibilities of handling the matter through zoning which have not been fully explored. I think they should be explored. Furthermore, it is admitted that this property is in very bad shape; that a large part of it consists of pilings and flooring over the piles. There are many holes in the floor and the piles are rotting and need to be replaced. Nobody knows what it would cost to put that wharf in repair or what it would cost to wholly dismantle the wharf. That is something we should know about before we go into the purchase, in my opinion. Furthermore, I believe the city should establish some policy. Is it the policy of the city to buy up Atlantic avenue and other waterfront properties whenever they are available? If it is, who is going to look after the property when it is bought? We have no agency at present so far as I know that is organized for that purpose. Certainly, the Public Buildings Department has its hands full with this tax property and other properties, much of which is being neglected at the present time. I do not believe we should acquire more property to be neglected. For these reasons, if this order must be brought up at the present time I am against it. I should be willing to have it postponed and have the Mayor make an investigation through experts and submit a report to the Council on the subject, both as to the policy to be pursued, the agency which would run this property if acquired, the cost of repairing it and the question of whether or not the use of waterfront property might not be solved through zoning without the city going into the real estate business. At the present time I shall vote against this order.

Coun. WILSON—Here is an order on the subject.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to confer with the members of the Board of Zoning Adjustment relative to the adoption of such zoning regulations as will restrict the use of properties on the water side of Atlantic avenue to wharves or marine purposes.

Chairman GALLAGHER—The Chair will rule the order is admissible but cannot be voted on while the other is under discussion.

Coun. NORTON—We have under discussion item No. 2 on the calendar?

Chairman GALLAGHER—That is correct. Councilor Finley called it up.

Coun. NORTON—Speaking on the order, the councilor from Ward 5 raised a very interesting point regarding zoning. I think he is right on this zoning matter. For some years the Port Authority has attempted to get zoning laws in effect here in the Port of Boston and the Legislature has not granted that point. Here we have an opportunity of getting for \$25,000 a piece of property which a few years ago was worth in the vicinity of \$200,000. I can readily see the point of the Councilor from Ward 5, and he may be right on it. It may be we are getting ourselves into more debt in trying to build up the pier and put in new pilings. But, however, Mr. Chairman, there was a man who waited on the Executive Committee today who, in my opinion, knows as much about the Port of Boston as anyone I have ever spoken to. He is extremely sincere and has given his life to the citizens of Boston in attempting to help the port. He feels that this would be a good thing for the city to take. He fears a candy factory or laundry going on this property. It is one of those things where there are two sides to the question. I am not positive I am right about it, but rather than see the pier go into the hands of private individuals for other than waterfront purposes, I am going to vote for it.

Coun. McGRATH—On the motion of the councilor from Ward 5 to postpone this for one week, and have the Mayor appoint a couple of non-interested real estate experts to look over the pier and get their opinion, I would like to say now that I think probably the councilor from Ward 5 is as well acquainted with values in the City of Boston as any individual I know of, and if he has the time and sees fit to do it, I think it would be in order to have the councilor from Ward 5—and I would be only too pleased to cooperate with him in my limited experience, if he would like to have me—look the property over.

Coun. SHATTUCK—Mr. Chairman, I thank the gentleman for his compliment, but I do not dispute this matter on the question of value. The property is undoubtedly worth \$25,000 if it is worth anything. If anyone has a use for it at the present time, it is undoubtedly worth \$25,000. But I do ask what it will cost to put it in condition? I am quite incompetent to answer that question even if I spent several days looking at it. I am not a builder and do not know the cost of putting in new piles. I think there is no pressing need of passing the order at the present time because so far as I know there is no other purchaser in the offing and there is not likely to be in the immediate future. I move that this order be postponed till our next meeting.

Coun. ROBERTS—Speaking on the motion, I do not remember in the years I have been in the Council where we have had any matter before us with such meager information. As Councilors Norton and Shattuck have said, I have the utmost respect for Mr. Parkhurst, but he is carried away with his idea that we ought to acquire more of this waterfront property. There is not a man in the Council who knows the assessed value of this property or whether or not there are any outstanding taxes on it. In the second place, the danger of any building on this property, I understand, is rather remote because of the fact that whatever is on there is in such bad shape that it will have to be torn down and another building built, so what we are really buying is the right to the waterfront rather than any property on the waterfront, it being of negligible value at the present time. It may be we are warranted in buying it, but somebody should know the assessed value and whether or not there are any outstanding taxes at the present time. I think for that reason this motion to postpone until we can get that information is in order. Isn't there anybody in the city service who is willing to furnish the Council with something on paper giving the assessed value and what they think it would cost to put it in shape, and who would be responsible for it after it is acquired?

Coun. JOHN I. FITZGERALD—This matter has been before the City Council for several months, and been jockeyed up and down until it has become a football. We want to get rid of it today. Prior to the Mayor leaving the city he asked me to have the matter decided one way or the other; either pass it or defeat it. Otherwise, he will send an order in to withdraw it from the Council. Boston is very provincial. One goes to New York and sees the harbor alive with business and then comes and finds this harbor dead and Boston slowly dying. It took years in this city to get a proper sewerage system. Certain people fought it for years, even those who live on cultured Beacon Hill. The records will show they did not want any improved sewerage system. I listened the other day to members of the Council asking for hundreds of thousands of dollars to lay out streets in the West Roxbury section of Boston. We are slow in everything here in Boston, and other cities all over the country are getting large sums of money while Boston lags behind. You have heard from the Port Authority. There is a live wire at the head of it, the man who coined the expression, "Bigger, Busier and Better Boston." He did everything to bring commerce here and to keep business here. We are losing our industries every day. They are going to Cambridge and other places where they are free from taxes for five years. Now this affects the welfare of the city. A few months ago, when the budget was up, the councilor from Ward 16 brought up the question of the city paying a large sum of money for the wharf where the Deer Island boats come in. Also they paid for Hicks Wharf. Now this adjoins the North End Park, which is owned by the City of Boston. This is only in the line of progress. The councilor wants to know who will take care of it. That will be done. I know of no matter

so beneficial to the city as this proposition. The City of Boston should take the lead, and they should be aroused. In matters concerning our welfare, our eyes have been closed. But when small matters come along, there is a howl. Now is the time to show some constructive thought and pass this order, or defeat it.

Coun. ROBERTS—Will you yield for a question? What is the assessment of this property? Are there any outstanding taxes?

Coun. FITZGERALD—There is no question about outstanding taxes on the property.

Coun. ROBERTS—If you are in possession of that information we would like it.

Coun. FITZGERALD—There are only this year's taxes due.

Coun. ROBERTS—How about the assessment?

Coun. FITZGERALD—I am not sure of that. There has been an offer made, and they will sell it for a small sum of money now. I know some gentlemen have called at the Mayor's office since he has been away inquiring as to whom this belongs, who are willing to make an offer for it. Are you going to see these same people who have made a fortune in street widenings get hold of this property and laugh at the City Council?

Coun. WILSON—I hesitate to vote against any member of the Council who requests additional information, but for the benefit of the members I will state I have verified the fact that the assessed value in 1935 was \$200,000, and this year is \$170,000, and the taxes are paid to date. I understand Councilor Shattuck's inquiry was directed as to what individual would take care of this property when acquired, whether Major Hall would have this added to his burden, and also what the expense would be.

Coun. GALLAGHER—The question is on Councilor Shattuck's motion to assign the matter to the next meeting.

The motion was lost.

The question came on the passage of the order, and the order failed of passage (fifteen votes being necessary), yeas 14, nays 5.

Yeas—Coun. Agnew, Doherty, Finley, J. I. Fitzgerald, P. J. Fitzgerald, Gallagher, Kerrigan, Kilroy, McGrath, P. A. Murray, Norton, Rosenberg, Selvitella, Wilson—14.

Nays—Coun. Gleason, Mellen, G. A. Murray, Roberts, Shattuck—5.

The question then came on the passage of Coun. Wilson's order.

The order was passed under suspension of the rule.

CASE LOADS, WELFARE DEPARTMENT.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to confer with the Welfare Department authorities relative to reducing the case load per visitor from the present load of over two hundred cases per visitor to about seventy-five.

Coun. NORTON—Mr. Chairman, until we have reduced the case load of our visitors, the city will lose thousands of dollars a year in waste. We will have districts where individuals are getting welfare who should not get it, and some districts where those who should get it are not on the rolls. I understand it is an all-day job to take care of seventy-five welfare families, because welfare is something which changes in a day. One of the family may go to work. We have today in Boston old people asking for something to eat. People asking for old age assistance have waited for months, and we have had the terribly pathetic case of the old professor in Copley square who died before aid came. It is not only a good proposition from the standpoint of the city but of the welfare recipients themselves, to reduce the case load from 200 to 75.

Coun. AGNEW—Every statement the councilor has made is correct, and I think without doubt pretty nearly every councilor here has had requests for old age assistance, and they have received reports that the application was made six, eight or ten months ago, and in many instances no action has been taken on the application. The reason for that is the visitors have too many cases to take care of. I subscribe to everything Coun. Norton has said that the case load per visitor should be reduced from over two hundred cases to seventy-five cases.

The order was passed under suspension of the rule.

NEXT MEETING.

On motion of Coun. P. J. FITZGERALD it was voted that when the Council adjourns it be to meet on Monday, November 9, 1936, at two o'clock p. m.

PREFERENCE TO BOSTON FIRMS.

Coun. NORTON offered the following:
Ordered, That the Mayor of Boston be requested to consider the advisability of informing the City Collector that when a Boston concern is a low bidder and furnishes the same or as good a product, that the Boston firm be given the preference in the buying of city supplies.

Coun. NORTON—Mr. Chairman, I believe in this particular instance that order should be directed to the City Collector. As I understand it, the poll tax bills now are being printed in New York and they could have been printed in Boston for the same or a lower price than they are being printed in New York for. It seems that with hundreds of printers here waiting for a job to do, the work could be done as economically here as in New York or anywhere else.

The order was passed under suspension of the rule.

LOW COST MILK.

Coun. NORTON offered the following:
Ordered, That the President of the Council appoint a committee of three members of the Council to wait on the Mayor in regard to the matter of furnishing low-cost milk for Boston.

Coun. NORTON—Mr. Chairman, I ask the Mayor why it is not possible to do the same in Boston as they are doing in other large cities of the country. That is, deliver this milk as a food item on the budget of the poor of Boston for two

or three cents cheaper than the schedule price of milk. I would like to ask him why we cannot send a Whiting team or a Hood team out to the municipal building or schoolhouse from 7 to 10 each morning, and those with a card—not necessarily those on welfare, but those who are in need—can get the milk for seven or eight cents a quart. Why can't we do that in Boston? They are doing it in about every other large city in America.

The order was passed under suspension of the rule.

MOTION TO RECONSIDER.

Coun. McGRATH—I have had the opportunity to look over some of the parcels of land here and some of them I am very familiar with in Dorchester, and I would like to move reconsideration on Councilor Kerrigan's report.

Chairman GALLAGHER—The report of the committee has been accepted.

Coun. McGRATH—I move reconsideration of the passage of the order.

Chairman GALLAGHER—Do you mean assignment?

Coun. McGRATH—No; the twelve orders.

Chairman GALLAGHER—The orders have been assigned to the next meeting.

Coun. McGRATH—On these orders here of Councilor Kerrigan is it possible to take up the passage of the orders and reconsider it, or will it have to hold over?

Chairman GALLAGHER—The Chair will have to rule "no."

Coun. McGRATH—No what?

Chairman GALLAGHER—No, sir. (Laughter.)

Adjourned, on motion of Coun. ROSENBERG, at 5.10 p. m., to meet on Monday, November 9, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, November 9, 1936.

Regular meeting of City Council held in Council Chamber, City Hall, at 2 p. m., Coun. GALLAGHER in the chair. Absent, Coun. Brackman, Dowd.

JURORS DRAWN.

Jurors were drawn under the law, Coun. PETER J. FITZGERALD presiding at the jury box in the absence of the Mayor, as follows:

Seventy-nine traverse jurors, Superior Criminal Court, to appear December 7, 1936:

John W. Farmer, Ward 1; Albert McNeil, Ward 1; Thomas G. Roy, Ward 1; John J. Monagle, Ward 2; Edward Cronin, Ward 3; William Paul Decker, Ward 3; John J. Regan, Ward 3; Joseph Ruggieri, Ward 3; Frederick Robert Calloway, Ward 4; Robert J. Lyttle, Ward 4; Arthur Naylor, Ward 4; Frank B. Taylor, Ward 4; Guy Bancroft, Ward 5; James M. Bryans, Ward 5; Harry A. Farrar, Ward 5; Clifford S. Jones, Ward 5; Joseph Kibrick, Ward 5; Bartholomew Dillon, Ward 6; William J. Griffin, Ward 6; Robert E. Blair, Ward 7; Joseph W. Boone, Ward 7; Elmer J. Pyne, Ward 7; John J. Teehan, Ward 7; Joseph H. Burke, Ward 8; John L. Fitzgerald, Ward 9; James Howie, Ward 9; Joseph F. MacDonald, Ward 9; Frederick H. Merrill, Ward 9; George Cosgrove, Ward 10; James F. Kelleher, Ward 10; Thomas P. Knightley, Ward 10; William J. Leonard, Ward 10; Arthur M. Bellamy, Ward 11; Charles H. Jackson, Ward 11; Thomas J. Madden, Ward 11; William R. McCallum, Ward 12; Henry Ward Gay, Jr., Ward 13; John J. O'Toole, Ward 13; Morris Blinderman, Ward 14; Harold R. Clark, Ward 14; Nathan Fredman, Ward 14; Joseph J. Gottesman, Ward 14; M. Robert Leonard, Ward 14; Patrick H. O'Neil, Ward 14; Julius Standel, Ward 14; Harry Warshaw, Ward 14; Maurice J. Ahern, Ward 15; Warren E. Kennedy, Ward 15; Leo F. Richardson, Ward 15; Harry Talbot Harland, Ward 16; Maurice Robinson, Ward 16; William J. Fitzgibbons, Ward 17; William A. Horton, Ward 17; Matthew A. Macauley, Ward 17; Oliver Archambault, Ward 18; George G. Bittman, Ward 18; Walter T. Fandel, Ward 18; Emil J. Maginot, Ward 18; Archie S. Morrison, Ward 18; Clarence B. Scrivens, Ward 18; Eric S. Spencer, Ward 18; Morris J. Weinbaum, Ward 18; Arthur E. Cook, Ward 19; Walter H. Hitchcock, Ward 19; Henry J. Keane, Ward 19; John J. Kelley, Ward 19; Harold A. MacHarrie, Ward 19; Robert T. Atkinson, Ward 20; Rudolph Nettle, Ward 20; John C. Lane, Ward 20; John J. Stone, Ward 20; Melvin E. Thomas, Ward 20; Gordon E. Brendley, Ward 21; Gregory L. Manning, Ward 21; William Teeman, Ward 21; Walter C. Walker, Ward 21; Daniel J. Donovan, Ward 22; Edward C. Ford, Ward 22; Henry S. Kaplan, Ward 22.

Eighty traverse jurors, Superior Civil Court, October Sitting, to appear December 7, 1936:

George W. Joyce, Ward 1; Thomas S. Netto, Ward 1; Joseph F. Murray, Ward 2; Robert E. Stanton, Ward 2; Adam A. Galasso, Ward 3; Thomas Sullivan, Ward 3; Samuel T. Devine, Ward 4; Frank M. Howe, Ward 4; Edmund B. Hughes, Ward 4; Elmer W. Noble, Ward 4; Wendell T. Ross, Ward 4; Peter S. Stampe, Ward 4; William Richard Hamilton, Ward 5; Joseph C. Kennedy, Ward 5; Frank E. Macy, Ward 5; Felix Leonard, Ward 6; Arthur Clark, Ward 7; Valentine S. Domurat, Jr., Ward 7; John Petchell, Ward 7; Charles G. Sullivan, Ward 7; Thomas E. Pettigrew, Ward 8; James P. Claffey, Ward 9; John C. Borland, Ward 10; Terence Casey, Ward 10; Daniel J. Sullivan, Ward 10; William H. Beal, Ward 11; Andrew Carey, Ward 11; Charles E. Cobbett, Ward 11; Walter F. Gover, Ward 11; John J. Leonard, Ward 11; Emil F. Schueler, Ward 11; Alfred H. Collins, Ward 12; Joseph D. Gillis, Ward 12; Robert J. Harvey, Ward 12;

George G. Libby, Ward 12; Rhoderick J. MacDonald, Ward 12; Bertram Murphy, Ward 12; Herbert Anderson, Ward 13; David Buchanan, Ward 13; J. Frank Sheehan, Ward 13; William Feinberg, Ward 14; Seymour Julius Fisher, Ward 14; Abraham Freeman, Ward 14; Frank C. Goldberg, Ward 14; Samuel D. Green, Ward 14; Joseph B. Jackson, Ward 14; Charles Kieschbaum, Ward 14; Willard J. McNevin, Ward 14; James J. Davis, Ward 15; Frank W. Herrick, Ward 15; Oswald M. May, Ward 15; William E. O'Neill, Ward 15; Eugene Sullivan, Ward 15; John H. Tirrell, Ward 15; Andrew B. McCulloch, Ward 16; James T. Sullivan, Ward 16; Harry F. Williams, Ward 16; Harvey S. Wolcott, Ward 16; John A. Burley, Ward 17; Harry A. Lynn, Ward 17; John Walsh, Ward 17; George D. Keller, Ward 18; John P. Killilea, Ward 18; Ferdinand R. Maier, Ward 18; John J. Kelley, Ward 19; Jacob Noll, Ward 19; Joseph Rice, Ward 19; John E. Donnelly, Ward 20; Henry F. Gill, Ward 20; Alexander Harper, Ward 20; Carl M. Koopman, Ward 20; Edward C. McGrath, Ward 20; Otto Flister, Ward 21; Hyman Goodman, Ward 21; Clarence H. Haines, Ward 21; Harry A. Stiles, Ward 21; Michael Tighe, Ward 21; Charles L. Work, Ward 21; John F. O'Laughlin, Ward 22; Walter W. Tyldesley, Ward 22.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments, viz.:

Constables for the term ending April 30, 1937, authorized to serve civil process upon filing bond: John J. Murphy, 80 Sanborn avenue, West Roxbury, Mass.; Louis Levendorf, 4 Bower street, Roxbury, Mass.; Manuel Wensky, 94 Radcliffe street, Dorchester, Mass.

Weighers of Coal: Herbert J. Henderson, Box 45, Humarock, Mass.; William T. Henderson, Hampton street, Burlington, Mass.; Arthur P. Kerrigan, 212 Fellsway West, Medford, Mass.; Henry E. Olson, 31 Fairmont street, Arlington, Mass.; Patrick O'Rourke, 996 River street, Hyde Park, Mass.

Weighers of Goods: Albert W. Holland, 15 Eliot road, Revere, Mass.; Charles Smith, 77 Middlesex avenue, Swampscott, Mass.

Severally-laid over a week under the law.

RESCISSION OF MILLION-DOLLAR LOAN.

The following was received:

City of Boston,

Office of the Mayor, October 23, 1936.

To the City Council,

Gentlemen,—On July 2, 1936, a tax title loan of \$4,000,000, the proceeds of which were to be used to pay revenue loans of 1935, was authorized by your Honorable Body. Under this authorization \$3,000,000 has been borrowed from the Commonwealth, and from present indications no further borrowing will be made for this particular purpose. In view of this fact, the \$1,000,000 authorized but not issued should be rescinded, and I submit herewith an order providing for this rescission, and respectfully recommend its adoption by your Honorable Body.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Ordered, That the right to borrow money, the proceeds to be used to pay revenue loans of 1935, under the provisions of section 1, chapter 281, of the Acts of 1936, amending section 2 of chapter 49 of the Acts of 1933, approved by the Acting Mayor on July 2, 1936, be limited to \$3,000,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

Referred to Executive Committee.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,

Office of the Mayor, November 9, 1936.

To the City Council.

Gentlemen,—The attached requests for transfers within departmental appropriations have been

examined and investigated by the Budget Commissioner. I accordingly recommend adoption of the accompanying orders by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, 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 Auditing Department:

From the appropriation for D-2, Food and Ice, \$100, to the appropriation for D-1, Office, \$50; H, Relief Projects, \$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 Boston Traffic Commission:

From the appropriation for B-8, Light, Heat and Power, \$50, to the appropriation for C-3, Electrical, \$50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Hospital Department:

From the appropriation for D-2, Food and Ice, \$10,025, to the appropriation for B-1, Printing and Binding, \$25; C-7, Furniture and Furnishings, \$10,000.

From the appropriation for B-42, Miscellaneous, \$250, to the appropriation for B-14, Motor Vehicles Repair and Care, \$250.

From the appropriation for E-1, Building, \$500, to the appropriation for E-13, Miscellaneous, \$500.

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, H, Relief Projects, \$15,000, to the appropriation for Hospital Department, Sanatorium Division, D-4, Food and Ice, \$15,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Institutions Department, Central Office:

From the appropriation for B-35, Fees, Services of Venires, etc., \$75, to the appropriation for D-1, Office, \$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 Institutions Department, Child Welfare Division:

From the appropriation for B-17, Care of Persons, \$100, to the appropriation for D-16, Miscellaneous, \$100.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Institutions Department, Long Island Hospital:

From the appropriation for A, Personal Service, A-1, Permanent Employees, Nurses, Staff, 60 at \$960 a year, \$500, to the appropriation for D-16, Miscellaneous, \$500.

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 Institutions Department, Long Island Hospital, A, Personal Service, A-1, Permanent Employees, Nurses, Staff, 60 at \$960 a year, \$350, to the appropriation for Institutions Department, Steamers "Hibbard" and "O'Meara", A, Personal Service, A-3, Temporary Employees, \$250; D-16, Miscellaneous, \$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, Cemetery Division:

From the appropriation for A, Personal Service, A-1, Permanent Employees, Custodian 1 (0) at \$2,200 a year, \$925.75, to the appropriation for A, Personal Service, A-1, Permanent Employees, Head Gardener 0 (1) at \$2,100 a year, \$925.75.

From the appropriation for B-14, Motor Vehicles Repair and Care, \$300; C-15, Tires, Tubes and

Accessories, \$69, to the appropriation for C-4, Motor Vehicles, \$369.

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 H, Relief Projects, \$2,500, to the appropriation for D-1, Office, \$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 A, Personal Service, A-1, Permanent Employees, Engineers, Assistant, Grade IV, 4 at \$2,800 to \$3,300 a year, \$1,000, to the appropriation for A, Personal Service, A-2, Temporary Employees, \$1,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Sewer Division:

From the appropriation for A, Personal Service, A-1, Permanent Employees, District Engineers, 3 at \$3,700 to \$4,000 a year, \$2,000; Engineers, Grade IV, 7 at \$3,200 to \$3,300 a year, \$2,000; Engineers, Grade III, 11 at \$2,400 to \$2,700 a year, \$1,000, to the appropriation for A, Personal Service, A-1, Permanent Employees, Chauffeur-laborers, 30 at \$5.50 a day, \$5,000.

From the appropriation for A, Personal Service, A-1, Permanent Employees, Mechanics, 10 at \$5.50-\$6 a day, \$1,000; Working Foremen, 2 at \$6 a day and \$2,200 a year, \$1,000; Catch-basin, Cleaning Machine Operators, 5 at \$6 a day, \$2,000, to the appropriation for A, Personal Service, A-1, Permanent Employees, Laborers, 90 at \$5 a day, \$4,000.

From the appropriation for A, Personal Service, A-1, Permanent Employees, Assistant District Engineers, 3 at \$3,200 to \$3,400 a year, \$1,000, to the appropriation for A, Personal Service, A-1, Permanent Employees, Firemen, Oilers, Fifth-Hoistmen, Gatemen, 32 at \$41.50 a week, \$1,000.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Superior Criminal Court, B-4, Transportation of Persons, \$5,000; B-34, Jurors, \$5,000; B-35, Fees, Services of Venires, etc., \$5,000, to the appropriation for Superior Court, Civil Session, General Expenses, B-35, Fees, Services of Venires, etc., \$15,000.

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 Municipal Court, Dorchester District:

From the appropriation for D-1, Office, \$6, to the appropriation for C-10, Library, \$6.

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 Land Court:

From the appropriation for D-1, Office, \$550, to the appropriation for C-9, Office, \$550.

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 Repairs, \$1,000, to the appropriation for D-1, Office, \$200; D-4, Forage and Animal, \$600; E-13, Miscellaneous, \$200.

Referred to Executive Committee.

SALE OF LAND, SANFORD PLACE.

The following was received:
City of Boston,
Office of the Mayor, November 6, 1936.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated

October 22, 1936, and a letter from Sidney Dunn, Esq., dated October 19, 1936, relating to an offer to purchase certain property situated on Sanford place, Boston, which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is \$326.90, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at public auction with a price of \$326.90, is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
October 22, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit an offer from Mr. Sidney Dunn, 6 Beacon street, acting as attorney in behalf of the Volunteer Co-operative Bank, Boston, Mass., in the sum of three hundred twenty-six dollars and ninety cents (\$326.90) for the land and building No. 2 Sanford place, Boston. Copy of the offer is attached.

The costs to the city up to December 30, 1935, amount to three hundred twenty-six dollars and ninety cents (\$326.90), which includes the non-payment of taxes since the year 1928, but does not include interest, costs or other charges.

I suggest that this offer be accepted and the property returned to the bank at a private sale, and I cannot see where there can be any criticism if this sale is allowed, as the building on this lot comprises and is attached to another building not owned by the city, and under no circumstances could be sold as a separate unit or partitioned off. In my opinion, it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,
ROSSELL G. HALL,
Real Estate Division.

Sidney Dunn,
Counselor at Law,
6 Beacon Street,
October 19, 1936.

Roswell G. Hall, Superintendent, Public Buildings Department.

Dear Sir,—The City of Boston holds title to property No. 2 Sanford place, Boston, Mass., under a decree dated June 30, 1936, and in this particular case the Volunteer Co-operative Bank is the mortgagee, and through error the notice was mislaid in the bank and the bank was defaulted.

The mortgage held by the bank covers this property and property on Nos. 8 and 10 East Lenox street, and the house being on Nos. 8 and 10 East Lenox street, the back door enters upon this lot and it is therefore necessary that this lot go with the other house.

Through a representative of the bank arrangements were made with the Collector's Office to redeem the property for the face of the taxes, interest and costs being waived. The amount being \$326.90.

I have taken the matter up with the Law Department to re-open the case and they said that they do not allow that to be done and suggested that I get in touch with your department to see about obtaining possession of the property.

I am hereby requesting on behalf of the bank that a deed be obtained from the City of Boston to the Volunteer Co-operative Bank for the amount above mentioned, and hope that it will be possible for you to obtain a deed from the city for that sum.

Thanking you in advance for any consideration you may be able to obtain in this matter, I remain,

Very truly yours,
SIDNEY DUNN.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated June 30, 1936, foreclosed a right of redemption under tax deed recorded with Suffolk Deeds, Book 5148, page 72, to about 650 square feet of land situated on the westerly side of Sanford place, Boston, as is more fully described in said tax deed; and

Whereas, An offer to purchase the said premises has been made in behalf of the Volunteer Co-

operative Bank by Mr. Sidney Dunn of Boston, in the sum of \$326.90; now, therefore, it is hereby Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcel of land to the said Volunteer Co-operative Bank for the sum of \$326.90; and it is hereby further

Ordered, That said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the said Volunteer Co-operative Bank a written instrument, satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of said City of Boston in said premises to said Volunteer Co-operative Bank upon the payment to it by the said Volunteer Co-operative Bank of the sum of \$326.90.

Referred to the Committee on Public Lands and Tax Titles.

1937 POLICE LISTING.

The following was received:

City of Boston,
Office of the Mayor, October 28, 1936.
To the City Council,

Gentlemen,—I transmit herewith a letter from the Police Commissioner relative to your order of October 5, 1936, concerning the police listing to be taken in January, 1937.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

October 27, 1936.

Mr. John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—Replying to your recent communication inclosing City Council order of October 5, 1936, which reads as follows:

"To instruct all police officers on the taking of the 1937 police listing in January next, to obtain from each person listed, a listing card signed by each person and witnessed in writing by the officer in each case,"

and requesting consideration and report thereon, I am in receipt of a report from the superintendent stating that the limited time allotted for this work with the present complement of the Force, which is greatly undermanned at the present time, makes it practically a physical impossibility for police officers to undertake the additional work that would be required.

The efficiency of the department in serving the public would be seriously impaired if this additional duty were imposed upon police officers, having in mind the period that is prescribed by law for completing police listing in this city.

Very truly yours,
E. M. MCSWEENEY, Police Commissioner.

Placed on file.

INFORMATION RE CITY-OWNED PARCELS OF LAND.

The following was received:

City of Boston,
Office of the Mayor, October 28, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings and a letter from the City Collector relative to your order of October 5, 1936, concerning information pertaining to city-owned parcels of land.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
October 14, 1936.

John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.

Dear Sir,—Referring to the attached order of the City Council, with reference to certain named parcels of city-owned property, I have to advise you as follows:

A. The number of families at each address is not available right now but the matter is being looked up and I will forward the information just as soon as I have it.

B, C and D. The matter of rent collections is in the hands of the City Collector and I respect-

fully suggest that the last three questions be referred to him.

Respectfully yours,
 ROSWELL G. HALL,
 Superintendent of Public Buildings.

City of Boston,
 Collecting Department, October 20, 1936.
 Hon. Frederick W. Mansfield,
 Mayor of Boston.

Dear Sir,—Reference is made to a communication from you, bearing upon a vote taken by the

City Council under date of October 5, 1936, regarding certain parcels of property owned by the city.

It has been suggested by the Superintendent of Public Buildings that subdivisions B, C and D of said vote be answered by this department, and the information requested is given in the attached list.

Yours very truly,

JOHN F. DOHERTY,
 City Collector.

	B.	C.	D.
91 Marginal street.....	10	April, 1936	\$22 00
336 Border street.....	30	March, 1936	240 00
28 Corey street.....	No assessment		
30 Corey street.....	20	July, 1936	80 00
8 Short Street place.....	No assessment		
2 Lovett place.....	No assessment		
47 Barton street.....	No assessment	August, 1936	
61 Dover street.....	22	August, 1936	44 00
61 Dover street.....	12	August, 1936	36 00
3-8-16 Dartmouth place.....	No assessment		
240 West Canton street.....	No assessment		
88 Bolton street.....	5	July, 1936	5 00
90 Bolton street.....	10	July, 1936	35 00
92 Bolton street.....	10	July, 1936	5 00
94 Bolton street.....	5	August, 1936	10 00
112 B street.....	6	June, 1936	30 00
42 A street.....	12	March, 1936	84 00
46 A street.....	12	March, 1936	84 00
44 A street.....	No assessment		
27 Silver street.....	10	April, 1936	30 00
28 West Fifth street.....	No assessment		
124 West Sixth street.....	10	March, 1936	70 00
134 West Eighth street.....	No assessment		
410 West Second street.....	13	April, 1936	34 00
767 East Fourth street.....	40	March, 1936	120 00
767 East Fourth street (rent reduced July, 1936).....	35	July, 1936	105 00
819 East Sixth street.....	20	April, 1936	30 00
9-11 Fairweather street.....	No assessment		
18 Parnell street.....	No assessment		
135 Warwick street.....	30	June, 1936	120 00
37 Sterling street.....	No assessment		
6-8 Linden avenue.....	No assessment		
35-37 Ellingwood avenue.....	15	July, 1936	26 00
6 Emsella terrace.....	20	June, 1936	100 00
8 Emsella terrace.....	No assessment		
10 Emsella terrace.....	No assessment		
4 Alpine terrace.....	No assessment		
95 Loring street.....	No assessment		
			<u>\$1,310 00</u>

Placed on file.

STREET CONSTRUCTION.

The following was received:

City of Boston,
 Office of the Mayor, November 6, 1936.
 To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works relative to your order of October 5, 1936, concerning street construction and reconstruction, whether with C. W. A., E. R. A., or W. P. A. assistance, in the City of Boston during the years 1933 to 1936, inclusive,

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Public Works Department,
 November 6, 1936.

Mr. John F. Gilmore, Jr.,
 Assistant Secretary, Mayor's Office.

Dear Sir,—In reply to your note of October 8, with attached order of City Council dated October 5, 1936, I beg leave to submit a list of streets newly constructed during the years 1934, 1935 and 1936 in answer to question 1a. This department is unable to answer question 1b, namely, as to the amount expended, as all records relative to expense are kept by the W. P. A. administrative forces and must be secured from the local administrator, Col. Thomas F. Sullivan.

Replying to question 2a as to streets reconstructed, the following list is respectfully submitted showing the streets so done during the

years 1935 and 1936. Replying to question 2b as to the amount of money spent, I beg leave to state that the amount of money spent by this department under Item H, which takes care of Emergency Relief Projects, hiring of equipment and necessary materials, in 1934 amounted to \$50,266; 1935, \$257,000; and in 1936, \$300,000.

Respectfully yours,
 C. J. CARVEN,
 Commissioner of Public Works.

Streets Newly Constructed, Started Under C. W. A., Completed Under E. R. A., During 1934.

- Sea View avenue, Tower street to beyond Montmorenci avenue.
- Belden street, Humphreys street southeasterly 250 feet.
- Estey street, Lawn street to Fisher avenue.
- Haverford street, Montebello road to Gamall street.
- Elbert street, Humboldt avenue, southeasterly.
- Moreland street, Dennis street to Brook street.
- Rocky Hill avenue, Columbia road to Davenport square.
- Arion street, Davern avenue northeasterly 300 feet.
- Bayside street, Savin Hill avenue to McConnell park.
- Davern avenue, Columbia road to Virginia street.
- Hubbard road, Savin Hill avenue to dead end.
- Eunice street, Bowdoin street to end of layout.
- Fenton street, Duncan street to Clayton street.

Agawam street, Neponset avenue to Train street.
 Allendale avenue, Milton street to Hill Top street.
 Assabet street, Neponset street to Train street.
 Brookdale street, Dorchester avenue to Hutchinson street.
 Myrtlebank avenue, Gallivan Boulevard to Milton street.
 Friedane terrace, Nevada street to Washington street.
 Tampa street, Cummins Highway to end.
 Archdale road, Washington street to Whipple avenue.
 Colgate road, Washington street to railroad tracks.
 Itasca street, Cummins Highway to dead end.
 Termine avenue, Sheridan street to Cranston street.
 Burard street, La Grange street to Dent street.
 Colby road, Centre street to Weld street.
 Keith street, Perham street to Temple street.
 Perham street, Vermont street to Lasell street.
 Tarleton street, Sanborn avenue to Chesbrough road.
 Thurlow street, La Grange street to Dent street.
 Wolfe street, La Grange street to Dent street.
 Wren street, Robin street to Gertrude road.
 Bagnal street, Holton street to Albie street.
 Chiswick terrace, Chiswick road to end of layout.
 Embassy road, Chestnut Hill avenue to Chiswick road.
 Morrow road, Market street to Glencoe street.

Streets Newly Constructed Under E. R. A.
 During 1935.

Glenbrook street, Dewey street to Woodcliff street.
 Dungarven road, Kenton road to Williams street.
 Nancia street, Bayswater street to St. Andrew road.
 Montmorenci avenue, Orient avenue to Tower street.
 Bayswater street, Nancia street easterly.
 Annavoy street, Bayswater street to Saratoga street.
 Wellmere terrace, Wellmere road northeasterly.
 Hooker street, North Harvard street easterly.
 Dunklee street, Harriet street to Madeline street.
 Scribner road, Sunnyside street northwesterly.
 Drury road, Sunnyside street northwesterly.
 Hyde street, Dorchester avenue to Old Colony Boulevard.
 Tennyson street, Emmons street to Woodard road.
 Flavia street, Oakton street to Chickatawbut street.
 St. Brendan road, Milton street to Hill Top street.
 Glide street, Minot street to Oakton avenue.
 Bloomington street, Tolman street to Old Colony Parkway.
 Beechcroft street, Washington street to Faneuil street.
 Berry street, Mt. Hope street to Cummins Highway.
 Eastbourne road, Beech street to West Roxbury Parkway.
 Westbourne road, Beech street to West Roxbury Parkway.
 Whitridge street, Hill Top street to Milton street.
 Lourdes avenue, Forest Hills street to Forest Hills street.
 Bertson avenue, La Grange street to Dent street.
 Wentworth terrace, Wentworth street easterly.
 Whitcomb avenue, Centre street to Malcolm road.
 Malcolm road, Whitcomb avenue to Whitcomb avenue.
 Crocket avenue, Gallivan Boulevard to Milton street.
 Harmon street, Cummins Highway to Greenfield street.
 Lakeshore road, Lake street southeasterly.
 Druid street, Gallivan Boulevard to Morton street.
 Edgewater Drive, River street to Mattakeeset street.
 Alpheus road, Beech street to Bates street.
 Albright street, Vermont street to Keith street.
 Libbey street, Vermont street to Keith street.
 Francesca street, Vermont street to Keith street.
 Sherbrook street, La Grange street to Dent street.
 Tokio street, River street to Edgewater Drive.
 Arborview road, Whitcomb avenue to Malcolm road.
 Atkins street, Matchett street to 130 feet north-easterly.
 Weymouth avenue, Washington street to 416 feet northwesterly.
 Martin street, Bellevue street to La Grange street.
 Lindall street, Cummins Highway to Bexley road.

Pine Ridge road, Gallivan Boulevard to Morton street.
 Undine road, Lake street to 1,455 feet westerly.
 Caltha road, from Undine road.
 Trimont place, Dorchester street to Old Colony avenue.
 Public Alley No. 803, Northampton street to Camden street.
 Bateman street, Beech street westerly and south-westerly.
 Mahler road, Washington street to railroad tracks.
 Deforest street, West street to Hallron street.
 Ruskindale road, Blake street to Ralston road.
 Malta street, River street to Edgewater Drive.
 Iola street, Talbot avenue to Tonset street.
 Kenmere road, Gallivan Boulevard to Minot street.
 Parkman street, easterly from Neponset avenue and Adams street 378 feet.
 Altersko avenue, Washington street to Nevada street.
 Ely road, Frederika street to Kenmere road.
 Richview street, to Hillsdale street over and including private ways known as Parkview and Englewood street.
 Richmere road, Cummins Highway to Greenfield street.
 Hemman street, Summit street to Kittredge street.
 Dent street, Sherbrook street to Vermont street.
 Russett road, to Esther road.
 Farmington road, Westover street to Veterans of Foreign Wars Parkway.
 Furnival road, Pond street northwesterly 313 feet.
 Esther road, northwesterly from Baker street.
 Keith street, Perham street to LaGrange street.
 Redgate road, Emmonsdale road to St. Theresa avenue.
 Alley No. 801, Gainsborough street to St. Stephen street.
 St. Botolph street, Gainsborough street to dead end.

Streets Newly Constructed, Started Under C. W. A.,
 Completed under E. R. A., During 1935.

Ellingwood street, Estey street northwesterly.
 Whitford street, Poplar street to Hillview street.
 Orient avenue, Tower street beyond Montmorenci avenue.
 De Soto road, Washington street to Willers street.
 Chesbrough road, Tarleton road to Baker street.
 Woodard road, Stratford street to Park street.
 Dwinnell street, Addington road to Corey street.

Streets Newly Constructed, Started Under E. R. A.,
 Completed Under W. P. A., During 1935.

Claymont terrace, Neponset avenue to Queen street.
 Annafran avenue, Cummins Highway to Roanoke street.
 Bickford avenue, Heath street to Wensley street.
 Marden street, Willowood street to dead end.
 Streets Newly Constructed, Started Under E. R. A.,
 Completed Under W. P. A., During 1936.

Pleasant View avenue, Cummins Highway to Roanoke street.
 Tiverton road, Lorna road to 510 feet south-easterly.
 Clare avenue, Ramsdell avenue to Hyde Park line.
 Addington road, La Grange street to north of Bonair road.
 Cowper street, Swift street to Rice street.
 Rockne avenue, Gallivan Boulevard to Hill Top street.
 Alley No. 807, Hemenway street to Alley No. 807A.
 Alley No. 718, East Springfield street to Worcester square.
 Alley No. 719, Alley No. 718 to Harrison avenue.
 Tacoma street, Wood avenue to Bradlee street.
 Taunton avenue, Ralston road to Wood avenue.
 Comet place, Shawmut avenue to Northampton street.
 Deaconess road, Riverway to Pilgrim road.
 Huntington avenue, Collins street to West Roxbury line.
 Streets Newly Constructed Under W. P. A. During 1936.

Violante street, River street to Rockdale street.
 Huron Circle, Gallivan Boulevard northerly.
 Walbridge street, Commonwealth avenue to Brook line line.
 Lync road, Union street to dead end.
 Eulita terrace, Union street to Winship street.
 Hatherley road, Chestnut Hill avenue to Portina road.

Streets Reconstructed Under E.R.A. During 1935.
Kemble street, Hampden street to Magazine street.
Gerard street, Massachusetts avenue to George street.

Victory road, Adams street to beyond Neponset street.

Belden street, Dudley street to Holden street.
Templeton street, Adams street to Florida street.
Texas street, Tremont street to Elmwood street.
Dorchester street, First street to Third street.
Savoy street, Washington street to Harrison avenue.

East Lenox street, Washington street to Tremont street.

Phipps street, Main street to Lawrence street.
Sullivan street, Bunker Hill street to Main street.
Lawrence street, Union street to Austin street.
Benedict street, Rutherford avenue to Lawrence street.

Decatur street, Border street to Meridian street.
Tibbetts Town way, Rutherford avenue to Main street.

Mt. Vernon street, Mt. Vernon avenue to Adams street.

Willow court, Boston street to 600 feet in.

Streets Reconstructed Under W.P.A. During 1936.

Emerson street, Dorchester street to M street.
Bowen street, Dorchester street to F street.
Columbia road, Old Colony avenue to Farragut road.

O street, East First street to Columbia road.

G street, East Third street to East Eighth street.

Atlantic street, East Fourth street to Thomas park.

Pacific street, East Fourth street to Thomas park.

Linden street, East Fourth street to Thomas park.
Brewster street, East Seventh street to East Eighth street.

Springer street, East Seventh street to East Eighth street.

Jay street, East Fourth street to East Fifth street.

H street, Emerson street to Columbia road.

East Ninth street, Dorchester street to Columbia road.

Telegraph street, Dorchester street to Old Harbor street.

Power street, Dorchester avenue to Boston street.

Peters street, East Sixth street to East Seventh street.

Monks street, East Sixth street to East Seventh street.

Grimes street, West Seventh street to West Eighth street.

Cottage street, Sumner street to Porter street.

Boardman street, Leyden street to Saratoga street.

St. Andrew road, Bayswater street to Shawsheen road.

Addison street, State road to Saratoga street.

Frankfort street, Neptune road to Swift street.

East Eagle street, Glendon street to Putnam street.

Princeton street, Meridian street to East Eagle square.

Lamson street, Webster street to Maverick street.

Lubec street, Porter street to Gove street.

Chaucer street, Moore street to line of W. F. McLellan Highway.

Prescott street, Chelsea street to Boston, Revere Beach & Lynn Railroad.

Bennington street, Saratoga street to Revere line.

Cottage street, Bunker Hill street to Medford street.

Harvard street, Washington street to Rutherford avenue.

Hudson street, Chelsea street to Water street.

Lexington street, Tremont street to Medford street.

Moulton street, Corey street to Medford street.

Perkins street, Clinton place to Somerville line.

Stone street, Princeton street to Medford street.

Tremont street, Lexington street to Chelsea street.

Wall street, Walker street to Sullivan street.

Hadley street, Crescent street to Parker street.

Chappie street, Warren street to High street.

Cordis street, Warren street to High street.

Ellwood street, Putnam street to 209 feet east of Putnam street.

Hill street, Cook street to Sackville street.

Pleasant street, Warren street to Monument square.

Mindoro street, Station street to Prentiss street.

King street, Roxbury street to Elmwood street.

Peabody street, Binney street to Brookline street.

Dorr street, Lambert avenue to Highland street.

Millmont street, Lambert avenue to Highland street.

Round Hill street, Walden street to Day street.

Albert street, Heath street to Bromley park.

Hayden street, Fisher avenue to Lawn street.

Harley street, Welles avenue to Roslin street.

Roslin street, Washington street to Ocean street.

Walton street, Washington street to Harley street.

Millet street, Talbot avenue to Southern avenue.

Southern avenue, Talbot avenue to New England avenue.

Callender street, Carlos street to Lyford street.

Callender street, Lyford street to Tucker street.

Colonial avenue, Talbot avenue to New England avenue.

Hamilton street, Columbia road to Homes avenue.

Freeport street, Old Colony avenue to Union street to Neponset avenue.

Floyd street, Blue Hill avenue to Lucerne street.

Welles avenue, Talbot avenue to Washington street.

King street, Adams street to Neponset avenue.

Moultreie street, Washington street to Allston street.

Metropolitan avenue, River street to Greenwood square.

Davison street, West street to Arlington street.

Mason street, Hyde Park avenue, to Neponset Reservation.

B street, Hyde Park avenue to Neponset Reservation.

St. Cecilia street, Boylston street to Belvidere street.

Halleck street, Archibald street to Ward street.

Edgar street, east side Mechanic street to Parker street.

Mechanic street, Edgar street to Ruggles street.

Norway street, Massachusetts avenue to Ederly road.

Opera place, Huntington avenue to St. Stephen street.

Cambria street, Dalton street to 165 feet east of St. Cecilia street.

Tetlow street, Worthington street to Evans way.

Vancouver street, Huntington avenue to Louis Prang street.

Longwood avenue, Brookline line to 30 feet of Riverway.

Kenmore street, Commonwealth avenue to Newbury street.

Sherborn street, Commonwealth avenue to across Bach street.

Ray street, Regent street to Hulbert street.

Linwood square, Linwood street to 210 feet north of Linwood street.

Walpole street, Columbus avenue to Grinnell street.

Blanchard street, Bartlett street to Norfolk street.

Morley street, Highland street, westerly.

Polk street, Bunker Hill street to Medford street.

Putnam street, Hanley street to Common street.

Union street, Main street to Rutherford avenue.

Short street, Bunker Hill street to Medford street.

Tufts street, Vine street to Medford street.

Strathmore road, Chestnut Hill avenue to Brookline line.

Franklin street, North Harvard street to Lincoln street.

Lincoln street, Cambridge street to Market street.

Forest Hills street, Glen road to Morton street.

Baker street, Centre street to Newton line.

Call street, Hall street to Woolsey square.

Annabel street, Sumner street to Columbia road.

Roach street, Pleasant street to Dorchester avenue.

DeWolf street, Downer avenue to Hancock street.

Rozella street, Adams street to Elmdale street.

Glen street, Glendale street to Rull street.

Bird street, railroad tracks to Hancock street.

Clayton street, railroad tracks to Freeport street.

Ditson street, Charles street to Westville street.

Faulkner street, Dorchester avenue to Freeman street.

Vinson street, Geneva avenue to Park street.

Norton street, Richfield street to Bowdoin street.

Abbot street, Blue Hill avenue to Harvard street.

Rosemont street, Adams street to Train street.

Willis street, Sumner street to Pleasant street.

Juliette street, Fox street to Linden street.

Paisley park, Upland avenue to Bourneside street.

Nightingale street, Talbot avenue to Bernard street.

West Tremlett street, Washington street to Whitfield street.

Eastman street, Columbia road to Elder street.

Stanley street, Bellevue street to 129 feet south of Kane street.

Mt. Everett street, Quincy street to Hamilton street.

Hendry street, Bowdoin street to Clarkson street.

Mallet street, Adams street to Florida street.

George street, Hampden street to Shirley street.

Clifton street, Dudley street to Shirley street.

Gay Head street, Centre street to Minden street.

South Huntington avenue, Heath street to Centre street.
 Bower street, Warren street to Walnut street.
 Deaconess road, Binney street to Brookline avenue.
 Halleck street, Station street to Prentiss street.
 Motley street, Tremont street to Columbus avenue.
 Putnam street, 30 feet south of Roxbury street to Dudley street.
 Gay street, Roxbury street to 9 feet south of Linden Park street.
 Oakland street, Thornton street to Washington street.
 Gardner street, Centre street to Roxbury street.
 Hammett street, Grinnell street to Sarsfield street.
 Terry street, Tremont street to Columbus avenue.
 Kilmarnock street, Boylston street to Van Ness street.
 Carleton street, West Newton street to Yarmouth street.
 Harwich street, Dartmouth street to Yarmouth street.
 Truro street, Harwich street to Yarmouth street.
 Aberdeen street, Beacon street to railroad.
 Miner street, Beacon street to railroad.
 East Dedham street, Washington street to Harrison avenue.
 Plympton street, Harrison avenue to Albany street.
 Cummington street, Blandford street to 1,190 feet west of Blandford street.
 Cumberland street, St. Botolph street to railroad.
 Harcourt street, St. Botolph street to railroad.
 Durham street, St. Botolph street to railroad.
 Adams street, Yeoman street to Dudley street.
 Webber street, Harrison avenue to Albany street.
 Haskins street, Ruggles street to Vernon street.
 Lamont street, Vernon street to Linden Park street.
 Farnham street, accepted park.
 Auburn street, Vernon street to Ruggles street.
 Mall street, Dearborn street to 130 feet east of Eustis street.
 Albemarle street, St. Botolph street to railroad.
 Scotia street, St. Cecilia street to Dalton street.
 Carlow street, Albany street to Chadwick street.
 Placed on file.

OLD AGE ASSISTANCE APPLICATIONS.

The following was received:

City of Boston,
 Office of the Mayor, November 7, 1936.
 To the City Council.
 Gentlemen,—I transmit herewith a communication from the Overseers of the Public Welfare relative to your order of October 19, 1936, concerning information pertaining to the administration of old age assistance applications.
 Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Overseers of the Public Welfare,
 November 6, 1936.

Mr. John F. Gilmore, Jr.,
 Assistant Secretary to the Mayor.
 Dear Mr. Gilmore,—The following is the information you requested for the City Council:
 1. Number of applications for old age assistance pending, 3,070.
 2. Number of visitors now assigned, temporarily or permanently, to investigation of cases, 35.
 3. In normal times, because of the small number of social workers and typists, the average time required for completion of the investigation and official action is four weeks. For the past four months, because of the greatly increased number of applications under the new law, the average time required has been longer. If there is an emergency, the department can attend to it through its Dependent Aid Division, even before eligibility for old age assistance is proven.
 Very truly yours,
 JOHN C. L. DOWLING,
 Executive Director.

Placed on file.

WARD 14 LIGHTING FACILITIES.

The following was received:

City of Boston,
 Office of the Mayor, October 23, 1936.
 To the City Council.
 Gentlemen,—I transmit herewith a communication from the Acting Commissioner of Public

Works relative to your order of May 25, 1936, concerning the installation of better lighting facilities at the intersection of Columbia road and Ceylon street, Ward 14.

Respectfully,
 JOHN I. FITZGERALD, Acting Mayor.

City of Boston,
 Public Works Department, October 20, 1936.
 Mr. John F. Gilmore, Jr.,
 Assistant Secretary, Mayor's Office.
 Dear Sir,—I return order of the City Council requesting better lighting facilities at the intersection of Columbia road and Ceylon street, Ward 14, and respectfully report that a new electric lamp lay-out was installed on Ceylon street, from Columbia road to Quincy street, and the situation referred to in the City Council order has been attended to.
 Respectfully yours,
 JOSHUA ATWOOD,
 Acting Commissioner of Public Works.

Placed on file.

REORGANIZATION OF DEPARTMENTS.

The following was received:

City of Boston,
 Office of the Mayor, November 9, 1936.
 To the City Council.
 Gentlemen,—I again present for your consideration the plan for the reorganization and consolidation of city departments.
 I am not unaware of the adverse action taken by your Honorable Body when this matter was before you on former occasions, but it is so obviously for the best interests of the city that I venture to present it to you again, earnestly urging you to reconsider this matter.
 I have already explained that no city employee need have any fear if this consolidation is effected and that all civil service, pension and retirement rights will be preserved to them.
 This consolidation ought to be made. We are proceeding under an antiquated form of city government, with much duplication and its consequent waste. The adoption of this order will merely mean that the city will function better than it ever did before, money will be saved for the taxpayers and no danger or damage of any kind can flow from it.
 I earnestly urge its consideration and immediate adoption.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

(Appended was ordinance for reorganization and consolidation of certain city departments as submitted and appearing in the minutes of May 4, 1936.)

Coun. WILSON—Mr. President, I requested certain information from the Mayor as long ago as June 29 in regard to the consolidation of the departments, and I had hoped that that might come through at least with the reintroduction of the ordinance. Has any such information been received?

Chairman GALLAGHER—No, sir.
 The message and ordinance were referred to the Committee on Ordinances.

FISKE WHARF PROPERTY.

The following was received:

City of Boston,
 Office of the Mayor, November 9, 1936.
 To the City Council.
 Gentlemen,—So impressed am I with the importance of procuring the Fiske Wharf property at the offered price of \$25,000 that I am again presenting an order for the appropriation of that amount for your consideration.
 The City of Boston, although it has a very extensive waterfront, owns very little waterfront property and this particular parcel is so advantageously situated near to the North End Park and the North Ferry that its acquisition at the present time would seem to be very desirous from the standpoint of the city's best interests.
 I most respectfully urge upon you, therefore, the reconsideration of this matter to the end that the appropriation may be made and this land acquired.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

Appended was the following:
 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 Sales of City Property, \$25,000, to the appropriation for Fiske Wharf Property, Purchase of, \$25,000.
 Referred to Executive Committee.

SALE OF LAND, 61 DOVER STREET.

The following was received:

City of Boston,
 Office of the Mayor, November 9, 1936.
 To the City Council.
 Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated October 26, 1936, relating to an offer to purchase certain property situated at 61 Dover street, Boston, which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$1,550, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at public auction with a minimum price of \$1,550 is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Public Buildings Department,
 October 26, 1936.

Hon. Frederick W. Mansfield,
 Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit an offer from H. B. Colcord, 5 Lithgow street, Dorchester, for the house at 61 Dover street, Boston, in the sum of fifteen hundred and fifty (1,550) dollars.

The costs to the city up to May 28, 1936, amount to one thousand two hundred twenty-eight dollars and forty-three cents (\$1,228.43), which includes the nonpayment of taxes since the year 1931, but does not include interest.

If and when the above amount of fifteen hundred and fifty (1,550) dollars is approved by your Honor and the City Council, the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of fifteen hundred and fifty (1,550) dollars will be the minimum price for the property that the city is willing to accept and will be announced as the first bid at the public auction sale.

In my opinion, it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,
 ROSWELL G. HALL,
 Superintendent of Public Buildings.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated May 28, 1936, foreclosed a right of redemption under a tax deed filed in the Land Court, Suffolk Registry District, with certificate of title No. 30422, to about 1,362 square feet of land situated on the southerly side of Dover street in Boston, as is more fully described in said tax deed, the said tax deed being Document No. 114021; and

Whereas, An offer to purchase the said premises has been made by Mr. H. B. Colcord, in the sum of \$1,550; now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcel of land at public auction at a minimum price of \$1,550; and it is hereby further

Ordered, That the said Superintendent of Public Buildings be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser of said parcel of land a written instrument satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of said City of Boston in said premises upon the payment to it of the sum bid therefor at said auction.

Referred to Committee on Public Lands and Tax Titles.

PETITIONS REFERRED.

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

Claims.

Margaret Allison, for compensation for injuries caused by an alleged defect in Boston Common.

Michael J. Cadigan, for compensation for injuries caused by an alleged defect at Washington street and Mosgrove avenue.

Thomas J. Carey, for compensation for injuries caused by an alleged defect in Washington street, Roxbury.

H. B. Coles, for compensation for injuries caused by an alleged defect at 200 Fairmount avenue.

Frank Collins, for compensation for damage to truck by city car.

James M. Doherty, to be reimbursed for judgment issued against him on account of his acts as operator of car of Paving Division.

John P. Finnegan, to be reimbursed for judgment issued against him on account of his acts as operator of truck of Water Division.

Jeremiah E. Galvin, for compensation for damage to property at 93 La Grange street, caused by blasting.

Coleman Joyce, for compensation for damage to property at 40 Glide street, caused by bursting of water pipe.

Kiley & Powers Garage, for compensation for damage to garage by city truck.

Bernice La-Sall, for compensation for damage to car by city truck.

Daniel A. Major, for refund on dog license.

John J. McCarthy, for compensation for bursting of water boiler at 55 Leicester street, caused by water being shut off.

Richard Meier, for compensation for injuries caused by an alleged defect in Mary Hemenway School.

Melvin Morrison, for compensation for injuries caused by an alleged defect at 14 Woodbine street, Roxbury.

Evelyn M. Rothman, for compensation for injuries caused by an alleged defect at 1691 Commonwealth avenue.

Norman D. Schulze, for compensation for damage to car by city team.

Ralph Spector, for compensation for damage to car by city truck.

Marie A. Swift, for compensation for damage to property at 813 South street, caused by falling tree.

Anna J. Taylor, for compensation for injuries caused by an alleged defect at 410 Hyde Park avenue.

Treadeasy Shoe Store, for refund on sign permit.

Ina E. Walsh, for compensation for injuries caused by an alleged defect in Boston Common.

SALARY OF ASSISTANT PROBATION OFFICER.

A communication was received from the justice of the Dorchester Municipal Court with reference to salary of assistant probation officer of court.

Referred to Executive Committee.

APPROVAL OF TAX TITLE LOAN.

Notice was received from the Emergency Finance Board of vote passed October 27, 1936, approving loan of \$1,000,000 for care of dependents, mothers' aid and old age assistance.

Placed on file.

NOTICE OF MAYOR'S ABSENCE.

Notice was received from his Honor the Mayor of absence from the city from October 7-28 and November 4-5.

Placed on file.

SOLDIERS' RELIEF.

Coun. KERRIGAN, for the Committee on Soldiers' Relief, submitted report recommending payment of aid to soldiers and sailors and their families in the City of Boston for the month of November.

Report accepted; said order passed under suspension of the rule.

SIDEWALK CONSTRUCTION.

Coun. TOBIN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along the southerly side of Leonard street, from Adams street to Harbell terrace, 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 granolithic, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

LIST OF CITY EMPLOYEES.

Coun. WILSON offered the following:

Ordered, That the Budget Commissioner be requested, through his Honor the Mayor, to submit to the City Council a complete list of all city employees who have died, or been retired, or promoted, during (a) 1934, (b) 1935, and (c) 1936, giving in each case the name of the employee, position held, amount of annual pay, whether the position has been filled, and at what present salary.

Ordered, That the Budget Commissioner be requested, through His Honor the Mayor, to submit to the City Council a complete list of the positions to be affected by the proposed consolidation of departments and the proposed "elimination of unnecessary duplication in department work," giving in each instance (a) the name of the employee, (b) his department, (c) position held, (d) present salary.

Coun. WILSON—Mr. President, I take the liberty of again presenting these two orders at this time, being word for word the orders introduced and passed under suspension of the rule as long ago as the 29th of June. They have to do with the proposed consolidation of departments, and if we should obtain this and other information perhaps this almost continual shadow-boxing between the Mayor's office and the Council may stop and possibly the ordinance may some day go through. But, as one member of the Council, whether or not I am in favor of consolidation, I shall certainly continue to vote against it if the Mayor's office does not care to give us information which we are certainly entitled to have.

The orders were passed under suspension of the rule.

WAGES PAID BY TIDEWATER COAL COMPANY.

Coun. WILSON offered the following:

Ordered, That the Superintendent of Supplies be requested, through his Honor the Mayor, to promptly investigate concerning the reported payment of wages by the Tidewater Coal Company to chauffeurs and helpers substantially below the prevailing and customary rate of wages.

Coun. WILSON—Mr. President, I offer that without verification of the facts and figures, but as a result of information received from the labor union concerned, my understanding being that the prevailing and customary rate of wages for chauffeurs and helpers amounts to \$33 and \$29 a week, with a report to the effect that this particular successful bidder is paying very substantially below that generally accepted wage. Of course, I have in mind that the contract in question is one involving over \$70,000, and under the terms of the contract it is of course to be assumed that the prevailing and customary rate of wages is to be paid. We had a lot of trouble last year in reference to the fuel contracts. It may be that this particular concern, perhaps because of the salaries or wages it pays, is in a position to make good rates for a contract, but I personally believe that where such contracts are to be made, under the law, they should be made in every instance in accordance with these requirements, which we are naturally to expect will be carried out under the law by a reputable concern, and that there should be some check-up, first, in reference to the financial standing of a company, second, with reference to the ability that the successful low bidder has shown to go through with such a contract, and, third, whether he is really making good on the contract, acting on the level, or getting an undue advantage through the medium of scalping the wages of employees.

The order was passed under suspension of the rule.

CHARLESTOWN POOR'S FUND.

Coun. MELLEN offered the following:

Ordered, That the City Council be advised immediately, what action, if any, has been taken by the Corporation Counsel relative to the Charlestown Poor's Fund.

Passed under suspension of the rule.

OLD AGE ASSISTANCE.

Coun. MELLEN offered the following:

Ordered, That his Honor the Mayor be requested to advise the City Council immediately what action he plans to take relative to speeding up the applications for old age assistance, and he is respectfully requested to put additional visitors on.

Coun. MELLEN—Mr. Chairman, I see by the figures that come to us today from the Overseers of the Public Welfare, through the Mayor's office, that there are 3,070 applications for old age assistance pending and that the number of visitors now assigned temporarily or permanently to investigation of cases is thirty-five. I know of cases where people have waited three months to have their cases passed upon, and in view of that situation, which I think is true in every district, it seems to me the only thing to do is to put on additional visitors to take care of the applicants.

The order was passed under suspension of the rule.

RECESS.

By direction of Chairman GALLAGHER the Council proceeded at 2.42 p. m. into executive session. The members reassembled in the Council Chamber and were called to order by Chairman GALLAGHER at 3.35 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition of Alice M. Ralph (referred October 26), to be paid an annuity on account of death of her husband, John G. Ralph, late member of the Boston Police Department—recommending passage of accompanying order, viz.:

Ordered, That under the provisions of chapter 340 of the Acts of 1933 an annuity of nineteen hundred dollars be allowed and paid to Alice M. Ralph, widow of John G. Ralph, a member of the Police Department, who died on October 7, 1934, from injuries received in the performance of his duty, said annuity being made up of allowance as follows: For the widow, Alice M. Ralph, so long as she remains unmarried \$1,000 per annum. For the following-named children, during such time as they are under the age of eighteen or over said age and physically or mentally incapacitated from earnings, \$900 per annum: John G. Ralph, born July 5, 1918; Dorothy M. Ralph, born August 5, 1920; Irene F. Ralph, born January 9, 1922; Thomas V. Ralph, born February 14, 1926; Agnes E. Ralph, born December 19, 1930; William J. Ralph, born December 5, 1932—the payments to date from October 8, 1934, and to be charged to the appropriation for Police Department, Pensions and Annuities.

Report accepted; order passed.

2. Report on communication (referred today) from justice of Dorchester Municipal Court, with reference to salary of assistant probation officer of said court—recommending passage of accompanying order, viz.:

Ordered, That the salary of the assistant probation officer for the Municipal Court of the Dorchester District, as determined by the justice of said court, viz., Scott H. Rose, two thousand five hundred dollars per annum, be, and the same hereby is, approved, to take effect January 1, 1937.

Report accepted; said order passed.

3. Report on message of Mayor and orders (referred today) for transfers within departmental appropriations—recommending that same ought to pass.

Report accepted; said orders passed, yeas 18, nays 0.

4. Report on message of Mayor and order (referred today) rescinding order for loan of one million dollars—that same ought to pass.

Report accepted; said order read once and passed, yeas 19, nays 0.

RELEASE OF RESTRICTIONS ON SPRINGFIELD STREET PROPERTY.

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

2. Whereas, The City of Boston on May 30, 1860, conveyed by two deeds to one Henry Smith, two parcels of land located on West Springfield street, Boston, being described and recorded respectively as follows: "Lot No. 96 on a plan recorded with 'Plan of City Lands Sold' book 2 leaf 17 in the office of the Superintendent of Public Lands, said deed being recorded in Suffolk Deeds book 780, page 85," and "Lot No. 95 on 'Plan of City lands to be sold October 30, 1850', recorded with Suffolk Deeds at the end of book 615, said deed being recorded in Suffolk Deeds book 780, page 87."

Whereas, The said two deeds contain the following conditions:

1. All taxes and assessments laid previous to this deed of conveyance are to be paid by the grantee.

2. The front line of the building which may be erected on the said lot shall be placed parallel with said Springfield street.

3. The building which may be erected on said lot shall be of a width equal to the width of the front of said lot.

4. No dwelling house or other building except the necessary out-buildings shall be erected or placed on the rear of said lot.

5. No building which may be erected on the said lot shall be less than three stories in height exclusive of 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 during the term of 20 years from October 1, 1859.

6. So long as said lot remains unoccupied by a building to be used as a dwelling house as aforesaid, the said Smith and his heirs and assigns shall permit, free of charge the proprietor of each adjoining lot who may build, to erect one half the thickness of his division wall on said lot No. 96, and the said Smith, his heirs and assigns shall pay to the said proprietors so erecting said wall a proportionate part of the costs thereof. The buildings now standing on the lot above described also on lots Nos. 95 and 97 adjoining have been erected in conformity with the requirements of the foregoing conditions. It being understood that the conditions aforesaid shall apply severally to lots Nos. 6, 7, 8, 9, as shown on plan of A. Wadsworth recorded with Suffolk Deeds, May 9, 1860, being a subdivision of said lots Nos. 95, 96 and 97 on said plan at the end of Book 615. So that a breach of any of the said conditions by the owner or proprietor of any of said lots in said sub-division shall only render his single estate forfeitable for the act of any single violation of said conditions.

Whereas, One Sarah A. B. West and her son Earl A. West own in common as a homestead the estate at 164 West Springfield street, Boston, which is lot No. 7 mentioned in condition number six set forth above and desire to obtain a mortgage on said premises from the Home Owners Loan Corporation of Washington, D. C., but that the Home Owners Loan Corporation will not approve the title to the West estate because of the existence of the said conditions and the provision therein for forfeiture.

Now therefore it is hereby ordered, That his Honor the Mayor be and is hereby authorized in the name and behalf of the City of Boston to execute a written instrument satisfactory to the Law Department of the City of Boston, and in consideration of One (\$1.00) Dollar and other consideration, agreeing that the said conditions contained in the deeds of the City of Boston to said Smith were intended as and be considered as restrictions, and that the clause of forfeiture contained in said conditions set forth in said deeds be waived.

On October 19, 1936, 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.

APPRECIATION OF POLICE DEPARTMENT SERVICE.

Coun. ROBERTS offered the following:

Resolved, That the Boston City Council tender to the Police Commissioner, and the officers and men of the department, the appreciation of the citizens of Boston for the splendid service given by the department at the polls on election day, and for the parades and demonstrations, etc., during the period preceding the election.

Coun. ROBERTS—Mr. Chairman, I know I express the feeling of most of the members of this Council in thus voicing appreciation of the great service given by the members of the Police Department on election day and during the events preceding it, covering the visit of the President and other incidents. I think the citizens of Boston who have had occasion to know what police work has been will join with us in this expression of appreciation.

The order was passed under suspension of the rule.

SIDEWALK CONSTRUCTION.

Coun. ROSENBERG, for Coun. Brackman, offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along 17 Cheney street, Ward 12, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of granolithic, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

FAMILIES LIVING IN CITY-OWNED PROPERTY.

Coun. WILSON offered the following:

Ordered, That the Superintendent of Public Buildings at once advise the City Council as to the number of families living in each of the thirty-five parcels of city-owned property listed in City Council order of October 5, 1936.

Coun. WILSON—Mr. Chairman, speaking very briefly with reference to that order, that same inquiry was directed to the Superintendent of Public Buildings about a month ago, and a response came through to the effect that the number of families at each address was not available right now, but that the matter was being looked up and that information would be furnished as soon as the superintendent had it. That is a little disillusioning, because the Council in radio broadcasts has been under considerable criticism for alleged slowness in the passage of certain orders for the sale of city-owned property. We were informed in committee by Mr. Hall that some thirty clerical helpers and 120 workers under W. P. A. had been at his disposal since last spring, and it did occur to some members of the committee that, with all that help that had been placed in his hands since a year ago last October, he might be able to furnish some information with reference to 35 of the 108 properties under his control by this time, that he should at least be able to know whether anybody is living in the houses.

The order was passed under suspension of the rule.

ILLEGALLY COLLECTED RENTALS.

Coun. WILSON offered the following:

Ordered, That the Law Department, through his Honor the Mayor, advise the City Council in detail, what steps, if any, have been taken in prosecution for, and reimbursement of, rentals illegally collected by individuals from city-owned property, and specifying in each case the street and street number of the parcel involved.

Coun. WILSON—I may state also that that is a repetition of an order passed over a month ago.

The order was passed under suspension of the rule.

POLICE LISTING.

Coun. WILSON offered the following:

Ordered, That the Boston Police Commissioner, through his Honor the Mayor, be respectfully re-

quested to reconsider earlier request made by the City Council for the issuing of instructions to all police officers on the taking of the 1937 police listing in January next, to obtain from each person listed a listing card signed by such person and witnessed in writing by the officer in each case.

Coun. WILSON—Mr. President, I have every respect for the present Police Commissioner, but I am intensely serious with reference to the matter of the annual police listing—first, as a source of income on poll taxes, in the interest of the taxpayers of the city and, second, from the point of view that it is very apparent that an accurate and painstaking police listing on the first of January each year is the first and most important step in assuring an honest list of registered voters for November, 1937. The response which we have received from the Police Commissioner to that order passed October 5 in this body states that he was in receipt of a report from the superintendent of police "stating that the limited time allotted for this work with the present complement of the force, which is greatly undermanned at the present time, makes it practically a physical impossibility for police officers to undertake the additional work that would be required." He also states that "the efficiency of the department in serving the public would be seriously impaired if this additional duty were imposed upon the police officers, having in mind the period that is prescribed by law for completing police listing in this city." I appreciate the fact that the commissioner knows more about police work than I could possibly know, but I say at the outset that I am deeply in earnest on this question of the annual police listing. I feel that it is an extremely important matter. We saw the suggestion in the newspapers, at least, by his Honor the Mayor, that there might be a photograph of the voter, which could be a means of identification on election day. I do not urge that the Police Commissioner go that far, although the suggestion might well be made that he go with the Mayor that distance. But I would suggest, if it would not mean too much additional work, that at least some such steps be taken as were proposed in the order of October 5. It might be possible to have a reassignment of patrolmen from the traffic squad or from Police Division 2, which has by far the largest complement of men and lists very few registered voters of the city. I would urge, in the second place, that the Police Commissioner take advantage of the full twenty-day period that is allowed for the purpose, not to mention the additional ten days that he can also take if he so desires, instead of merely taking four or five days, as at present. This is a matter that I consider highly important, and I urge that the Police Department take the full allotted time permitted under the terms of the statute, and also that the officers be paid overtime on police listing work. I think that is a fair suggestion, first from the point of view of the officers who do the work, and second, from the point of view of the taxpayers, because I have in mind that only this year there were 30,000 people who were registered voters on the supplementary list whose names had been omitted from the police listing taken in January of this year, which, on the basis of a \$2 poll tax for each person, would amount to \$60,000 revenue to the city. Therefore, I earnestly urge the Police Commissioner to do his best to have an honest and thorough police listing in January of 1937, in order that the list of registered voters for the city election of 1937 may be approximately on the level.

The order was passed under suspension of the rule.

INFORMATION RE FISKE WHARF PROPERTY.

Coun. SHATTUCK offered the following:

Ordered, That his Honor the Mayor be requested to inform the City Council concerning the use to which the Fiske Wharf property would be put if purchased, and the estimated cost of necessary repairs and alterations.

Coun. SHATTUCK—Mr. Chairman, the order for the purchase of the Fiske Wharf property is now on the table. Before it is taken from the table, I believe we should have the information requested in this order, namely, what use is to be made of the property if purchased and what it will cost to put it to that use. We have heard that the flooring of the wharf is in very bad condition, and it should probably be replaced if the

wharf is to be used. It is possible, however, that the property will not be used for wharf purposes, but for some other purposes. If it is not going to be used at all, it probably should be fenced off to prevent people going on it and possibly falling through. Knowledge of all of these things seems to me pertinent in forming a decision as to whether we want to purchase this property.

The order was passed under suspension of the rule.

MASSACHUSETTS SAVINGS BANK INSURANCE.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of conferring with the members of the Welfare Board relative to the matter of advising relief recipients regarding Massachusetts Savings Bank Insurance.

Coun. NORTON—Mr. Chairman, some months ago I introduced a similar order and drew attention to the fact that those on welfare in a majority of cases are paying out a certain amount for industrial insurance, and that considerable of the amount thus paid out, perhaps 50 per cent, could be saved, if that insurance was carried under the Massachusetts Savings Bank insurance plan. That plan has been in operation in this state for some time but as yet the information in regard to it has not been as widely disseminated as it should be. Therefore, I have introduced this order, and I would also refer to my remarks on the subject last year, commencing on page 488 of the minutes, and would ask that those remarks be incorporated in what I have to say at this time.

(The remarks by Coun. Norton in the City Council November 25, 1935, commencing on page 488 of the minutes of the City Council, are as follows:)

Coun. NORTON—Mr. President, some time ago the Welfare Department of the City of Boston called public attention to cases where recipients of aid were hardly able to get enough to keep body and soul together, and also to the fact that in some cases of poor families there were perhaps three or four weekly payment insurance policies being carried by the family, with great resulting pressure on the families to keep up the policies.

The Council should be advised by the Welfare Department regarding the status of welfare recipients and the payment of insurance by them where the department alleges there has been waste such as where one poor family will have a half a dozen or more policies to keep up. I desire to see officials of the Massachusetts Savings Bank Insurance, from the State House, consulted, such as Mr. Judd Dewey. Residents of Boston pay in yearly around \$9,000,000 for weekly premium insurance, 80 to 90 per cent of these policies lapse; not one cent is obtained back. At least one out of every four obtains nothing back. These are poor people. They must wait five years or more before obtaining any cash surrender value, if insured with private insurance companies. If insured with Savings Bank Insurance, at the end of six months, there is a cash surrender value. If there is a "reserve" of \$2, there is a cash surrender value at any time. Twenty-three Massachusetts banks with one hundred branches carry on this business. The "Boston Five Cents Savings Bank" across the street, the "Wildie Savings Bank," etc. Half of the \$9,000,000 paid out yearly by Bostonians for weekly insurance could be saved if the people were informed of the cheapness of Savings Bank Insurance. A State House employee, with four children, had each child insured for \$400. He paid a private insurance company \$1.65 a week in premiums. He was shocked when informed by the officials of the Massachusetts Savings Bank Life Insurance Department at the State House that each of those four children could be insured for \$500, a 25 per cent greater coverage, for a total of 50 cents a week; \$100 more coverage for each child at a saving of \$1.15 a week in premium payments. Massachusetts Savings Bank Life Insurance is the "child" of the Hon. Louis D. Brandeis. Over 100,000 people now carry 120,000 or more policies in this system, with a total insurance in force of \$109,600,000. It means a 10 per cent or more increase in salary to many now paying premiums to private companies. There must be thousands of city employees who would benefit if they knew about this. I shall ask the Mayor to take steps to make these facts known. Surely, our Welfare

Department, now dealing with poor, welfare recipients who are trying to "hang on," and pay big premiums, should take an active interest in bringing to the attention of all, the above facts. I mean to speak on this important matter, every few weeks. Only by repeating and repeating, by constant repetition, can we drive home these important facts. "For those who would enquire further into this matter I respectfully recommend that they obtain a copy of the report made to the Department of Labor at Washington by Doctor Berman, Professor of Economics at the University of Illinois, regarding Massachusetts Savings Bank Life Insurance." Also a book by Mr. Maurice Taylor entitled, "Social Cost of Industrial Life Insurance."

I believe that the Massachusetts Savings Bank Insurance should be more largely availed of, particularly in the interest of poor people.

The order was passed under suspension of the rule.

LOW-COST MILK.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to look into the matter of low-cost milk for Boston.

Coun. NORTON—Mr. President, in connection with this order, let me say that I have received a letter from Mr. D. E. Montgomery, consumers' counsel, United States Department of Agriculture, Agricultural Adjustment Administration, Washington, under date of October 27, inclosing a copy of another letter from the Department of Public Welfare of the city of New York, both of which I should like to have incorporated in our minutes.

Chairman GALLAGHER—If there is no objection, the letters will be admitted.

The letters referred to by Coun. Norton are as follows:

United States Department of Agriculture,
Agricultural Adjustment Administration,
Washington, D. C.

October 27, 1936.

Mr. Clement A. Norton,
Member of Boston City Council,
City Hall, Boston, Mass.

Dear Mr. Norton,—Thank you for your letter of October 16. Our returns from the inquiries addressed to the public welfare departments of the local cities in the country are not complete, but we hope to have something to report within the next two weeks. In the meantime I am forwarding to you a copy of an interesting letter received from the Commissioner of the Department of Public Welfare of the city of New York. The plan of distribution in New York City would seem to be more or less in accordance with your own ideas. Either Mr. Feddersen or myself will attempt, upon the occasion of our first trip to New York, to call on the commissioner and secure complete information with respect to the operations described.

Very truly yours,
D. E. MONTGOMERY,
Consumers' Counsel.

City of New York,
Department of Public Welfare,
Commissioner's Office,
902 Broadway,
New York, N. Y.

October 21, 1936.

Mr. D. E. Montgomery, Consumers' Counsel,
United States Department of Agriculture,
Agricultural Adjustment Administration,
Washington, D. C.

My dear Mr. Montgomery,—I regret the delay in replying to your letter of October 7, 1936, regarding distribution of milk to welfare or relief families in New York City.

There are two plans in operation here for the distribution of milk to relief families or families otherwise certified as eligible to receive milk.

The first of these is that known as "Sc. Milk." By cooperation of the Department of Health of the City of New York, the Emergency Relief Bureau, through its Commodities Distribution Division and this Department, as well as the milk companies who make the distribution, Grade "B" milk is sold at approximately 150 stations at eight cents per quart. The regular retail price of this milk in stores is twelve cents.

This milk is not restricted to families who are on relief but is available to families who sign a certification to the effect that they are unable to purchase milk at the regular retail price. After certification, an identification card is issued to them, which they present at the depot serving the district in which they live, in order to purchase at the lower price. Milk is sold at such stations during the hours of 6.30 a. m. to 8.30 a. m., seven days a week. The number of clients so served varies but averages approximately 35,000, and the number of quarts of milk sold averages approximately 90,000 per day. Annually, this represents something over 3,000,000 gallons, and represents a saving over and above the regular price to the recipients of such milk of approximately \$13,000. These figures will probably show an increase during the winter months.

The second plan is known as "9-A Milk," and is so called by reason of section 9-A, chapter 264, the Laws of 1935, being an amendment to the Emergency Relief Act of 1931, which authorizes the expenditure of an appropriation for the distribution of milk without cost to nursing and expectant mothers, undernourished children and children of pre-school age, when such persons are certified by Welfare or other Relief Agencies approved by the Commissioner of Public Welfare or the Relief Administration.

The fund at present being expended for this purpose is approximately \$40,000 per month. This fund is allotted, upon application, to various private welfare agencies who have been approved by the Welfare Council or the Department of Public Welfare. Such private agencies then distribute milk to clients up to the amount of the fund allotted to them by ordering through dairy companies. Invoices are sent by the dairies to the private agencies, where they are audited and checked, and are then forwarded to the Emergency Relief Bureau with certifications from the private agencies. The number of families receiving this free 9-A milk averages approximately 8,500 per day, seven days a week.

I trust that this is the information you desire. If additional details are needed, please advise.

Very truly yours,
WILLIAM HODSON,
Commissioner.

The order was passed under suspension of the rule.

USE OF TYPEWRITERS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston confer with the School Committee relative to the possibility and advisability of teaching every child in High School the use of the typewriter.

Coun. NORTON—Mr. President, we have hundreds of typewriters in our public schools, many not being used during the full period of the day. I believe we have arrived at the time when everyone should at least know how to run a typewriter. Thousands of young people go from our high schools to positions and pass through life simply using a pen or pencil and being unable to run a typewriter. I think that is one of the things, like swimming, that everybody should know. The children in the schools might well put in, say, an hour a day writing on a machine and finally becoming skilled. This is a matter that should be of interest to every member of the Council. I might say that I have taken this matter up with Mr. Guy Wilson, professor of education at Boston University, who is in favor of it, and with Professor Nichols of the School of Education at Harvard, who believes that it would be wrong to make every high school child typewrite. Professor Wilson, however, feels that it would be a fine idea. Personally, I believe that everyone in high school should be given the advantage of a course in typewriting.

Coun. MELLEN—Mr. President, I would like to know the advantage to be derived from all the children in the high school being taught to run a typewriter. I cannot see that there would be any advantage to it. The strain of education is getting to be too great, in my mind.

Coun. NORTON—The only answer is that it seems to me a matter of common sense that the

children should at least be taught how to write on the typewriter. That is my opinion, and it is the opinion of many others. It is certainly a matter that may well be given consideration.

The order was passed under suspension of the rule.

WARNING SIGNS, SOUTH BOSTON.

Coun. KERRIGAN offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to place school warning signs at West Eighth and F streets, South Boston, for the protection of children attending the Patrick Gavin School.

Passed under suspension of the rule.

On motion of Coun. McGRATH the Council adjourned at 3.57 p. m., to meet on Monday, November 16, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, November 16, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Coun. GALLAGHER presiding. Absent, Coun. Shattuck.

PURCHASE OF TAX-TITLE PROPERTIES.

The following was received:

City of Boston,

Office of the Mayor, November 9, 1936.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated October 27, 1936, relating to an offer to purchase certain property situated at 410 West Second street, South Boston, which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$500, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at public auction with a minimum price of \$500 is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Public Buildings Department,

October 27, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit an offer from Charles Scarpulla, 339 West Second street, South Boston, for the property located at 410 West Second street, South Boston, in the sum of five hundred (500) dollars.

The costs to the city up to January 8, 1935, amount to three hundred eighty-seven dollars and twelve cents (\$387.12), which includes the nonpayment of taxes since the year 1929, but does not include interest.

If and when the above amount of five hundred (500) dollars is approved by your Honor and the City Council, the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of five hundred (500) dollars will be the minimum price for the property that the city is willing to accept and will be announced as the first bid at the public auction sale.

In my opinion, it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,

ROSWELL G. HALL,

Superintendent of Public Buildings.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated January 8, 1935, foreclosed a right of redemption under a tax deed recorded with Suffolk Deeds, Book 5216, page 434, to about 1,350 square feet of land situate on the north-easterly side of West Second street, South Boston, as is more fully described in said tax deed; and

Whereas, An offer to purchase the said premises has been made by Mr. Charles Scarpulla in the sum of \$500; now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcel of land at public auction, at a minimum price of \$500; and it is hereby further

Ordered, That the said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser of said parcel of land a written instrument, satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of said City of Boston in said premises upon the payment to it of the sum bid therefor at said auction.

City of Boston,

Office of the Mayor, November 9, 1936.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated October 26, 1936, relating to an offer to purchase certain property situated at 27 Cambria street, Boston, which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$1,500, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at public auction with a minimum price of \$1,500 is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Public Buildings Department,

October 26, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit an offer from Frederick A. Schuller, 652 Columbia road, Dorchester, for the property at 27 Cambria street, Boston, in the sum of fifteen hundred dollars (\$1,500).

The costs to the city up to February 5, 1936, amount to one thousand three hundred eighty-eight dollars and ninety-three cents (\$1,388.93) which includes the nonpayment of taxes since the year 1931, but does not include interest.

If and when the above amount of fifteen hundred dollars (\$1,500) is approved by your Honor and the City Council, the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of fifteen hundred (\$1,500) dollars will be the minimum price for the property that the city is willing to accept and will be announced as the first bid at the public auction sale.

In my opinion, it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,

ROSWELL G. HALL,

Superintendent of Public Buildings.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated February 5, 1936, foreclosed a right of redemption under a tax deed recorded with Suffolk Deeds, Book 5364, page 470, to about 1,491 feet of land situated on the southerly side of Cambria street in Boston, as is more fully described in said tax deed; and

Whereas, An offer to purchase the said premises has been made by Mr. Frederick A. Schuller in the sum of \$1,500; now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of the City of Boston, to sell all the city's right, title and interest in the said parcel of land at public auction at a minimum price of \$1,500; and it is hereby further

Ordered, That the said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser of said parcel of land a written instrument satisfactory in form to the Law Department of the City of

Boston, conveying all right, title and interest of said City of Boston in said premises upon the payment to it of the sum bid therefor at said auction.

City of Boston,
Office of the Mayor, November 9, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings dated October 5, 1936, relating to an offer to purchase certain property situated at 135 Warwick street, Boston, which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$1,100, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at public auction with a minimum price of \$1,100, is in the interest of the city.

I respectfully recommend the adoption of this order.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department.
October 5, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1936, concerning tax-title property, I respectfully submit an offer from Mr. William Hurwitz, 24 Fernboro street, Roxbury, for the land and building at 135 Warwick street, Roxbury, in the sum of eleven hundred (1,100) dollars.

The costs to the city up to December 30, 1935, amount to eight hundred fifty-two dollars and seventy-nine cents, (\$852.79), which includes the nonpayment of taxes since the year 1930, but does not include interest.

If and when the above amount of eleven hundred (1,100) dollars is approved by your Honor and the City Council the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of eleven hundred (1,100) dollars will be the minimum price for the property that the city is willing to accept and will be announced at the first bid at the public auction sale.

In my opinion, it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,
ROSWELL G. HALL,
Superintendent of Public Buildings.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated December 19, 1935, foreclosed a right of redemption under a tax deed recorded with Suffolk Deeds, Book 5291, page 261, to about 1,279 square feet of land situated on the northwesterly side of Warwick street, Boston, as is more fully described in said tax deed; and

Whereas, An offer to purchase the said premises has been made by Mr. William Hurwitz in the sum of \$1,100; now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcel of land at public auction at a minimum price of \$1,100; and it is hereby further

Ordered, That said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser of said parcel of land a written instrument, satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of said City of Boston in said premises, upon the payment to it of the sum bid therefor at said auction.

Severally referred to the Committee on Public Lands and Tax-Title Property.

TRANSFER FROM PARKMAN FUND.

The following was received:

City of Boston,
Office of the Mayor, November 16, 1936.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Board of Park Commissioners requesting the transfer of the sum of \$35,000 from the income of the George F. Parkman Fund to the maintenance and improvement of the Common and parks in existence on January 12, 1887.

I submit herewith an appropriation order and respectfully recommend its immediate passage by your Honorable Body.

Respectfully,
JOHN I. FITZGERALD, Acting Mayor.

City of Boston,
Park Department, November 16, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to request the City Council to transfer from the income of the George F. Parkman Fund the sum of \$35,000 which is now available, to be expended under the direction of the Board of Park Commissioners, as follows:

Common and Parks in Existence on	
January 12, 1887, Maintenance and	
Improvement of.....	\$35,000

When making up the budget estimates for the year 1936 a sum equal to the total yearly income of the George F. Parkman Fund was deducted from Item A-1 Permanent Employees, with the understanding that this deduction was to be replaced by the total yearly income of said Parkman Fund for 1936, to be transferred as it accrued from time to time during the year to the regular maintenance appropriation of the Park Department. This is an emergency and will not admit of delay.

Respectfully yours,
WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$35,000 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:

Common and Parks in Existence on	
January 12, 1887, Maintenance and	
Improvement of.....	\$35,000

Referred to Executive Committee.

DEMOLITION OF CONDEMNED HOUSES.

The following was received:

City of Boston,
Office of the Mayor, November 14, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Building Commissioner relative to your order of October 19, 1936, concerning the demolishing of condemned houses.

Respectfully,
JOHN I. FITZGERALD, Acting Mayor.

City of Boston,
Building Department, November 12, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—This will acknowledge your communication of November 2d, inclosing an order from the City Council, "that his Honor the Mayor request the Works Progress Administration to issue instructions to workmen demolishing condemned houses that the cellar and the unsightly condition left after the removal of the house be filled in and levelled, also, suitable protection be placed around the limits of the property."

In reply, I desire to report that it is the custom of this department when buildings are ordered demolished to require that all non-combustible material that cannot be salvaged be used to fill in the lot to the sidewalk grade whenever there is a sufficient amount of this material. Whenever there is not sufficient

fill left on the site to raze the grade of the lot to the sidewalk level the lot is levelled off when possible and a substantial fence is erected on the street line to safeguard pedestrians.

For your information I will quote part of section 5, chapter 550, Acts of 1907, as amended, the Building Law of the City of Boston, with reference to the demolition of buildings:

"If the public safety so requires, the commissioner, with the approval of the mayor, may at once enter the building or other structure which he finds unsafe or dangerous, the land on which it stands or the abutting land or buildings, with such assistance as he may require, and secure or remove the same, and may erect such protection for the public by proper fence or otherwise as may be necessary, and for this purpose may close a public highway."

It has been my opinion that the Building Commissioner's authority did not extend to the purchase of gravel or other fill which would fill in the cellar or even substantially cover the non-combustible material which is left on the premises.

Respectfully yours,
EDWARD W. ROEMER,
Building Commissioner.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Lillian Brannelly, for compensation for injuries caused by an alleged defect at 778 Parker street.

Eleanor Fazzani, for compensation for damage to property at 24 Lawrence street, caused by city men.

Charles Femino, for compensation for injuries caused by an alleged defect at 581 Boylston street.

Nelson Foley, for compensation for damage to car caused by an alleged defect in Allston street and Brighton avenue.

Raffaella Giordano, for compensation for injuries caused by an alleged defect in Saratoga street, East Boston.

Assad Korman, for compensation for damage to car by street-cleaning cart.

Edward Magnet, for compensation for injuries and damage to property on Dale street, caused by Public Works Department vehicle.

Harry Rutstien, for compensation for damage to car by city truck.

Clarence A. Thompson, to be reimbursed for judgment issued against him on account of his acts as operator of fire apparatus.

Daniel H. Trent, to be reimbursed for judgment issued against him on account of his acts as operator of fire apparatus.

Daniel H. Trent, to be reimbursed for judgment issued against him on account of his acts as operator of fire apparatus.

Executive.

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

Ruth Taylor, Eliot Hall, December 19.

REPORT OF FINANCE COMMISSION RE FISKE WHARF.

The following was received:

City of Boston,
Finance Commission, November 14, 1936.
To the Honorable the City Council.

Gentlemen,—There is now before you a recommendation from Mayor Mansfield that you adopt an order authorizing the purchase of the property on the waterfront known as Fiske Wharf for \$25,000. The proposition bears the indorsement of the Boston Port Authority and the City Planning Board.

The Finance Commission recommends the defeat of this order. If passed it will add

another unnecessary burden to the heavy load the taxpayers now carry, and may commit the city to further unjustifiable expenditure. It will cost probably more than \$1,000,000 to make what the Mayor intends of Fiske Wharf.

In a letter of explanation which the Mayor sent to you in 1935, he stated that he proposed to turn the property over to the Public Works Department "for development as a municipal pier to serve not only city-owned boats, but also privately owned craft engaged in coastwise commerce."

In a recent memorandum to the Finance Commission, Mr. Richard Parkhurst, Secretary of the Boston Port Authority, argued that "the point in making the purchase would be to gain control of the land for such uses as the future might dictate." The memorandum further argued that the purchase by the city would keep the property out of ownership that might turn it into non-waterfront purposes, *i. e.*, the establishment of manufacturing plants or other industries which would have no use for its waterfront possibilities.

The Port Authority reveals that this wharf was offered to the Port Board in 1932 by the New York, New Haven & Hartford Railroad for \$150,000. It was assessed then for \$228,000. In 1935 it was again offered to the Port Board, but this time the price had been reduced to \$25,000. Yet, at this time, 1935, the assessed value was \$200,000. It is illustrative of the unsoundness of many valuations fixed by the assessors that in 1936, several months after the property had been offered to the city for \$25,000, it was taxed by the assessors on a valuation of \$120,000.

There are serious objections to the purchase for both of the conflicting purposes stated by the Mayor and the Port Authority.

Objections to the Mayor's Purpose.

The property referred to as Fiske Wharf, but actually containing other wharves, was used by the New York, New Haven & Hartford Railroad until worn out. There is now no structure on the wharves. The condition of what is left, which is merely a collection of tottering piles, is almost indescribable. It would cost more than the purchase price to clean out what remains of the old foundations. The solid area of the parcel is only one-fifth of the whole area. If the city buys, it will simply relieve the railroad ownership of carrying "a white elephant," so called, of paying taxes on an assessed valuation of \$120,000 for something it has no use for and cannot sell.

As a city dock for city purposes it is not needed. The city now owns docks north of it, Atkins Wharf valued with buildings thereon at \$275,000. It is separated from Fiske Wharf only by the North End Park and pier. The city owns another dock south of it, the old ferry dock, by a few hundred yards. Both these docks are used by the Public Works Department but irregularly.

The dock to the south was formerly the North Ferry slip. Its value is rated by the assessors at \$150,000. Within a decade the city has spent approximately \$200,000 in repair of half of it. The other half is in such poor condition that within ten days it was condemned for any use by Public Works Department engineers. The harbor police are using this part of it temporarily, though the building on the wharf used for quarters of harbor police is likely to cave into the harbor at any minute. The better section of the dock at times is used as a storage place for ferryboats.

Some waterfront experts regard the North Ferry slip as one of the most valuable dock properties on the waterfront. The City Institutions Department sought use of it a few years ago, but found that it would cost \$300,000 to \$400,000 to put it in shape for use. It would cost much more to put Fiske Wharf in shape for use, and the city would not then have as good a location even for the purpose of which the Mayor wrote as it now owns in the North Ferry slip.

It seems to the Finance Commission under the circumstances unthinkable that any city

official would advocate adding this Fiske Wharf property to the long list of parcels of real estate now held by the city for which there is little or no use. Many of them were acquired for purposes which sounded as feasible as the Mayor's argument for this purchase, but money could not be found for development. The debt and tax burdens were already too great.

If the intention, as the Port Board reveals, is partly to reclaim the waterfront, a comprehensive plan should be produced first and proper legislative authority obtained. No more wharf property should be acquired while the city owns the North Ferry slip and is allowing it to become a menace to the harbor and a public waste.

The Finance Commission has just given the Mayor a list of twenty-eight unused parcels owned by the School Committee in which the city has invested over half a million dollars. A short time ago it was revealed that on July 1, the city owned by tax title 712 parcels assessed for \$1,160,000. It is problematical what can be done with any of them, and the number will grow with each tax sale. The Finance Commission has another list which it will send to the Mayor shortly of unused or little used real estate held by other city departments. Added to the above two items this new list will bring the figure of non-productive city-owned property into the millions.

It will be a misfortune if the city acquires the Fiske Wharf property even for a tax title. Presumably, the New York, New Haven & Hartford Railroad cannot dispose of it to any other purchaser. The city will have no better luck.

Until the commendable work which the Port Authority, an unpaid board, has been doing "to bring back the Port of Boston" has created a larger demand for dock facilities than is now apparent, the city should reduce the assessment on the Fiske Wharf property to an amount that is commensurate with its present value. A price of \$25,000 finds no takers. Any city money that can be spared would be better spent in needed repair of the city's present facilities.

Respectfully submitted,
E. MARK SULLIVAN, Chairman,
PHILIP A. CHAPMAN,
ROBERT ROBINSON,
JAMES E. MAGUIRE,
JOSEPH A. SCOLPONETTI,
The Finance Commission.

Placed on file.

BRIGHTON-ALLSTON HEALTH UNIT.

Coun. GALLAGHER and Coun. AGNEW offered the following:

Ordered, That the Trustees of the George Robert White Foundation be requested by his Honor the Mayor to establish a health unit in the Brighton-Allston district.

Passed under suspension of the rule.

DEMOLITION OF ELEVATED STRUCTURE.

Coun. DOWD offered the following:

Ordered, That the Boston City Council request the Mayor to proceed immediately with legislation calling for the demolition of the Elevated structure from Forest Hills to Charlestown, and the construction of a subway from Forest Hills to Charlestown.

Coun. DOWD—Mr. President, we all recall that last year quite a strenuous fight was made by the Governor, Mayor and Legislature, and brought before the City Council, all factions being in accord, for the demolition of the Elevated structure from Charlestown to Forest Hills, as a project that was absolutely necessary and essential. The Board of Trustees of the Elevated also agreed that the structure should be demolished, it being understood, of course, that it should be done under a W. P. A.

grant by the United States Government. The proposition went to the Board of Directors, who stated, so far as they were concerned, that they had no objection to it providing the law regarding the Elevated were somewhat changed. I am introducing this order at this time because I feel that the President of the United States will continue to help various cities and towns throughout the country in matters of this kind. I know of no better way to place men at work than through such means as the demolition of that structure. I know of no better way to bring in taxes to the treasury of the City of Boston because of the improvement of adjacent property and the raising of rents along the line of the Elevated structure. There is no question, either, that the building of a tunnel will increase considerably the amount we will receive from taxes. We, of the City Council, have done what we could in assisting in this whole Public Works program. We favored the new courthouse, which will not only help the people of Boston but to a great extent the people of the surrounding communities. We also favor a new City Hall. But I do contend, no matter what the cost may be, that we should have a subway from Forest Hills to Charlestown. I understand that the present Mayor was favorable to this proposition last year, and I know of nothing that has happened to make him change his mind. The present Governor of the Commonwealth fought a hard fight for this last year, and I believe nothing has happened to make him change his mind. The Governor-elect stated in a very strong letter sent out before his election that he was absolutely in favor of the demolition of the structure. With all the parties prominently concerned in this matter in favor of it, I know of no real logical reason why the United States of America, spending millions and millions upon work of this sort in different parts of the country, should not at least give us a grant to cover the major portion of this, thereby increasing the valuation of the City of Boston and placing at least 5,000 men at work for a period of perhaps five years. Therefore, I strongly urge upon the Mayor this action, saying in all justice to him that last year he was in favor of it, and I believe nothing has happened or can happen to make him change his mind. We are all certainly in favor of it, and I believe we should now call upon his Honor the Mayor to petition the Legislature to submit a request for legislation along this line, to come before the in-coming Legislature the first of January.

Coun. PETER A. MURRAY—Mr. Chairman, I heartily agree with the councilor from Ward 8 that we should have this structure removed. It will furnish labor to the unemployed and it will result in immensely bettering conditions and raising the valuation of property all along the line of the Elevated structure.

The order was passed under suspension of the rule.

CONCERNS UNFAIR TO ORGANIZED LABOR.

Coun. DOWD offered the following:

Ordered, That the City Council request his Honor the Mayor to instruct the Purchasing Agent not to purchase any goods from any concern that is unfair to organized labor.

Coun. DOWD—Mr. President, at a time like the present with a strike going on that involves the interests of labor, chauffeurs and truckmen and others, I am absolutely of the opinion that until such time as the concerns interested give the men a fair and living wage that they are justly entitled to, the Purchasing Agent of the city, regardless of any bids that are given out, should be instructed by the Mayor not to buy an ounce of material from any concern unfavorable to those men.

The order was passed under suspension of the rule.

SALARIES FOR SECOND ASSISTANT ASSESSORS.

Coun. DOWD offered the following:
 Ordered, That his Honor the Mayor be requested to direct the Board of Assessors and the Budget Commissioner to establish the Second Assistant Assessors in the Assessing Department on an annual salary basis rather than on a per diem basis.
 Passed under suspension of the rule.

RECIPIENTS OF MOTHERS' AID AND WELFARE.

Coun. DOWD offered the following:
 Ordered, That his Honor the Mayor consider the advisability of giving an additional \$5 to each recipient of mothers' aid and welfare at the Christmas period.
 Coun. DOWD—Mr. President, this order has been introduced annually, but unfortunately has usually been introduced only a week or two before Christmas, with the resulting natural excuse of those in charge that it had come before them too late to do any good. Therefore, I am at this time, six weeks before Christmas, introducing the order this year asking the Mayor to consider the advisability of giving this additional \$5 to each recipient of mothers' aid and welfare at the Christmas period. It would not place an additional burden to the extent of over \$100,000 on the City of Boston and would to my mind bring a little happiness and sunshine to these recipients. I have, therefore, introduced the order, I hope, in time to have it given proper consideration, which I hope will be favorable.
 The order was passed under suspension of the rule.

RECESS.

By direction of Chairman GALLAGHER the Council went into executive session, subject to the call of the Chair, at 2.25 p. m. The members reassembled in the Council Chamber and were called to order by Chairman GALLAGHER at 2.55 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.:

Ruth Taylor, Eliot Hall, December 19,—recommending that leave be granted under the usual conditions.

Report accepted; leave granted under usual conditions.

2. Report on message of Mayor and order (referred today) appropriating \$35,000 from income of George F. Parkman Fund to be expended under direction of Park Commissioners—that same ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

3. Report on message of Mayor and order (referred November 9) recommending appropriation of \$25,000 for purchase of Fiske Wharf property—that same ought to pass.

The report was accepted and the question came on the passage of the order.

Coun. JOHN I. FITZGERALD moved that the matter lie on the table; declared carried. Coun. WILSON doubted the vote and asked for the yeas and nays. The motion to lay on the table was carried, yeas 18, nays Coun. Wilson—1.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

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

1. Action on appointments submitted by the Mayor November 9, 1936, of Constables authorized to serve civil process, viz.: John J. Murphy, Louis Levendorf, Manuel Wensky.

2. Action on appointments submitted by the Mayor November 9, 1936, of Herbert J. Henderson, William T. Henderson, Arthur P. Kerrigan, Henry E. Olson, Patrick O'Rourke, to be Weighers of Coal; and Albert W. Holland and Charles Smith, to be Weighers of Goods.

The question came on confirmation. Committee, Coun. Agnew and Selvitella. Whole number of ballots 17; yeas 16, nay 1, and the appointments were confirmed.

SOLDIERS' RELIEF.

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

Report accepted; said order passed under suspension of the rule.

REPORT OF COMMITTEE ON CLAIMS.

Coun. SELVITELLA, for the Committee on Claims, submitted the following:

1. Report on petition of Edward F. Macomber (referred October 19) to be reimbursed for amount of judgment issued against him on account of his acts as operator of fire apparatus—recommending passage of accompanying order, viz.:

Ordered, That the sum of sixty dollars (\$60) be allowed and paid to Edward F. Macomber in reimbursement for amount of judgment issued against him on account of his acts as operator of fire apparatus, said sum to be charged to the Reserve Fund.

Report accepted; order passed.

2. Report on petition of Neil M. Murphy (referred October 26) to be reimbursed for amount of judgment issued against him on account of his acts as operator of motor truck belonging to Sanitary Division, Public Works Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of twenty-six dollars and twenty cents (\$26.20) be allowed and paid to Neil M. Murphy in reimbursement for amount of judgment issued against him on account of his acts as operator of a motor truck belonging to the Sanitary Division, Public Works Department, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

HIRING OF BOSTON-OWNED TRUCKS.

Coun. PETER A. MURRAY offered the following:

Ordered, That the Overseers of the Public Welfare Department be requested, through his Honor the Mayor, to instruct all contractors delivering coal and oil to welfare recipients, to hire only trucks registered in the name of a Boston resident, when additional trucks are needed for this work.

Coun. PETER A. MURRAY—Mr. President, in the past some of the coal and oil trucks of a Quincy concern, which was able to under-bid Boston contractors for the simple reason that the cost of registration of the truck is less than in Boston, have obtained this business. I hope in the future that it be given to Boston residents.

The order was passed under suspension of the rule.

LIGHTING ON CENTRE STREET.

Coun. FINLEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in the Budget for 1937, a sum sufficient to provide for improved street-

lighting facilities on Centre street, West Roxbury, from Manthorne road to the junction of Centre and Spring streets.

Coun. FINLEY—Mr. Chairman, I am reintroducing this order at this time because a year ago a petition with over 3,000 names attached, from the West Roxbury section, was presented to the Mayor, to have the street lighting facilities along Centre street, from Manthorne road to Spring and Centre, West Roxbury, improved. That is one of the busiest and most traveled arteries of the City of Boston, and there have been several fatal accidents there because of lack of proper lighting facilities. At the time when the petition was presented last year, it was found that there was not money available to do the work, although a survey made by the Lighting Division of the Public Works Department showed that the facilities desired were badly needed. The cost at the most will be but between \$3,000 and \$4,000. I hope that this order will receive every consideration, that the necessary money will be included in the budget and that the street lighting facilities along that artery of travel will be increased in the interest of the safety of the general public in the district.

The order was passed under suspension of the rule.

PROPOSED LAND SALES REJECTED.

On motion of Coun. KERRIGAN the Council took up assignment No. 4 on the calendar, viz.:

4. Report of the committee on Public Lands and Tax-Title Property, ought not to pass on orders for the sale of parcels of land, as follows:

Land on 15 and 16 Camden place (referred July 2).

Land on northeasterly side of Washington Heights avenue, West Roxbury (referred July 2).

Land on southwesterly side of Lenox street, Boston (referred July 2).

Land on northwesterly side of Washburn avenue, East Boston (referred August 17).

Land on northerly side of Bellamy street, Brighton (referred August 17).

Land on westerly side of Washington street, Dorchester (referred August 17).

Land on southerly side of Kemble street (referred August 17).

Land on southeasterly side of Walnut avenue, Roxbury (referred September 1).

Land on southerly side of Wilmington avenue, Dorchester (referred September 1).

Land on northerly side of Fairmount street, Dorchester (referred September 4).

Land on northerly side of Wilmington avenue, Dorchester (referred September 21).

Land on northerly side of East Seventh street, South Boston (referred September 25).

Question on rejecting the orders.

The question came on the rejection of the several orders.

Coun. BRACKMAN—Mr. Chairman, I would like to have a word or two from the chairman of the committee as to why the committee is recommending rejection of the sale of these various parcels of land.

Coun. KERRIGAN—Mr. Chairman, the committee felt, on these orders which have come from the Building Superintendent with recommendation that the lots be sold at public auction, that the amount of money involved was so small that it would be better to sell the parcels at private sale.

The orders were rejected.

Later in the session Coun. FINLEY said: Mr. Chairman, I ask unanimous consent to make a statement.

Chairman GALLAGHER—If there is no objection, the gentleman may proceed.

Coun. FINLEY—Mr. President, a few minutes ago we had occasion to take from the table an order regarding the advertising for sale of certain properties, upon which the Committee on Public Lands and Tax Titles recommended "Ought not to pass." Because of the hurried action rejecting the orders I did not have an opportunity to obtain recognition

from the Chair. Therefore, I want to speak upon the matter at this particular time. I happen to be chairman of the Tax-Title Committee which has been appointed and which has been working in conjunction with the Committee on Public Lands. My personal feeling is that we are not getting anywhere as far as doing something to take care of this particular subject that has been left in our hands is concerned. I happened to see that one particular order here refers to a parcel of land on the northeasterly side of Washington Heights avenue, West Roxbury, referred July 2. That pertained to a piece of land on which an offer was made of approximately \$150. At the meeting of the committee I recommended that that offer be accepted, because I know the value of that land, and I am surprised to find that the committee has reported "Ought not to pass" on that particular order. I want to say that we have not heard a syllable of criticism of the man who has been entrusted with taking care of tax-title property for the City of Boston. That particular function was wished on him; but I don't think there is a man in the city who is more capable of taking care of tax-title property than the present Superintendent of Public Buildings, Major Roswell Hall. The committee have claimed time and time again that they have not obtained information that was thought necessary to act on the suggestions made by the Public Buildings Commissioner, and as a result we do not seem to be getting anywhere. I want to stand here and say a few words in defence of our Superintendent of Public Buildings. He is a man who has been in the real estate business for years and is a recognized authority in that particular line, as his father was before him. He has had a great deal of responsibility in taking care of the usual business of the Public Buildings Department, but his Honor the Mayor in his judgment saw fit to hand over to him also the responsibility of taking care of this tax-title property. It is absolutely essential that these two committees operating jointly, the Committee on Public Lands and the Committee on Tax Titles, should cooperate in the matter of seeing that these properties are sold, but as a result of my experience, sitting in committees from five to six hours, I think we have made very little progress. The Superintendent of Public Buildings has amply demonstrated that he is a valuable asset to this administration. His first official act when he became Superintendent of Public Buildings resulted in saving to the City of Boston his entire salary for four years, because when an attempt was made by the trustees of the building adjoining Young's Hotel to make a contract for a lease, because of his experience in managing real estate, he was able to make other arrangements so that the city would be tenants at will, and where it would have cost the City of Boston \$45,000 under the lease, he made arrangements to have the city obtain what it desired at a cost of \$24,000. I am standing here today not wishing to take any direct issue with any brother colleague of mine, because I know that the gentleman in question is sincere in his motives and I admire his sincerity of purpose and ability. But in this particular case my personal feeling is that because of an animosity that exists, of a personal nature, between these two men, the sale of this tax-title property is being held up. I earnestly hope that from now on all parties will cooperate having in view the best interests of the city and seeing that this property is disposed of as quickly as possible.

Coun. WILSON—Mr. Chairman, I ask unanimous consent to make a statement.

Chairman GALLAGHER—If there is no objection, the gentleman may proceed.

Coun. WILSON—Mr. President, I have every respect for the councillor from Ward 20 (Coun. Finley), but he is erroneously informed in regard to the situation concerning these various pieces of tax-title property. My mind goes back to months ago, to a time when, on October 7, 1935, Major Hall was placed by city ordinance in charge of all tax-title

property, and there then followed through the months efforts of the City Council and efforts of the Tax-Title Committee and of the Committee on Public Lands, in one way or another, to wheedle, cajole or threaten Mr. Hall so that he would furnish the members of the committee with some businesslike report on these various pieces of tax-title property. I realize that year after year, especially in these depression times, hard-pressed property owners, in the residential wards especially, are driven for the money wherewith to pay the taxes on their homes. As a result, their property has been advertised and sold to the city, and two years ago, put by the city through the Land Court, so that all hope of redeeming the property is outlawed. Now, all the tax-title properties that have come through to our committee from Mr. Hall, up to the first of November, are fifteen, and those properties had been lost by the home owners some four, five and six years ago. Then there came the time when Mr. Hall, by city ordinance, was placed in full charge of this tax-title property. Again and again we have asked from him some report on each of the properties—a complete list of the properties in his custody or control, the address, the 1935 assessed value, the supposed amount due the city for taxes, interest and costs, the amount expended or to be spent for demolition work, similar information concerning properties where repairs or alterations were contemplated or had been done, information as to rental revenues from the various parcels, whether the land had buildings on it or was vacant, and so on, what the property was worth. As the result of a recent conference with Mr. Hall, having requested a full and detailed report along these lines on all the tax-title property, the committee, on October 26, having obtained less information on merely fifteen properties from Mr. Hall, made a full report on twelve of the fifteen orders before it. That report closed with this paragraph:

"Your committee reports 'Ought not to pass' with reference to all twelve of the accompanying orders, with a recommendation that the orders be returned to the Council providing in each case for private sale to the prospective buyers named in the original orders, but in the amounts already listed above. In six of the cases listed the committee feels the suggested upset price to have been a fair and adequate one, being substantially the total amount that was due the city. As to the remaining six cases the city recommends the higher figure as more nearly commensurate with the amount that was due the city."

And so we brought back this report on twelve out of the fifteen, and only fifteen, parcels that had finally leaked through to us from Mr. Hall's department. Incidentally, the parcel to which Councilor Finley makes reference, if I gather his remarks correctly, was one of the six as to which the committee felt that the offer was adequate. Apparently someone interested in the Washington Heights avenue property—on which the total amount due the city not only for unpaid taxes but also costs, unpaid water rates, and interest to the date of the Land Court decree, made a total of \$82.99—offered \$100, which was more than the city was stuck, and the committee voted that that offer be accepted, instead of going to the expense of a public auction and the waste of time that would be involved in having the superintendent go out and do a lot more work on the matter. The committee, therefore, reported back in favor of accepting the \$100 offer, with the view that that would get the city out of its indebtedness on the property and that it would not be stuck. In reference to Mr. Hall, I have no antagonism to him personally. Over a year ago, he was placed in charge of 872 parcels of tax-title property and there have come through to us from his department out of those 872 parcels up to this time only fifteen for possible action, involving less than \$5,300 taken together, and three of the fifteen involved \$100 or less. There has been that lack of action on his part despite the fact that the W. F. A. project has handed Mr. Hall's department, on his

say-so, at least thirty men and women doing clerical work who could make a study of these 872 parcels, and over 120 men for purposes of repair of the various properties. So I say, with all due regard to the councilor from Ward 20 (Coun. Finley), who perhaps has not been as closely in touch with the tax-title property situation as some of the other members of the committee and myself have taken the time to be, I personally believe that any department that has had at its disposal thirty clerks and 120 mechanics to deal with these 872 pieces of property should have been able by now to give us much better information. Neither the City Council nor its Committee on Tax-Title Property is to blame on this situation. We made our position as a committee clear on October 26. We voted on twelve of the fifteen parcels upon which reports had been made to us by Mr. Hall. We stated that it was the opinion of the committee that if the amount involved was small and the offer made would get the city out whole, the sale should be carried out with the least possible red tape and expense. We had finally asked Mr. Hall for a minimum of information, information which we thought could be easily and readily supplied,—the location of the land, the offer, the assessed valuation of the land, interest costs, and what charges stood against the land. We have asked for that minimum of information from Mr. Hall and up to this moment we have received from him information in regard to only fifteen of these properties. And so, while I welcome any criticism such as we have received from the gentleman from Ward 20 in this matter, I feel that it is not merited.

Coun. NORTON—Mr. Chairman, I would ask that the committee hold another meeting on this matter.

Chairman GALLAGHER—The Chair will inform the gentleman that the orders have been rejected.

Coun. KERRIGAN—Mr. Chairman, I ask unanimous consent to make a statement.

Chairman GALLAGHER—If there is no objection, the councilor may proceed.

Coun. KERRIGAN—Mr. President, I am very much surprised at the attitude of the member from West Roxbury (Coun. Finley) on this matter. He is misinformed. I don't know why he has taken the floor to criticize any member of that joint committee, and why he thinks he must protect Mr. Hall, God only knows. Councilor Wilson has worked hard on this matter. He has done the best that could be done for the city. Every member of my committee has been before Mr. Hall asking him various questions, and we have waited for the information that we have desired. As soon as we received a part of that information, we took definite action on these parcels. So I am certainly surprised at the attitude of my colleague from West Roxbury on the matter.

SLUM CLEARANCE SURVEY.

Coun. KERRIGAN, for Coun. John I. Fitzgerald, offered the following:

Ordered, That his Honor the Mayor request the Boston Housing Authority to make a complete investigation of all properties located in the older parts of Boston that would be considered for 'slum clearance' in order that the city might take advantage, if it sees fit, of Federal Government funds for the purpose of building, or for loaning to the present holders of real estate money with which to renovate their properties. The report of the Boston Housing Authority to be submitted to his Honor the Mayor, and to the City Council.

Passed under suspension of the rule.

VOTING MACHINES.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor request the Election Department to consider the ad-

visibility of placing voting machines in all Boston precincts on election days.

Coun. DOWD—Mr. President, I believe the last election day proved very conclusively that, regardless of the expense that may be involved, all voting booths in the City of Boston should be furnished with voting machines in order that the vote may be tabulated more quickly and accurately. In other cities of America where voting machines have been established, within four or five hours they have the complete and final returns. I am not casting reflections on anybody, but the way the counting is done now, in many cases men and women by force of circumstances have to work from eight or nine o'clock in the morning until five, six or sometimes nine o'clock the next morning, getting but \$9 or \$10 for it. They cannot be expected, the way the work is now done, to count the votes more quickly and more accurately. This is a thing that should not only be done in the City of Boston, but throughout the state. If machines were introduced in every polling booth in Massachusetts, as I trust will ere long be the case, we would have greater accuracy and rapidity in finding out the results. In some places in Massachusetts returns were not made until six o'clock or later the following night. The situation is to my mind very bad and should be corrected.

The order was passed under suspension of the rule.

DUMP ON MILE ROAD.

Coun. PETER FITZGERALD offered the following:

Ordered, That his Honor the Mayor instruct the Public Works Department to keep a stricter supervision of the dump now maintained by the city on the property adjoining the pumping station and located on the easterly side of the section known as the Mile road.

Coun. PETER FITZGERALD—Mr. President, my reason for filing this order is, strange as it may seem, that the City of Boston, through its Public Works Department and other city departments, is maintaining a dump at a point near the pumping station, on land formerly occupied by the Boston Consolidated Gas Company, without proper supervision. There are constant fires at that particular point. Only a short time ago engines were called out from the Meetinghouse Hill section and had to go down there and stay for some time to put out a dump fire. That is a thing that is continually occurring and that is a constant menace. If a fire should occur in the meantime, in a great residential section such as Meetinghouse Hill, or other sections in the vicinity, filled with two and three family houses, nobody can tell the harm that would result. It is a serious danger. As we all know, the present Fire Department is badly undermanned. The shift on apparatus going to a fire is sometimes but two or three men, frequently only two, and we need to have fire houses out there instantly prepared for any emergency that may arise in the residential district, and not have the apparatus called away for a length of time to a dump such as this. The Public Works Department should maintain strict supervision of that dump. But a short distance from that point is a thickly settled residential section and if an easterly wind blows up after a fire is started, the fire might easily become absolutely uncontrollable. What concerns me at this time is that, when the fire apparatus is called to and detained at this dump from time to time, putting out dump fires, it lays other sections, residential sections, open to a very serious threat. I trust, therefore, that the Mayor will instruct the Public Works Department to keep a stricter supervision of the dump so as to avoid the constant threat to the area from that source.

The order was passed under suspension of the rule.

BETTER LIGHTING WARD 14.

Coun. ROSENBERG offered the following: Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to install better lighting facilities at the corner of Blue Hill avenue and Walk Hill street, Ward 14.

Passed under suspension of the rule.

CONGRATULATIONS TO JUSTICE BRANDEIS.

Coun. NORTON, ROSENBERG and BRACKMAN offered the following:

Whereas, A noted citizen of Boston, the Honorable Louis Dembitz Brandeis, Justice of the United States Supreme Court, has just reached the age of eighty years;

Whereas, The freshest years of unselfish public service of this eminent man were given to the people of Boston; therefore be it

Resolved, That the Boston City Council, duly assembled, hereby expresses its congratulations to Justice Brandeis and wishes him many more years of life and happiness.

The resolution was passed under suspension of the rule.

RETRAINING WELFARE RECIPIENTS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of conferring with the school authorities and Welfare Department officials relative to the matter of retraining many of those now on welfare.

Coun. NORTON—Mr. Chairman, I understand that seventy-five men were brought out to the West Roxbury Veterans' Hospital grounds, that they were trained there, went into farming, and that most of them have gone off welfare. But this year something has taken place so that this training has been stopped. I think it is a good idea to train many of those on welfare so that they may be assisted to earn a living. Experts claim that a man who was graduated from school or college nearly twenty years ago is now living in a new world. John Dowling put seventy-five men out there at West Roxbury and had them trained in farming, and I understand that seventy of the seventy-five went off the welfare roll.

The order was passed under suspension of the rule.

CASE LOAD PER WELFARE VISITOR.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of conferring with Welfare Department officials relative to decreasing the case-load per visitor, per investigator, from over two hundred, the present figure to say, seventy-five.

Coun. NORTON—Mr. Chairman, I understand that those requesting old age assistance have to wait not only a week, but a month or more, because of the insufficient number of visitors and the large case-load of over two hundred. This is no criticism of the visitors, as the staff is at present constituted, but results from the impossibility of a visitor handling properly such a large case-load. A visitor investigating these cases cannot properly handle a case-load of over seventy-five. The result is thousands of dollars wasted here and inefficiency in doling out the money. I understand that in New York the case-load is one hundred and in Milwaukee seventy-five. There is a unanimous opinion that between seventy-five and one hundred represents the maximum case-load that a visitor can properly handle. You know the case that George Roberts spoke of, in the neighborhood of Copley square, where the man died before the investigator got there. I could cite cases similar to that, going on in Boston today. It is extremely important that some action be taken as soon as possible.

The order was passed under suspension of the rule.

SAVINGS BANK LIFE INSURANCE.

Ordered, That the Mayor of Boston consider the advisability of conferring with the Directors of Public Welfare relative to advising families on welfare, after a study has been made of each individual case, of the merits of Savings Bank Life Insurance, since it may mean a saving of from 25 to 50 per cent.

Coun. NORTON—Mr. President, we have already acted upon a resolution commemorating the public work of Judge Brandeis. He was a noble Bostonian, a true, real friend of the common people. He fought the subway leases, so that Boston today has leases that are considered exemplary throughout America. He fought entrenched wealth in the interest of the common man. His greatest public contribution, in my estimation, was the establishment of savings bank life insurance in Massachusetts, so that the poor can obtain insurance for from 15 to 25 per cent less than the ordinary rates, cheaper than in any other state of the Union. Five hundred Plymouth, Massachusetts, families save \$100 a year each because the breadwinner, working for the Plymouth Cordage Company, takes Massachusetts savings bank insurance, which Judge Brandeis was instrumental in establishing. \$24,000,000 could be saved the workers of Massachusetts by this plan. Thousands of our poor families at present are spending weekly nickels and dimes for the insurance of each member of their family, netting a total which could be very largely reduced by a resort to Massachusetts savings bank life insurance. This insurance can be obtained at numerous savings banks throughout the state. At the present time, those paying for this outside insurance must pay for ten years before they get anything from it. In other words, they would get much better results and at a much

lower cost from the Massachusetts savings bank life insurance. Let us all take hold on this matter and tell people that we know, Mr. Sullivan or Mr. Jones, that they can get this savings bank life insurance for half what they are now paying, and will get much better returns.

The order was passed under suspension of the rule.

TRUCKS USING COLUMBIA ROAD.

Coun. TOBIN offered the following:

Ordered, That his Honor the Mayor request the Park Commissioner, the Public Works Commissioner and the Chairman of the Traffic Commission to conduct a survey of trucks using Columbia road, Dorchester, from Geneva avenue to Uphams Corner, Dorchester.

Passed under suspension of the rule.

REINSTATEMENT OF MEN IN LOCALS.

Coun. MELLEN, DOWD and GLEASON offered the following:

Ordered, That his Honor the Mayor be requested to petition the Federal Authorities to consider the advisability of requesting local union officials to reinstate men now in arrears to the local if employment can be secured on Federal Projects in Boston, with the understanding that their indebtedness to the local of the union will be taken care of at a reasonable weekly rate.

Passed under suspension of the rule.

Adjourned at 3.35 p. m., on motion of Coun. SELVITELLA, to meet on Monday, November 23, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, November 23, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Kilroy, Peter A. Murray and Shattuck.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments, viz.:
Weighers of Coal: Joseph T. Molloy, 146 Wallis road, Brookline, Mass.; Stephen J. Joyce, 417 Geneva avenue, Dorchester, Mass.; M. D. Streeter, 86 Kenmere road, Medford, Mass.
Laid over a week under the law.

Coun. GALLAGHER in the chair.

STREETS IN WARDS 19 AND 21.

The following was received:

City of Boston,
Office of the Mayor, November 19, 1936.
To the City Council.

Gentlemen,—I transmit herewith two communications from the Street Laying-Out Department relative to your orders of September 28 and October 5, 1936, concerning the acceptance and laying out of the following streets as public highways:

1. Radcliffe road, Ward 21.
2. Mechanic street, Ward 21.
3. Hawthorne street, Ward 19.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Street Laying-Out Department,
November 17, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Your Honor,—Inclosed please find City Council orders requesting the acceptance of Radcliffe road, Ward 21, and Mechanic street, Ward 21, as public ways.

These are two of many worthy projects which must receive favorable action at some later time owing to the suspension of the W. P. A. street construction program and the necessity of the strictest economy in the expenditure of city funds for new streets.

Respectfully yours,
OWEN A. GALLAGHER, Chairman.

City of Boston,
Street Laying-Out Department,
November 17, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Your Honor,—Inclosed please find City Council order requesting the acceptance of Hawthorne street, Ward 19, under the W. P. A.

It is impossible to comply with this request owing to the suspension of the W. P. A. street construction program, caused by the withdrawal of Federal funds for this purpose.

Respectfully yours,
OWEN A. GALLAGHER, Chairman.
Placed on file.

FRANKLIN PARK TENNIS COURTS.

The following was received:

City of Boston,
Office of the Mayor, November 17, 1936.
To the City Council.
Gentlemen,—I transmit herewith a communication from the chairman of the Park Department relative to your order of October 19, 1936, con-

cerning a W. P. A. project for the improvement of the tennis courts at Franklin Park.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, November 16, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have your memorandum of November 2, with inclosure, order from the City Council, relative to W. P. A. project for the resurfacing of the tennis courts on Franklin Field and inclosing same with wire fencing.

A project was submitted to the Government for this fencing over six months ago and approved,—at a later date, however, the fence item was disapproved.

The Park Department can construct 600 feet of fence for the rear ends of the new tennis courts (which does not include side fencing) out of our 1937 budget but the surfacing would mean 23,332 square yards at an approximate cost of \$50,000. At the present time these courts have very good clay surface. In order to put in a permanent surface of asphalt or concrete, it would be necessary for us to remove our present surface of clay and put in a base of concrete with a permanent surface over same. If I could get the Government to approve this project, it would mean the courts would not be available for use this summer. Further, if this project was accepted by the Government, the cost of materials would run considerably higher—the major portion of which would have to be borne by the city.

I will have a project drawn up for the resurfacing of ten new courts and attempt to get the Government to approve same. The balance, or twenty-five courts, will have to be used as they are during the ensuing year, with the exception of regrading and rolling.

I realize these courts are very popular and if the financial conditions of the city would warrant it, I would be only too pleased to put a permanent surface on all our tennis courts.

Very respectfully yours,
WILLIAM P. LONG, Chairman.
Placed on file.

RENTALS ILLEGALLY COLLECTED.

The following was received:

City of Boston,
Office of the Mayor, November 10, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Corporation Counsel relative to your order of October 5, 1936, the prosecution for and reimbursement of rentals illegally collected by individuals from city-owned property.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Law Department, November 9, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from your office, dated October 8, 1936, with which was submitted a copy of the following order of the City Council:

"Ordered, That the Law Department, through his Honor the Mayor, advise the City Council in detail, what steps, if any, have been taken in prosecution for, and reimbursement of, rentals illegally collected by individuals from city-owned property, and specifying in each case the street and street number of the parcel involved."

I assume that by the "steps" referred to in said order is meant the steps, if any, which have been taken by this department.

The Public Buildings Department, in which is vested the management of tax-title properties, has referred to this department for action data with reference to the collection by two individuals of moneys from occupants of real estate acquired by the city through foreclosure of tax titles.

One of these individuals collected money for occupancy from occupants of property located at 42, 44, 46 and 48 A street; 767 East Fourth street, and 27 Silver street, South Boston. The other collected from occupants of property located at 1011 Tremont street, Boston. These matters were referred to this department in October of this year and negotiations are pending to effect

recovery. If these negotiations are not successful in the near future, legal proceedings will be instituted.

No other similar matters have been referred to or are pending in this department.

Very truly yours,

HENRY E. FOLEY,
Corporation Counsel.

Placed on file.

SALE OF 392 COMMERCIAL STREET.

The following was received:

City of Boston,
Office of the Mayor, November 19, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings, dated November 2, 1936, relating to an offer to purchase certain property situated at 392 Commercial street, Boston, which property was acquired from foreclosure of a tax title held by the city.

I also transmit an order authorizing the sale of said property. The price recited in this order is a minimum price of \$1,200, the Superintendent of Public Buildings having stated in his letter that the sale of the premises at public auction with a minimum price of \$1,200 is in the interest of the city.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
November 2, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In accordance with the provisions of chapter 3, Ordinances of 1935, concerning tax title property, I respectfully submit an offer from Clementina Ottavio, 392 Commercial street, Boston, for the property at 392 and 394 Commercial street, Boston, in the sum of twelve hundred (1,200) dollars.

The costs to the city up to September 14, 1936, amount to nine hundred ninety-five dollars and one cent (\$995.01), which includes the nonpayment of taxes since the year 1932, but does not include interest.

If and when the above amount of twelve hundred (1,200) dollars is approved by your Honor and the City Council, the property will then be properly advertised for sale at public auction and sold to the highest bidder. The figure of twelve hundred (1,200) dollars will be the minimum price for the property that the city is willing to accept and will be announced as the first bid at the public auction sale.

In my opinion, it will best serve the city's interests to proceed on the foregoing basis.

Respectfully,
ROSWELL G. HALL,
Superintendent of Public Buildings.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated September 14, 1936, foreclosed a right of redemption under a tax deed recorded with Suffolk Deeds, Book 5436, page 357, to about 671 square feet of land situated on the southwesterly side of Commercial street, Boston, as is more fully describe in said tax deed; and

Whereas, An offer to purchase the said property has been made by Clementina Ottavio in the sum of \$1,200; now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, with the approval of the Mayor of Boston, to sell all the city's right, title and interest in said parcel of land at public auction at a minimum price of \$1,200; and it is hereby further

Ordered, That the said Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser of said land a written instrument satisfactory in form to the Law Department of the City of Boston, conveying all right, title and interest of the City of Boston in said premises upon the payment to it of the sum bid therefor at said auction.

Referred to Committee on Public Lands and Tax Titles.

HEALTH DEPARTMENT ORDINANCE.

The following was received:

City of Boston,
Office of the Mayor, November 23, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Health Commissioner, with reference to a proposed amendment of section 2, chapter 16, of the Revised Ordinances of 1925, as amended, whereby the division of the Health Department at present designated as the "Sanitary Division" is made the "Housing and Sanitary Division."

I also submit an ordinance providing for an amendment to section 2, chapter 16, of the Revised Ordinances of 1925, as amended, in accordance with the foregoing paragraph. I respectfully recommend adoption of the ordinance.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Health Department, November 19, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I respectfully recommend and strongly urge for your approval that chapter 16 of the Revised Ordinances of 1925, as affected by chapter 3 of the Ordinances of 1926 and chapter 1 of the Ordinances of 1927 and by chapter 2 of the Ordinances of 1931, be amended to read as follows:

"The Health Commissioner shall establish the following divisions of the Health Department: medical division, child hygiene division, housing and sanitary division, communicable disease division, food inspection, laboratory, vital statistics and tuberculosis division."

By the proposed amendment, the division at present designated as the Sanitary Division of the Health Department is made the "Housing and Sanitary Division." By such a change of name this division is given a designation which will indicate the function of municipal government which the present so-called Sanitary Division of the Health Department is actually performing.

By thus giving this official branch of the Health Department a name indicative of its specific duties prescribed by law, it is hoped that we may be able to offset the practical handicap which we are beginning to feel because of the misinterpretation of the term "sanitary," the misconception as to the character of the work done by the so-called "sanitary inspectors" of the Health Department and by the confusion of their duties with those of the sanitary inspectors of the Public Works Department, all of which misunderstandings are continually being shown by the academic critics of municipal government in Boston. They are recommending the abolition of the Sanitary Division of the Health Department as unnecessary or as a "duplication" and are unable or unwilling to see that the sanitary inspectors of the Boston Health Department are actually performing duties for which from three to five separate sets of municipal officials with other designations have been created to perform in other cities, whose municipal administration our critics accept as their "yard stick."

The term "housing" should be applied to this division of the Health Department, because most of the time of our so-called sanitary inspectors is spent in dealing with alleged infractions of law in connection with human habitations and with environmental industrial conditions which may affect the health or comfort of the occupants of human habitations in the neighborhood. The Sanitary Division of the Health Department receives, investigates and remedies nearly 12,000 complaints per year. Most of them either allege "nuisances" or relate to specific violations of law in connection with human habitations. Some of the more than thirty complaints received every working day allege that certain specified local industries are "a nuisance and a menace" to the health of residents of the neighborhood.

The Building Code of Boston contains 150 sections. Fifty of these sections place specific duties and responsibilities on the Boston Health Department, which it must meet with its so-called sanitary inspectors. The Boston Building Code, which is statutory law, specifically prescribes that the Boston Health Department shall make during each year what actually totals up to about 40,000 routine inspections of tenement houses, three family houses and lodging houses. In other cities to be found special officials designated as "tenement house inspectors" or by other

euphonious names, to perform a part of such duties. Because of their other duties our sanitary inspectors are unable to make more than about 30,000 routine inspections of human habitations a year.

As to other duties. The investigation of complaints alleging specific violations of law or the existence of nuisances and the prompt application of remedial measures come first and ahead of routine inspections in the daily work of the sanitary inspectors of our Health Department. Then, too, it is to be noted that the Boston Building Code and other statutory law as well, not only places on the Health Department responsibilities with respect to the observance of certain specific provisions of law intended for the protection of health, but also vests in the Health Department discretionary powers with respect to the occupancy of buildings or parts of buildings as human habitations where considerations are involved, calling for the application of the medical or scientific knowledge which a municipal health department is supposed to possess. In carrying out its statutory responsibilities of this sort the Boston Health Department functions through its sanitary inspectors.

The term "sanitary" or "sanitation" is too definitely associated in the public mind and by theoretical municipal administration "experts," with dirty backyards and streets, and privies and dead animals, and other matters coming within the jurisdiction of our Public Works Department's Sanitary Division and the police, for us to succeed in convincing our critics that we are not duplicating the proper functions of some other branch of the municipal government, and in consequence the ability of the Health Department to perform a necessary function of municipal government entrusted to it by statutory laws is going to be destroyed unless the branch of the Health Department by which these duties must be carried out be given, as has been done in other cities, some other designation besides "sanitary."

Yours respectfully,
 WILLIAM B. KEELER, M. D.,
 Health Commissioner.

An Ordinance Concerning the Health Department. Be it ordained by the City Council of Boston, as follows:

Chapter sixteen of the Revised Ordinances of 1925, as affected by chapter three of the Ordinances of 1926 and chapter one of the Ordinances of 1927 and chapter two of the Ordinance of 1931, is hereby amended in section two by striking out the first sentence in said section and inserting in place thereof the following:

"The health commissioner shall establish the following divisions of the health department: medical division, child hygiene division, housing and sanitary division, foods inspection division, laboratory division, vital statistics division, communicable diseases division, and tuberculosis division."

Referred to the Committee on Ordinances.

APPROPRIATION FOR POLICE BOATS.

The following was received:
 City of Boston,
 Office of the Mayor, November 23, 1936.
 To the City Council.

Gentlemen,—In order to render efficient police patrol service in Boston Harbor the Police Department requires four patrol boats at an estimated cost of \$75,000. The boats are described in a letter from the Police Commissioner, a copy of which I am transmitting herewith.

In that letter the Police Commissioner suggested that it might be necessary to provide the funds by a loan order, but the Corporation Counsel, in a letter which I also transmit, advises me that under the law a loan order cannot be made unless ten cents upon each one thousand dollars of the city's valuation—roughly, \$165,000—is raised by direct tax for any purpose for which a loan is to be made. Since the proposed loan would be only \$75,000 it is clearly impossible to comply with this provision of the statute.

But I am also advised by the Corporation Counsel that this money may be provided by a transfer from funds representing proceeds of the sale of certain real estate other than school lands, of which there is now in the possession of the city

about \$85,000, if authorized by vote of the City Council. This matter is also referred to in the letter from the Corporation Counsel which is attached.

Under these circumstances, and in consideration of the urgent need of proper harbor equipment for the Police Department, I am transmitting an order for such transfer and earnestly urge that it may be adopted at the earliest possible moment.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Police Department, October 9, 1936.
 Hon. Frederick W. Mansfield,
 Mayor of Boston.

Dear Mayor Mansfield,—Referring to our previous discussions on the subject of proper boat equipment for this department to replace the present obsolete types of boats, and which are unable to render adequate police patrol service in Boston Harbor, I am pleased to advise you that plans and specifications for the following boats are being drawn and it is anticipated that the new boats will be completed and delivered this year:

1. A patrol boat about 60 feet in length, having about 13 feet beam, and a draft of about 3 feet 10 inches, with a maximum speed of 20 knots, similar in type to the offshore 75-foot Coast Guard patrol boats, which have given such satisfactory service in Coast Guard patrol duty during the past ten years.

It is estimated that the approximate cost of this boat will be \$45,000.

2. Two single-screw patrol boats, 38 feet in length, generally similar to the cabin picket boats now in operation throughout the country by the U. S. Coast Guard.

It is estimated that these boats will cost approximately \$10,000 each.

3. One boat about 26 feet long of the same construction and with the same equipment as boat No. 2, except an all open cockpit fore and aft, with a small "Sedan Type" cabin amidship, and with heavy towing bits fore and aft. This boat should be equipped with a heavy duty engine, and extra heavy guards for towing and heavy duty around docks.

It is estimated that the cost of this boat will be approximately \$5,000.

All of the above-mentioned boats will be equipped with the latest two-way radio system, the cost of which is estimated at \$5,000.

You will note that the cost of these four boats, fully equipped, with two-way radio, will be approximately \$75,000.

You will recall that when I discussed with you the matter of suitable-boat equipment for this department at the time the police budget was under consideration, you stated that it may be necessary to provide \$75,000 by means of a loan order.

Therefore, it will be necessary to have appropriated sufficient funds to enable the department to consummate the necessary details in this respect as soon as possible.

Thanking you for your early consideration, I am,

Very truly yours,
 E. M. McSWEENEY,
 Police Commissioner.

City of Boston,
 Law Department, November 5, 1936.
 Hon. Frederick W. Mansfield,
 Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from your office, dated October 29, 1936, with which was submitted a letter addressed to you by the Police Commissioner in which he requests that the City of Boston borrow \$75,000 for the purchase of certain police boats which he proposes to have constructed.

Section 7 of chapter 44 of the General Laws, as most recently amended by section 5 of chapter 224 of the Acts of 1936, authorizes the City of Boston to borrow money for acquiring police boats and provides in part as follows:

"Cities and towns may incur debt, within the limit of indebtedness prescribed in section ten, for the following purposes, and payable within the periods hereinafter specified, but, except for the purposes set forth in the eleventh clause, no loan shall be authorized in any year under any one of the following clauses unless a sum equal to twenty-five cents, or in the case of Boston ten cents, on each one thousand dollars of the assessed valuation

of the city or town for the preceding year has been appropriated from available revenue funds or voted to be raised by taxation for the purposes set forth in such clause in the year when the loan is authorized: . . . (13). In Boston, for acquiring ferry, fire, institutional or police boats, fifteen years.

It is my opinion that if the borrowing requested by the Police Commissioner is not authorized by the provisions of section 7 above quoted, such borrowing is unauthorized.

The City Auditor has informed me that no sum has been appropriated from available revenue funds or voted to be raised by taxation in the year 1936 for the purpose set forth in clause 13 of said section 7. Based upon this advice from the City Auditor and in view of the underlined provisions of section 7 above quoted, it is my opinion that the proposed borrowing is unauthorized.

Section 63 of chapter 44 of the General Laws provides, however, as follows:

"Whenever the proceeds of the sale of real estate by a city or town exceed five hundred dollars, the same shall be applied to the payment of indebtedness incurred in acquiring such real estate or shall be added to the sinking fund, if any, from which said indebtedness is payable, or if no such indebtedness is outstanding shall be used for any purpose or purposes for which the city or town is authorized to incur debt for a period of ten years or more."

and section 3 of chapter 30 of the Revised Ordinances of 1925 provides that:

"Whenever the amount of any sinking fund exceeds the entire amount of the debt for the payment of which it was established, the commissioners shall use the surplus for the purchase and cancellation of any outstanding bonds of the city; and whenever the amount of any sinking fund is greater than is required with its accumulations to meet its debt at maturity the surplus of such amount may be used by the commissioners to obtain and cancel any part of such debt. The proceeds of all sales of real estate, other than school lands, shall be applied by the commissioners to the reduction or payment of the indebtedness incurred in acquiring such real estate, or if there is no such indebtedness outstanding said proceeds may be used by vote of the city council for any purpose for which the city is authorized to incur debt for a period of ten years or more."

I have been informed by the City Auditor that the city now holds approximately \$85,000, representing proceeds of sale of certain real estate other than school lands originally acquired with money borrowed by the city and that the indebtedness incurred in acquiring said real estate is no longer outstanding.

Based upon this information and in view of the provisions of section 63 of said chapter 44, of section 2 of said chapter 30, and of section 7 of said chapter 44, it is my opinion that \$75,000 of said sum now held by the city may be used, if authorized by vote of the City Council, for the proposed acquisition of said police boats.

Very truly yours,
HENRY E. FOLEY,
Corporation Counsel.

Ordered, That the sum of seventy-five thousand dollars (\$75,000) be, and hereby is, appropriated from special fund—Sales of City Property—for Police Department, purchase of harbor patrol boats.

Referred to Committee on Finance.

VETO OF ANNUITY FOR ALICE M. RALPH.

The following was received:

City of Boston,
Office of the Mayor, November 23, 1936.
To the City Council,

Gentlemen,—I return herewith without my signature and disapproved an order adopted by your Honorable Body on November 9, 1936, providing an annuity for Alice M. Ralph, widow of John G. Ralph, who died while a member of the Boston Police Department, and to their six children.

In this regard I respectfully refer your Honorable Body to my previous message on this same subject, dated January 29, 1935, in which it appears that the Corporation Counsel informed the Mayor

that the deceased was not killed, nor did he die from injuries received while in the performance of his duties as a police officer; nor does it appear that he died as a natural and proximate result of undergoing a hazard peculiar to his employment while in the performance of his duty as provided in Statute 1935, Chapter 466. Other provisions of this statute have not been fulfilled and it is clear, under the law, that the order cannot legally be approved. For these reasons I am constrained to veto it.

I also beg to say that on December 18, 1934, an order of the Police Commissioner, adding the name of Alice M. Ralph to the list of pensioners to draw relief from the Police Relief Fund, was approved by me.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.
Place on file.

PETITIONS REFERRED.

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

Claims.

Margaret E. Buckley, for compensation for damage to coat on polling booth, Cook street, Charlestown.

Mary E. Carroll, for compensation for damage to property at 79 Tudor street, caused by broken water main.

Lillian McCarthy, for compensation for damage to car by fire engine.

Charles Neszery, for compensation for damage to property at 28 Terrace street, Roxbury, during construction of wall.

Charles G. Pickett, for compensation for injuries caused by an alleged defect at 48 Cummington street.

Louis Speigel, for compensation for damage to car by Street Cleaning cart.

Timothy Walsh, for compensation for damage to car by city truck.

PERMITS FOR CHILDREN.

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

Lester P. Gould, Whitton Hall, December 11, was received and the permit granted under usual conditions.

SALARIES OF PROBATION OFFICERS.

A communication was received from the Chief Justice of the Municipal Court of Boston establishing salaries to be paid probation officers in municipal court of City of Boston.

Placed on file.

REPORT OF MUNICIPAL RESEARCH BUREAU RE TAX TITLES.

The following was received:

Boston Municipal Research Bureau,
One Court Street, Boston,

November 20, 1936.

To the Honorable The City Council,
Boston.

Gentlemen,—On August 20, 1936, the Boston Municipal Research Bureau submitted a report to the Mayor and City Council on tax-foreclosed real estate acquired by the City of Boston. The purpose of that report was to aid in establishing sound management and sales policies for such property, which at that time exceeded \$1,160,000 in assessed valuation and which is being increased materially by new foreclosures.

Recent action of the Council favoring private sales rather than public auction of some of this real estate seems likely to establish thoroughly unsound sales policies, and reconsideration of the matter is urged. The properties specifically involved in the Council vote are small and few in number, but the precedent established may have important future consequences.

The Council action of November 16, 1936, was in line with recommendations of its Joint Committee on Public Lands and Tax Title Property. This committee urged the following general principles: (1) "Private sale as to those tax-title

properties where the offer made is substantially equal to the total amount due the city and where the amount involved is not substantial enough fairly to warrant public auction," and (2) "Where the offer is substantially less than the total due the city, sale at public auction with an upset price."

No sound logic is apparent in these policies. The obvious advantages of public auction are the stimulation of higher prices through open competition and the elimination of any appearance of favoritism. This is particularly true where an adequate "upset" price prevents letting property go by default. These advantages are equally of merit whether private offers are more or less than the amount due the city for taxes and other bills.

The amounts due the city are in no way indicative of the value of the property concerned. Of two parcels of land with equal value, one may have an accumulation of twenty or thirty years' back taxes against it, and the other have only three or four years' delinquency. Obviously the city should receive identical prices for the two parcels if they are equal in value. Such prices are wholly unrelated to the amounts due the city.

While this example is one of extremes, the recent survey by the Bureau shows a variation of from four to more than twenty years in the initial delinquency of properties taken over by the city.

The Council apparently overestimates the expense attached to public auction. The Public Buildings Department is equipped to conduct its own auction sales. Notification of real estate agencies by letter or circular is an effective and economical means of reaching prospective buyers. Small parcels could be grouped in consolidated advertisements in the *City Record* and the newspapers at a low cost per parcel.

The Bureau urges that a general policy of public auction at reasonable "upset" or minimum prices be firmly established for the sale of city real estate. Such a policy encourages competitive bidding and eliminates the danger of favoritism and political "fixing." The upset prices might well be reviewed by an unpaid board of appraisal as suggested in the Bureau's report.

While the amounts involved in the offers received by the city to date are small, it is highly important that the Mayor and Council establish policies which will protect the best interests of the city in future years.

Sincerely yours,
H. C. LOEFFLER, Secretary.

Placed on file.

ABSENCE OF MAYOR FROM CITY.

Notice was received from the Mayor of his absence from the city from November 15 to 18, inclusive.

Placed on file.

FINANCE COMMISSION REPORT. REORGANIZATION OF DEPARTMENTS.

The following was received:

City of Boston,
Finance Commission, November 21, 1936.
To the Honorable the City Council.

Gentlemen,—At various times during the past year there has been before you for consideration a recommendation from Mayor Mansfield in regard to a proposed reorganization of certain city departments. This proposed reorganization, now again on your calendar for action, will, if adopted, materially affect the future administration of city business. It will also materially affect the future costs of city business and the efforts of taxpayers generally to reduce those costs. It is very important, therefore, that any change made now must be one that will add no new burdens and will not close the door to other improvements in administration that might be made.

Careful reading of the report of the committee which recommended a consolidation to the Mayor and of discussion of its report by and before the Council in committee, examination of the proposed ordinance which is now before you, and interviews with many familiar with the work of the city departments, leads to the conclusion that such support as has been given outside City Hall to this proposal must have been based solely on the theory that any ordinance which accomplishes a consolidation of several existing departments will be a benefit

to the city. Obviously, such a theory cannot be sound. An ill-advised grouping of departments and divisions of departments will defeat rather than help attain the desires of those who seek more efficiency in municipal administration at less cost.

The Finance Commission has always been sympathetic towards changes in the methods of administration of municipal affairs which gave prospect of more efficiency and economy. The commission was created for the purpose of exposing waste and extravagance, and promoting efficiency and economy. The commission, however, is opposed to this particular consolidation because, in the opinion of the members, it will not promote economy and it will multiply inefficiency. This opinion is shared by every one of many consulted who have had practical experience in the administration of municipal affairs.

The Falsity of the Claims for the Consolidation.

There has been much misinformation disseminated in regard to the source of the ordinance before you, and the results that will be obtained by it. Though the department to be created by it is referred to as "an engineering department," not more than 10 per cent of its activities will be engineering. The position at the head of this proposed department and the two next in line were intended by the Massachusetts Institute of Technology professors who made a study for the Mayor to be "civil engineers." Their report plainly recommended that.

The ordinance as drafted by some one else and now before you only requires for these positions "a recognized expert, . . . or a person specially fitted by education, training or experience . . ." This high-sounding description is only the general description required by the charter amendments of 1909 for all city department heads. All the department heads who have been appointed since 1909, except the public works commissioner, have been appointed under this general description.

The ordinance adopted in 1910, which created the present Public Works Department, requires that not only the Commissioner of Public Works but all his division heads must be "civil engineers." If, as claimed, the object of consolidation is to provide "a central engineering department," the requirements of this proposed ordinance are not in these respects as good as the requirements of the ordinance now in operation. The proposed ordinance conflicts with the written ideas of the professors to whom it is credited.

The Possibility of Economy in the Proposed Consolidation.

In the Mayor's first mention of the necessity for consolidation, which was in his campaign for election, he stated that consolidation was necessary to reduce city expenditures. The Mayor's recent pledge to you that no one will lose his or her job by it, which he has written into the ordinance, is in direct conflict with his original promise for it. This was that the departments were overmanned and that the city was receiving only 35 cents' worth for every dollar expended.

Public support for this proposed ordinance was first obtained because it was thought it was to be a means of reducing personnel and saving that 65 cents of every dollar spent. It will be a shock to the public to know that by the adoption of this consolidation the Mayor will abolish positions which now pay in salaries \$108,000, yet will create in place of them new positions paying salaries of \$118,500. This will tend to make what the Mayor called 35-cent service cost more than a dollar rather than less than a dollar.

Since no positions are to be abolished by the consolidation and the pay roll is, in fact, increased by it, it cannot be said to be a move toward economy.

The promise that eventually it will mean economy because as places become vacant by retirement or death, they will not be filled will likely prove to be only a false hope to the taxpayers. Not only have places so vacated in the past been filled by promotions and new appointments, but new positions have in fact been created. Whatever may be the present Mayor's future intentions in this respect, who knows what will be his successor's?

It does not require a heterogeneous conglomeration of departments to permit the inauguration of the policy to drop from the list of positions once established, as the occupants pass out of city service, those that have proven unnecessary. If the proposed consolidation is not to lower adminis-

tration costs—pay roll costs—the original motive of the agitation for consolidation has been sacrificed.

The Central Engineering Department Idea.

The basic idea of the professors who worked out this consolidation, that there should be "one central engineering department" with distinctly engineering functions is a good one. The Finance Commission is heartily in accord with it. The mess of departments created by this proposed ordinance, however, spoils the idea of "a central engineering department." It still leaves engineering scattered into many divisions, which is only another name for departments. It mixes with engineering matters that are not engineering at all. Chasing violators of the weights and measures law, exercising custody of the Faneuil Hall and Quincy Market and supervision of the licensees of market stalls, collection of garbage and refuse, regulation of the use of public buildings and supervision of janitorial service, operation of the Zoo and Aquarium and aviation field, planting of the Public Garden and other parks, regulation of street signs, and fruit and produce vendors, recording of the use of water and billing therefor, sale and care of cemetery lots, cannot by any stretch of the imagination be classified as engineering functions. They are "public works" only in the fact that they are public services.

Top-Heavy Administration.

One of the principal objections to this ordinance is that it centralizes a lot of power and administration in another super-official. He might well be called "the deputy mayor." It will make the municipal organization top-heavy. If the Mayor of the future is to be relieved of the duties performed customarily by the Mayor of the past, the salary of the Mayor should be reduced.

The Mayor's salary, now \$20,000, was fixed with the idea that he would be the official to whom all the city problems must eventually come for solution. This ordinance does not take away present authority from the Mayor. If, however, the Mayor is to continue to be the determining force in the operation of all the municipal services rendered by the departments that are merged into this new "engineering department," there is no necessity for creating such a super-official or super-board of management as this ordinance provides.

Other Consolidations More Feasible.

The Finance Commission believes that if this particular consolidation is adopted, it will not prove a success. Its failure will be used as an argument against much more feasible changes. The commission has claimed for years past that the work of the municipal corporation is spread among an unnecessary number of separated departments. It still believes that the forty-odd departments of appropriation can be contracted into fifteen or twenty with benefit to the city. The heads of these fifteen or twenty departments should constitute a mayor's cabinet, holding regular and frequent meetings with the Mayor and each other. Cooperation and coordination cannot be had without knowledge of each other's work and problems. Assurance of that cooperation is had in the Mayor's absolute power to remove recalcitrant department heads.

The Finance Commission recognizes that in asking you to reject the proposed consolidation now before you, the commission should have something to offer in its place. Accordingly, the commission offers some suggestions for changes that many sincerely interested in economy and efficiency in government believe have merit. These suggested changes should be considered by a competent committee.

Necessity for Study by More Experienced Municipal Administrators.

The eminent gentlemen who made the study for the Mayor apparently lacked practical experience in the management of municipal activities. They did not consult or interview department officials. It was admitted to the Council in committee that they did not visit the departments. Their recommendation does not provide a good grouping of municipal functions. That task is one for a committee composed of men who know from actual experience the day to day problems of the city departments.

The Finance Commission believes there are many officials now employed in city departments from whom the Mayor could better select a group

to restudy this question of consolidations. The entire city service to the people should be surveyed. It should not be the aim to obtain only one large consolidation. Several smaller groupings may accomplish more. In the last analysis it will be the men who are entrusted with the management of city activities more than the form of the organization that will count for most.

Other Suggestions for Changes.

From time to time in the past the Finance Commission has suggested changes in the set-up of the municipal organization. From time to time other agencies have suggested changes. Many of the changes submitted have distinct merit. Many of them will accomplish more in saving of taxpayer dollars and in promotion of efficiency in service than the consolidation worked out by the Mayor's Committee of 1935.

a. The Auditing Department.

The most necessary change now in the opinion of the Finance Commission is one that will strengthen the department known as the Auditing Department. If an auditor is to function at his best, he must be independent of all the expense incurring departments. He is not now on even so firm a basis as is the Sealer of Weights and Measures. The auditor can be removed on a minute's notice by the Mayor, whereas the sealer is given the protection that the civil service system affords.

A survey committee should find and recommend a means by which an auditor can feel that if in his opinion a bill, or a contract, or a pay roll is improper, he can refuse to approve it without jeopardizing his own job.

Providing continuity in office for an auditor dependent on good behavior and making him removable only on charges that must be sustained before an impartial authority is one way of strengthening the auditor. Providing for a term in office of longer duration than the term of office of Mayor to remove him is another.

Many also favor creation under independent authority of a department of finance with a commissioner or a comptroller at the head of it. Most of the large cities, notably New York, have such an independent department of finance. The authority to receive, pay out, and audit taxes and revenue is separated from the authority to incur the obligations for which the taxes and revenue are used in the ideal set-up adopted by most large cities. It is separated in the town form of government most common in Massachusetts.

b. The Engineering Department.

Rather than a new department to be known as an engineering department, the Finance Commission favors making a real planning department of the present City Planning Board. To date its work has been more or less confined to studies and surveys. Its actual planning has more often been rejected than adopted, though in fairness it must be said that the department has proven its capability and has had some outstanding achievements.

A real planning department, however, should embrace all the engineering functions. It should, after its studies and surveys, plan all municipal construction improvements, such as street construction, sewers, water works, buildings, etc. It should be the engineering service for all departments. In the present set-up of departments maintenance, engineering, regulation and service are scrambled. It is claimed that the ordinance now before you changes that situation, but as any familiar with municipal detail know, it accomplishes no such purpose. A functional set-up would have the departments separated so that it would not require that every department head must be "a jack of all trades."

c. Welfare.

Welfare activities are scattered. The work of the Public Welfare Department and the Soldiers' Relief Department are identical. The only difference is that in the Public Welfare Department it is for the poor, while in the Soldiers' Relief Department it is for the poor who were soldiers and their families. Then, there is somewhat similar welfare activity in the Institutions Department, the Hospital Department and the Assessing Department. There are many who favor a consolidation here and some who oppose it. A survey committee should study this situation.

d. Purchasing.

Purchasing is now scattered. The Supply Department buys a large percentage of the city's needs, but substantial purchases of furniture are made by the Public Buildings Department, and substantial purchases of stationery and office supplies by the Printing Department. The Hospital Department sometimes supplies its own needs of both furniture and other equipment, and sometimes the Hospital Department allows the Supply Department to contract for them. The purchases of the Long Island Hospital and the House of Correction are sometimes split the same way. Provision for a real centralization of purchasing should be studied by a competent committee.

e. Institutions.

Maintenance, in all that it implies, is common to all the city institutions. Administration of maintenance is scattered in as many departments as there are institutions. Because of this many have advocated a collection of institutions into one department. It is a worthwhile subject for a competent committee to study and report upon.

f. Permits.

The creation of a central permit office through which might be issued permits of many kinds which the laws now provide for has been advocated by officials now in service. Much time of permittees and much expense of maintenance of permit divisions in the various departments could be saved by the establishment of such a central office.

g. Building.

The location of the various regulatory services relating to builders and building in one department has been advocated.

h. Health.

The present Mayor obtained a study by experts who recommended an entirely new set-up of the Health Department. It remains unacted upon.

i. Public Safety.

The creation of a public safety department, merging the Police and Fire Departments, permitting central maintenance of the vast properties of the two departments, but still keeping actual police work and actual fire fighting separate and distinct through deputized control has likewise been frequently discussed. It is suggested in the report of the Mayor's Committee, and it has been in operation in other cities.

j. City Automobiles.

The central storage and control of all city-owned automobiles, the elimination of department-owned automobiles by the establishment of a central automobile service for all departments has been advocated. It has been in operation in other large cities.

k. The Transit Commission.

The Transit Department was established as a city department in 1918. At that time a salary was paid for services in this department to but a single commissioner, the chairman. The ex-officio members of the department (without extra salary) were the Public Works Commissioner and the City Treasurer. A return to that form, if deemed advisable by a competent committee, would save money. The service that this department is intended to provide would be handicapped by inclusion of it in such a department as the ordinance before you proposes.

l. Park Department.

The Park Department, having custody of parks, playgrounds, gymnasias, aviation field, cemeteries, beaches, baths, etc., is a vast department in itself. There would be no gain and much loss if it were merged with any other department. To its present jurisdiction should be added complete control of all municipal buildings, since it is principally a custodial department.

m. Public Buildings Department.

The Public Buildings Department now has an absurd variety of jurisdictions. The custody by it of the vast amount of real estate being acquired by the city on tax titles is alone a major job. During the Nichols administration the Finance Commission favored the creation of a separate department, or a new division of the Law Department, to take care of the many problems that

arise in connection with this class of property. A new set-up for this activity is much more needed now. The city will soon have many millions tied up in such property.

n. Street Laying-Out Department.

The Street Laying-Out Department is regarded by many as a hodgepodge of municipal activities, some of them duplications of similar service in other departments. A comprehensive city planning department might properly absorb the most important of its functions, the planning of streets.

The foregoing contains some of many suggestions offered by responsible agencies. Some of them would make possible distinct improvement in the set-up of municipal departments.

It is plain that the consolidation before you emanated from the idea that one central engineering department was best. Unfortunately, a committee unfamiliar with the details of city service recommended that everything that had even a remote relation to engineering should be thrown into it.

A more practical grouping of city departments than the present would make economy possible and more efficiency probable. The readiness with which a majority at the recent election favored tax limitation is clear evidence that the taxpayers want lower governmental costs. If lower costs can be attained by more efficiency, no time should be lost in comprehensive study of the possibilities. If this particular proposal is defeated—and the commission recommends its defeat—it is hoped that it will not mean the end of the attempt to seek more efficiency by consolidation of municipal departments.

The commission offers with this report a graph which shows exactly what is contemplated by the ordinance before you.

Respectfully submitted,

E. MARK SULLIVAN, Chairman,
PHILIP A. CHAPMAN,
ROBERT ROBINSON,
JAMES E. MAGUIRE,
JOSEPH A. SCOPONETI,
The Finance Commission.

Placed on file.

COLLECTION OF UNPAID WATER RATES.

Coun. PETER J. FITZGERALD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to inform the City Council what difficulties are involved in the collection of unpaid water rates by the lien method, so called, provided by sections 42A to 42F, inclusive, of chapter 40 of the General Laws, as amended by chapter 197 of the Acts of 1932, and what changes, if any, in his opinion, are required to make the said method more valuable for such collections.

Passed under suspension of the rules.

COAL FOR CERTAIN W. P. A. WORKERS.

Coun. BRACKMAN offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Overseers of Public Welfare to provide coal in cases where there are five or more in the family and the head of the family is employed under the W. P. A.

Coun. BRACKMAN—Mr. President, at the present time under the rules of the Welfare Department where there are six in the family and the head is on W. P. A. fuel is provided, but in cases where there are five it has not been. I am asking his Honor the Mayor to intercede with the Welfare authorities to provide fuel in cases where there are five in the families and the head is on W. P. A. I am reliably informed by the Welfare Department that the expense will not run over \$15,000 in a year. There are only a few hundred cases that would fall in this category.

The order was passed under suspension of the rule.

RESURFACING OF BRINSLEY STREET.

Coun. ROSENBERG offered the following:

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

to resurface with smooth paving Brinsley street, Ward 14, under the W. P. A. type of construction. Passed under suspension of the rule.

ADDITIONAL FIREMEN.

Coun. SELVITELLA offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to appoint three hundred additional men to the Boston Fire Department.

Coun. SELVITELLA—Mr. President, I have repeatedly in the past, together with other members of this body, advocated the appointment of additional men in what is now an undermanned Fire Department. Year after year various members have tried to arouse public opinion to a point where the extremely bad condition now existing would be realized. Yesterday we had a recurrence in my district of the sort of thing that has taken place for several years in different parts of the city, where we had fire apparatus reporting at a fire without a sufficient number of men to operate the apparatus in putting out the fire. Mr. President, let me take but a moment to state what happened in East Boston yesterday afternoon, in broad daylight. Just visualize for a moment the situation there,—a four-story brick building, three families and one store, with the fire breaking out in the store. There is directly opposite the place where this fire broke out the largest fire company in East Boston. There are two fire companies within a distance of 75 yards. Yet, in broad daylight, it was almost five minutes before a ladder was placed on that building, to help assist those who were screaming for help to get out. I do not charge that the men in the Fire Department are negligent. They are heroic men, men who have demonstrated in the past that they will give their lives if necessary in the performance of their duty. But when these pieces of apparatus arrive at a fire they are badly undermanned. In some cases there is only the chauffeur driving the apparatus. Such a condition is appalling. It is a terrible thing when lives must be sacrificed before the warning is heeded, a warning that has been given to us so many times in the past few years. I personally observed these men working under conditions that would not be tolerated in the smallest town in our state. There was a fireman who went up the ladder and who yelled for somebody to bring up the hose and after waiting five minutes he descended the ladder because nobody was available for this purpose, to assist him to save the lives of people in that building. How long, Mr. President, are we going to permit the buying of apparatus, without having a sufficient number of men to work the apparatus? Are we going to wait until we have a wholesale killing of men, women and children before those who are charged with this duty are going to appoint additional men in the Fire Department? In the past three years, to my knowledge, not a single person has been appointed from the civil service list, nor has any been replaced. Despite the fact that there are hundreds who have retired, died or been promoted, there is not one instance where a vacancy has been filled. Let us do what we can to stop this sort of thing. Let us take steps to remedy this defective condition that exists in that department. We have in process the new budget for 1937 and I hope the men who are charged with the duty of preparing that budget will plan to fill the vacancies on an undermanned Fire Department.

Coun. GEORGE A. MURRAY—Mr. President, I want to go along with the councilor from Ward 1 (Coun. Selvitella). Over in South Boston last week we had a terrible fire, and the only response to it was a lot of apparatus. There were not sufficient men available. It is certainly deplorable when a city as big as Boston has so much apparatus and no men. There are young men in South Boston who have taken the examination year after year, and have asked their councilors to intercede for them, so that they might become members of the Fire Department. But there have been no appointments, and we have been obliged to tell those young men, "We cannot get you into that department because they have absolutely refused to put more firemen at work." Is that a condition that we should permit in this city? I say no. Let us appoint a committee and go to the Mayor and ask him to see that provision is made in next

year's budget for the appointment of more men in that department, to take care of the present terrible condition.

Coun. DOWD—Mr. President, I believe it is about time that the authorities of the City of Boston should cease to take any notice of the so-called reform organizations—the defunct Good Government Association, the Municipal Research Bureau and others, which are clamoring for a reduction in the tax rates of Boston—and take action along the lines of putting men at work in places where they are needed. I think the Mayor of Boston knows the importance of taking action in this matter, recognizing the fact that the lives of citizens of Boston deserve paramount consideration. There is no question, I believe, that the Fire Commissioner and the Mayor will agree that something should be done in the department, and I am not criticizing them in any way. Conditions in Roxbury are as bad as they are in South Boston and in East Boston. Last week, at a fire on Dover street, I saw the driver, just one man, on fire apparatus. I say that the Mayor of Boston should cut out some of the high-priced department heads, men who are just sitting around and getting \$7,500 a year and doing absolutely nothing. If the City of Boston cannot afford to put 200 or 300 firemen at work, in our Fire Department, when they are so much needed, it is a sad state of affairs. Every member of the City Council, everybody connected with the city government, is desirous of keeping the tax rate as low as possible, but why not place the blame right where it belongs, with the Legislature? It must be realized that the Mayor has control of only 46 cents out of every dollar spent from the city treasury. I say that the whole thing is not fair. It is not fair to the citizens of Boston whose lives and whose property are at stake. I heartily agree with the councilors from East Boston and South Boston, and I say to the Mayor, regardless of all the reformers, regardless of the bluebloods and regardless of the defunct Good Government Association and other organizations, let us be practical. Let us protect the lives of our men, women and children.

Coun. PETER J. FITZGERALD—Mr. President, I want to add simply a word. Last week I spoke of this situation near Savin Hill in a neighborhood where we have a population of 7,000 to 8,000 people. When apparatus responds to an alarm it is insufficiently manned. I agree entirely with the arguments that have been presented by the councilors from East Boston, South Boston and Roxbury. I want to say at this time that if it were not for the courage, efficiency and ability of the present Fire Commissioner, things would be in a still more deplorable condition. He has the courage to fight these reform bureaus that want to cut down expenditures for firehouses and for increase of the personnel of the Fire Department, these people who, while wishing to curtail the expenses of this necessary department of our city, are willing to enter into all sorts of expenditures for other purposes. I cannot help calling to the attention of the body the heading of an article in the *Herald* on Friday, November 13: "\$3,450,000 traffic plan ready." That is a plan advocated by these same reform organizations that are crying out in favor of cutting down the personnel of the Fire Department and eliminating firehouses, crippling a department that means the protection of human life. The occurrence in East Boston yesterday was a catastrophe, a blot on the name of our city. I wonder if the same reform organizations will today advocate half a million dollars more in the budget of 1937 for more firemen and two more firehouses, or whether it will instead advocate this \$3,450,000 for carrying out of a traffic plan for the benefit of retail business in Boston. I am in favor of doing things that will improve our retail or our wholesale business, but our first duty as city officials is to protect human lives. I hope, therefore, that the Council will go on record in the 1937 budget as approving \$500,000 for firehouses and placing at least 300 more men in the department.

The order was passed under suspension of the rule.

FEEES CHARGED FOR LICENSES.

Coun. McGRATH offered the following:

Ordered, That his Honor the Mayor be requested to furnish the City Council with a list of fees charged for the various licenses issued by the Licensing Division of his office.

Coun. McGRATH—Mr. Chairman, I think my order follows well what has been said already in this Council. I was quite surprised at some of the license fees that are charged by the City of Boston. There is one of them that I would single out now, the fee for a circus. It is a very small fee. Let us just think for a moment of what happens. The circus comes to town—a wonderful thing for children and the grown-ups, but just think what money a circus takes out from Boston every year. They purchase very, very little here. They buy their food from Chicago, and buy as little as possible in Boston. I think it would be a good idea if we charged a circus about \$5,000 for a fee next year, and made a proportional charge to other enterprises, some of the corporations that are taking large amounts of money out of the public of Boston. Let us charge some of them on a pro rata basis, if possible. Some of them should pay \$1,000 a year, with an income of millions, and if we adopt some such practice we will not have to increase the tax rate. Let these enterprises pay the additional cost of putting on 300 firemen, and let us put on a few more policemen. I think if we raise some of the fees that are charged we will not have any difficulty in placing these extra people at work. I ask that this matter be taken up today.

The order was passed under suspension of the rule.

TAX ON TELEPHONES.

Coun. McGRATH offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to draft a bill for presentation to the incoming Legislature providing for a tax of 25 cents each on all home and office telephones and 50 cents each on all public and coin box telephones, as a means of producing additional revenue to the city, with no extra charge to the subscriber.

Coun. McGRATH—Mr. President, I am always trying to think of how we can reduce the tax rate of the City of Boston, helping the home owner and the rent payer. There is an old, old saying that what is good for the goose is good for the gander. Take these public utility companies. Referring particularly to the Telephone Company, at this time it is charging 25 cents a month for a French telephone. I don't mind saying that I haven't any. But if they can charge the subscriber 25 cents a month for the use of such a telephone, I think it would be a good idea to charge the Telephone Company 25 cents a month, to be paid for by the Telephone Company and not by the subscriber; also charging 50 cents a month on every coin box and 50 cents a month on every public telephone, to be paid for by the Telephone Company. Now, what does this mean? It means a great amount of revenue for the City of Boston. You talk on the telephone, whether one, two or three minutes, and the operator says, "Another nickel, please," and it is necessary for you to put in another nickel. There is no argument. If there is, you are cut off, and it is necessary to put in another nickel, anyway. If it is legal for the Telephone Company to charge 25 cents a month for a French telephone, it is just as legal for the City of Boston to charge them 25 cents a month, to be paid for by the Telephone Company.

The order was referred to the Executive Committee.

CHARGES OF THE NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY.

Coun. McGRATH offered the following:

Ordered, That the Superintendent of Public Buildings, through his Honor the Mayor, be requested to make a careful check and tabulation on monthly bills submitted by the New England Telephone and Telegraph Company, so that the City of Boston might be protected against excessive or overcharges by that company.

Coun. McGRATH—Mr. President, I don't know of anyone, and there is certainly no one with whom I have talked, who can show me an itemized bill from the Telephone Company. The Telephone Company says, "You owe \$1" or "You owe \$100." You pay it, or they will disconnect your telephone. I have checked up, and in checking up I have found one corporation that had courage enough to say, "I dare you, defy you, to disconnect our telephone." The bill that this particular corpora-

tion was rendered was \$75 in excess of what their records showed as the use of the telephone. The Telephone Company, after dickering with them for a month, crossed the \$75 off and said, "Forget about it." The president of this particular corporation interested an insurance company to check up on individual calls. The insurance company at the end of a month was sent an excess bill of \$125, as compared with their records, and after dickering for three months the Telephone Company crossed off that bill. But they were corporations, they were able to hire and retain attorneys to fight such charges. But what about the individual? I have heard about, and I know about, the situation as far as individuals are concerned. When such a situation arises your telephone is simply disconnected. I think, Mr. President, it is about time that we here, elected officials, did something to protect our constituents against this public utility whose word is final.

Coun. ROBERTS—Mr. President, I know that the councilor who has just spoken will be glad to know that several years ago in this body I was the author of an order that was introduced along this line, dealing with the high price charged for French telephones. Shortly after I received information that the state of New York had ordered the Bell Telephone Company in that state to reduce its charges. We demanded at that time that the Public Utilities Department of this state take similar action in the matter. I think it lies entirely with the Department of Public Utilities to take the action suggested by this order.

Coun. WILSON—Mr. President, I agree entirely with the councilor who has offered this order that it would be a good idea to check personally in offices and places of business telephone calls. I would say, personally, with regard to my own office telephone service, that the number of calls charged against me reached such a point that I decided to keep a record, and I found a spread of between 75 and 100 calls against me, including toll calls to Rhode Island, Vermont and other places, that I had obviously not put through, many of them at a time when I was not in the state, for instance, last June when I was attending various conventions. I firmly believe that not only for corporations but the average individual in his office, a great saving could easily be made if a check were kept on the phone calls going out, that there is an unfair and unjust charge made on these telephones in the course of a year.

The order was passed under suspension of the rule.

COOPERATION IN CAMBRIDGE TELEPHONE RATE CASE.

Coun. McGRATH offered the following:

Ordered, That the Corporation Counsel, through his Honor the Mayor, be requested to cooperate with the City of Cambridge in the investigation being conducted by that city of the rates for service charged by the New England Telephone & Telegraph Company.

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to draft a bill for presentation to the incoming Legislature providing that the New England Telephone & Telegraph Company be prevented from disconnecting the telephone service of any subscriber until such time as a hearing is held before the Public Utilities Commission.

Coun. McGRATH—Mr. President, on the first order I understand that the Mayor of Cambridge appropriated through the City Council \$5,000 to investigate the charges of the telephone company, and sending a representative to the Department of Public Utilities, and I think it would be well at this time if the Mayor of Boston cooperated with the Mayor of Cambridge in seeking information on this matter, as a basis for action. A report made some few years ago stated that Boston and Massachusetts supported the entire New England telephone rates. Is this justice, that the people of Boston and Massachusetts should support the rest of the New England States so far as the telephone company is concerned? I say, no. I say, let them pay their way and we will pay ours. On the second order, Mr. President, as I have already stated, they disconnect a telephone and that is all there is to it. They have the final say. I believe that if we here, as an elected body representing the

citizens of Boston and each one of us representing his constituents, stand up and fight this company, we will get somewhere.

The orders were passed under suspension of the rule.

NAMING OF SCHOOL OR HIGHWAY FOR JUSTICE BRANDEIS.

Coun. NORTON, Coun. ROSENBERG and Coun. BRACKMAN offered the following:

Ordered, That the Mayor of Boston consider the advisability of naming a suitable school or public highway in Boston after the Hon. Louis Dembitz Brandeis.

Passed under suspension of the rule.

OIL FOR WELFARE RECIPIENTS.

Coun. NORTON offered the following:

Ordered, That if it is so that welfare recipients in Boston are not to be supplied with range oil until December 1, that the Mayor of Boston consider the advisability of amending this order so that recipients may obtain oil during the cold weather before December 1.

Passed under suspension of the rule.

LICENSE OF WHITE FUEL CORPORATION.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to inform the City Council whether or not there is any action which can now be taken by the City of Boston to nullify the license of, or prevent the establishing of an oil field on the site owned by the White Fuel Corporation at First street, South Boston.

Passed under suspension of the rule.

NAMING OF JOSEPH FASANO SQUARE.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That the square at the junction of I and Third streets, South Boston, be named Joseph Fasano Square, in honor of Joseph Fasano, who lost his life in action during the World War.

Passed under a suspension of the rule.

COMPENSATION FOR STATE ELECTION SUPERVISORS.

Coun. JOHN I. FITZGERALD offered the following:

Ordered, That under the provisions of section 23, chapter 54, of the General Laws, the compensation for supervisors appointed to act in the recent State Election in the various wards of the city be fixed at the rate of \$9 per day.

Passed under suspension of the rule.

\$25 REAL ESTATE TAX LIMITATION.

Coun. ROBERTS offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of appointing a committee for the purpose of investigating and ascertaining the effect which the proposed \$25 real estate tax limitation would have on the present municipal services, particularly the Fire, Police and School Departments; and whether or not the enactment of a sales tax on all retail purchases would be necessary to prevent the curtailment of any of these municipal services in the event of the adoption of the proposed \$25 tax rate; and be it further

Ordered, That the said committee consist of the City Auditor, the President of the Chamber of Commerce or other representative of that organization, and such other representative civic groups as the Mayor may see fit to appoint.

Coun. ROBERTS—Mr. President, just a word with regard to that order. The people of this

county voted, I understand, three to one in favor of the \$25 real estate tax. That action was apparently taken without any information as to what the thing meant and how the desired result was to be accomplished. I think, while there is still time for sufficient study, before the incoming Legislature sits, it might be well for the Mayor's office to take some such action as is suggested here, with a view to obtaining reliable information on this very important question. We should know something about the effect it will have on the budget, whether the \$25 limit can be imposed without interference with our municipal activities, without the discharge of city employees and without cutting off municipal service. That is the first point. Secondly, the question arises whether, if this goes through, a sales tax will be necessary. I think the merchants of the city should be given an opportunity to see whether this will involve a sales tax or some other tax, and what their feeling, as well as the feeling of citizens generally, might be in regard to a thing of that kind. I think this should be brought to the attention of the Mayor and that a committee, covering different interests in the city, should be appointed to consider the question. Let them look into the matter with a view to seeing how it affects the ordinary citizens of the city and the business interests as well. I would, therefore, suggest that if there is to be such a committee, the Mayor of course appointing such a committee as he sees fit, that it might be well to appoint upon it a representative of the Chamber of Commerce and representatives of the different interests concerned in the city.

The order was passed under suspension of the rule.

LIMITATION ON REVENUE LOANS.

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

1. Ordered, That the right to borrow money, the proceeds to be used to pay revenue loans of 1935, under the provisions of section 1, chapter 281, of the Acts of 1936, amending section 2 of chapter 49 of the Acts of 1933, approved by the Acting Mayor on July 2, 1936, be limited to \$3,000,000, and that the authorization to borrow in excess of said amount for said purpose be, and the same hereby is, rescinded.

On November 9, 1936, 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.

APPROPRIATION FOR VOTING MACHINES.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of appropriating the sum of \$10,000 to be expended under the jurisdiction of the Election Department to install voting machines for experimental purposes.

Coun. WILSON—Mr. President, this is along the line of an order introduced here a week or so ago, except at that time no amount of money was mentioned. It is in the nature of a suggestion. I believe personally that it will be an additional guaranty of accuracy and speed in counting the votes on election day, and that the expense of installing such machines is more than warranted. I feel that it is high time for us to fall in line with most of the great cities of the country in this respect.

The order was passed under suspension of the rule.

COMPLETION OF STREET AND SIDEWALK CONSTRUCTION.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Commissioner of Public Works, and to urge upon the W. P. A. authorities, that all streets and sidewalks now under construction or being resurfaced or repaired be promptly completed before any cessation of work for the winter season, or else placed in a safe and passable condition.

Coun. WILSON—Mr. President, I assume that most of the members of the Council have received complaints similar to those that I have been receiving for the last week or ten days, because,

while the average home owner and property owner appreciates the difficulties that arise in work on an old street or in the putting through of a new street, because of weather conditions or otherwise, nevertheless the W. P. A. authorities and the Public Works Department have in many instances been caught by the sudden approach of the winter season. I have in mind such thorough-fares as Milton avenue, going through from Norfolk street to Gallivan Boulevard. That street for a great distance is almost completely torn up at the present time with edgestones, gravel, all sorts of material piled along by the curbs, into the street, and up to the middle of the sidewalk, being a threat to passers-by and there being no protection by warning light. I appreciate the fact that the work is handicapped by the weather, but I also realize the danger and the inconvenience to home owners and to people going along the street because of the condition. I would urge, therefore, that the work be promptly completed, or, if that is not possible, that at least the sidewalks be placed in passable condition, that something be done for the safety and convenience not only of the people walking along the streets but for the traffic passing through. At the present time it looks very much as if the plan was to leave the street in this highly dangerous condition.

The order was passed under suspension of the rule.

PROPOSED DEPARTMENTAL REORGANIZATION.

Coun. TOBIN—Mr. President, I move that the Council do now adjourn.

Coun. NORTON—Mr. President, before putting that motion—

Coun. TOBIN—Mr. President, I withdraw the motion.

Coun. NORTON—Mr. President, I desire to make an oral motion that the experts appointed by the Finance Commission to draw up the report in regard to the proposed consolidation of city departments, together with the experts from the Institute of Technology and others, come before a meeting of the City Council. I think that very interesting data has been presented, and that we should have a chance to hear something more about it.

Chairman GALLAGHER—The Chair would rule that that is a matter for the Committee on Ordinances to take up.

Coun. NORTON—Mr. President, might I ask the chairman of the Committee on Ordinances, this being a very important matter, to take action looking to the committee considering the matter next week?

Chairman GALLAGHER—Being chairman of the Committee on Ordinances, let me say that I shall be very glad to do so.

TAX-FORECLOSED REAL ESTATE.

Coun. NORTON—Mr. President, we have received today a letter from the Municipal Research Bureau, which I have not had an opportunity to look over carefully, and I don't know whether my colleagues have had or not, but it seems to express views contrary to some of the views of councilors as stated in the record.

Chairman GALLAGHER—The letter is in the minutes.

Coun. NORTON—Well, I didn't know but what the other side of the story should be put in. I don't know what the other side is, and I would like to get it.

Chairman GALLAGHER—Councilor Tobin moves that we do now adjourn.

Coun. GLEASON—Mr. Chairman, I move that we take a recess for five minutes.

The Council took a recess from 3 p. m. to 3.05 p. m.

REPORT OF COMMITTEE ON PUBLIC LANDS AND TAX TITLES.

Coun. KERRIGAN, for the Committee on Public Lands and Tax Titles, submitted the following:

1. Report on order (referred May 4) for sale of land at corner of Tremont and Sterling streets—that same ought to pass.

The report was accepted and the question came on the passage of the order.

Coun. WILSON—Mr. President, with reference to the request of Councilor Norton, may I ask, first, whether the letter of November 20 from the Boston Municipal Research Bureau is in the record?

Chairman GALLAGHER.—Yes.

Coun. WILSON—Mr. President, Councilor Norton suggests an answer by some member of the committee in reference to some points raised by that letter. I would like to state, first of all, that the committee made a very full report not only as to the twelve parcels reported upon by the committee but as to the general principles the committee intended to lay down in acting upon these matters, on October 26, 1936, starting at page 343. I notice in this letter from the Boston Municipal Research Bureau that it points out, for example, that the amounts due the city in no way indicate the value of the property concerned. That may be so, but it occurred to most of the committee that where a small parcel of land—for instance, the parcel referred to at our last meeting, on Washington Heights avenue, West Roxbury, was assessed for only \$200, where it had been sold for back taxes four, five or six years ago, and put through the Land Court, and where no former owner, mortgagee or prospective bidder had even come in and offered a dime for the property, those facts might throw some light on the question as to whether there was any particular demand for such a parcel. The Research Bureau also pointed out the advantages of a public auction with an opportunity for open competition in bidding. I might say, in response to that, that generally speaking I will agree with that practice. It is also suggested that some small real estate man or local buyer, if he thought he could buy a parcel for the amount that the city was stuck, might go out and borrow the money at a lower price than the property would bring under the red flag. That, too, might be the case in large parcels of land. But here we are dealing with very small parcels of land, and there is a very serious question whether we should go to the unnecessary expense of a public auction on public land where the amount involved is small. Taking the twelve properties reported upon by the City Council on October 26, seven involved taxes of less than \$200 and two taxes of less than \$100. I do not agree with the Municipal Research Bureau that the mere formality of going through an auction under the red flag necessarily means the obtaining of higher prices. Where the amount involved is large that would very likely be so, but where the amount is small and where you consider the expense of advertising, not only in the *City Record*, but in the newspapers of the City of Boston, particularly the local papers, it is a very different question. The committee felt, for example, that on a parcel of land, such as the parcel referred to last week out in Ward 20, on Washington Heights avenue, where the land had been assessed for only \$200 and where the amount due the city was but \$82.99, a vacant piece of land without any building, where we had an offer from a local man of \$100, it would be ridiculous to advertise in the *City Record*, the *Globe* and the *Traveler* and some paper in West Roxbury, where the proposed auction sale would probably not bring much more than \$100. The committee agrees that, in the case of more valuable parcels of land, where the expense of the auction and advertising would not be out of all proportion to the value of the land, there should not be private sales. The committee feels that, in cases where the amount involved is very small and where, besides the amount being very small, the amount that the city is stuck is also small, also considering the greater relative expense of public auction and advertising in the case of small parcels of property, there is no reason in God's world why the property should not be sold at private sale. With reference to parcels of more value, I am sure the majority of the committee agree with this report of the Research Bureau that there should be a public auction.

The order was passed, yeas 19, nays 0.

THE NEXT MEETING.

On motion of Coun. NORTON it was voted that when the Council adjourn it be to meet on Monday, December 7, 1936, at 2 p. m.

Adjourned, on motion of Coun. TOBIN, at 3.13 p. m., to meet on Monday, December 7, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 7, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., Coun. GALLAGHER in the chair. Absent, Coun. Gleason, Kilroy and Peter A. Murray.

JURORS DRAWN.

Jurors were drawn under the law, Coun. PETER J. FITZGERALD presiding at the jury box, in the absence of the Mayor, as follows:

Twenty-two grand jurors, Superior Criminal Court, to appear January 4, 1937:

Philip G. Freeman, Ward 1; John E. Smith, Ward 9; Theophilus H. Clark, Ward 10; John J. Drome, Ward 10; Arthur R. Neary, Ward 10; George J. Hargraves, Ward 11; John A. Mahony, Ward 12; Gilbert F. Marks, Ward 13; John H. Marston, Ward 13; Benjamin Frank, Ward 14; Irving Miller, Ward 18; John H. Marsh, Ward 19; Timothy E. Rogers, Ward 19; Edward E. Russell, Ward 19; Henry H. Adolph, Ward 20; Albert G. Hall, Ward 20; John F. West, Ward 20; Joseph F. Magann, Ward 21; John J. Cavanagh, Jr., Ward 22; Thomas J. Felton, Ward 22; Frederick J. Finn, Ward 22; Thomas E. Russell, Ward 22.

Seventy-four traverse jurors, Superior Criminal Court, to appear January 4, 1937:

Joseph DeSimone, Ward 1; Charles H. MacMasters, Ward 1; William J. Walsh, Jr., Ward 1; Michael A. McLanay, Ward 2; Patrick J. McGonagle, Ward 2; Daniel J. Noonan, Ward 2; Peter F. Sullivan, Ward 2; Frederick M. Wiley, Ward 2; Joseph Amato, Ward 3; Joseph Bennett, Ward 3; James Long, Ward 3; Felix Rossi, Ward 3; Ralph Sozio, Ward 3; William O. Randall, Ward 4; Charles J. Sheperd, Ward 4; Charles A. Taylor, Ward 4; James E. Truesdale, Ward 4; Walter Comerford, Ward 5; Harry R. Marr, Ward 5; Charles E. Nichols, Ward 5; Arthur T. Noonan, Ward 5; Patrick T. Farrell, Ward 6; Frederick R. Cole, Ward 7; George T. Frawley, Ward 7; Vernon E. McLean, Ward 7; Joseph G. Petchell, Ward 7; William H. Smith, Ward 7; James Walker, Ward 7; Michael J. Bowen, Ward 8; Charles W. Duffley, Ward 9; W. Edward Matson, Ward 9; Joseph C. Santy, Ward 9; Harry H. Arkelyan, Ward 10; Michael J. Brennan, Ward 10; Alfred Davies, Ward 10; Otto Franke, Ward 10; Ernest A. Oettinger, Ward 10; Henry E. Hanna, Ward 11; Abraham S. Shubow, Ward 12; John F. Dwyer, Ward 13; Ralph W. Jones, Ward 13; Earl G. Romanske, Ward 13; Samuel Rosenberg, Ward 14; Harold J. Welch, Ward 14; Samuel A. Williams, Ward 14; Oscar H. Johnson, Ward 15; Ernest R. MacConnell, Ward 15; George J. Walsh, Ward 15; Robert W. Garland, Ward 16; Frank L. Savage, Ward 16; Mark A. Barnett, Ward 17; Leon W. Barritt, Ward 17; James J. Brabazon, Ward 17; Edward J. Barron, Ward 17; Frederick A. Polard, Ward 17; Freeman C. Hardy, Ward 17; Ralph C. Ferris, Ward 18; Ralph R. Hammer, Ward 18; Frederick J. O'Brien, Ward 18; John T. Gorman, Ward 19; Charles J. Landen, Ward 19; George W. Loojey, Ward 19; Thomas R. Madden, Ward 19; Joseph A. Phillips, Ward 19; Henry J. Woods, Ward 19; James E. Aitken, Ward 20; Edward J. Fein, Ward 20; Benjamin E. Grant, Ward 20; Edward J. Haley, Ward 20; Edward S. Carroll, Ward 22; Benjamin H. Farrar, Ward 22; James A. Mulligan, Ward 22; John A. O'Halloran, Ward 22; James T. Sullivan, Ward 22.

Sixty-five traverse jurors, Superior Civil Court, January Sitting, to appear January 4, 1937:

Joseph A. Cardillo, Ward 1; Herbert Lowney, Ward 1; Edward McCarthy, Ward 1; John F. Quinn, Ward 1; John A. Perry, Ward 2; Richard E. Sullivan, Ward 2; James E. Cummings, Ward 3; Patrick S. Palmer, Ward 3; Chester W. Bartlett, Ward 4; Vincent F. Crowley, Ward 4; Charles A. Jansen, Ward 4; John J. McGowan, Ward 4;

Fred S. Paul, Ward 4; William J. Ross, Ward 4; James J. Hayes, Ward 5; Matthew D. Flynn, Ward 6; Charles J. Mitchell, Ward 6; John A. Mooney, Ward 6; Robert E. Olson, Ward 6; Francis N. Zuck, Ward 7; James H. Waldron, Ward 7; Albert J. Hanna, Ward 9; Thomas Muldoon, Ward 9; George Savage, Ward 9; Frank J. Vatter, Ward 9; Leo H. Willett, Ward 9; Roy S. Chapman, Ward 10; Joseph A. DeNomme, Ward 10; Henry D. Avery, Ward 11; Michael J. Twohey, Ward 11; William Carr, Ward 12; George Cummings, Ward 13; Edward Force, Ward 13; Joseph L. McNiff, Ward 13; Ernest J. Brown, Ward 14; Philip Michelson, Ward 14; Hugh A. Waterman, Ward 14; Simon F. Griffin, Ward 15; Herbert J. Ochs, Ward 15; Charles K. Donohue, Ward 16; James A. Finigan, Ward 16; George W. Goodwin, Ward 16; Harold I. Mann, Ward 16; Frederic W. Hooper, Ward 18; Richard E. Kelly, Ward 18; Robert T. O'Brien, Ward 18; Allan P. Spencer, Ward 18; Alfred J. Brooks, Ward 19; John H. Burke, Ward 19; Harry P. Cooke, Ward 19; Carl A. Davison, Ward 19; Frank L. Hener, Ward 19; James T. Hickey, Ward 19; Arthur F. Higgins, Ward 19; Edward J. Kinlon, Ward 19; Charles C. Grant, Ward 20; Harry H. Humphrey, Ward 20; Joseph A. Kern, Ward 20; Henry Finch, Ward 21; Maurice Kaplan, Ward 21; Charles W. McCarthy, Ward 21; Wilbur A. Davison, Ward 22; Michael P. Finnegan, Ward 22; John A. McIsaac, Ward 22; Wadleigh B. Phillips, Ward 22.

VETO OF ASSISTANT PROBATION OFFICER SALARY.

The following was received:

City of Boston,
Office of the Mayor, November 24, 1936.
To the City Council.

Gentlemen,—I return herewith without my signature and disapproved the order adopted by your Honorable Body on November 9, 1936, whereby the salary of Scott H. Rose, assistant probation officer on the Municipal Court of the Dorchester District, would be increased from \$2,000 to \$2,500 per annum.

With few exceptions the several departments of Suffolk County in the matter of classification of rank and compensation are controlled by the "Compensation and Classification Plans for the Officers and Employees of Suffolk County," and it would not be inappropriate at this time to suggest that legislation be considered to the end that the several probation officers and their assistants in Suffolk County be classified and that their compensation be fixed in accordance with such classification, thus dealing with the probation officers as a group rather than as individuals, as this order seeks and several previous orders have sought to provide.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Coun. WILSON—Mr. President, the situation as it presents itself, in view of this message, is a little confusing, to say the least. My memory is that this assistant probation officer in the Dorchester Court made no request of any member of the Council. The original order giving him an increase did not initiate in the Council. My memory is that the original order for the transfer of an additional sum of money, with the request for an increase, came through the Mayor's office, the order calling for this increase of \$500. I cannot exactly understand the situation whereby the Mayor now vetoes the order.

The communication was placed on file.

APPROPRIATION FOR MUNICIPAL EMPLOYMENT BUREAU.

The following was received:

City of Boston,
Office of the Mayor, December 7, 1936.
To the City Council.

Gentlemen,—I am advised by the Director of the Municipal Employment Bureau that funds available for the operation of the Bureau are practically exhausted, and that an additional appropriation should be made at this time to

permit the carrying on of the activities of the Bureau. In my opinion the activities of the Bureau should be continued, and I therefore submit herewith an order providing for the appropriation of \$5,000, and respectfully recommend its adoption by your Honorable Body.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

Ordered, That the sum of \$5,000 be, and hereby is, appropriated, to be expended by the Municipal Employment Bureau, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund.

Referred to Executive Committee.

APPROPRIATION FROM PARKMAN FUND.

The following was received:

City of Boston,
 Office of the Mayor, December 2, 1936.
 To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Board of Park Commissioners requesting the transfer of the sum of \$19,000 from the income of the George F. Parkman Fund to the Maintenance and Improvement of the Common and Parks in Existence on January 12, 1887.

I submit herewith an appropriation order and respectfully recommend its immediate passage by your Honorable Body.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Park Department, December 1, 1936.
 Hon. Frederick W. Mansfield,
 Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to request the City Council to transfer from the income of the George F. Parkman Fund the sum of \$19,000 which is now available, to be expended under the direction of the Board of Park Commissioners, as follows:

Common and Parks in Existence on
 January 12, 1887, Maintenance and
 Improvement of \$19,000

When making up the budget estimates for the year 1936, a sum equal to the total yearly income of the George F. Parkman Fund was deducted from Item A-1, Permanent Employees, with the understanding that this deduction was to be replaced by the total yearly income of said Parkman Fund for 1936, to be transferred, as it accrued from time to time, during the year to the regular maintenance appropriation of the Park Department.

Respectfully yours,
 WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$19,000 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:

Common and Parks in Existence on
 January 12, 1887, Maintenance and
 Improvement of \$19,000

Referred to Executive Committee.

USE OF TRUCKS IN COAL AND OIL DELIVERIES.

The following was received:

City of Boston,
 Office of the Mayor, December 5, 1936.
 To the City Council.

Gentlemen,—I transmit herewith a communication from the Executive Director of the Overseers of the Public Welfare relative to your order of November 16, 1936, concerning the use of trucks in the delivery of coal and oil to welfare recipients.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Overseers of the Public Welfare.

November 30, 1936.

Mr. John F. Gilmore, Jr., Assistant Secretary,
 Mayor's Office.

Dear Sir,—Answering further the order of the City Council relative to informing coal contractors delivering coal and oil to welfare recipients that if additional trucks are needed they should be hired from Boston residents, I am now in receipt of letter from the Superintendent of Supplies as follows:

"I have received your letter of November 25, 1936, re order passed by the City Council requesting that all additional trucks hired by coal and oil contractors be registered in the name of Boston residents.

"The contractors have been so notified today."

Yours truly,
 JOHN C. L. DOWLING,
 Executive Director.

Placed on file.

1937 POLICE LISTING.

The following was received:

City of Boston,
 Office of the Mayor, November 24, 1936.
 To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner relative to your order of October 19, 1936, concerning the 1937 police listing.

Respectfully,
 FREDERICK W. MANSFIELD, Mayor.

City of Boston,
 Police Department, November 23, 1936.
 Mr. John F. Gilmore, Jr., Assistant Secretary,
 Mayor's Office.

Dear Sir,—Replying to your communication dated November 2, attaching copy of City Council order dated October 19, which reads:

"Ordered, That the Police Commissioner be requested, through his Honor the Mayor, incident to the 1937 police listing, to consider the advisability of using only day men on police listing work, utilizing the services of officers in the Traffic Division and such divisions as Division 2 for work in other sections, and to issue an order to the captains in the various divisions for no report on police listing to be made sooner than twenty days from January first."

I am in receipt of a report from Edward W. Fallon, Superintendent of Police, stating that he is of the opinion that no benefit will be obtained by adopting the City Council order, and recommends that the present policy of the department in respect to police listing be maintained.

The suggestion that the services of officers in the Traffic Division and such divisions as Division 2 be utilized for work in other sections is not feasible as the officers of the Traffic Division and Division 2 perform a most important duty in the business section of this city in the protection of large business establishments, and the guidance and safety of pedestrian and vehicular traffic in the most congested section of the city.

Having in mind the duties performed by officers assigned to automobile patrol, special duty, court attendance, school crossings, and one day off in eight that is allowed officers, it would not be practicable to adopt this change at this time, especially in view of the fact that there is a shortage now of 309 patrolmen in the department.

Very truly yours,
 E. M. McSWEENEY,
 Police Commissioner.

Placed on file.

EAST BOSTON FIRE.

The following was received:

City of Boston,
 Office of the Mayor, November 27, 1936.
 To the City Council.

Gentlemen,—In reference to the fire in East Boston on November 22, 1936, which has been referred to before your Honorable Body, I beg to say that I am in receipt of a report from the Fire Commissioner which seems to indicate that no blame could be attached to the Boston Fire Department for its manner of handling the blaze.

There were three charges made as follows:

1. That there were no life nets in the equipment of Ladder 2 or Engine 9.
2. That only three men were in active service in one of these companies.
3. That these companies did not respond to the scene of the fire for five minutes after the alarm.

In answer to the first charge, I am informed by the Fire Commissioner that there were two life nets in the fire station, one on the truck of Ladder 2 and one on the pumper of Engine 9.

In answer to the second, I am informed that instead of three men on the ladder truck there were four men and, this station being a double house, this crew was augmented by four men and an officer by Engine Company 9 making a total of nine men for duty in that single fire station at that particular time.

As to the third charge:

Records on file at fire headquarters show that Engine 9 responded in about one quarter of a minute and Ladder 2 in less than one half a minute. Engine 40, located at Sumner and Orleans streets, reached the fire in one minute from the time the alarm was received. Ladder Company 31, Saratoga street, reached the fire in one and one-half minutes. Engine 5, Marion street, reached the fire in two minutes. District Chief Boutillier, who is stationed on Marion street, reached the scene in one and one-half minutes.

The report of the district chief in charge of the fire, he being a responsible fireman for many years, cannot be refuted. In conjunction with Chief Boutillier's report he has submitted to me the names of several citizens who voluntarily gave him the information that the unfortunate victim of the fire, Mr. Leo Forte, jumped before anyone could have the opportunity of assisting him. According to the witnesses and the chief, Mr. Forte appeared at the window, retired to the deeper recesses of the room from which he leaped, and the next second catapulted himself to the sidewalk, an apparent victim of fear-craze caused by the explosion and the intensity of the flames which almost immediately enveloped the building. The names of the citizens who volunteered this information are on file at headquarters.

I am informed that other citizens have come to District Chief Boutillier and have informed him that they are ready to testify if it shall be necessary to the truth of the statements of the Fire Department's officers.

I am also informed that the members of these same companies, Ladder 2 and Engine 9, performed in a most heroic manner when called to Box 6139 on the evening of November 9, 1936. Not only were they successful in saving the lives of three women but Privates McCarthy, McDonald, Powers, Bishop and Pellegrine were themselves in great danger of serious illness and injury in rendering this heroic service. Ladderman Pellegrine had to be removed to the Relief Hospital and at this writing is still a very sick man. All of these men have been recommended for commendation by Deputy Chief Louis C. Stickel of Division 1 and their cases will unquestionably be referred to the Board of Merit for further consideration of their outstanding act.

After personal conversation with the Fire Commissioner and Chief of Department Pope I am pleased to report to your Honorable Body that I am thoroughly satisfied that not only was the Fire Department efficient in all respects in handling this particular fire but that it functioned so creditably that it brought still greater honor to the city that they serve so well.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Coun. SELVITELLA—Mr. Chairman, it is not my desire to enter into any controversy with the Fire Commissioner. In the first place, I cannot understand how this report is now before the Council, because I did not ask for any investigation. The records of November 21 speak for themselves, and, with regard to some of the charges that are supposed to have been refuted by the district chief, who else should refute these charges but the district chief, who is responsible for the safety of the persons in the building. The Mayor makes reference to Ladderman Pellegrine being injured during the course of the fire. Let me call the attention of the Mayor to the fact that the informa-

tion he has received from the fire chief is different from what I have received, because I understand that Pellegrine was not injured in that fire but at a previous fire. In reference to the life net, I have witnesses who will testify that when they opened the box supposed to contain a life net, the life net was not to be found. Necessarily, the district chief is going to refute that charge, and they have had plenty of opportunity to replace the life net since the fire. I don't want to get into any controversy on this matter, but I can produce the testimony of spectators if a public hearing is held. If they have witnesses, so have I. When they say that the fire apparatus arrived at the scene of the fire in one and a half minutes, I do not refute that, but I do say that there was not a ladder placed against that building for a period of five minutes. That is no reflection on the men of the department who were there, but it does show conclusively that the Fire Department is undermanned. Only three men arrived on that fire truck, the largest in East Boston. While the ladder may have been left alongside the building, it did not go up against the building for five minutes. When the Mayor says that the boy in the building was fire-crazed, yes, and so would you or I be fire-crazed if we looked out the window and saw the men trying to lift the ladder and being unable to do so. Naturally, under those circumstances a person with flames on his heels would be fire-crazed. Now, if they want the truth, let them bring their witnesses, and I will be there with witnesses. As far as the life net is concerned, I repeat that there was a box with "Life Net" marked on it, but there was no life net to be found in that box.

The message was placed on file.

RENOVATION OF PROPERTIES.

The following was received:

City of Boston,
Office of the Mayor, November 30, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication from the chairman of the Boston Housing Authority, relative to your order of November 16, 1936, concerning the use of Federal Government funds for the renovation of properties.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Boston Housing Authority,
December 1, 1936.

To Honorable Frederick W. Mansfield, Mayor.
Subject: City Council order, November 16, 1936.
"To make a complete investigation of all properties located in the older parts of Boston that would be considered for 'slum clearance' in order that the city might take advantage, if it sees fit, of Federal Government funds for the purpose of building, or for loaning to the present holders of real estate money with which to renovate their properties."

Memorandum.

With the limited financial means at our command we are making a survey of possible projects for the elimination of substandard dwellings in the older sections of Boston. In anticipation that Federal funds will at some time in the more or less approximate future be available for the purpose of demolition and reconstruction, we are paying particular attention to the original South Boston project which was carried through to a considerable point and then abandoned by the Federal Government, and are hopeful that we can pick this project up where it was dropped, if, as, and when Federal funds are made available for our purposes. We feel that this is a good project and is typical of the clearance sought as well as being a fair attitude to take towards the property owners whose rights were partially taken from them and left suspended in litigation and then finally abandoned by the Federal Housing Authority. I expect within a comparatively short time to have something definite to report on this particular project. To make surveys in other sections of the city would be impossible because of the very limited financial means at our command.

Respectfully,
FRANCIS J. MURRAY, Chairman.
Placed on file.

HARVARD UNIVERSITY TRICENTENARY CELEBRATION.

The following was received:

City of Boston,
Office of the Mayor, November 25, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication received from Harvard University expressing the thanks of its President and Fellows for the participation in the celebration of the tricentenary of Harvard College by the City of Boston.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

(Accompanying the letter was a communication expressing the thanks of the President and Fellows of Harvard University for participation in tricentenary celebration by the City of Boston.)
Placed on file.

TRANSFER TO APPROPRIATION FOR REDEMPTION OF SERIAL LOANS.

The following was received:

City of Boston,
Office of the Mayor, November 23, 1936.
To the City Council.

Gentlemen,—I transmit herewith a letter from the City Auditor recommending the transfer of the available balance of the "Civilian War Poll Tax Refund," amounting to \$3,206.74, to the appropriation for Redemption of Serial Loans. I also submit an order authorizing said transfer and respectfully recommend its adoption.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Auditing Department, November 18, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—In November, 1924, the City received \$395,706.74 from the Commonwealth as its share of the "Civilian War Poll Tax Refund." Under the provisions of chapter 480 of the Acts of 1924 this money could be used to pay indebtedness or for purposes for which the city is authorized to issue debt under the provisions of sections 7 and 8 of chapter 44 of the General Laws.

Subsequent to the receipt of this money the City Council authorized the transfer of sums totaling \$392,500 for capital improvements. At the present time there remains in this fund a balance of \$3,206.74, an amount which is too small to be used for any construction project. In order to close out this account, I recommend that the available balance be transferred to the appropriation for Redemption of Serial Loans. I submit herewith an order authorizing such a transfer and recommend that the same be submitted to the City Council for its consideration and approval.

Respectfully,
CHARLES L. FOX, City Auditor.

Ordered, That under the provisions of chapter 480 of the Acts of 1924 the City Auditor be, and hereby is, authorized to transfer \$3,206.74 from the "Civilian War Poll Tax Refund" to City Debt Requirements, F-4, Serial Loans.

Referred to Executive Committee.

PROPOSED CONSOLIDATION OF CITY DEPARTMENTS.

The following was received:

City of Boston,
Mayor's Office, December 2, 1936.
To the City Council.

Gentlemen,—In the communication recently sent to you by the Boston Finance Commission, in which you are advised to reject the plan for consolidation and reorganization of city departments which I sent to you on December 15, 1935, there are many ill-considered and wholly worthless suggestions.

The plan of reorganization has been submitted by me to your Honorable Body on five different occasions and has been under debate practically for a year. One wonders why it is that the Finance Commission has remained silent about this plan until the present time. But it is even a greater

wonder, now that they have spoken after the opportunity of a year's study, that they have spoken to such weak purpose.

The letter of the Finance Commission does not disclose that any experts in municipal government were consulted by them before their letter was written. The full extent of the study made by the Finance Commission, according to its report, was a careful reading of the report of the committee which recommended the consolidation, a discussion of the report, examination of the proposed ordinance and "interviews with many familiar with the work of city departments." This falls far short of a thorough and intensive study by experts in municipal government such as composed the committee which recommended the consolidation. That committee was composed of professors of the Massachusetts Institute of Technology of the highest standing in their respective branches and men who knew thoroughly the business of municipal government. I think I am justified in relying upon the opinion of that group of expert scientific men rather than that of the Finance Commission as it is now constituted. Clearly they are not expert on municipal government, and their views are entitled to no more weight than that of any other person who has no particular knowledge of the subject and no expert or scientific training.

Coming now to the report itself, the following appear to be the chief objections advanced by the Finance Commission:

1. That the Commissioner is Not Required to be a Civil Engineer.

The Finance Commission protests that the commissioner of the proposed consolidated departments is not required to be a civil engineer. But, neither is there any provision that he shall not be a civil engineer. The consolidation ordinance calls for "a recognized expert . . . or a person specially fitted by education, training or experience . . ." Thus it is plain that the Mayor would be able to pick the best man for the job, whether he happened to be an engineer or not. Competent experts estimate that a public works commissioner's position requires less than 5 per cent engineering knowledge, executive capacity being rated at 50 per cent and experience at 25 per cent, but under the proposed ordinance a civil engineer might be chosen as Public Works Commissioner who would combine all of the requirements of expert engineering knowledge, experience and executive capacity.

2. That Administrative Costs Will Be Greater by \$10,500.

I do not admit that the Finance Commission is right in its conclusion that administrative costs under the new ordinance would be increased from \$108,000 to \$118,500. But even if the accuracy of this conclusion be granted the difference is only \$10,500, and is so small in comparison to the large amounts that may be saved, that the objection is entirely negligible. Since the city agencies involved spend about \$17,000,000 a year in normal times, the commission's comparison relates to much less than 1 per cent of the total cost of the agencies involved.

If the modernized plan recommended saves only seven one-hundredths of 1 per cent of the city's normal public works cost, it would make up this difference. What the commission denounces is a very small investment in good administrative organization such as is in effect in the best business establishments in the country. The administrative costs involved are trifling when weighed against the advantage of comprehensive planning, and control, coordinated construction, better service, and simplified administration.

3. That Since No Employees Would Be Discharged Little Economy Would Result.

I have said that no employee would be discharged by me as a result of the reorganization. In addition to that, a transfer of employees without loss of civil service standing, pension or retirement rights, is guaranteed by Section 27 of the proposed ordinance. This provision could be changed by future mayors only with the consent of the Council. Economy could be effected, however, by a policy of not hiring new employees.

The commission greatly underestimates the significance of no-hiring policy which would be

greatly facilitated by the proposed reorganization. The departmental pay roll involved is about \$5,000,000. A strict no-hiring policy would save the city about \$150,000 in 1937; \$450,000 in 1938; and greater amounts thereafter. The present administration cannot, of course, bind a future mayor to such a policy. It can, however, provide him with the improved machinery which has been denied mayors in the past.

It may be argued, of course, that the no-hiring policy can be continued without any consolidation. Manifestly, the point must come where city services will suffer through decreased man-power unless a changed organization spreads a reduced personnel more efficiently. That point, in my judgment, will soon arrive and hence the need for the reorganization under discussion. An instance in point at the present time may be found in the Public Works Department. That department is in danger of becoming very seriously undermanned because of the policy of not hiring to replace vacancies. It will be necessary soon to hire new employees in that department, which would not be necessary if the consolidation and reorganization ordinance were adopted.

4. The Finance Commission is in error when it assumes that the proposed plan is one for engineering services only. The report and the ordinance show plainly that it is proposed to combine public works, engineering, and related activities in one workable unit.

That the commission does not sincerely believe in combining only identical functions is shown by its own suggestions which, curiously, combine fire-fighting with police work, building management with cemeteries, and the licensing of marriages with garage permits.

5. That a Top-Heavy Administration Would Be Created.

Probably the most ridiculous of the commission's arguments is that a top-heavy administration would be created because a single official would be placed in charge of a larger number of agencies, since the commission itself favors limiting city departments to fifteen or twenty. Would not the commission's plan inevitably result in a number of department heads with increased powers, and would it not be, consequently, top-heavy?

6. That Other Consolidations Are More Feasible.

The commission, apparently in an effort to confuse the issue, makes a number of other suggested consolidations in very vague or generalized terms. These suggestions in many respects are contradictory to the very criticisms the commission makes in the first portion of its report relative to the proposed plan.

If the commission is sincere in its desire for these other changes, it is unfortunate that it delayed such suggestions for more than a year during which the proposed ordinance was submitted five times to the City Council, without any statement from the commission.

Most of the consolidations suggested by the commission have no relation to the present plan now before the Council. Those few which concern public works activities have already been considered and rejected, not only by the unpaid experts of the Massachusetts Institute of Technology but also by the Mayor, the Law Department and other city officials. In each case it was deemed best to make a complete consolidation of public works and related functions as an initial step in improving the structure of city government.

The Mayor cordially invites any specific consolidation proposals in other fields of government activities. Such proposals, however, must be formulated in some practical fashion rather than the superficial and generalized manner in which they have been presented by the Finance Commission.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Referred to Executive Committee.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the Mayor submitted the following appointments viz.:

Weighers of Coal: Gerald F. Hughes, 207 Wessagusset road, Weymouth, Mass.; Walter G. Shuttleworth, Jr., 41 Bay View avenue, Quincy, Mass.

Weigher of Goods: Joseph Lordon, 77 Sheridan avenue, Medford, Mass.

Constable for term ending April 30, 1937, authorized to serve civil process upon filing bond: Israel Cooper, 805 Blue Hill avenue, Dorchester.

The appointments were laid over a week under the law.

FEDERAL AGREEMENT RE HOSPITAL BUILDING.

The following was received:

City of Boston,
Mayor's Office, December 7, 1936.
To the Honorable the City Council.

Gentlemen,—On November 25, 1935, your Honorable Body approved an amendatory agreement between the City of Boston and the United States of America, relating to the public works project of the construction and equipment of the Surgical Operating and Ward Building and authorized me to execute and deliver three counterparts of said amendatory agreement. On November 15, 1936, I received forms of a second amendatory agreement, amending said grant agreement and providing for an increase in the scope of the work of the project. This increase in the scope of the work was approved by your Honorable Body when it gave its second and final reading to a loan order in the additional sum of \$70,000 on August 3, 1936, and has also been approved by the Emergency Finance Board of the Commonwealth, the Governor and the proper P. W. A. authorities.

I recommend prompt consideration and passage by your Honorable Body of the accompanying order approving said second amendatory agreement and authorizing me to execute and deliver to the United States of America for and in behalf of the City of Boston three counterparts of the same.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Ordered, That the Mayor be, and he hereby is, authorized to execute and deliver to the United States of America for and in behalf of the City of Boston three counterparts of the second amendatory grant agreement, amending the grant agreement dated as of April 14, 1934, and heretofore amended by amendatory grant agreement dated as of January 2, 1936, between the City of Boston and the United States of America, relating to the public works project of the construction and equipment of a fireproof ten-story surgical operating and ward building and additions and alterations to existing central steam and electric plant, P. W. A. Docket No. 4207, and providing for certain modifications in the scope of the project set forth in the original application, one copy of which second amendatory grant agreement has been submitted to this meeting and is made a part of the minutes hereof and that said agreement be, and the same hereby is, approved.

Referred to Executive Committee.

HAVELOCK STREET, WARD 14.

The following was received:

City of Boston,
Office of the Mayor, December 7, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commissioner relative to your order of October 5, 1936, concerning the making of Havelock street in Ward 14 a one-way street from Blue Hill avenue to Harvard street.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, December 5, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated October 5, 1936, which reads as follows:

"Ordered, that the Traffic Commissioner be requested, through his Honor the Mayor, to make Havelock street a one-way street from Blue Hill avenue to Harvard street, Ward 14."

Also, communication of November 7, 1936, from Councilor Rosenberg, with attached petition signed by some of the residents and property owners of Havelock street, requesting that Havelock street be made one way from Blue Hill avenue to Morton street.

Our engineering department reports as follows: "Investigator Veno reports that there is considerable difference in the opinions of the different residents as to whether or not this street should be one way and if it was one way in which direction it should be made.

"This street is one of several that runs from Blue Hill avenue to Morton street. All of these streets carry about the same number of vehicles. From observation we do not believe that it is necessary to make this street one way until such time as the majority of the residents of this street can agree, and until such time I do not believe anything should be done."

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.
Placed on file.

PETITIONS REFERRED.

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

Claims.

Hanna T. Attridge, for compensation for damage to property at 9 Clarence street, caused by backing up of sewage.

Richard Barker, for compensation for injuries caused by an alleged defect at Massachusetts avenue.

William H. Bleiler, for compensation for damage to property at 19 Heath place, caused by broken water main.

Giovanni Cataldi, for compensation for damage to car caused by an alleged defect at 289 Norwell street, Dorchester.

Guy DelGaizo, for compensation for damage to car by Public Works Department car.

Michael J. Donovan, for compensation for injuries caused by an alleged defect at 8 Park street, Boston.

James H. Dunphy, Jr., for compensation for injuries caused by an alleged defect at 11 Bogandale road.

Mrs. Grace C. Foss, to be paid back old age pension which was due her sister, Mrs. Margaret B. Meriam, deceased.

Charles Green, for compensation for injuries caused by an alleged defect at 50 Kneeland street.

Leon N. Kabacinski, for compensation for damage to car by city truck.

Julia M. Loughman, for refund on victualler's license.

Florence A. Madden, for compensation for injuries caused by city cart.

Mrs. T. McConnell, for refund on refuse tickets.

Gerald Norian, for compensation for injuries caused by an alleged defect in Franklin Field.

Charles A. O'Dowd, to be reimbursed for execution issued against him on account of his acts as employee of Fire Department.

Pettingill & Pear, to be paid for rental of chairs for Boston Common Tercentenary.

Olga Remeika, for compensation for injuries caused by an alleged defect in C. J. Lee Playground.

Martha E. Toppin, for compensation for injuries caused by an alleged defect in Boston Common.

Vincent Yurgel, for compensation for damage to property at 167 West Seventh street, by police car.

APPOINTMENT OF KEEPER OF CITY LOCK-UP.

Notice was received from the Police Commissioner, of appointment on November 23, 1936, of Lieut. Thomas W. O'Donnell as Keeper of City Lock-up.

Placed on file.

MAYOR'S ABSENCE FROM CITY.

Notice was received from the Mayor of his absence from city from December 2 to December 4. Placed on file.

APPROVAL OF CONSTRUCTION OF CITY HALL.

Notice was received from the Emergency Finance Board, inclosing copy of vote of Emergency Finance Board, passed November 20, 1936, relative to P. W. A. Docket Mass. 1078 for construction of City Hall.

Placed on file.

CONSTABLE'S BOND.

The constable's bond of Clifford I. Smith, having been duly approved by the City Treasurer, was received and approved.

MINORS' LICENSES.

Applications were received for minors' licenses for thirteen newsboys and two bootblacks. Licenses granted under the usual conditions.

REPORT OF COMMITTEE ON ORDINANCES.

Coun. GALLAGHER, for the Committee on Ordinances, submitted the following:

1. Report on message of Mayor and ordinance concerning proposed consolidation of city departments (referred November 9)—recommending reference to the Executive Committee.

Report accepted; said reference ordered.

SOLDIERS' RELIEF.

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

Report accepted; said order passed.

REPORT OF COMMITTEE ON CLAIMS.

Coun. SELVITELLA, for the Committee on Claims, submitted the following:

1. Report on petition of Daniel H. Twiss (referred November 16) to be reimbursed for amount of judgment issued against him on account of his acts as operator of motor truck belonging to Boston Fire Department—recommending passage of the accompanying order, viz.:

Ordered, That the sum of eighty-one dollars and seventy-five cents (\$81.75) be allowed and paid to Daniel H. Twiss in reimbursement for amount of judgment issued against him on account of his acts as operator of a motor truck belonging to the Boston Fire Department, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

2. Report on petition of Daniel H. Twiss (referred November 16) to be reimbursed for amount of judgment issued against him on account of his acts as operator of motor truck belonging to Boston Fire Department,—recommending passage of the accompanying order, viz.:

Ordered, That the sum of one hundred and sixty-eight dollars (\$168) be allowed and paid to Daniel H. Twiss in reimbursement for the amount of judgment issued against him on account of his acts as operator of a motor truck belonging to the Boston Fire Department, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

3. Report on petition of John P. Finnegan (referred November 9) to be reimbursed for amount of judgment issued against him on account of his acts as operator of motor truck belonging to Water Division, Public Works Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of seventy-five dollars (\$75) be allowed and paid to John P. Finnegan in reimbursement for amount of judgment issued against him on account of his acts as operator of a motor truck belonging to the Water Division, Public Works Department.

Report accepted; said order passed.

4. Report on petition of Clarence A. Thompson (referred November 16) to be reimbursed for the

amount of judgment issued against him on account of his acts as operator of fire apparatus,—recommending passage of accompanying order, viz.:

Ordered, That the sum of one hundred dollars (\$100) be allowed and paid to Clarence A. Thompson in reimbursement for the amount of judgment issued against him on account of his acts as operator of fire apparatus, said sum to be charged to the Reserve Fund.

Report accepted; said order passed.

SIDEWALK ON BARTLETT STREET.

Coun. MELLEN offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Bartlett street (both sides), Ward 2, in front of the estates bordering thereon; said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

OLD AGE ASSISTANCE LAW.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor request the Welfare Board to comply with chapter 436, Acts of 1936, relative to the Old Age Assistance Law, and to see that the laws therein made by the Legislature are carried out.

Coun. DOWD—Mr. President, I assume that the old age assistance law, chapter 436 of the Acts of 1936, is, like many such laws passed by the Legislature, one that the various towns and cities are supposed to carry out. I know of no law passed in recent years that has caused more commotion and trouble for men in public office than the one pertaining to old age assistance. I have the act, chapter 436, in front of me, and while it gives some discretion to visitors, I see nothing in it which says that when such a person comes to my house, or to the house of anybody who may have applied for old age assistance, he has a right to go to the ice chest and find out what I have there in the way of meat, butter, or anything else to sustain life, and how much I paid for it. I see nothing in the law that permits Welfare visitors to go into your home or my home and ask who sleeps in this bed or that bed. I don't think that anything of that sort would be favored or tolerated by the Mayor of Boston who, I am firmly convinced, wants to do everything he can to lighten the load on the poor people of Boston. I say it is about time that there should be an understanding with these hard-boiled visitors who themselves two years ago might have been on the verge of Welfare if not for the fact that they were appointed visitors. It is all right that they should have some discretion, some power, but they should not go beyond the bounds of propriety or decency. There is not a member of this Council who has not received complaints in regard to these visitors going into homes and asking old people questions which were never contemplated in the law. The law states very plainly, also, that financial assistance shall be granted from the date of application. That means what, Mr. Chairman and gentlemen? It means that if my father or mother applied for old age assistance today, according to the law they will be given that old age assistance from today. But you and I know that individuals have gone to the Welfare and filed their applications and that if it were not for the assistance of men like ourselves or other men in public life, those applications would still be in the pigeonholes in the Welfare Department. I have taken this matter up with Walter McCarthy, the Chairman of Welfare, and he has given me permission to use his name. He tells me that if the person applied for old age assistance one, two or three months ago filing his application, that he is entitled to that assistance from the day when he filed his claim. In other words, if he filed the claim on September 10, when he gets that assistance, although it may be one, two or three months later, it dates from September 10. But that is not the way it is worked out, from what I learn. While it is the duty of the Welfare to pay the applicant from the date of application, under the law, that is not done, although there is no way out of that interpretation of the law, if you examine this bill. The language is very plain

and explicit. But when you go down and apply for old age assistance, you know what happens as well as I do. The applicants are thrown around here and there as though they were bags of sawdust, told to come this day and that day. Where do those poor old souls obtain carfare to travel back and forth? They put them off as long as they can, and when the visitor O. K.'s the application, they do not even get it then. In other words, the applicants have to wait until this holier-than-thou board which, in my opinion, should have been fired long ago—gives its decision, and the assistance is not then retroactive. When the National Government and the State Government put the old age assistance into effect, they did so for one reason, to give a little money to those poor old souls in the last few years of their lifetime. But, instead of getting that at 43 Hawkins street, they are subject to all this scrutiny and to all these questions, putting every possible block in the way before they receive it. Now, I am simply asking the Mayor a question. According to chapter 436 of 1936, there seems to me only one method of action that can be followed. Mr. McCarthy advises me that if 200 old people of Boston, say, filed their application on September 10 and did not receive any payment until December 10, they are entitled under the law retroactively to that three months' payment. But they will tell you down below, "We didn't have their birth certificate," or "We didn't have their marriage certificate." Or "We didn't know whether their sons or daughters could support them or not." What a crying shame! Only last week an applicant applied for old age assistance, and it was found that he had a son who was getting \$30 a week, although that son had eight children, and God knows it would be hard enough for the son's family to exist on that amount. But it was decided that this elderly person was not entitled to the assistance because that son could support him. Of course, 99 sons out of 100 in Boston who could do so would be glad to support their fathers and mothers. But there are now so many hindrances placed in the operation of this law that many people of old age in Boston die of starvation before they receive help. I have been informed at the State House that there was not one logical reason why an individual applying for assistance should not be able within two weeks to receive his aid. But you and I, Mr. President and every member of the Council, know of individuals who applied two months ago, and if it were not that you, I or somebody else interested themselves in the case, the application would be pigeonholed. So I am simply calling upon the Mayor to ask the Welfare Board to see that the law is carried out, that the assistance when given is made retroactive, as was evidently intended by the law, to the date of the application.

Coun. ROBERTS—Mr. President, I would like to know if there has been any reply to my order of two weeks ago in reference to the average load for old age assistance visitors, and the average amount of time necessary to attend to applications?

Chairman GALLAGHER—No; no reply has been received.

Coun. BRACKMAN—Mr. President, I am more than pleased that the member from Roxbury has introduced this order, because it has been a matter of common knowledge for some time that the visitors and those in control of the old age assistance division apparently take altogether too long a time to investigate applications. Is there any reason why it should take from three to six months to investigate these needy cases? But, in spite of all the facilities given them to determine the questions that have to be looked into, it takes them from three to six months to approve an application. I trust that the order offered by the councilor will at least put the city authorities on their guard so that they will investigate these cases with the haste which they should be investigated.

Coun. McGRATH—Mr. President, talking upon the order introduced by the councilor from Roxbury, I believe that a great deal of the blame in this matter properly belongs on the visitors. I called up the department and informed Miss Noonan that the visitor in my section of Dorchester should be reprimanded. I know that he has gone into homes and criticized people because they did not support their old folks, when in many cases the facts did not warrant his criticism. It may have been the case not only of a mother or father, but of an aunt or uncle, and in many

cases the criticisms were not warranted. I think this is a good time for me to warn him fairly that unless he changes his attitude I will do something to protect the old people of my district against him.

The order was passed under suspension of the rule.

COAL ALLOTMENTS TO W. P. A. WORKERS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor request the Welfare Department not to discontinue entirely coal allotments to those working on the W. P. A.

Passed under suspension of the rule.

WHOLESALE DISCHARGES ON W. P. A.

Coun. DOWD offered the following:

Ordered, That the Boston City Council request his Honor the Mayor to request the W. P. A. officials not to make any wholesale discharges of the men and women on the W. P. A.

Passed under suspension of the rule.

RESOLVES RE W. P. A. DISCHARGES.

Coun. BRACKMAN offered the following:

Whereas, The time does not seem expedient to cut from the W. P. A. rolls great numbers of individuals who will be forced to seek private employment where no such private employment exists;

Whereas, The members of the Boston City Council feel that this will bring about great suffering and hardships to residents of Boston who have been so employed, and heartily go on record as opposing any drastic cuts in the personnel;

Resolved, That the Boston City Council go on record as opposing decreases in personnel of the W. P. A. projects of needy dependent individuals now employed on said projects; and if decreases are due to completion of projects, the Council urges prompt reassignment of such workers to other available projects;

Whereas, Be it also resolved, that a copy of this resolution, and the vote of this Honorable Body, be forwarded to Harry L. Hopkins, National Administrator of the W. P. A.

Coun. BRACKMAN—Mr. President, just a word on these resolutions, more or less along the line of the order that the councilor from Roxbury (Coun. Dowd) introduced. There seems to be a disposition on the part of the W. P. A. authorities to cut the personnel of the employees. I feel, and I know the rest of the Council feel, that the time is not yet ripe for wholesale discharge of personnel in the W. P. A., with the expectation that they will be taken up in private employment, because we in public life know that there is no such private employment today that can in any way absorb the W. P. A. employees who are to be let go. I sincerely trust that these resolutions will be referred to the Executive Committee.

The resolutions were referred to the Executive Committee.

COLLECTION OF ASHES IN ROXBURY DISTRICT.

Coun. BRACKMAN offered the following:

Ordered, That his Honor the Mayor instruct the Commissioner of Public Works to refrain from submitting to bid by contractors, the collection of ashes and garbage in the Roxbury district, and that said collection should be continued, as at present, by city Sanitary forces.

Coun. BRACKMAN—Mr. President, in the Roxbury district the collection of ashes and garbage has been done for years by the city employees of the Sanitary Division. We in Roxbury have been satisfied with the collections there. To my knowledge there have been few complaints in the past five years, whereas during the same period in districts where there have been collections by contractors there have been complaints and investigations in large number because of failure on the part of the contractors to live up to their contract.

I sincerely hope that this order will pass and that the Mayor will intercede so that this work may not go contract.

The order was passed under suspension of the rule.

CONVEYANCE OF TREMONT STREET LAND.

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

2. Whereas, By a tax deed dated October 7, 1918, and recorded with Suffolk Deeds in Book 4109, page 386, and by another tax deed dated October 7, 1918, and recorded with said Deeds in Book 4109, page 389, the Collector of Taxes for the City of Boston conveyed to Leverett A. Haskell the property therein substantially described as 1,190 square feet of land and the buildings numbered 1078-1078½ Tremont street, corner of No. 162-164 Sterling street"; and

Whereas, By order of the Board of Street Commissioners of the City of Boston for the purpose of widening said Sterling street said city took all of the land hereinbefore described excepting a strip one foot wide adjoining the easterly line of the lot and buildings numbered 1080 Tremont street, said strip containing 56 square feet; and

Whereas, In pursuance of said order said city took from said Haskell an assignment of each of said Tax Deeds, respectively dated April 30, 1924, and April 30, 1924, and recorded with said Deeds in Book 4572, pages 624 and 625, thereby acquiring all of said Haskell's interest in said lot containing 1,190 square feet, and

Whereas, The title to said property 1080 Tremont street and to said one foot strip containing 56 square feet has come to be in one Mary Green, wife of William M. Green, and is clouded by the outstanding interest of said city under said assignments in said one foot strip containing 56 square feet; now, therefore, it is hereby

Ordered, That his Honor the Mayor be, and he hereby is, authorized to sign, seal with the Corporate Seal, acknowledge, and deliver on behalf of said city to said Mary Green, wife of William M. Green, a written instrument satisfactory in form to the Law Department of the City of Boston, conveying all the right, title and interest which said city acquired by said assignments in and to said one foot strip, bounded and described as follows:

Northwesterly by Tremont street one foot; northeasterly by Sterling street 56 feet, southeasterly by lot 3 as shown on a plan by H. H. Moses dated June 22, 1870, and recorded with Suffolk Deeds in Book 1035, page 314, one foot, and southwesterly by lot 2 as shown on said plan 56 feet; containing 56 square feet, upon payment to the said City of Boston of one dollar.

On November 23, 1936, the foregoing order was read once and passed, yeas 19, nays 0.

The order was given its second and final reading and passage, yeas 16, nays 0.

AUTOMATIC LIGHTS ON BLUE HILL AVENUE.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to install automatic traffic lights on Blue Hill avenue, from Stratton street to Morton street, to be placed at intersections between said points for the safety and protection of the lives of the pedestrians and that a sum sufficient to install those lights be included in the 1937 budget.

Coun. ROSENBERG—Mr. President, one of the most important matters confronting the residents in every large city, and especially the pedestrians and operators of automobiles, is the matter of the safety of the highways in those respective communities. Everyone should be aware of the tremendous increase in vehicular traffic, especially on the streets of Boston and the suburban sections of the city. At this time I am particularly calling the attention of the members of the Council to the steady flow of automobile traffic on Blue Hill avenue, Dorchester, and the very hazardous conditions that exist for pedestrians who have occasion to cross this highway at the various intersections. The section of Blue Hill avenue, between Stratton and Morton streets, is in a very heavily congested district and is not only a residential sec-

tion but is one of the busiest business centers in the suburban area of the city. Pedestrians are encountering great difficulty in crossing the intersections between the points in question and every step should be taken to alleviate these hazardous conditions for the safety and protection of the citizenry. The installation of these traffic lights would unquestionably be a step in the direction of safer conditions on the highway and would reduce the number of accidents that are frequently occurring. The Police Department are doing their best to keep the highway safe for travel, but, in view of the limited force that is available for this work, I feel that an appropriation of a sum sufficient to cover the installation of the traffic lights in the 1937 budget would be a move that would prove beneficial to the people not only who are pedestrians, but also for motorists who have occasion to use the highway. Blue Hill avenue is used as one of the main traffic arteries hooking up with the principal highways leading to and from the city and to main points along the North and South Shore. I trust that the members of the Council will pass this order this afternoon and that it will receive proper consideration by the authorities in charge to the end that the roadway will be made safer to travel upon.

The order was passed under suspension of the rule.

LIGHTS ON BRIDGE UPRIGHTS.

Coun. McGRATH offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to place suitable lights on all bridge uprights as a warning to all operators of motor vehicles and as a means of promoting safety.

Coun. McGRATH—Mr. President, I believe there are about twenty-one uprights under the jurisdiction of the Traffic Commission. I am not asking for any elaborate lights on the uprights, but I do think it would be a good idea if there were some signal to warn drivers of automobiles that there was a bridge. On Dorchester avenue, near Andrew square, there have been about a dozen accidents in a year and a half, and I don't think it is necessary for me to go into detail in regard to the very serious accident that we had last week. So I would like to have the Mayor request the Traffic Commissioner to place suitable lights on these bridge uprights.

The order was passed under suspension of the rule.

TELEPHONE METERS.

Coun. McGRATH offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to draft the necessary legislation providing for the installation of meters on the telephones of all subscribers.

Coun. McGRATH—Mr. President, in the last week I have been doing a little thinking. We have meters on our electricity, on our gas and on our water. We would not take a man's word for the amount of gas he was selling us, or for the amount of electricity. If you purchase fuel oil, you would not take a man's word for the amount he gives you for a dollar. Still, the telephone company can say to the people of Boston, "Take it or leave it." I say it is about time, with the public electing us, that we should be considered as having some standing in expressing their feelings. Who are these telephone people who do what they want? I was told that if I did not stop contesting their rates I would be defeated. Well, if I am defeated, I want to be defeated, if the issue is raised because I am trying to protect the interests of the people of Boston. You can raise no question about the bills of the telephone company. You pay them or your telephone is shut off. I think if some such legislation as this were proposed and the twenty-two members of this body advocated its passage, we would get it through the House and the Senate and it would be signed by the Governor.

The order was passed under suspension of the rule.

RECESS.

On motion of Coun. KERRIGAN the Council voted to take a recess at 3.01 p. m., subject to the

call of the Chair. The members reassembled in the Council Chamber and were called to order by President FITZGERALD at 5.30 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on resolve (referred today) opposing decrease in personnel of W. P. A. projects—that same ought to pass.

Report accepted; said resolve passed.

2. Report on Mayor's message and order (referred November 23) that under provisions of chapter 480 of Acts of 1924, the City Auditor be authorized to transfer \$3,206.74 from Civilian War Poll Tax Refund to City Debt Requirements, F-4, Serial Loans—that same ought to pass.

Report accepted; said order passed, yeas 18, nays 0.

3. Report on message of Mayor and order (referred today) that \$19,000 be appropriated from income of George F. Parkman Fund to be expended under direction of Park Commissioners for Maintenance and Improvement of Common and Parks in Existence on January 12, 1887—that same ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

4. Report on message of Mayor and order (referred today) that \$5,000 be appropriated to be expended by Municipal Employment Bureau—that same ought to pass.

Report accepted; said order passed, yeas 17, nays—Coun. Shattuck—1.

5. Report on message of Mayor and order (referred today) re agreement between United States Government and City of Boston for Public Works Project concerning City Hospital building—that same ought to pass.

Coun. WILSON—Mr. President, do I understand that the amendment to this order is on the old basis, whereby the city got only \$30 out of \$100, or that it is on the other basis whereby there was a split between the Federal Government and the City of \$45 and \$55?

Coun. SHATTUCK—Can anyone explain what the nature of the amendment is that we are voting upon?

Coun. BRACKMAN—I was in the Executive Committee room when the City Auditor explained that it was necessary to adopt this amendment in order to have the thing go through. This is a proposed amendment to the Government grant whereby we will receive our proportion of the money from the Government if the amendment is passed by this body.

The order was passed, yeas 17, nays—Coun.—Shattuck, Wilson—2.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President FITZGERALD called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor November 23, 1936, of Joseph T. Malloy, Stephen J. Joyce, and M. D. Streeter, to be Weighers of Coal.

The question came on confirmation. Committee, Coun. Agnew and Mellen. Whole number of votes, 18, yeas 14, no 4, and the appointments were confirmed.

PARKING IN PRIVATE WAYS.

Coun. GALLAGHER, for the Committee on Ordinances, submitted the following:

1. Report on ordinance (referred October 19) restricting parking in private ways and alleys—that same ought not to pass.

The report was accepted, and the ordinance was laid on the table for one week.

CITY BUDGET FOR 1937.

Coun. SHATTUCK offered the following:

Ordered, That his Honor the Mayor be requested to inform the City Council as to when he expects to present his budget for 1937 to the City Council for action.

Ordered, That in preparing his budget for 1937 for presentation to the City Council his Honor the Mayor be requested to have in mind the insistent demand for economy in city government, as evidenced by the recent overwhelming majorities in favor of the proposed constitutional amendment for a twenty-five-dollar tax limit.

Coun. SHATTUCK—Mr. President, in former years, for a good many years, the state government has had control over the appropriating power of the City of Boston, and the consequence has been that sometimes we have been unable to act on the budget until the year was half over. Fortunately, they repealed that restrictive legislation last year, so that now it is possible to make up the budget at the beginning of the year, and the Mayor has an opportunity to present us with a budget on the first of January, on the first day of the fiscal year. The first order I have presented asks the Mayor when he expects to do that. I hope that he will do it at the earliest opportunity in order that we may act on the matter and consider the appropriations when the year has just begun and when the expenditures have just begun, rather than when the year is half over. The second order refers to the insistent demand for economy as evidenced particularly by the recent vote at the city election on the \$25 per thousand tax limit. I am not personally in favor of that measure. I believe it would be a mistake. But I believe that many persons probably voted in favor of that measure—which I did not—because they were in favor of economy in general, without considering the particular measure. I noticed in an article by R. L. Norton in the *Sunday Post* of November 8, he came to this conclusion:

"The vote in favor of limiting real estate taxes to \$25 cannot in any sense be construed as anything but an overwhelming demand for economy in the administration of our local governments."

He goes on to say:

"Therefore, too much emphasis cannot be put on the fact that it was not the merit of the \$25 limitation that the voters were concerned with as much as the opportunity that was offered to them to protest in no uncertain manner against the confiscatory tax on real estate that is operating in many of our cities and towns."

The vote in about half the wards of the city was very instructive and significant. For example, Ward 2 voted 4,839 yes and 2,437 no; Ward 3 voted 6,925 yes, 2,250 no, over 3 to 1 in favor of the measure; Ward 4 voted 6,755 yes, and 2,199 no,—and so on throughout the wards in which the question came up—Wards 2, 3, 4, 5, 9, 10, 11, 13, 14, 16, 17, 18, 19, 20, 21 and 22. In all cases I believe the majority was at least 2 to 1, and in some cases 3 to 1. That shows what a tremendous desire there is on the part of a great many people of Boston for economy in the expenditures of the city. This order asks that the Mayor consider that demand in making up his budget.

The orders were passed under suspension of the rule.

TERM OF COUNCIL PRESIDENT.

Coun. MELLEN offered the following:

Ordered, That the rules of the Boston City Council be so amended that no member of the City Council shall be elected to a second consecutive term as President of that body.

Coun. MELLEN—Mr. President, last year I came into this body and my first vote was to upset a precedent as old as the Council itself. This order is no reflection on you, Mr. President, because I know that you would not think of running for three terms. I know that you would step aside and let a younger man take that high seat. I look around here and I see a number of young men who all aspire to sit in that high place, and you would be the last one to stand in the way of that ambition. But I do believe that we should give a chance to some young man in the body, and for that reason I have introduced this order.

On motion of Coun. SHATTUCK the order was referred to the Committee on Rules.

TRAFFIC SIGN, SEAVER STREET.

Coun. ROSENBERG offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install

a "stop" sign at the end of Seaver street, entering Erie street, Dorchester, for the safety and protection of pedestrians.

Passed under suspension of the rule.

TRAFFIC CONDITIONS, LA GRANGE STREET.

Coun. FINLEY offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to make a survey of the traffic conditions at the intersection of La Grange and Vermont streets, West Roxbury, with the view of eliminating the present hazardous traffic conditions.

Passed under suspension of the rule.

CONSTRUCTION OF WEST ROXBURY STREETS.

Coun. FINLEY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and construct as a public highway, under the W. P. A. plan of construction, Maple street, West Roxbury, from No. 200 to the end of the street.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and construct as a public highway, under the W. P. A. plan of construction, George street, West Roxbury.

Severally passed under suspension of the rule.

CONTRACT FOR ELECTRIC LIGHT BULBS.

Coun. NORTON offered the following:

Ordered, That the Boston Finance Commission be requested to furnish the Council with all the facts relative to the bids and award of the contract to furnish the city with electric light bulbs.

Coun. NORTON—Mr. President, some time ago public bids were asked for by the Superintendent of Supplies to furnish the City of Boston with electric light bulbs for one year. Bids were submitted and Marshall & Co., a Boston concern, were the low bidders, but they were not awarded the contract. An effort is being made to split the contract. The Finance Commission should inform the Council about this award. Although the Marshall Company were low on the first bid, the bids were thrown out and others asked for. Marshall is low again. Here is a responsible Boston concern that puts up a bond, yet no contract is forthcoming. The incorruptible business manager of the Boston schools, Alexander Sullivan, will buy his bulbs from Marshall & Co., the low bidders. I think the facts should be furnished to this body by the Finance Commission.

The order was passed under suspension of the rule.

DOWNTOWN PARKING AREAS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of arranging for some form of parking areas in the downtown business district of Boston or in close proximity to this district.

Coun. NORTON—Mr. President, the downtown area of Boston pays as much in taxes as all the rest of the city put together. Property values must go down unless the present traffic snarl in our business area is straightened out. Adequate parking areas should be considered. A study should be made into the feasibility of having a parking area, for instance, under a part of Boston Common. Objection may be anticipated from the historical societies but we already have subways running under the Common. Leading cities are arranging for underground parking. Over 500,000 vehicles enter and leave the downtown area daily and over one and one-half million persons a day enter and leave this section. Big stores and buildings stand to lose out unless adequate parking areas are provided.

The order was passed under suspension of the rule.

SEWER DEPARTMENT CONTRACTS.

Coun. NORTON offered the following:

Ordered, That the Boston Finance Commission be requested to furnish the Council with information relative to the matter of the awarding of Sewer Department contracts under \$1,000 during the past year.

Coun. NORTON—Mr. President, I understand that around \$80,000 in gift contracts have been given out by the Sewer Department in the past few months to one favored concern. For instance, if a job represents \$10,000, it is split up so that each job is under \$1,000, with no bidding, and the law is in that way violated. Certainly, the Council, almost ready to consider the budget for 1937, when we will try to save money wherever we can, should have all the facts presented by the Finance Commission.

The order was passed under suspension of the rule.

CONTRACTS FOR SNOW REMOVAL.

Coun. WILSON offered the following:

Ordered, That the Public Works Department, through his Honor the Mayor, be requested to award no contracts for snow removal, except where there is reasonable assurance that the contractors will do all the work, honestly and efficiently, and in accordance with all terms of the contract, including provisions as to the payment of labor.

Coun. WILSON—Mr. President, I shall be very brief on this order. Last year, I believe in the late fall, we had at one meeting of the Executive Committee a delegation of truck drivers who thought they had rented their trucks to contractors having snow-removal work on a contract basis, and when the contract got to going they found that it was a load basis. I also think back to the delegation of workmen who came in here and said that they were receiving less than a fair wage for the hours they worked on cold nights removing snow. So I have in mind the fact that some care should be taken in making snow contracts in the downtown section of Boston, so that there may be no repetition of what undoubtedly occurred as recently as last year.

The order was passed under suspension of the rule.

DAY MEN ON POLICE LISTING.

Coun. WILSON offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, incident to the 1937 police listing, to consider the advisability of using only day men on police listing work, utilizing the services of officers in the Traffic Division, and such divisions as Division 2, for work in other sections, and to issue an order to the captains in the various divisions that no report on police listing be made sooner than twenty days from January first.

Coun. WILSON—Mr. President, I take the liberty of reintroducing this order, which was originally introduced on October 19, due to the recent slight change in personnel on Berkeley street and feeling perhaps that the new commissioner may make a different disposition of the matter. The message we received from the former commissioner pointed out the fact that the department was 329 patrolmen short, which seemed to him a reason for not putting the idea into effect. But, as I have also pointed out, instead of the work having to be confined to four days, the statute gives the department twenty days, with ten more days if required.

The order was passed under suspension of the rule.

PROSECUTION FOR ILLEGAL RENTAL COLLECTION.

Coun. WILSON offered the following:

Ordered, That the Law Department, through his Honor the Mayor, advise the City Council in detail what steps, if any, have been taken in prosecution for, and reimbursement of, rentals illegally collected by individuals from city-owned property, and specifying in each case the street and street number of the parcel involved.

Coun. WILSON—Mr. President, very briefly, this is a repetition of my order of November 9. Whether some people like it or not, whether some of the departments like it or not, some information has to be smoked out with reference to the tax-title situation and we will get the information if we have to obtain a court order to get it.

The order was passed under suspension of the rule.

INFORMATION RE CERTAIN SOUTH BOSTON PROPERTY.

Coun. WILSON offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to advise the City Council the name and address of the last owner of record of the premises at 767 East Fourth street, 42-48 A street and 27 Silver street, South Boston, prior to the City of Boston obtaining Land Court title following proceedings for non-payment of taxes and to perfect city tax title.

Coun. WILSON—Mr. President, that, too, is an unanswered order under date of October 26.

The order was passed under suspension of the rule.

INFORMATION RE SALE OF TAX-TITLE PROPERTY.

Coun. WILSON offered the following:

Ordered, That the Public Buildings Commissioner be requested, through his Honor the Mayor, to furnish the following detailed information incident to any further requests for leave to sell any parcels of city-owned tax-title property, viz.: (1) the assessed value of the parcel for the year of original tax sale; (2) the most recent assessed value; (3) the area of the parcel; (4) whether same is vacant land and, over the signature of the City Collector; (5) the total amount due the city and unpaid, each year to date, including A, taxes; B, assessments or betterments; C, interest; D, costs; E, water liens; F, Land Court costs; and, also G, the amount of money spent on such property since title was taken by the city, whether for repairs, alterations, or demolition and including both city and Federal expenditures.

Coun. WILSON—Mr. President, I take the liberty of reintroducing that order at this time, having in mind the fact that it was originally passed as long ago as the fourth of September, having in mind that Major Hall said to the Committee on Public Lands and Tax Titles that information would be furnished in regard to additional parcels, and having in mind that on all orders that have gone through asking for such information, the information is still unfurnished.

The order was passed under suspension of the rule.

Adjourned, on motion of Coun. GALLAGHER, at 6.14 p. m., to meet on Monday, December 14, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 14, 1936.

Regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Gleason, Kilroy, Peter A. Murray, Norton, Tobin.

DEATH OF HON. JOHN E. BALDWIN.

Coun. GEORGE A. MURRAY and JOHN E. KERRIGAN offered the following:

Whereas, The City Council of the City of Boston, with a profound feeling of sorrow and regret, has learned of the recent death of the Honorable John E. Baldwin, late Clerk of Committees of the Boston City Council, former member of the Boston Common Council, former member of Massachusetts House of Representatives, former member of the Massachusetts State Senate, and former member of the Board of Aldermen of the City of Boston; therefore be it

Resolved, That the City Council of the City of Boston desires to record in the imperishable records of the city the gratitude and appreciation of the citizens of our city for the long, honorable and noteworthy services rendered by the Honorable John E. Baldwin; and the Boston City Council further records its joint and individual expression of personal affection and respect for the late Honorable John E. Baldwin, who, during his life, was loyal to his God, his country and his home; and who, in death, will ever be remembered for his integrity, his sincerity and his charity towards all.

The question came on the adoption of the resolution.

Coun. WILSON—Mr. President, we regret the passing of John E. Baldwin, former member of the Common Council, Board of Aldermen, Massachusetts House of Representatives and State Senate, and for seventeen years Clerk of Committees for the Boston City Council. Able public official and faithful public servant; counselor and trusted friend. Sympathetic and understanding, kindly

but firm. Strong in his convictions, but warm in his friendships. Companion and associate of men old in public service; patiently helpful to youth. Genial and kindly host; reliable and loyal friend. No man who ever served in the Boston City Council but who valued his friendship and advice. Not just one who has gone on; but the worth-while and cherished memory of a real man,—"Johnnie" Baldwin.

The resolution was adopted by a unanimous rising vote.

Coun. KERRIGAN—Mr. President, out of respect to the memory of the late John E. Baldwin I move that the meeting do now adjourn.

Coun. McGRATH—Mr. President, I move that it be to meet tomorrow.

Coun. DOWD—Mr. President, I would move that when we adjourn it be to meet on December 28.

Coun. GEORGE A. MURRAY—Mr. President, I rise to a point of order, that Councilor McGrath's motion was that we meet tomorrow.

President FITZGERALD—The question on adjournment to December 28 takes precedence.

Coun. MELLEEN—Why do you so rule, Mr. President?

President FITZGERALD—The longest time is put first, under our rules, councilor.

Coun. GEORGE A. MURRAY—Mr. President, if that be so,—

President FITZGERALD—No debate is in order on a motion to adjourn. The councilor is out of order.

Coun. DOWD—Mr. President, if there is no objection I withdraw my motion that when we adjourn it be to meet on December 28.

President FITZGERALD—Councilor Dowd has withdrawn his motion. The question now comes on Councilor McGrath's motion that when we adjourn it be to meet tomorrow.

The motion that when the Council adjourn it be to meet tomorrow was declared lost. Coun. MELLEEN doubted the vote and asked for a rising vote.

Coun. AGNEW—Mr. President, I move that we take a recess for five minutes.

President FITZGERALD—The motion is out of order, while the doubt is being solved.

Coun. McGrath's motion that when the Council adjourn it be to meet tomorrow at 2 p. m., was declared carried, 9 in favor, none against, on a rising vote.

Adjourned at 2.15 p. m., on motion of Coun. McGRATH, to meet on Tuesday, December 15, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, December 15, 1936.

Adjourned regular meeting of the City Council in the Council Chamber, City Hall, at 2 p. m., President FITZGERALD in the chair. Absent, Coun. Peter A. Murray.

RECESS.

On motion of Coun. GALLAGHER the Council voted at 2.20 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 FITZGERALD at 2.35 p. m.

RENTALS ILLEGALLY COLLECTED.

The following was received:

City of Boston,
Office of the Mayor, December 10, 1936.
To the City Council.

Gentlemen,—The order adopted by your Honorable Body on December 7, 1936, that the Law Department advise the City Council what steps have been taken in prosecution of persons illegally collecting rentals from city-owned property, has had my attention.

In reply I beg to say that a similar order was adopted by your Honorable Body on October 5, 1936, was forwarded to the Law Department for consideration and reply, and the reply of the Corporation Counsel was received in the Mayor's office on November 9, and transmitted to the City Council on November 10. That reply will be found in the minutes of the Proceedings of the City Council, of Monday, November 23, 1936.

I am informed by the Commissioner of Public Buildings that no other cases have come to his attention since the receipt of the letter from the Corporation Counsel.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

OLD AGE ASSISTANCE LAW.

The following was received:

City of Boston,
Office of the Mayor, December 9, 1936.
To the City Council.

Gentlemen,—The order passed by your Honorable Body on December 7, 1936, ordering the Mayor to request the Welfare Board to comply with chapter 436, Acts of 1936, relative to the Old Age Assistance Law, has had my attention. In reply thereto I beg to say that I have conferred with the chairman of the Board of Overseers of Public Welfare, and am informed that the Board is complying with the law and intends to carry out the will of the Legislature.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

W. P. A. COAL ALLOTMENTS.

The following was received:

City of Boston,
Office of the Mayor, December 9, 1936.
To the City Council.

Gentlemen,—In reference to the order adopted by your Honorable Body on December 7, 1936, that the Welfare Department be requested not to discontinue entirely coal allotments to those working on the W. P. A., I beg to say that the Welfare Department is still supplying coal to W. P. A. cases as usual, and that no change of policy in this regard is contemplated.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Coun. DOWD—Mr. President, I don't like to disagree with his Honor the Mayor on a statement like this. Nevertheless, I cannot well let what he has said go unanswered. We find this year that a man working for the W. P. A., getting something like \$12.19 a week, and a man getting \$13.75 a week, with five individuals in his family, is not getting coal, and sometimes he is obliged to pay out 20 cents a day for carfare. It is in the interest of that type of cases that I presented my order, because these people are not getting this help, and the Welfare Department will not give it to them. I simply call to the attention of the Mayor the fact that no family getting \$15 a week is receiving such aid in the matter of coal, regardless of what Mr. McMurry tells the Mayor. I thought it only fair that the situation should be made clear.

The communication was placed on file.

DISCHARGES ON W. P. A. PROJECTS.

The following was received:

City of Boston,
Office of the Mayor, December 9, 1936.
To the City Council.

Gentlemen,—In reference to the order adopted by your Honorable Body on December 7, 1936, requesting me to request the W. P. A. officials not to make any wholesale discharges of the men and women on W. P. A. projects, I beg to say that before this order was adopted I participated in a conference of the executive committee and trustees of the United States Conference of Mayors at Washington, D. C., where resolutions were adopted and a special cablegram sent to the President of the United States, in an effort to prevent discharges of W. P. A. workers.

No reply has as yet been received directly from the President, but your attention is called to a statement in the morning papers of this date, alleged to have been made by Harry L. Hopkins, to the effect that there will be no such wholesale discharges of workers.

I may add for your further information that at the regular meeting of the Conference, which was held in Washington in November, Harry L. Hopkins personally addressed the Mayors and informed them in direct language that W. P. A. aid would not be withdrawn, but that it would be continued indefinitely.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

SAVINGS BANK LIFE INSURANCE.

The following was received:

City of Boston,
Office of the Mayor, December 9, 1936.
To the City Council.

Gentlemen,—The order adopted by your Honorable Body on November 16, 1936, providing that the Mayor of Boston should consider the advisability of conferring with the Directors of the Public Welfare relative to advising families on welfare, after a study has been made of each individual case, of the merits of Savings Bank Life Insurance, since it may mean a saving of from 25 per cent to 50 per cent has had my attention.

In reply I beg to say that this problem is one not likely to arise as the recipients of Public Welfare are persons who are unlikely to have sufficient funds to invest in insurance.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Placed on file.

CHARLESTOWN POOR'S FUND.

The following was received:

City of Boston,
Office of the Mayor, December 14, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Corporation Counsel relative to your order of October 19, 1936, concerning the administration of the Charlestown Poor's Fund.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Law Department, December 7, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from your office with which was submitted a copy of the following order passed by the City Council:

"Ordered, That his Honor the Mayor request the Corporation Counsel to take the proper legal steps to so amend the provisions of law under which the Charlestown Poor's Fund operate that the custody, management and disbursement will be placed in the hands of the City Treasurer and the practice of engaging a hired secretary-treasurer to the fund, be abolished."

You have requested my advice with reference to the proposal contained in said order.

It appears that certain bequests or donations were made from time to time prior to 1825 for the benefit of the poor of Charlestown. In 1825, by virtue of chapter 40 of the Acts of that year, a charitable corporation was established under the name of the Trustees of the Charlestown Poor's Fund for the purpose of managing the funds created by said bequests and donations and such other funds as might come into their hands for like purposes. Powers of management were vested in a Board of Trustees consisting of the two senior deacons of all regularly organized religious churches in the town of Charlestown and the selectmen of said town and their successors in the offices of selectmen and deacons. The corporation created by said chapter 40 has acted as trustee of the funds referred to in said act since its incorporation and only two changes have been attempted in its charter since said time. One provided for the removal of a restriction on the income which the corporation might receive (chapter 301 of the Acts of 1868) and the other provided, in connection with the annexation of the town of Charlestown to the City of Boston, that the members of the two branches of the City Council for the time being, residing in the then limits of Charlestown should, together with the senior deacons of the religious societies in said limits, constitute the Board of Trustees (section 12 of chapter 286 of the Acts of 1873).

It is my understanding that the member of the City Council residing in the Charlestown district of Boston, together with the two senior deacons of the Protestant churches located in Charlestown now act as the Board of Trustees.

In opinion of the Justices to the Senate, 237 Mass. 613, the Justices of the Supreme Judicial Court said at pages 617 and 618:

"All the questions relate to religious societies and other charitable corporations. Of the several corporations mentioned in the bills accompanying the order, two, The First Church in Boston (House Nos. 1120 and 1243, St. 1828, c. 122) and The First Church in Roxbury (House No. 1152, St. 1824, c. 133), and perhaps others, were incorporated before March 11, 1831, the date of the passage of the first general law reserving to the General Court the right to amend, alter or repeal acts of incorporation. These, therefore, are within the protection of the principle of Dartmouth College v. Woodward, 4 Wheat. 518, to the effect that legislation impairing rights and privileges conferred by the charter of private eleemosynary corporations is invalid under the Constitution of the United States.

"Gifts to trustees or to eleemosynary corporations, accepted by them to be held upon trusts expressed in writing or necessarily implied from the nature of the transaction, constitute obligations which ought to be enforced and held sacred under the Constitution. It is not within the power of the Legislature to terminate a charitable trust, to change its administration on grounds of expediency, or to seek to control its disposition under the doctrine of *cy pres*. Cary Library v. Bliss, 151 Mass. 364. Crawford v. Nies, 224 Mass. 474, 488. Determination of the uses to which shall be devoted trust no longer susceptible of execution according to their foundation is a well recognized branch of chancery jurisdiction.

As the corporation now holding the so-called Charlestown Poor's Fund was established in 1825, and prior to the enactment of chapter 81 of the Acts of 1831, and as no right was reserved by the Commonwealth to affect its charter, it is my opinion that the Legislature cannot now either revoke the charter of said corporation, take away its powers of control of said fund, or essentially change the constitution of the Board of Trustees.

It is, in my opinion, immaterial that the Legislature may be convinced that if it amends or revokes the charter it will improve the administration of the trust or eliminate actual abuses. The problems of trust administration are for the Court and not for the Legislature.

In view of the foregoing it is my opinion that no steps should be taken by this department to induce the Legislature to amend the charter of the trustees of the Charlestown Poor's Fund so as to place the custody, management and disbursement of said fund in the hands of the City Treasurer.

If the Board of Trustees is not acting properly in the administration of said trust, the matter may be called to the attention of the Court either by the Attorney-General or by a member of the Board. The city is not a beneficiary or trustee and has no legal standing to complain of the conduct of the Board. While the City Councilor from the Charlestown District is acting as a member of the Board, he does not, while so acting, act as a city official. (See Boston v. Doyle, 184 Mass. 381.)

Very truly yours,
HENRY E. FOLEY, Corporation Counsel.

Placed on file.

SCHOOL WARNING SIGNS, SOUTH BOSTON.

The following was received:

City of Boston,
Office of the Mayor, December 10, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Traffic Commissioner relative to your order of November 9, 1936, concerning the placing of school warning signs at West Eighth and F streets, South Boston.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Traffic Commission, December 9, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated November 9, 1936, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to place school warning signs at West Eighth and F streets, South Boston, for the protection of children attending the Patrick Gavin School."

Orders have been issued to erect a "School Zone" sign in the northeast side of West Eighth street, South Boston, in accordance with the above Council order.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Vincenzo Carlise, for compensation for damage to truck by fire truck.

Patrick Connolley, for compensation for loss of clothing taken from locker at City Hospital.

Frances M. Cushing, for compensation for injuries caused by an alleged defect in Belvidere street.

Thomas Finn, for compensation for injuries caused by city truck.

N. Fiorentino, for refund on dog license.

John Gallagher, to be reimbursed for execution issued against him on account of his acts as employee of Public Works Department.

Charlotte Goldstein, for compensation for injuries and damage to property by city truck.

Beatrice Healy, for compensation for injuries caused by an alleged defect at 32 Oliver street.

Dennis Krekokias, for compensation for injuries caused by city ambulance.

Robert McLaughlin, for compensation for damage to car caused by an alleged defect in Chelsea street.

Dr. M. H. Mirkin, for compensation for damage to car caused by an alleged defect at McLean street and Chambers street.

Annie Morrison, for compensation for damage to car by fire wagon.

N. Paciotti, for compensation for damage to car caused by an alleged defect in Dana avenue, Hyde Park.

Barney Rubin, for compensation for injuries and damage to car by city truck.

Ernest L. Worster, to be reimbursed for execution issued against him on account of his acts as police officer.

Thomas J. Holmes, for compensation for damage to car by city truck.

Clyde E. Strickland, for compensation for damage to property at 206 Stratford street, caused by backing up of sewage.

Executive.

Petition of Elizabeth A. Quigley to be paid an annuity on account of death of her husband, Edward M. Quigley, a member of the Fire Department.

COMMITTEE ON JITNEY LICENSES.

Petition of the Boston Elevated Railway for license to operate motor vehicles between junction of Broad street and Atlantic avenue and junction of East First street and P street, over Atlantic avenue, Summer street, L street, East Fourth street and/or East First street, P street; together with, and including, a loop over East Second street, Farragut road and East First street.

CONSTABLE'S BOND.

The constable's bond of Louis Levendorf, having been duly approved by the City Treasurer, was received and approved.

ELECTRIC LIGHT BULB CONTRACT.

The following was received:

Boston, December 11, 1936.

To the Honorable the City Council.

Gentlemen,—The Finance Commission has received a copy of an order adopted by the City Council on December 7, 1936, reading as follows:

"Ordered, That the Boston Finance Commission be requested to furnish the Council with all the facts relative to the bids and award of the contract to furnish the city with electric light bulbs."

In reply the commission has authorized me to send to you the inclosed copy of a report which was sent to Mayor Mansfield on December 8.

Yours very truly,

ROBERT E. CUNIFF, Secretary.

City of Boston,

Finance Commission, December 8, 1936.

Hon. Frederick W. Mansfield,

Mayor of Boston.

Honorable Sir,—The Finance Commission desires to place before you the following facts in regard to an effort now being made by the Supply Department to find an excuse to give an award of a city contract to a favored bidder. Twice before the commission has reported on similar efforts by the Supply Department to favor this dealer at the expense of a competitor.

In 1935 when the contract for the annual supply of lamps for city departments was awarded, the then Superintendent of Supplies arbitrarily decided that the lowest bidder was not in business sufficiently long to warrant an award to him of a contract that might run to \$6,000 worth of purchases.

This decision deprived a firm of reputable financial standing of a contract which had been fairly won in advertised competition. This firm had filed with its bid the required certified check guaranteeing its good faith and was prepared to furnish a bond that would protect the city against failure to carry out the terms of the contract.

The contract in question was awarded to the New England Electrical Supply Company, Barney Victor, proprietor, a concern which was not the lowest bidder and had only recently begun to obtain city contracts. It was pointed out by the Finance Commission at the time that this award necessitate the payment of approximately \$1,800 more for the year's supply than the lower bidder offered.

On July 10, 1936, bids were opened for a new year's supply. Marshall & Co., a local reputable dealer, was the lowest bidder. During the ensuing months the Supply Department made extensive effort to find basis for disqualification of Marshall & Co., even to the extent of consulting the Purchasing Agent of Milwaukee, Wisconsin, in regard to the quality of the lamp offered by the lowest bidder. The lowest bidder offered a lamp that had been tested and approved by the National Bureau of Standards and by the Electrical Testing Laboratories, Inc., of New York, the two leading laboratories on electrical equipment.

On August 21, 1936, no award having been made on the July 10 bids, the Finance Commission called your attention to the situation in a formal report. The commission pointed out that the School Committee annually made contract for lamps to run from January 1 to January 1. Your contract was to run from August 1 to August 1.

The commission recommended that you make award of the city contract to the lowest bidder, Marshall & Co., and that the contract run only to December 31. In the meantime, the commission recommended that the Supply Department be instructed to make arrangements for the purchases of lamps for all city departments and combine with the School Department in its requirements so as to obtain the lowest possible price.

In a letter in the *City Record*, dated October 7, the Superintendent of Supplies gave notice that he had accepted the Finance Commission recommendation in part. He extended the contract of the New England Electrical Supply Company for an additional six months, which the commission did not recommend. He promised, however, to make joint award with the School Department on a new contract to be awarded after competitive bidding to run from January 1 to January 1. He said "I believe the arrangement will result in a saving to the city of approximately \$1,000."

Later the Business Manager of the School Committee, Alexander Sullivan, and the Supply Department advertised for bids on agreed specifications to be opened November 23. This contract would require the furnishing of lamps to the amount of approximately \$20,000. Three days before the bids were to be opened, the prospective bidders received a supplementary notice from the Supply Department to the effect that the Superintendent of Supplies reserved the right to divide his purchases in two and make separate awards. That was in violation of the agreement made with the Business Agent of the School Committee and with the Supply Department's previous announcement.

When the bids were opened it was found that both Marshall & Co. and the New England Electrical Supply Company had lowered their prices, but that again Marshall & Co. were the lowest bidder for the whole contract. Again, however, the Supply Department began efforts to have Marshall & Co.'s bid thrown out. In these efforts the Superintendent of Supplies attempted to obtain from the General Electric Company, the manufacturer of a lamp offered by Marshall & Co., a letter stating that that company would refuse to give Marshall & Co. its supply. This letter was refused on the terms stated. Other bidders claim they have received notice from the manufacturer of the lamps offered by the New England Electrical Supply Company that that firm cannot deliver the lamps offered at the stipulated price.

The Business Agent of the School Committee, Alexander Sullivan, has had conference with the Superintendent of Supplies and the Corporation Counsel, and has informed both that he believes award to the New England Electrical Supply Company would not be keeping faith with the bidders. He informed them that in his opinion Marshall & Co. complied with all requirements and offered the lowest price and were, therefore, entitled to the contract.

In view of all these facts, the Finance Commission believes that to protect the city's good name, the Superintendent of Supplies should be instructed to make award to the lowest bidder.

Respectfully submitted,

E. MARK SULLIVAN, Chairman,
PHILIP A. CHAPMAN,
ROBERT ROBINSON,
JAMES E. MAGUIRE,
JOSEPH A. SCOLPONEY,
The Finance Commission.

Placed on file.

VOTES AT STATE ELECTION.

A communication was received from the secretary of the Commonwealth setting forth votes cast throughout the state in election held November 3, 1936.

Placed on file.

PRADO IN CHARLESTOWN.

A communication was received from the Trustees of the George Robert White Fund in answer to order of August 17, 1936, *re* making of Prado in Harvard square, Charlestown, stating that on November 24, it was voted that the trustees are not interested in the establishment of a Prado in Charlestown.

Placed on file.

BUILDING OF HEALTH UNITS.

A communication was received from the trustees of the George Robert White Fund stating that a vote was passed November 24, 1936, that it was not the intention of the trustees to build any additional Health Units at this time.

Placed on file.

REORGANIZATION OF CITY DEPARTMENTS.

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

1. Report on message of Mayor and ordinance (referred from Committee on Ordinances December 7) *re* consolidation of city departments—that same ought not to pass.

The report was accepted and the question came on the rejection of the ordinance.

Coun. WILSON—Mr. President, I am not particularly insistent on reading the report which I have personally prepared setting forth the objections to this particular ordinance, unless the members so desire; but, in justice to myself and other members of the Council who are not against the consolidation but who are against this particular set-up, I desire personally to be placed on record. However, I have no objection to giving this to the stenographer to place in the record, instead of reading it.

Coun. NORTON—Mr. President, I think we are entitled to have this paper read here.

Coun. WILSON—Mr. President, we again have before us the proposed new city ordinance, drafted by the Law Department to embody the 1935 recommendations of the Mayor's special committee of three professors from M. I. T., concerning a reorganization of "the engineering departments" of the city government. There has been a great deal of discussion as to the merits of the proposed plan; and considerable commendation by a number of proponents for the plan, including newspaper editorial writers who not only have no experience whatever in city affairs, but who have not so much as read the proposed ordinance. I am not interested in controversies between the Mayor and the Finance Commission, except in feeling that the November 21, 1936, report of the Finance Commission has proved much more constructively helpful than other messages to us on the subject. I am not impressed by the logic of the Mayor's reply of December 2, 1936, in which he states that "the letter of the Finance Commission does not disclose that any experts in municipal government were consulted by them"; that "the full extent of the study made by the Finance Commission, according to its report, was a careful reading of the report of the committee which recommended the consolidation, a discussion of the report, examination of the proposed ordinance, and interviews with many familiar with the work of city departments," which "falls far short of a thorough and intensive study by experts in municipal government such as composed the committee which recommended the consolidation." While the judgment of the Finance Commission has never been infallible, yet I feel that in the present instance the Finance Commission is better qualified to express an opinion than most of the proponents of the plan who have warmly advocated its adoption. The Finance Commission has at least read the committee report, and examined the ordinance itself. Also, it may be said that the Finance Commission has not relied

on a reading of some written essay by a department head as to his personal conception of the functions of his department, but instead has supplemented its annual experience of closely following all budget hearings by interviews with those "familiar with the work of city departments." It also occurs to me that at least three members of the present Finance Commission have themselves been in the service of the city as department heads,—one of them as Corporation Counsel. I also have a very high regard for the ability of the three members of the Mayor's committee, each in his own profession; but I do not agree that the gentlemen are "experts in municipal government" or that their study was "thorough and intensive." Professor Breed, possessing undoubted qualifications as a professor and civil engineer, has done some work as a consulting engineer in city planning for the Canadian National Railway. Professor Norton, who was formerly head of the Physics Department at M. I. T., we are told has been a consultant on Boston building construction and building laws. Colonel Eddy stated his own qualifications to be chiefly along administration lines in army work. He frankly admitted that the three gentlemen never had any experience in erecting the framework of a city government; none of them ever prepared a similar report for consolidation, on a scale similar to or even smaller than the one they now propose for Boston; none of them ever had any practical experience in city government; no department in City Hall was so much as visited by any member of the committee; and no present or past department head was personally consulted or even interviewed at any time. The sole contact with any department head, past or present, was the reading of a short written report by each head as to the functions of his department submitted in response to a general inquiry from the Mayor. The value of even such a remote contact obviously depends both on the experience and ability of the department head who made such written reply, and the official's literary skill in adequately setting forth his conception of the functions of his department, in composition form. Colonel Eddy expressed a conviction, "based on army experience which long ago recognized the fact that a man can deal with about five men," that "no man living is capable of dealing with more than four or five subordinates," and therefore "the fewer men the Mayor has to deal with the better." He felt that if the work of the Public Works Department and Street Laying-Out Department did not duplicate, it certainly overlapped. He made it clear that he shared the popular misconception that the Board of Street Commissioners, instead of merely accepting and laying out the lines for new streets, with the fixing of assessments and damages, also actually constructs streets. Although Colonel Eddy stated the present plan was based on cities of comparable size in the country, he was unable to recollect whether any city had a framework similar to our own in Boston, where the legislative branch of the government is unable to pass any measure over the veto of the Mayor,—even unanimously. With no explanation why such improvements cannot now be made effective even in the existing departments, both Colonel Eddy and Mr. Loeffler of the Municipal Research Bureau, urged that the proposed consolidation would save money (1) by having regular city employees do the work additional temporary employees are called upon to do and (2) by having city employees do work that contractors in many cases now do. Neither gentlemen could even estimate roughly the amount of the proposed saving; nor even following the "thorough and intensive study" made, could they even roughly estimate the present number of temporary employees in the nine city departments concerned. On the second point, to my knowledge for some ten years, members of the Council have repeatedly protested the continued spoilsman use of contractors by one Mayor after another to do work and render city service which might better be done by city employees, irrespective of any consolidation of a few departments. No consolidation of these, or any other departments, will end the custom of favored contractors being given city work on a political plum basis, unless or until a Chief Executive of the city insists on entering the office without entangling alliances and free of political debts. The special committee was admittedly unaware that city employees can now be transferred from one department to another, without

loss of civil service rights, and not aware that a job could be abolished, or a civil service employee let go, without the approval of the City Council. Colonel Eddy expressed the self-evident truth that it is "impossible to get efficient or economical service where you have four or five different people trying to do the same thing, regardless of anyone else," but was unable to point out one concrete example of such duplication in the existing set-up. He felt his plan would facilitate any needed transfer of men from one department to another, although of course over 2,600 of the 3,800 odd employees to be affected by the consolidation are already in some one of the four divisions of the Public Works Department. Not only did Colonel Eddy admit that "you don't need consolidation to carry out the no-hiring policy," but the Budget Commissioner assured the Council that the policy has already been adopted of not filling vacancies caused through deaths, retirements, resignations or promotions. As to the real extent of this no-hiring policy, the Mayor for some reason has consistently refused to furnish the Council any information, despite an order passed by the Council on June 29, September 1, and November 9, respectfully asking for a complete list of city employees who had died or been retired or promoted during 1934, 1935 and 1936,—giving in each instance the name of the employee, position held, amount of annual pay, and whether his position has been filled. In fact, the general attitude toward the City Council, relating to its action on the proposed ordinance, has been that the Council should just formally ratify, the report of the Mayor's special committee, without asking too many questions, or raising any doubt whether the report is the result of really expert study. I have not always agreed with the Finance Commission, but I do agree with such of their recent conclusions as the following: "Such support as has been given outside City Hall to this proposal must have been based solely on the theory that any ordinance which accomplishes a consolidation of several existing departments will be a benefit to the city. Obviously, such a theory cannot be sound. An ill-advised grouping of departments. . . will defeat rather than help attain the desires of those who seek more efficiency in municipal administration at less cost. . . . The commission is opposed to this particular consolidation because in its members it will not promote economy and it will multiply inefficiency. . . . Not more than 10 per cent of its activities will be engineering. . . . It still leaves engineering scattered into many divisions, which is another name for departments. . . . It centralizes a lot of power in administration in another superofficial. . . . and . . . does not provide a good grouping of municipal functions." If I remember correctly, only one of the gentlemen who appeared before the Council in support of the plan had so much as read the proposed ordinance. None of them had ever been in the active service of this or any other city government. But they came to express their "interest in a matter which looks to the concentration of authority in a few hands," and a quite logical conviction that "in the long run efficiency means economy." I agree with that general statement of fact. The real test still remains whether this particular consolidation even substantially affects the benefits claimed for it. I do not believe there is any mysterious magic in the mere word "consolidation." I have no quarrel with the three gentlemen who signed the report. I would not venture even to dispute with them on civil engineering or physics. But I have given some study to municipal government, supplemented by an apprenticeship of nine years in the City Council. When I was elected to this body, it was on the understanding that I was to retain the right to exercise my independent judgment. Merely because the real issues here are distorted by some editorial writer, either due to misinformation, or orders from the boss, doesn't change the situation. I still don't believe the present report is based on adequate expert study. I agree with Colonel Eddy's own statement that "it is not advisable to disturb existing functions unless you can see a real gain in so doing." In their original report dated May 16, 1935, the Mayor's committee included, in the proposed consolidation, the Traffic Commission, which thereafter the Law Department decided must be left out. What departments are now included? To use Mr. Loeffler's descriptive words: The

Public Works Department with 2,623 employees on June 1, 1935, is "the giant" in the whole set-up together with "two fair-sized departments" (Park and Public Buildings) and "six tiny ones" (Building, Street Laying-Out, Transit, Wire Division of Fire Department, Weights and Measures and Market). The four divisions of the Public Works Department, already under a single head, as of June 1, 1935, comprise over two thirds of the 3,861 employees affected by the proposed consolidation and eleven thirteenths of the annual current expense. The number of employees in each of the affected departments in 1933, as disclosed by City Document No. 91, of 1935, compared with the number of employees in the same departments as of June 1, 1935, as reported in the January 27, 1936, Bulletin of the Municipal Research Bureau, supports the contention that of course a no-hiring policy in no way is dependent on the proposed consolidation of departments. There already appears to have been almost a 12 per cent reduction in personnel in the nine departments in about two years.

	1933.	1935.
Public Works Department	2,896	2,623
Park Department	821	739
Public Buildings Department	190	177
Building Department	107	96
Street Laying-Out Department	103	92
Transit Department	183	66
Fire Department Wire Division	41	42
Weights and Measures Department	20	20
Market Department	7	6
	4,368	3,861

One other point concerns the terms of chapter 152 of the Acts of 1936, the provisions of which are aimed to assure city employees that the proposed consolidation cannot mean any loss of jobs. Of course, the statute does no more than cover the technical requirement in the formation of the proposed new department that all present employees in the nine departments shall retain their civil service ratings. In other words, it merely provides that the existing arrangement whereby an individual city employee on transfer from one department to another does not forfeit his civil service rights, shall properly be applicable to the suggested consolidation of nine departments into the proposed new department. But in no way does this statute possess any miraculous power to guarantee any man's job; if his services are no longer needed in the new department he can be dropped just as promptly as from the old department,—the only "protection" being the usual "protection," namely, that for a definite period of years no other man can be appointed to his old position with his old rating, over his objection. That is all that the new statute, which was enacted in March of this year, does do or should do,—and it should not be represented as doing one bit more than that. I am not against the principle of consolidation. One may question whether the city needs all three Transit Commissioners, at an annual cost of \$24,000, or all three Street Commissioners, costing \$19,000 per year. There is much in the city that can stand improvement. I see no logical reason for continued separation of the Public Welfare and Soldiers' Relief Departments. There is merit to the suggestion that the Park Department should take over, with its other custodian duties, the complete control of all municipal buildings. But I think there should be more than a thread on which to string several departments, and I don't agree that the mere joining of two or three departments automatically means either efficiency or economy. Finally, I do not agree that any theoretical study of some city where the acts, and even the appointments, of the Mayor are subject to some real measure of control by a Council, or Board of Aldermen, of both, is conclusive in considering what is best for Boston, where the control of every city function is already so highly concentrated in the Mayor's office. I can readily appreciate the recent demand in New York City for consolidating, into one city building department, the five separate building departments of five separate city boroughs. But

that still doesn't prove that in Boston, the Sealer of Weights and Measures should be in the same combination with the Park Department, or that the Superintendent of Markets has much in common with the Wire Division of the Fire Department, so far as their joint consolidation in a new engineering department is concerned. For the reasons given, and not because I am against economy or efficiency or a proper consolidation of departments, I shall again vote against the present proposed ordinance. I do so after some study, and for what I believe to be the best interests of the city, its taxpayers and employees.

Coun. SHATTUCK—Mr. President, this measure has been before us on several previous occasions and has been subject to debate. I have heard no new reasons brought forward which would cause me to change my opinion. I have in the past voted for the ordinance and on this occasion I shall vote against the report that it ought not to pass. One of the criticisms most frequently made is that the economies that would be brought about have not been proved. I do not believe in a matter of this kind that one can prove economies in dollars and cents, so as to show exactly what they would be. But I do know something from experience concerning the consolidation which took place in the state departments at the State House in 1919. At that time sixty or more different departments were consolidated into twenty departments under the provisions of the amendment to the State Constitution. When that was done, I think there was no very specific proof of what the saving would be, but the fact is that there were savings, as shown by experience. The fact is that, with an increased volume of work from year to year, after the consolidation took place there was not a corresponding increase in the number of employees required to do that work. In fact, in some of the departments the vacancies were not filled and a greater amount of work was actually done with fewer people. I do not recall that anyone was disconnected from the service other than by death or resignation. But in the course of years—and I was up there for ten years after that and knew something about it, because I was on the Ways and Means Committee during the entire period,—we did find that more work was done with fewer employees than would have been done without the consolidation. The only new argument that I believe has been brought up at this time is that we might, with further study, bring in some substitute measure, and I understand it is proposed that there shall be a committee of the Council to consider that. I rather doubt that a committee of the Council, without the assistance of an appropriation and expert help, can give the time required for a detailed study which would lead to the drawing of a satisfactory ordinance. I do not desire to duck the question by voting against this measure and then turning the matter over to a committee that will probably after a few hearings come forth with practically nothing. I shall, therefore, vote against this report "Ought not to pass."

Coun. ROBERTS—Mr. President, I did not intend to speak on this matter but, having voiced some of my opinions in the Executive Committee, I would simply like at this time to call the attention of the Council to the fact that there will be in the incoming Legislature several very vicious attempts, which will be claimed to be on behalf of the people, to place on the City of Boston and other cities of this Commonwealth the so-called \$25 tax limitation, and the question of whether we in this body, on behalf of the City of Boston, are capable of accomplishing any economies at all will certainly be an issue before the Legislature. We must bear in mind the fact that recently, in the Boston wards that were called upon to vote on the limitation idea, there was a vote of three to one in favor of it. That shows the strong desire for economy on the part of our people. If we take no favorable action on this plan at this time, turn it down, attention will be called in the Legislature to the fact that we in Boston can do nothing to solve our problem, and the solution therefor will be taken out of our hands. I have here before me an itemized breaking down of the \$38 tax rate. It must be obvious to anyone that, with reduction of the tax rate in the City of Boston to \$25 per thousand, a sales tax or some method of raising more money must be adopted, because otherwise important branches of our municipal service must

be curtailed, with a wholesale discharge of a great many people. It is true that there are probably some defects in this proposed ordinance which would later have to be ironed out. But we should bear in mind that we will have to do something in the future to economize and to reduce our tax rate, having in mind the intense desire shown for economy in the agitation and the vote upon the \$25 tax limitation. There probably are defects in this plan, things that would later have to be corrected. Perhaps the Wire Division should not be treated as proposed. But that is a very small matter, and that and other possible defects could be corrected later. It is evident, however, having in mind the temper of the people as shown by their recent vote on the tax limitation matter, that something looking to economy should be carried out, and possible defects can be considered and dealt with in the future. Therefore, I shall vote against the proposed action rejecting this ordinance.

Coun. NORTON—Mr. President, I am sure that the Council would welcome a reorganization plan—which, perhaps, we might wish would be somewhat different than the plan that has been presented. However, that is neither here nor there. Talking with members of the Council I know they believe in a consolidation, although they do not agree with some of the details of this plan. As I look at it every plan has defects, but, in spite of the defects there may be in this proposed plan, I am of the opinion, with the councilor from the Back Bay (Coun. Shattuck), that something should be done to relieve the crushing load which is slowly destroying our city. The colleague from Dorchester (Coun. Wilson) points out the fact that none of this committee can be considered experts in dealing with this question. That can probably be said, in a sense, of any committee that has dealt with a problem of this kind in any city of America. Practically every consolidation plan that has been suggested anywhere has involved questions where there was doubt and where the exact problems involved have not before been dealt with. That is so in questions that have concerned Federal, state and municipal governments. It is true that ordinarily on matters of this sort, involving consolidation, the opinions of the local city government and of local men have been sought, rather than the opinions of men who have been going all about the country considering various problems. Here we have three members of a committee appointed from the Massachusetts Institute of Technology to do this work. Colonel Eddy, I understand, spoke about Professor Breed going to Canada and having something to do with some municipal organization in Canada, tied up with the Canadian National Railways. Another member of the committee is familiar with materials and construction, and Colonel Eddy has had largely to do with questions of army organization. However, today these members have presented a report which, I believe, is 80 per cent accurate and correct. I believe it would be impossible to get a report of this nature without having some serious questions raised in the Council regarding certain phases of it. However, I believe the thing should be started at this time and minor changes that may be necessary can be considered later. The plan means, in my estimation, that the City of Boston will save money, that the unbearable load of taxation in this city will be reduced. We are more highly taxed than any city of the kind in the entire world. Here is a constructive effort by those who have made the consolidation study, which should not be lightly rejected. The members of the Council heard what was said by the secretary of the Municipal Research Bureau, who stated that this set-up is similar to that in other cities in the same category as Boston, and that in other places consolidations along a similar line have worked out satisfactorily. There is no reason in the world why that building across the street should pay more in taxes than any corresponding building in any city with half a million or more population in the entire world. As long as that sort of thing persists in Boston we will lose business and our people will continue to walk the streets unemployed, until we become the most down-at-the-heel city in America. Therefore, I am in favor of this plan, with a corollary, under an amendment which I would be glad to offer, that the Mayor come in and work with the Council for some form of consolidation that will meet with the views of the Council and the Mayor himself. I am convinced, however, that

it is advisable, in some form, to have a consolidation plan. The fact that we have three or four departments dealing with that street in front of City Hall shows the importance of dealing with the present situation.

Coun. BRACKMAN—Mr. President, I have taken the attitude on this measure from the very start that it is a step in the right direction. We have here a city government that was established many years ago. We have been going along with what we may call an archaic system. There can be no question in the minds of anybody having to do with the city departments, for example, that at the present time any citizen having business to do with them has to run about from one to another, making very slow progress. Certainly, something should be done to simplify matters and to facilitate the city's business in the interests of the general public. It has been stated that there are defects in this proposed ordinance. There is no question about it. There are defects in any plan that may be instituted, defects that may very well be ironed out, but it has been evident to all of us for years that something should be done to relieve the pressure on the home owner and the rent payer. Of course, nobody wishes to see employees discharged, and I understand that the economies that this proposed reorganization points to have no reference to the discharge of employees, I am, therefore, going to vote consistently on this measure, against the committee's report.

Coun. DOWD—Mr. President, in my opinion there is not a member of the Council who does not believe in economy, who does not believe in efficiency, who does not believe that there should be some plan of consolidation. But the very serious objections to the plan before us for action have been very clearly pointed out by the councilor from Dorchester (Coun. Wilson). I have not yet come to the point in my life where I am willing to agree that these engineers and professors from Technology have all the brains in the world. I am still of the opinion that there are a few practical men in this city and state, men, for example, familiar with the workings of our different departments, whose opinions should be sought in this matter as being worthy of consideration and as having great weight. Neither the Mayor nor any other individual can tell me that three men can sit around in their offices without consulting a single department head personally, without putting a foot into one of the departments, and draw up intelligently such a drastic reorganization plan as we have before us today. With a well thought-out plan for reorganization, though worked out after consultation with men who have had experience with our city departments and who are in a position to know what should be done, I believe we would all absolutely agree. But we all know that we have a peculiar situation in the City of Boston, that our state enters into the government of the city to such an extent that unusual questions are presented here, questions that might not be so important in the ordinary city. We know that even the Mayor who is supposed to have so much power in our city government, is very much hampered. I think the first step should be taken by the Legislature to return to the Mayor of Boston the rights that should be his, because after all the Mayor of Boston is only responsible, I believe, for 46 cents out of every dollar that comes into the city treasury. I believe that he should be held directly responsible for the 100 cents of the dollar. So far as any efficiency that may be obtained by a reorganization in our departments, I know every member of the Council favors, as I do, efficiency in our departments. But let me ask you one question—Is there not a happy medium somewhere? While objection is made to having a number of small departments, I wonder what would happen if you had one gigantic head of all the departments. Perhaps no member of the city government would even be allowed to see him, and the public would not get the service that it gets now. When we are told about economy, saving money, if the plan presented really resulted in a large saving, without interfering with the services performed by the city and without discharging employees, there is not a member here who would not agree with it. But under this far-fetched plan the only amount saved is a paltry \$10,000 or \$12,000, which in the final analysis would not mean anything in the tax rate of Boston. The Mayor found out when he came into office how little the ideas of some of these men meant when it really came to saving in the tax rate, that

even a discharge of 400 or 500 individuals would not save an amount of money to the taxpayers that would mean anything in the tax rate. Personally, I believe that members of the city government who have been around here for years would have valuable ideas in regard to what should be done in all the departments, that the opinions of heads of departments, now and in the past, might well be of great value, and that the advice of many men in this city, engineers and otherwise, who have had more or less contact with our city affairs, might well be asked. That is something that has not been done by the gentlemen who have drawn up this plan. Like other members of the body, I am for consolidation to a certain extent, where it will not affect a single employee. It is all right for Mayor Mansfield to say that not one man or woman will be discharged if this consolidation goes through. But Mayor Mansfield is not to be the Mayor of Boston forever. We are going to have a new Mayor come in, and we don't know who he may be or what attitude he may take. He would have the power to discharge 300, 400 or 500 employees, if he chose—although God forbid!—and we all know how serious that situation might be. I do not wish by my vote to help in that possible result. For that reason I am going to vote against this proposed consolidation.

Coun. PETER J. FITZGERALD—Mr. President, one of the best statements I have heard upon this matter is that read by the member from Ward 17 (Coun. Wilson), but I cannot let the opportunity go by of referring to the evident fact that the proponents of this consolidation seem to be rather irritated because the majority of the members of your Committee on Ordinances are a bit old-fashioned and have used a little common sense. It is sometimes well to have our feet on the ground. We once had a President of the United States who as Governor of Massachusetts when he wanted to get the real opinion of the people used to sit in the shop of a shoemaker in Northampton and obtain his reaction to certain public questions, and who said that many times the wisdom that he gleaned from his shoemaker friend was a guiding light on some of the biggest questions that ever confronted him. I am a graduate of the old-fashioned school, and frankly I am surprised when I find a committee of three men brought in to pass upon this question who state that they have not visited any of the departments, that they have been guided in their report by letters from department heads and by department reports, and who admit that they have not even talked personally with the heads of the departments. Being a little old-fashioned, I feel that if the problem had been presented to me I would at least have gone into the departments and would have given some thought to their workings before coming into this body with a report that I expected to be considered seriously. Every member of this Council is sincere in his desire to save money for the taxpayers. He wants to make a real saving, not a fanciful, hypothetical, possible saving. The gentleman from the Back Bay (Coun. Shattuck) with whom I had the honor to serve in the Legislature talks about the state departments being cut down to twenty. That was true, but he did not tell you of the sixty or seventy divisions that have been created within those departments, each of the division heads receiving a very fine salary. He did not tell you, either, that some of those departments were self-sustaining or created with the intention of their being self-sustaining. In the City of Boston we do want a really efficient measure that will save the taxpayers' money. As the councilor from Dorchester (Coun. Wilson) said, why not call in, when you are passing judgment on a matter of this kind, men who have spent their lives in the service of the departments and of the city, men who are perhaps now retired but who have had an opportunity for many years to arrive at a well-seasoned and valuable judgment in regard to the conduct of the work of the city, men who could furnish really practical information, with a strong foundation of common sense, from which a conclusion could be arrived at that would be of real benefit to the taxpayers. No editorials in the newspapers, Mr. President, can scare me. I have not found a newspaper that has presented the facts in this matter in a fair fashion. Some one once said that a newspaper has great power in molding the public viewpoint, the viewpoint of the man in the street. But if a newspaper is to have influence on public opinion, it must be

fair, not like the writer who misrepresented the words I uttered the other day in regard to throwing this measure out the window. I doubt if the man who wrote that editorial ever read the proposed ordinance. I doubt if he ever attended a hearing on the matter or knew the facts. He is a member of the *Herald* staff. I might suggest something that that paper might do this year. It would be a very nice thing for those running the paper to take the \$15,000 salary that is being paid to a banking official in Boston and distribute it among its employees. I am for the taxpayer every moment while I am a member of this body. I realize that next year I may face re-election, and when I face my constituents I want them to know that I did what was expected of me, that I made an intelligent perusal of all legislation coming before us, subjecting it to close scrutiny in the light of my better judgment, and that I voted honestly and conscientiously in opposing this proposed consolidation.

Coun. McGRATH—Mr. President, this proposed ordinance, or any ordinance looking to such a reorganization, may well affect city employees, and I am going to offer an order that a committee selected by the employees be represented on any body or committee that may later consider this question of reorganization. It is a matter that affects them and they should be represented.

The Council voted to reject the ordinance.

Coun. Shattuck doubted the vote and asked for a rising vote.

Coun. ROBERTS—Mr. President, I ask for a roll call.

President FITZGERALD—The question comes on rejection of the ordinance. Those in favor of rejection of the ordinance will, when the roll is called, answer, "Yes," those in favor of the ordinance will answer "No."

The ordinance was rejected, yeas 17, nays 4.

Yeas—Coun. Agnew, Doherty, Dowd, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Gleason, Kerrigan, Kilroy, McGrath, Mellen, George A. Murray, Rosenberg, Selvitella, Tobin, Wilson—17.

Nays—Coun. Brackman, Norton, Roberts, Shattuck—4.

ANOTHER CONSOLIDATION PLAN.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of having the group of experts who drew up the consolidation plan, draw up another plan, and while doing so consult with his Honor the Mayor and a committee of City Council members.

Coun. NORTON—Mr. President, I believe all the members of this body are interested in consolidation of some kind or another. I don't believe any member of the body wants to see Boston in the worst condition of any city of America. I believe there are certain consolidations that members of the body will agree to if a little tact is exercised by the Mayor, and if we have an investigation of the subject in which consulting experts work and cooperate with the members of this body.

The order was passed under suspension of the rule.

INVESTIGATION OF CITY DEPARTMENT REORGANIZATION.

Coun. DOWD and Coun. WILSON offered the following:

Ordered, That the President of the City Council appoint a committee of seven members to cause a suitable investigation to be made and to report with reference to possible steps for the consolidation of such city departments as will reasonably assure increased efficiency in the city service and appropriate economies in the operation of the city's business.

Coun. WILSON—Mr. President, speaking upon that order I venture to suggest that if the Mayor complies with the splendid suggestion which has been made by Councilor Shattuck, that the Mayor present to the Council the annual budget for 1937 promptly at the outset of the year, such a committee as is provided for by this order, when appointed by the President of the Council, can start off its work splendidly by attending the hearings on the budget. Then we might insist that every department head appear personally

prepared not only to answer questions on the 1937 budget at the outset of the year, but also prepared to answer questions with reference to this proposed consolidation of departments.

The order was passed under suspension of the rule.

Later in the session President FITZGERALD announced the following as members of the committee:

Coun. Gallagher, Dowd, Shattuck, Wilson, Kerrigan, Peter J. Fitzgerald, Selvitella.

DAY FOR CHRISTMAS SHOPPING.

Coun. DOWD offered the following:

Ordered, That the Board of Trustees of the Boston City Hospital be requested, through his Honor the Mayor, to give all employees of that institution one day off for Christmas shopping.

Passed under suspension of the rule.

REDUCTION OF TELEPHONE RATES.

Coun. McGRATH offered the following:

Resolved, That the members of the Boston City Council go on record as favoring the reduction of the present telephone rates, and that copies of this and similar orders and resolutions pertaining to telephone rates be forwarded to the president of the New England Telephone Company.

Coun. McGRATH—Mr. President, I note in the papers that telephone rates on long distance calls have been reduced \$12,000,000 all over the country, due to the agitation there has been on this matter, and this order proposes to reduce the local telephone rates. I would like to have introduced into the records newspaper statements in regard to this matter.

Following are the newspaper articles referred to by Coun. McGrath:

From the *Boston Daily Record* of December 10, 1936:

"Drastic Phone Cut on January 15.

"Washington, Dec. 9 (I. N. S.). New interstate telephone rate schedules to produce the \$12,000,000 rate reduction to become effective January 15 next, on the 'long lines' of A. T. & T. were announced today by the Federal Communications Commission.

"The commission said that because of the overall magnitude of the proposed reduction, practically every rate on this widespread system will be revised."

"This reduction is in addition to the two previous rate cuts aggregating another \$10,000,000, which have been made on the A. T. & T. system since the commencement of the commission's pending telephone investigation.

"In general, at distances of 90 miles the reduction will become 10 cents, increasing to 15 cents at 150 miles, to 20 cents at 174 miles, and to 25 cents at 354 miles. At 462 miles, the reduction becomes 30 cents; at 570 miles it will be 35 cents, and so on up to 3,000 miles, where it will amount to \$1.25.

"Using New York as a basing point, this will mean that reductions in long-distance telephones, on a station-to-station basis, will occur as follows:

Philadelphia, 5 cents; Providence, 15 cents; Boston, 20 cents; Washington, 20 cents; Pittsburgh, 20 cents; Detroit, 25 cents; Chicago, 30 cents; Atlanta, 30 cents; Minneapolis, 30 cents; Kansas City, 50 cents; Dallas, 50 cents; Denver, 75 cents; Los Angeles, \$1; San Francisco, \$1.

"Night and Sunday station-to-station rates will also receive material reductions, as will both day and night (and Sunday) person-to-person rates."

From *Boston Evening American*, of Wednesday, December 9, 1936:

"Phone Rates Cut on Long Distance January 15.

"Reductions in long-distance calls, in line with the intended nationwide \$12,000,000 rate decrease, will become effective in Boston January 15, according to an announcement today by the Federal Communications Commission.

"This reduction, it was stated, is in addition to the two previous rate cuts made on the American Telephone and Telegraph system since the beginning of the commission's pending telephone investigation.

"The reductions are made according to distances.

"At 90 miles, the reduction will become 10 cents, increasing to 15 cents at 150 miles, to 20 cents at 174 miles and to 25 cents at 354 miles.

"At 462 miles the reduction becomes 30 cents, and so on up to 3,000 miles, where it will amount to \$1.25.

"Persons phoning from Boston on a day station-to-station basis will enjoy the following reductions:

"New York, 20 cents; Providence, 5 cents; Baltimore, 25 cents; Philadelphia, 20 cents; Portland, 15 cents; Washington, D. C., 25 cents.

"Night and Sunday station-to-station rates will also receive material reductions, as will both night and day and Sunday person-to-person rates.")

The order was passed under suspension of the rule.

THE NEXT MEETING.

The Council voted, on motion of Coun. FINLEY, that when it adjourn it be to meet on Monday, December 28, at 2 p. m.

NEW BUILDING, BOSTON SANATORIUM.

Coun. PETER J. FITZGERALD offered the following:

Ordered, That his Honor the Mayor include in the 1937 budget the sum of \$25,000 for the construction of a new building at the Boston Sanatorium, to be used for an admitting ward for those afflicted with tuberculosis.

Coun. PETER J. FITZGERALD—Mr. President, at the present time there is no admitting room for those afflicted with tuberculosis at the Boston Sanatorium, with the result that those coming there in the last stages of tuberculosis are in contact with those in the first stages. There should be a building provided to be used as an admitting ward where those coming to the Sanatorium may be placed for study of their cases by physicians.

The order was passed under suspension of the rule.

ENGRASSING OF RESOLUTIONS RE DEATH OF MR. BALDWIN.

Coun. GEORGE A. MURRAY and Coun. KERRIGAN offered the following:

Ordered, That the City Clerk be directed to have suitably engrossed the resolution adopted by the City Council on the death of John E. Baldwin; the expense to be charged to the Reserve Fund.

Passed under suspension of the rule.

FACTORY OF RAND & BYAM SOAP GREASE COMPANY.

Coun. MELLEN offered the following:

Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to investigate and report back to the City Council within one week, the unhealthy and obnoxious conditions surrounding the factory of the Rand & Byam Soap Grease Company, which company has been rendering grease and manufacturing soap at this location for over one hundred years.

Passed under suspension of the rule.

BUILDING AT BUNKER HILL AND BALDWIN STREETS.

Coun. MELLEN offered the following:

Ordered, That the Building Commissioner and the Fire Commissioner be instructed by his Honor the Mayor to make an inspection of the vacant building at the corner of Bunker Hill street and Baldwin street, and report back to the City Council within one week the condition of this building.

Passed under suspension of the rule.

MANAGEMENT OF CHARLESTOWN POOR'S FUND.

Coun. MELLEN offered the following:

Ordered, That the Attorney-General be requested, through his Honor the Mayor, to inves-

tigate the management of the Charlestown Poor's Fund, and if he finds it advisable, take the necessary steps at law to remove the funds from the present board of trustees.

Coun. MELLEN—Mr. President, I see by the communication from the Mayor that it would be necessary to take legal steps to transfer the management of the Charlestown Poor's Fund from the present trustees. I trust that this order will be deemed no reflection on the present trustees, with the exception of one. For purposes of the record I wish to say this.

The order was passed under suspension of the rule.

ADDITIONAL GROCERY ORDERS FOR CHRISTMAS.

Coun. MELLEN offered the following:

Ordered, That the Board of Overseers of the Public Welfare Department be instructed by his Honor the Mayor to issue an additional five-dollar grocery order to every recipient of welfare next week to enable them to buy a suitable Christmas dinner.

Coun. MELLEN—Mr. President, I have often wondered where the Overseers obtained the information upon which they founded their diet schedule. I certainly cannot understand how people can exist on the scanty allowance furnished by the Board of Overseers. I know every member of the Council agrees with me that they would like to have at least one day in the year when the recipients had a suitable dinner. For that reason I offer this order.

The order was passed under suspension of the rule.

APPROPRIATION FOR SOCIAL LAW LIBRARY.

Coun. TOBIN 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.

BABY CLINIC IN MEETING HOUSE HILL.

Coun. TOBIN offered the following:

Ordered, That his Honor the Mayor request the Health Commissioner to consider the advisability of establishing a baby clinic in the Meeting House Hill section of Dorchester.

Passed under suspension of the rule.

RECREATION BUILDING FRANKLIN FIELD.

Coun. ROSENBERG offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to include in the 1937 budget for his department a sum sufficient to cover plans for the erection of a recreation building on Franklin Field and that further efforts be made to secure the approval of the same either as a W. P. A. project or otherwise.

Passed under suspension of the rule.

CONFIRMATION OF APPOINTMENTS.

President FITZGERALD called up, under unfinished business, Nos. 1 and 2 on the calendar, viz.:

1. Action on appointments submitted by the Mayor December 7, 1936, of Gerald F. Hughes and Walter G. Shuttleworth, Jr., to be Weighers of Coal; and Joseph Lordon, to be a Weigher of Goods.

2. Action on appointment submitted by the Mayor December 7, 1936, of Israel Cooper, to be a Constable authorized to serve civil process.

The question came on confirmation. Committee, Coun. Rosenberg and Doherty. Whole number of ballots 17, yeas 15, nays 2, and the appointments were confirmed.

Adjourned, at 3.40 p. m., on motion of Coun. GALLAGHER, to meet on Monday, December 28, 1936, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 23, 1936.

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

MOTION TO ADJOURN.

Coun. GLEASON moved that the Council adjourn for two weeks; lost.

GRANTS FOR SCHOOL CONSTRUCTION.

The following was received:

City of Boston,
Office of the Mayor, December 23, 1936.
To the Honorable the City Council.

Gentlemen,—On November 25, 1935, your Honorable Body passed orders accepting the offers of the United States of America to aid by way of grant in financing the construction of the following school buildings:

1. School in Roxbury district (P. W. A. Docket No. Mass. 1088).
2. School in John Marshall District, Dorchester (P. W. A. Docket No. Mass. 1089).
3. School in Phillips Brooks District, Dorchester (P. W. A. Docket No. Mass. 1090).

I am advised that the Law Department and Emergency Finance Board of the Commonwealth construe such an offer to aid in financing the construction of a school building to include aid in financing the necessary equipment therefor. The Federal authorities, however, are of the opinion that it is advisable that such an offer should provide for aid in financing the equipment by express language and have therefore submitted superseding offers in each of the above cases. By the terms of these superseding offers, the United States of America offers to aid in financing the construction of said school buildings, including the necessary equipment therefor.

The superseding offer which has been submitted in connection with the construction of a school building in Roxbury district (P. W. A. Docket No. Mass. 1088-R) provides by its terms for a reduction in the maximum amount of the grant from \$323,100, as appearing in the original offer, to \$307,260. I have been advised, however, that since the present estimated cost of construction of said school building, including necessary equipment therefor, will be substantially less than the amount originally estimated, said amount of \$307,260 is the maximum grant based upon the present maximum estimated cost. The United States of America has, therefore, reduced the maximum grant in order to release all available sums for other projects.

I am transmitting herewith to your Honorable Body the following:

1. Superseding offer by the United States of America relative to school in Roxbury district (P. W. A. Docket No. Mass. 1088-R).

2. Superseding offer by the United States of America relative to school in John Marshall District, Dorchester (P. W. A. Docket No. Mass. 1089-R).

3. Superseding offer by the United States of America relative to school in Phillips Brooks District, Dorchester (P. W. A. Docket No. Mass. 1090-R).

4. Three copies of rules and regulations, P. W. A. Form No. 179; and

5. Three forms of order of acceptance of said superseding offers.

I recommend prompt consideration and passage by your Honorable Body of the accompanying orders.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Ordered, That the superseding offer of the United States of America to the City of Boston to aid by way of grant in financing the construction of a school building in Roxbury district, including necessary equipment therefor, a copy of which superseding offer reads as follows:

"Federal Emergency Administration of Public Works.

Washington, D. C.,

Dated: November 27, 1936.

Docket No. Mass. 1088-R.

City of Boston, Boston, Suffolk County, Massachusetts.

1. Subject to the rules and regulations (P. W. A. Form No. 179, July 22, 1935, as amended to date) which are made a part hereof, the United States of America hereby offers to aid in financing the construction of a school building in Roxbury district, including necessary equipment therefor (herein called the "Project") by making a grant to the City of Boston in the amount of 45 per cent of the cost of the project upon completion, as determined by the Federal Emergency Administrator of Public Works, but not to exceed, in any event, the sum of \$307,260.

2. Upon the acceptance of this offer by the City of Boston, the contract created by the acceptance of the offer dated October 7, 1935, made by the United States of America to the City of Boston to aid in financing the project shall be cancelled. The cancellation of such contract shall not impair or vitiate any act performed or proceedings taken thereunder prior to such cancellation. Such acts or proceedings may be continued under the contract created by the acceptance of this offer.

UNITED STATES OF AMERICA,
Federal Emergency Administrator of Public Works.

by HORATIO B. HACKETT,
Assistant Administrator."

be, and the same is hereby in all respects, accepted; and further

Ordered, That said City of Boston agrees to abide by all the rules and regulations relating to such grant, a copy of which rules and regulations are annexed to the government's offer and made a part hereof.

Ordered, That the superseding offer of the United States of America to the City of Boston to aid by way of grant in financing the construction of a school building in the John Marshall District, Dorchester, including necessary equipment therefor, a copy of which superseding offer reads as follows:

"Federal Emergency Administration of Public Works.

Washington, D. C.,

Dated: December 7, 1936.

Docket No. Mass. 1089-R.

City of Boston, Boston, Suffolk County, Massachusetts.

1. Subject to the rules and regulations (P. W. A. Form No. 179, July 22, 1935, as amended to date) which are made a part hereof, the United States of America hereby offers to aid in financing the construction of a school building in the John Marshall District, Dorchester, including necessary equipment therefor (herein called the "Project") by making a grant to the City of Boston in the amount of 45 per cent of the cost of the project upon completion, as determined by the Federal Emergency Administrator of Public Works, but not to exceed, in any event, the sum of \$76,815.

2. Upon the acceptance of this offer by the City of Boston, the contract created by the acceptance of the offer dated October 16, 1935, made by the United States of America to

the City of Boston to aid in financing the project shall be cancelled. The cancellation of such contract shall not impair or vitiate any act performed or proceedings taken thereunder prior to such cancellation. Such acts or proceedings may be continued under the contract created by the acceptance of this offer.

UNITED STATES OF AMERICA.
Federal Emergency Administrator of Public Works.

by HORATIO B. HACKETT,
Assistant Administrator."

be, and the same is hereby in all respects, accepted; and further

Ordered, That said City of Boston agrees to abide by all the rules and regulations relating to such grant, a copy of which rules and regulations are annexed to the Government's offer and made a part hereof.

Ordered, That the superseding offer of the United States of America to the City of Boston to aid by way of grant in financing the construction of a school building in Phillips Brooks District, Dorchester, including necessary equipment therefor, a copy of which superseding offer reads as follows:

"Federal Emergency Administration of Public Works.

Washington, D. C.,

Dated: December 3, 1936,

Docket No. Mass. 1090-R.

City of Boston, Boston, Suffolk County, Massachusetts.

1. Subject to the rules and regulations (P. W. A. Form No. 179, July 22, 1935, as amended to date) which are made a part hereof, the United States of America hereby offers to aid in financing the construction of a school building in Phillips Brooks District, Dorchester, including necessary equipment therefor (herein called the "Project") by making a grant to the City of Boston in the amount of 45 per cent of the cost of the project upon completion, as determined by the Federal Emergency Administrator of Public Works, but not to exceed, in any event, the sum of \$352,800.

2. Upon the acceptance of this offer by the City of Boston, the contract created by the acceptance of the offer dated October 3, 1935, made by the United States of America to the City of Boston to aid financing the project shall be cancelled. The cancellation of such contract shall not impair or vitiate any act performed or proceedings taken thereunder prior to such cancellation. Such acts or proceedings may be continued under the contract created by the acceptance of this offer.

UNITED STATES OF AMERICA.
Federal Emergency Administrator of Public Works.

by HORATIO B. HACKETT,
Assistant Administrator."

be, and the same is hereby in all respects, accepted; and further

Ordered, That said City of Boston agrees to abide by all the rules and regulations relating to such grant, a copy of which rules and regulations are annexed to the Government's offer and made a part hereof.

Referred to the Executive Committee.

COLLECTION OF UNPAID WATER RATES.

The following was received:

City of Boston,

Office of the Mayor, December 28, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works relative to your order of November 23, 1936, concerning methods of collecting unpaid water rates.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department,

December 21, 1936.

Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—I beg leave to acknowledge receipt of your note of November 25, with attached City Council order dated November 23, and reading as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to inform the City Council what difficulties are involved in the collection of unpaid water rates by the lien method, so called, provided by sections 42A and 42F, inclusive, of chapter 40 of the General Laws, as amended by chapter 197 of the Acts of 1932, and what changes, if any, in his opinion, are required to make the said method more valuable for such collection,"

and to state that the so-called Lien Act was accepted by the City of Boston in an order passed by the City Council September 11, 1923, approved by the Mayor September 12, 1923, and recorded with Suffolk County Registry of Deeds September 12, 1923 (Book 4486, page 630).

Since this acceptance there have been several amendments to the act, the last amendment being chapter 42, Acts of 1936. Section 1 of this act provides that the lien filed on water bills not paid within sixty days after due date "shall attach *only* for water supplied within a period of one year next prior to the filing of statement in the Registry of Deeds." Section 2 provides that the lien as filed "shall contain the name of the owner of record of such real estate as on January 1 of the year in which the lien is filed."

There have been two major faults in this act. One fault, namely, the owner of record, etc., has been now remedied in section 2 of this act. The other major fault is that the time from the arising of the lien and the expiration of the period in which the lien is obliged to be filed, namely, one year, as per section 1, is too short for effective collection and necessitates drastic action be taken against the taxpayer. There is a question as whether or not too short a period is helpful to either the city or the taxpayer. The more serious danger is that a tax bill including a water lien may be defeated by an error in effecting the lien for the water bill; that is, a sale made for a large tax account may be defeated because of an error affecting a comparatively small water bill, thus destroying or losing the tax sale.

Respectfully yours,

C. J. CARVEN,

Commissioner of Public Works.

Placed on file.

ASSIGNING OF CLERKS TO SNOW DUTY.

The following was received:

City of Boston.

Office of the Mayor, December 28, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Commissioner of Public Works relative to your order of September 28, concerning the assigning of regularly employed city clerks to snow duty and snow dumps during the winter months.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Works Department,

December 21, 1936.

Mr. Joseph F. Mellyn,

Secretary, Mayor's Office.

Dear Sir,—Reporting on the letter of Councilor George A. Murray referring to an order introduced in the City Council asking that the Public Works Commissioner, through his Honor the Mayor, discontinue the practice this year which was initiated last year, for the first time, whereby clerks of the office

force of the city were compelled to leave heated offices to work on snow at the dumping places, I wish to state that in the reorganization of the method of handling the removal of snow by contract, the number of districts were reduced from fourteen to four and each of the four districts were placed under the control of the Division Engineer of the Paving, Sewer, Bridge and Ferry, and Water Divisions. Also, in place of the contractor working from ten to fourteen hours daily, the contractor removing the snow last year worked in two shifts daily or approximately twenty hours per day. It is impossible for the employees to stand a twenty-hour day, and in order to lessen the hours spent by the engineers, inspectors and checkers it was advisable to work said force in ten-hour shifts.

In all the divisions except the Water Division there were and are engineers and inspectors sufficient in number to properly handle the contract. The Water Division, after calling upon the engineers and inspectors, detailed clerks to the number of seven or eight to help out. With the exception of two clerks in said Water Division who are engaged in outside activities after 5 p. m., the other clerks willingly reported and expressed satisfaction in being able to break the daily office routine and get a breath of fresh air, together with the knowledge of the method of handling snow.

In the coming winter any clerks, if used on snow work, will have the opportunity to either remain in the office working on snow removal data or going outside assisting in the work of check snow loading. No clerk will be asked to or directed to do any outside work unless he so wishes or so volunteers.

Very truly yours,

C. J. CARVEN,
Commissioner of Public Works.

Placed on file.

OWNERS OF SOUTH BOSTON PROPERTY.

The following was received:

City of Boston,

Office of the Mayor, December 28, 1936.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Corporation Counsel relative to your order of December 7, 1936, concerning the record owners of premises at 767 East Fourth street, 42-48 A street and 27 Silver street, all in South Boston.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Law Department, December 23, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from your office dated December 10, 1936, with which was transmitted the following order of the City Council passed December 7, 1936:

"To advise the City Council the name and address of the owner of record of the premises at 767 East Fourth street, 42-48 A street and 27 Silver street, South Boston, prior to the City of Boston obtaining Land Court title following proceedings for nonpayment of taxes and to perfect city title."

The owner of record of the premises numbered 767 East Fourth street, South Boston, at the time of foreclosure by the city of its tax title on said property was Louise Constantine. I am informed that her address was at said time 396 West Broadway, South Boston.

The owner of record of the premises numbered 42, 44, 46 and 48 A street, South Boston, and of the premises numbered 27 Silver street, South Boston, at the time of foreclosure by the city of its tax titles on said properties was Hugh R. Collins,

I am informed that Mr. Collins' address at said time was 396 West Broadway, South Boston.

Very truly yours,
HENRY E. FOLEY,
Corporation Counsel.

Placed on file.

VETO OF BARTLETT STREET SIDEWALK.

The following was received:

City of Boston,

Office of the Mayor, December 23, 1936.

To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on December 7, 1936, for the making of a sidewalk with granite edgestones along both sides of Bartlett street in Ward 2.

I am informed by the Commissioner of Public Works that there are no funds available at the present time for this construction. Under the circumstances I am constrained to veto the order.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

Placed on file.

1937 BUDGET.

The following was received:

City of Boston,

Office of the Mayor, December 17, 1936.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Budget Commissioner relative to your order of December 7, 1936, concerning the time at which it is expected the 1937 budget will be presented to the City Council for action.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Budget Department, December 15, 1936.

To: Honorable Frederick W. Mansfield, Mayor.

Subject: City Council order, December 7,

1936.—To inform the City Council as to

when the Mayor expects to present budget

for 1937 to the City Council for action.

Memorandum.

As a result of legislation enacted during the current year disposing of the question of tax limit for the City of Boston, it will be possible to submit a budget, fully segregated, to the City Council for the coming year in accordance with the provisions of section 3 of the City Charter, *i. e.*, within thirty days after the beginning of the fiscal year (January 1, 1937).

Respectfully submitted,

FRANCIS J. MURRAY,

Budget Commissioner.

Placed on file.

BUILDING AT CORNER OF BUNKER HILL AND BALDWIN STREETS.

The following was received:

City of Boston,

Office of the Mayor, December 23, 1936.

To the City Council.

Gentlemen,—I transmit herewith a communication from the Building Commissioner relative to your order of December 15, 1936, concerning an inspection of the vacant building at the corner of Bunker Hill street and Baldwin street.

Respectfully,

FREDERICK W. MANSFIELD, Mayor.

City of Boston,

Building Department, December 21, 1936.

Hon. Frederick W. Mansfield,

Mayor of Boston.

Dear Sir,—In answer to your communication of December 18, inclosing an order of

the City Council dated December 15, "that the Building Commissioner and the Fire Commissioner be instructed by his Honor the Mayor to make an inspection of the vacant building at the corner of Bunker Hill street and Baldwin street, and report back to the City Council, within one week, the condition of this building," please be advised as follows:

The condition of this building has been known to this department since October 15, 1935, when a notice of its unsafe condition was served on Ethel Hurley of 74 Jefferson avenue, Chelsea, by a deputy sheriff. Nothing having been done to secure the unsafe condition of this building a further notice was sent to the owner and it was my intention to refer this matter to the Law Department for prosecution when we were informed that the premises had been taken by the City of Boston for nonpayment of taxes.

On April 23, 1936, an inspector of this department conferred with Mr. Roswell G. Hall, Superintendent of Public Buildings, relative to this matter, and he reported that the matter had been referred to one of the employees of that department.

In August of 1936 Mr. Hall requested a report from this department relative to the condition of the building. The district inspector reported that it was a brick building with a wooden ell, formerly occupied by three families but now vacant; that while the windows were broken they had been boarded up on the first floor; that the structural condition of the building was good; that it was not beyond repair and he would not recommend the demolition of the building.

On examination December 21, 1936, the district inspector makes a similar report, namely, that the windows and doors on the first floor are boarded up; glass in upper windows broken, building is in fair structural condition.

Respectfully yours,
EDWARD W. ROEMER,
Building Commissioner.

Placed on file.

SALE OF CITY-OWNED TAX-TITLE PROPERTY.

The following was received:

City of Boston,
Office of the Mayor, December 21, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Superintendent of Public Buildings relative to your order of December 7, 1936, concerning a request to supply certain information incident to any further requests for leave to sell all parcels of city-owned tax-title property.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Public Buildings Department,
December 21, 1936.

John F. Gilmore, Jr.,
Assistant Secretary, Mayor's Office.
Dear Sir,—Referring to the attached order of the City Council regarding city-owned tax-title property, I will be glad when submitting offers in the future to furnish the details as enumerated on the said order.

Respectfully yours,
ROSWELL G. HALL,
Superintendent of Public Buildings.

Placed on file.

TRANSFER FROM PARKMAN FUND INCOME.

The following was received:

City of Boston,
Office of the Mayor, December 21, 1936.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Board of Park Commissioners requesting the transfer of the sum

of \$2,103.31 from the income of the George F. Parkman Fund to the Maintenance and Improvement of the Common and Parks in Existence on January 12, 1887.

I submit herewith an appropriation order and respectfully recommend its immediate passage by your Honorable Body.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Park Department, December 21, 1936.
Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to request the City Council to transfer from the income of the George F. Parkman Fund the sum of \$2,101.31, which is the final balance now available, to be expended under the direction of the Board of Park Commissioners, as follows:

Common and Parks in Existence on January 12, 1887, Maintenance and Improvement of..... \$2,103.31.

When making up the budget estimates for the year 1936, a sum equal to the total yearly income of the George F. Parkman Fund was deducted from Item A-1, Permanent Employees, with the understanding that this deduction was to be replaced by the total yearly income of said Parkman Fund for 1936, to be transferred as it accrued from time to time during the year to the regular maintenance appropriation of the Park Department.

Respectfully yours,
WILLIAM P. LONG, Chairman.

Ordered, That the sum of \$2,103.31 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:

Common and Parks in Existence on January 12, 1887, Maintenance and Improvement of.....\$2,103.31

Referred to Executive Committee.

FISKE WHARF PURCHASE.

The following was received:

City of Boston,
Office of the Mayor, December 18, 1936.
To the City Council.

Gentlemen,—In further reference to the Fiske Wharf matter about which your Honorable Body desired more information, I beg to transmit herewith a letter from the Boston Port Authority. This letter is in reply to the report of the Finance Commission to your Honorable Body on the same subject.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

Boston Port Authority,
1600 Custom House,
Boston, Mass.,
December 10, 1936.

Hon. Frederick W. Mansfield,
Mayor of Boston.

In re Fiske Wharf.

Dear Mayor Mansfield,—Inclosed with a notice from your office on November 23, 1936, which asked for a reply to the Finance Commission's letter to the City Council about Fiske Wharf, their letter being dated November 14, 1936, was a copy of the letter in question. This letter I have reviewed and, as requested, am sending you my comments. I find in it no convincing argument against the purchase of the property by the city.

In order to provide a background and for your convenience, I call your attention to the following letters and memoranda, copies of which are inclosed.

Our letter to you dated July 25, 1935.

Captain Lord's memorandum to me, dated July 26, 1935. (Since this memorandum was submitted the New Haven has demolished the superstructure on Fiske Wharf.)

Our letter to Mr. Charles J. Fox, City Auditor, dated October 1, 1935.

Captain Lord's memorandum to me, dated October 30, 1935. (The tracing referred to was left either with you or with Mr. Fox.)

In paragraph 2, page 1, of the Finance Commission's letter of November 14, the defeat of the order to acquire the property in question is recommended. My comment is that the small expenditure involved cannot be described as "unnecessary burden on the heavy load the taxpayers now carry," that is, unless sound and constructive steps to build up the Port are to be construed as such an "unnecessary burden." In favoring the investment we do not anticipate any immediate use for the property, nor any immediate large expenditures on the property. Some fencing would be necessary, as outlined in one of the memoranda referred to above, and some of the dilapidated piling might have to be removed. Surely the investment and the immediate expense called for is a small burden for the city to carry in the protection of a very valuable piece of waterfront property from possible encroachment by non-marine enterprise, and for a very much needed step in the direction of getting our waterfront in an ultimate position to handle the growing needs of the Port. What seems not to be clearly understood is that the Port is not standing still, but is constantly gaining in business. The time will come, and it is almost here, as a matter of fact, when existing facilities will not be adequate. If we want to hold up our end with ports with which we are competing, all of which, without exception, regard their waterfronts as one of the prime assets of their communities, it is inconceivable that we can neglect any reasonable opportunity for constructive development, present or potential, which will permit us to keep abreast of the times and these other ports. A defeatist attitude, and an unwillingness to spend a few dollars when returns to the community of important values are ultimately going to be had, is not the attitude and spirit by which this city has been brought to its present eminence. The Port has not kept pace with the rest of the city, and until comparatively recent years, following a period of disastrous apathy, there has been little interest taken in it and apparently no one to take an interest in it. The city has paid the penalty for this neglect in countless ways, as, for example, the diversion of commerce and the establishment of rates and terminal practices favoring other ports but denied Boston. One reason why these things have happened is because the impression has been very definite that Boston's own government and own citizens either cared very little what happened to the Port, or were unable or unwilling to make an attempt to better conditions.

On page 2, last paragraph, the Finance Commission says: "If the city buys, it will simply relieve the railroad ownership of carrying a 'white elephant,' so called—of paying taxes on an assessed valuation of \$120,000 for something it has no use for and cannot sell." It is true that the New Haven for many years has not made use of this property, but it is not the case that it has been unable to sell it. As a matter of fact, comparatively recently a private purchaser was in the market for the property, and had negotiations not been going on with the city for its acquisition, the property would presumably have been sold and the city would have lost an opportunity to acquire it at the price now offered. The paragraph also contains the observation that the solid area of the parcel is only one-fifth of the whole area. This statement is of no importance, from the point of view of desirability of acquiring the space occupied by Fiske Wharf. It is the *location* the city should have, whether the property is solid land or whether a large part of it is on piles.

The Finance Commission's letter contains no answer to the argument (pages 1 and 2) "that the purchase by the city would keep the property out of ownership that might turn it into non-waterfront purposes, *i. e.*, the establishment of manufacturing plants or other industries which would have no use for its waterfront possibilities." This is a main argument for the acquisition of the property.

On pages 3 and 4, the letter refers to the large number of unused or little used parcels of land owned by the city. With such unused parcels here and there about the city, the problem of Port development can in no way be associated.

Reference is made in the report (page 3) to certain waterfront properties in the vicinity of Fiske Wharf owned by the city, *viz.*, "Atkins Wharf" and "another dock south of it (*i. e.*, Fiske Wharf) (insert ours), the old Ferry Dock, by a few hundred yards." The latter is also referred to as "the North Ferry slip" and the report states "Some waterfront experts regard the North Ferry slip as one of the most valuable dock properties on the waterfront."

Here are the facts on the several properties under reference and others. The City of Boston now owns or has under ninety-nine-year lease three parcels of land in this section of Atlantic avenue. The first runs from the old Boston and Worcester Street Railway property to the present Fiske Wharf property. This parcel includes the North Paving Wharf, referred to in the Finance Commission's report as Atkins Wharf, the fireboat berth and North End Park. The city also owns the North Ferry slip and has under ninety-nine-year lease the South Ferry slip. These properties are outlined in red on the accompanying tracing of certain Atlantic avenue properties.

The so-called Atkins Wharf is the North Paving Wharf, which is adjacent to the fireboat berth. This wharf is very narrow, being only fifty-seven feet wide, and is used by the Fire Department for the parking of cars and overhauling of equipment. Due to its narrow width, and complete lack of facilities, it is of no use to anyone but the Fire Department. The Finance Commission gives the existing valuation as \$275,000, a figure which must apply, for the most part, to the fire station and the building previously used as Police Station 8.

Fiske Wharf has been assessed for various amounts in recent years. Since the \$120,000 valuation, referred to in the report, the dilapidated buildings have been torn down. From the report it would be assumed that the New Haven was unable to sell this property to anyone. The contrary, as already pointed out, is the case.

There are several pieces of property between Fiske Wharf and the North Ferry slip, a fact not made clear in the letter (page 3, paragraph 1). First is that of the Lowney Chocolate Company, a privately-owned warehouse. Second is the old Winnisimmet Ferry slip, also privately owned. At one time, the city was considering its purchase to locate Police Station 8, then the Harbor Division. At the present time the property is used by no one. Adjacent to the Winnisimmet Ferry slip on the south is Constitution Wharf, owned by the Quincy Market Corporation, and used as a waterfront warehouse. Next on the south is Battery Wharf, also owned by the Quincy Market Corporation and used as a distributing warehouse. Then comes the North Ferry slip. This is a comparatively small piece of property, the solid fill area on which is much less than at Fiske Wharf. This is due to the fact that the city has constructed a street over most of the property. The limited berthing space available makes the North Ferry slip absolutely useless for waterborne commerce. To say, as the report does, and assuming Fiske Wharf were put in shape for use, "the city would not then have as good a location even for the purpose of which the Mayor wrote, as it now owns in the North Ferry slip" is not borne out by the facts.

Next in order come Lincoln and Union Wharves, privately owned, and then the South Ferry slip, leased by the city for ninety-nine years, fully utilized by the Ferry and the Institutions Department, and of no commercial value.

In brief, the properties above referred to on Atlantic avenue as owned or leased by the city are not of the slightest use for commercial purposes, as far as the Port is concerned.

On page 4, first full paragraph, the Finance Commission refers to "a comprehensive plan" and "proper legislative authority" in connection with the reclamation of the waterfront, going on to say "No more wharf property should be acquired while the city owns the North Ferry slip and is allowing it to become a menace to the harbor and a public waste." My comment is that while waiting for a "comprehensive plan" to be developed and made operative, waterfront property desired by the city in connection with such a plan, is and would be at the mercy of land speculators and of those who may purchase for nonmarine occupancy. No such attitude on the part of the city will protect its waterfront. Rather, the city should acquire desirable waterfront property as opportunity occurs at reasonable prices in anticipation of future needs.

If this is not the place to dwell at length on the Port and its problems, attention at least should be called to moneys already expended and to be expended by other ports less favored geographically than Boston, but determined at all reasonable costs to make the most of their opportunities. I know of no other major port in this or any other country that would permit of continuance a situation by which a large pier property in the heart of a city offered to that city for a quarter of its assessed valuation is refused. The sum involved is small. The what to go ahead is what is needed, and what I sincerely hope will be evidenced.

Very truly yours,
BOSTON PORT AUTHORITY,
RICHARD PARKHURST,
Vice-Chairman.

July 25, 1935.

Hon. Frederick W. Mansfield,
Mayor of Boston.

Dear Mayor Mansfield,—One of the situations in the Port which, as time goes on, should be susceptible of correction is the condition which we have on the water side of Atlantic avenue. Many of the piers there are relics of the old sailing days, and many of the structures aside from the piers are occupied for various purposes having nothing to do with marine use. Were the situation to be reversed, in other words, were the Atlantic avenue waterfront to be supplied with modern and commodious piers, there is no question but that the coastwise business of the Port, which, as you know, makes up about eighty per cent of our total tonnage, would be handled more expeditiously and economically. To reclaim the Atlantic avenue waterfront at this time is, of course, quite out of the question. However, I have long felt that we should be bearing in mind the possibility and the desirability of making a start on this work if and when an opening presented itself.

To the extent that the city itself can, from time to time, acquire parcels of property in this area, to that extent on the one hand can we keep undesirable construction or occupancy (and by undesirable I mean connected in no way with harbor activities) out of this zone, and on the other by such city ownership can we at a later date have a great deal more to say than we can now as to how we ultimately want this waterfront to be developed. For several years I have been keeping an eye out for such property as may be offered for sale in this area, but either no large parcels have been offered or if they have the price has been way out of sight. At the present moment, however, I find that the New Haven Railroad, which owns Fiske Wharf, adjacent

to North End Park, is rather inclined to get rid of that piece of property at a figure which may make it possible for the city to acquire it. Not long ago, we directed to the attention of the New Haven the fact that this wharf was the worst looking piece of property on the entire waterfront and requested their attention to the matter of putting it in better condition. Upon examination of the pier they found that it was so far gone that they would like to try to dispose of it and get it off their hands. They asked me if the city would be interested, and I said it would all depend upon what the property could be purchased for, because naturally the wharf itself is no good at all, and the only point in making the purchase would be to gain control of the land for such uses as the future might dictate. The New Haven has already had an offer of \$25,000, I believe, but I shall develop this. I may say that in 1932 the new Haven approached us on this same matter, which then came to a head for a different reason, and wanted a price of \$150,000 for this property.

The above is a very brief resume of this proposition. I think that the city should eventually control the water side of Atlantic avenue. We may have a chance here to start in a small way. As you undoubtedly know, the city of New York lost control of practically all the Hudson River waterfront as long ago as 1800, and in 1870 began a program to buy it back. They have, of course, spent huge sums to do this, but it is now practically accomplished. Whatever money Boston might want to spend to get control of the Atlantic avenue waterfront would be very small in comparison with the New York expenditure and, as I have said before, this is not the time to go into the matter in a large way. However, to enable the city to get a foothold, I am wondering if you would agree with me that could we get the Fiske Wharf property for the sum of \$25,000, we should, in the interests of the future of the Port, and on account of the fact that the figure is really a very low one, proceed to acquire the parcel in question.

I should like very much to talk this matter over with you personally, if you are interested, and in the meantime, I am going to suggest to Mr. Russell, of the New Haven, that before he makes any final move to dispose of the property, he communicate further with us.

Very truly yours,
RICHARD PARKHURST,
Vice Chairman.

July 26, 1935.

Memorandum for Mr. Parkhurst.

Subject: Fiske Wharf Property.

In compliance with your memorandum of July 25, I visited the premises at Fiske Wharf and wish to submit the following report relative to conditions.

The Fiske Wharf property consists of two piers, one, Fiske Wharf, adjacent to the North End Park bath house property, and Harris Wharf, which is between Fiske Wharf and the old Chelsea Ferry slip. Fiske Wharf is of pile construction with solid fill out to the present fire wall, which is approximately one third of the distance from the street to the end of the pier. In examining this pier at low water, at a distance of about three quarters of the length of the pier and under the pier, the bottom may be seen showing that while the entire pier is not all solid fill, the water shoaled to such an extent that there would not be more than eight or nine feet of water around the present piles. The flooring to this pier is in very poor condition, and on the north side where there is a driveway extending the entire length of the pier, the floor is unsafe for any one to walk on. This driveway is approximately thirty feet in width. In the balance of the pier a false floor has been built two feet higher than the original floor. This raised floor or platform is in good condition.

There are no sprinklers on the pier and no lights. The side walls are in very poor condition, sagging in many places and ab-

solutely entirely open to the weather. The roof leaks considerably, but is comparatively solid.

There are two street approaches to these piers from Commercial street, having a width of about thirty-five feet. There are no fences protecting the piers from vandalism and there is no solid ground, other than what is under the piers, that would go with the property. Fiske Wharf is four hundred and thirty feet in length. In order to berth a vessel at Fiske Wharf on either side, a certain amount of dredging would be necessary, as the entire area has shoaled. While charts show twenty feet alongside these piers, I doubt very much if there is eighteen feet and at the head I doubt if there would be more than eight feet of water.

Fiske Wharf has the following dimensions: 430 feet long, 135 feet wide, with a one-story shed covering approximately 64,000 square feet.

Harris Wharf is 230 feet in length, 50 feet wide, with a shed one story high and covering an area of 24,000 square feet. It has approximately 75 per cent of floor space over a solid fill foundation. This solid fill runs under the center of this pier, the aprons, and for a short distance inside of the aprons, being on pile construction. The floor of Harris Wharf is the same height above mean low water as the driveway on Fiske Wharf, so that at times of extreme high water this wharf is likely to be wet. The false floor on Fiske Wharf keeps that area dry under these conditions. The side walls and roof of Harris Wharf are in the same condition as those of Fiske Wharf.

These two wharves would be ideal for the handling of coastwise traffic, if rebuilt, by having* new side walls, roof and flooring installed. While there is no direct rail connection to the Union Freight, one could be had very easily. Also, coastwise traffic for local consumption is handled in the most part by trucks. Ample facilities are at hand for the handling of trucks on these two piers, as they may be approached from three different streets.

GEORGE P. LORD.

*Also much new piling.

October 1, 1935.

Mr. Charles J. Fox,
City Auditor.

Dear Mr. Fox,—In the matter of the Fiske Wharf property, in order that you may have a background of the situation. I inclose the following:

1. Copy of a letter which we sent the Mayor on July 25, 1935.
2. Copy of a memorandum submitted to me by Captain Lord, our Marine Supervisor, on July 26, 1935.

This piece of property is adjacent to North End Park and might be susceptible of development in relation to the latter. I hope, however, that this will not be the case, and that this area would be set aside by the city for such future commercial development as the requirements of the Port may dictate.

Fiske Wharf itself is in very bad condition. Some of the piling may be in fair shape, but probably if the city were to acquire the property it would be advisable to remove not only the upper works but also the piling. The place is one of the worst fire hazards on the waterfront, and for that reason alone the city would do well to demolish it.

As the commerce of the Port expands, which it is bound to do after we get the rate and terminal situation straightened out, the Fiske Wharf property should be a valuable asset to the city. It is close to the deep water channel, and while, of course, some dredging would have to take place between the channel and the pier itself, this would naturally be undertaken if and when new piers were constructed at that location.

I hope very much that arrangements will be made for the city to purchase the property,

demolish the existing structures and have it available for future needs.

In the event that this letter and inclosures do not cover the situation for your purposes, I shall be glad to send you supplementary information in such other form as you may request.

Yours very truly,
RICHARD PARKHURST,
Vice Chairman.

October 30, 1935.

Memorandum for Mr. Parkhurst.

Fiske Wharf Property.

I have measured the length of fence required to properly protect this property after buildings and deck of the piers have been removed. The total length would be 415 feet of fencing. If the deck of Harris Wharf, the southern pier, is not removed, an additional 40 feet would be required to keep people, and particularly youngsters, from getting over onto this property and possibly injuring themselves. The attached drawing is a tracing made of the property from the atlas in the assessors' office at City Hall. This property abuts the North End Park Bath House, and the fence would be run from that building straight through to the southeastern corner of Harris Wharf, thence along the property line, a distance of 38 feet to the brick wall, which is part of Harris Wharf. This brick wall probably could be retained at least for half of its height, thereby saving approximately 100 feet of fencing which would otherwise be required.

If the deck or planking of Harris Wharf is removed, no further fencing would be required. If, however, it is left an additional 40 feet of fencing would be necessary to run from the brick wall to beyond low water.

Respectfully yours,
GEORGE P. LORD,
(Capt. George P. Lord.)

Placed on file.

1937 POLICE LISTING.

The following was received:

City of Boston,
Office of the Mayor, December 18, 1936.
To the City Council.

Gentlemen,—I transmit herewith a communication from the Police Commissioner relative to your order of December 7, 1936, concerning the 1937 police listing.

Respectfully,
FREDERICK W. MANSFIELD, Mayor.

City of Boston,
Police Department, December 17, 1936.
Mr. John F. Gilmore, Jr.,

Assistant Secretary, Mayor's Office.

Dear Sir,—Replying to your communication dated December 14, 1936, with which you sent to this office copy of City Council order dated December 7, 1936, which reads:

"Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to consider the advisability of using only day men on police listing work, utilizing the services of officers in the Traffic Division, and such divisions as Division 2, for work in other sections, and to issue an order to the captains in the various divisions that no report on police listing be made sooner than twenty days from January first."

I am in receipt of a report from Edward W. Fallon, Superintendent of Police, stating that he is of the opinion that no benefit will be obtained by adopting the City Council order, and he recommends that the present policy of the department in respect to police listing be maintained.

The suggestion that the services of officers in the Traffic Division and such divisions as Division 2 be utilized for work in other sections is not feasible as the officers of the Traffic Division and Division 2 perform a

most important duty in the business section of this city in the protection of large business establishments, and the guidance and safety of pedestrian and vehicular traffic in the most congested section of the city.

Having in mind the duties performed by officers assigned to automobile patrol, special duty, court attendance, school crossings, and one day off in eight that is allowed officers, it would not be practicable to adopt this change at this time, especially in view of the fact that there is a shortage now of 310 patrolmen in the department.

Very truly yours,

JOSEPH F. TIMILTY,
Police Commissioner.

Placed on file.

PETITIONS REFERRED.

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

Claims.

William H. Bennett, to be reimbursed for execution issued against him.

Bernard J. Casey, to be reimbursed for execution issued against him.

Fred Perkins, for compensation for damage to truck by city truck.

A. Puopolo, for compensation for damage to property at 18 Cooper street, caused by bursting fire hose.

Joseph S. Snyder, for reimbursement for execution issued against him.

Angelo Steriti, for compensation for damage to truck and personal injuries caused by an alleged defect on Charlestown Bridge.

Anthony Steriti, for compensation for injuries caused by an alleged defect in Charlestown Bridge.

Betsey Welansky, for compensation for damage to property at 85 Cunningham street, caused by blockage of sewer.

Executive.

Petition of Viola K. Breiding, for children under fifteen years of age to appear at Current Events Hall, December 23.

REMOVAL OF JAMES J. EGAN.

Notice was received from the Mayor of removal of James J. Egan from position as member of the Board of Commissioners of School Buildings, inclosing copy of letter sent him December 21, 1936.

Placed on file.

APPOINTMENTS BY THE MAYOR.

Notices were received of the following appointments by the Mayor, viz.:

Leo J. Dunn, 11 Primrose street, Roslindale, to be member of the Board of Commissioners of School Buildings for term ending December 1, 1938, to fill vacancy caused by removal of James J. Egan.

Edward M. Richardson, 11 Gerald street, Brighton, as Public Works Commissioner, in place of Christopher J. Carven, retired, to take effect January 1, 1937.

Severally placed on file.

APPOINTMENT OF FRANCIS R. BANGS.

Notice was received from Richard J. Lane and Leo J. Dunn, members of the Board of Commissioners of School Buildings of City of Boston, of appointment of Francis R. Bangs of Boston as member of Board of Commissioners of School Buildings in accordance with provisions of chapter 351 of Acts of 1929, for the term of three years from December 1, 1936.

Placed on file.

APPROVAL OF CONSTABLE'S BOND.

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

SOLDIERS' RELIEF.

Coun. KERRIGAN, 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 December.

Report accepted; said order passed under suspension of the rule.

RECESS.

The Council voted at 2.23 p. m., on motion of Coun. GLEASON, to take a recess for ten minutes. The Council reassembled and were called to order by President FITZGERALD at 2.53 p. m.

ELECTION OF CLERK OF COMMITTEES.

Coun. MELLEN offered the following:

Ordered, That the City Council proceed to the election of a Clerk of Committees of the Boston City Council.

Coun. MELLEN—Mr. President, when the office of Clerk of Committees was vacated by the untimely and unfortunate death of the estimable man who had held it for so many years, I was greatly shocked and deeply chagrined to have the Mayor of Boston seek to usurp the powers of members of the City Council by attempting to place a member of his office force in that position. It occurred to me that the Mayor never asks us for our advice when he has a vacancy to fill, and that when we go to the Mayor's office on a legitimate errand we receive a modicum of courtesy and are shown very little respect or esteem. I hold no brief for the Mayor of Boston. I think he goes entirely outside of his province when he attempts to dictate to the members of the body in a matter that is entirely within our province. For that reason I am against anything that the Mayor wants in this particular matter.

Coun. WILSON—Mr. President, this position was left vacant through the unfortunate death of the man who served so well and so ably for seventeen years in a position of some importance for which he was so admirably and naturally fitted; although very frankly, in my opinion, except in the case of the man who has occupied that position for the past seventeen years, the salary of \$5,500 means a gross overpayment for the services rendered. As a member of the City Council for some years—and I think many of my fellow members will agree with me—I will be frank enough to admit that the criticism, made by the Committee on Rules this last year, as you will well remember, Mr. President, were well warranted by the existing facts. I personally believe that this might well be an excellent time to revamp both the duties and the respective salaries of the eight attaches of the Clerk of Committee's office and the City Messenger's office. I think at the start of the new year, with the few important vacancies that have occurred, it might be an excellent time for the City Council to clean its own house and, as I say, revamp completely the duties of the eight attaches of the Clerk of Committee's and City Messenger's offices and also the salaries for the various positions. For that reason, I would like to see this entire matter go over until the New Year, and I would so move.

Coun. Wilson's motion to postpone action upon the whole matter until the body meets in January was declared carried. Coun. DOWD doubted the vote and asked for the yeas and nays.

The motion to postpone was lost, yeas 8, nays 12:

Yeas—Coun. Finley, John I. Fitzgerald, Gleason, Roberts, Rosenberg, Selvitella, Shattuck, Wilson—8.

Nays—Coun. Agnew, Brackman, Doherty, Dowd, Peter J. Fitzgerald, Gallagher, Kerrigan, Kilroy, McGrath, Mellen, George A. Murray, Tobin—12.

President FITZGERALD—The motion is lost, and the question now comes on the passage of the order.

The order was declared passed and the clerk started to call the roll.

Coun. ROSENBERG—Mr. President, I move that the matter be referred to the Executive Committee.

Coun. DOWD—Mr. President, I rise to a point of order, that the City Clerk has already proceeded to poll the members, and we are now proceeding to the election of a Clerk of Committees.

Coun. Rosenberg's motion was lost.

The vote on Clerk of Committees was as follows:

For Robert E. Green—Coun. Agnew, Doherty, Dowd, Peter J. Fitzgerald, Gallagher, Kerrigan, Kilroy, McGrath, Mellen, George A. Murray, Tobin—11.

For John F. Gilmore—Coun. Brackman, Finley, John I. Fitzgerald, Gleason, Roberts, Rosenberg, Selvitella—7.

For William J. J. O'Neil—Coun. Shattuck, Wilson—2.

President FITZGERALD—Eleven votes have been cast for Robert E. Green, seven for John F. Gilmore, and two for William J. J. O'Neil, and Robert E. Green is elected Clerk of Committees by this Council.

ELECTION OF SECOND ASSISTANT CITY MESSENGER.

Coun. MURRAY offered the following:

Ordered, That the City Council proceed to the election of a Second Assistant City Messenger.

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

RECESS.

On motion of Coun. GALLAGHER the Council voted at 3 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 FITZGERALD at 3.43 p. m.

SALARIES OF COUNCIL ATTACHES.

Coun. GALLAGHER offered the following:

An Ordinance Concerning Salaries of Officers Connected with the City Council.

Be it ordained by the City Council of Boston, as follows:

Section 1. Section five of chapter three of the Revised Ordinances of 1925, as most recently amended by chapter four of the ordinances of 1935, is hereby further amended by striking out the words "twenty-seven hundred and fifty dollars" in the salary of the second assistant city messenger and inserting in place thereof the words "twenty-two hundred and fifty dollars," and in the salaries of the two stenographer-clerks connected with the City Council by striking out the words "two thousand dollars" and inserting in place thereof the words "twenty-two hundred and fifty dollars."

Section 2. This ordinance shall take effect beginning with December 29, 1936.

Passed under suspension of the rules.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred today) appropriating sum of \$2,103.31 from Parkman Fund income—that same ought to pass.

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

2. Report on petition of Viola K. Breiding (referred today) for children under fifteen years of age to appear at Current Events Hall December 23—that leave be granted on usual conditions.

Report accepted; leave granted usual conditions.

3. Report on payment of annuities to widows of policemen or firemen, as follows:

The Executive Committee respectfully reports that under the Statutes of 1933, chapter 340, an annuity cannot be paid to the widow of a policeman or fireman unless the Medical Board certifies that the death of such policeman or fireman was the direct result of an injury received in the performance of his duty.

On the following listed petitions the Medical Board, having certified that in each case the death was not the direct result of such an injury, the Executive Committee finds that even if favorable action were taken by the City Council such action would be ineffective under the statute, and accordingly reports that no further action is necessary, viz.:

Mary A. Bailey, referred May 27, 1935.

Mary Mahan, referred May 27, 1935.

Jennie E. Reagan, referred June 13, 1935.

Mehitable M. Patterson, referred August 12, 1935.

Marie L. A. Murphy, referred September 30, 1935.

Margaret M. Farley, referred September 30, 1935.

Mary McNamara, referred April 27, 1936.

Jennie K. Cahoon, referred May 25, 1936.

Frances E. Dolan, referred June 8, 1936.

Margaret H. Gillis, referred August 3, 1936.

Mary V. Hunt, referred September 1, 1936.

Mary F. Hartigan, referred October 5, 1935.

Mary A. Barron, referred October 5, 1936.

The report was accepted, and the Council voted that no further action be taken on the above listed petitions.

4. Report on order (referred today) that Council elect Second Assistant City Messenger—that same ought to pass.

Report accepted; said order passed.

President FITZGERALD—The clerk will call the roll.

The clerk called the roll on the question of election of Second Assistant City Messenger, with the following result:

For Dennis H. Shillue—Coun. Agnew, Brackman, Doherty, Dowd, Finley, John I. Fitzgerald, Peter J. Fitzgerald, Gallagher, Gleason, Kerrigan, Kilroy, McGrath, Mellen, George A. Murray, Norton, Roberts, Rosenberg, Selvitella, Tobin, Wilson—20.

And Dennis H. Shillue was declared elected Second Assistant City Messenger.

PEDESTRIAN SIGNAL LIGHTS, WARD 14.

Coun. ROSENBERG offered the following: Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to rearrange the lighting system at the intersection of Blue Hill avenue and Seaver street, Ward 14, so as to provide pedestrian signal lights for the protection and safety of those persons who have occasion to cross this dangerous intersection.

Coun. ROSENBERG—Mr. President, I wish to make just a few remarks about this order. At the corner of Seaver street and Blue Hill avenue we do not have traffic lighting that operates in three ways. The lights simply turn red and green, there being no pedestrian lights. I believe there is no section of Boston where there is a busier thoroughfare. In order to cross the street people sometimes have to wait ten or fifteen minutes, and when they do so their lives are frequently in jeopardy.

Only last week an old gentleman of eighty was killed at that intersection, and accidents frequently occur there. The Traffic Department claims that the providing of pedestrian street lights is going to stop continuity of traffic. I believe that the engineers of the Traffic Department can work out some plan by which pedestrians will be enabled to cross more safely. I believe it is more important to take care of pedestrians than it is to have in mind merely the free flow of traffic. I trust, therefore, that this matter will be taken up by the Mayor and the Traffic Commissioner and that some plan will be worked out whereby the lives of people crossing at that point will not be placed in jeopardy.

Coun. TOBIN—Mr. President, I am very happy to see that the councilor from the ward adjoining mine has taken this matter up. On November 16 I introduced an order asking, through his Honor the Mayor, that the Park Commissioner, the Public Works Commissioner and the Chairman of the Traffic Commission conduct a survey of trucks using Columbia road, Dorchester, from Geneva avenue to Uphams Corner, a matter affecting both Wards 14 and 15. Some years ago we had a system whereby truck traffic was conducted on one side of the highway and the regular vehicular traffic on the other. That has since been changed, with the result that the whole

surface of Columbia road, from Franklin Park to Uphams Corner is being used by trucks at all hours of the day and night, in spite of the fact that other broad highways have been laid out for the benefit of trucks. We have had continual complaints from people living along the line, property owners of the district, who are losing money in connection with their property by reason of the existing situation. I hope that the matter will be looked into in accordance with the order introduced on November 16, and that the entire district will be protected.

The order was passed under suspension of the rule.

WARD 14 MUNICIPAL BUILDING.

Coun. ROSENBERG offered the following:
Ordered, That his Honor the Mayor be requested to include as an appropriation in the 1937 budget, or as a W. P. A. project, the erection of a municipal building centrally located in Ward 14.

Passed under suspension of the rule.

Adjourned at 3.54 p. m., on motion of Coun. AGNEW, to meet on Monday, January 4, 1937, at 2 p. m.

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